



## Mobile Food Unit and Temporary Restaurant Proposed Significant Rule Changes

The proposed changes to the Mobile Food Unit and Food Sanitation Rules (OAR 333-150 and 333-162) that are listed below were developed by a workgroup of industry and regulatory members to update the statewide standards. A public hearing will be held on these proposed rules later this year. The Oregon Health Authority will send you information on the hearing date and location and how to submit testimony on the proposed rules. Please note that the proposed rules listed below are not the only changes to the mobile food unit standards. The complete draft rules will be available soon at:

<https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/FOODSAFETY>

### Mobile Food Units:

√	Rule Citation	Subject	Summary	Effective Date
	3-501.15	Cooling	Cooling of foods must be done in one of three ways: 1) In a licensed commissary; 2) Using commercial refrigeration; or 3) Using written cooling procedures and cooling logs.	July 1, 2020
	3-502.11	Variance	A mobile unit may not conduct activities that require a variance unless they operate from a licensed commissary.	February 1, 2020
	4-301.14	Ventilation	Ventilation violations will be considered priority foundation items.	February 1, 2020
	5-203.11	Handwashing Sink Pressure	Handwashing sinks must provide water under pressure of a least 20 PSI.	Only New Units
	5-304.15	Water Tank Cleaning	Potable water tanks must be designed to be accessible and transparent to determine cleanliness. Tanks must be cleaned at least every six months or per manufacturer's recommendations.	Only New Units
	5-305.11	Off-Unit Water Tanks	Mobile food units licensed prior to January 1, 2020 with water tanks that are not integral to the unit must discontinue use of those tanks.	January 1, 2023
	6-402.11	Restroom Distance	New mobile food units must provide a restroom that is located within 500 feet of the unit.	Only New Units
	333-162-0020	Maintained as Approved	Mobile food units must be maintained and operated as originally designed and approved. Units that have been modified without approval must revert to the approved design and operation.	January 1, 2023
	333-162-0020	Designed in One Piece	Mobile food units must be designed and constructed to move as a single piece. Mobile units may not be designed to be assembled at the operating location.	Only New Units
	333-162-0020	Shelves and Tables	Mobile food units may use folding shelves or tables that are integral to the unit to display non-potentially hazardous condiments and customer single-use articles such as napkins and plastic utensils.	February 1, 2020
	333-162-0020	Cooking Units	Class IV mobile food units may use <u>one</u> cooking unit, such as a BBQ or pizza oven, that is not integral to the unit. The cooking unit may not be a flat top grill, griddle, wok, steamtable, stovetop, oven or similar cooking device.	February 1, 2020
	333-162-0020	Non-PHF Display	Mobile food units may display commercially packaged, non-potentially hazardous food items, such as cans of soda or bags of chips, off the unit.	February 1, 2020
	333-162-0020	Garbage Containers	Mobile food units must provide a garbage container for customers if seating is provided.	February 1, 2020
	333-162-0020	Auxiliary Storage	At the end of the workday, auxiliary storage must be placed in the unit or a licensed warehouse. Refrigerators and freezers may not be placed outside the unit and must be in the unit or in a licensed warehouse.	February 1, 2023

✓	Rule Citation	Subject	Summary	Effective Date
	333-162-0030	Catering* and Delivery	A mobile food unit may not provide catering services unless: 1) The unit operates from a licensed commissary; or 2) The unit has commercial-grade equipment and the unit has obtained a variance from the Oregon Health Authority. Mobile food units may use third-party delivery services and online ordering.	February 1, 2020
	333-162-0680	Exterior Protection	Mobile food units must be secured and protected from contamination when not in operation.	January 1, 2023
	333-162-0880	Cold Plates	Mobile food units that are new or have never been licensed in Oregon may not utilize cold plates that do not have an associated power source, such as a battery, generator or propane tank, as the sole means for temperature control.	Only Units Never Licensed in Oregon
	333-162-0890	Scoring and Enforcement	Mobile food units will be assigned an inspection score and will be subject to the same enforcement procedures applied to restaurants.	February 1, 2020

Temporary Restaurants:

	1-201.10(B)	Temporary Restaurant License Exemption	An establishment or organization that prepares or sells non-potentially hazardous food items for immediate consumption at an event will be exempt from the temporary restaurant licensing requirements if: 1) Food employees do not contact exposed, ready-to-eat food with their bare hands and use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment; 2) A temporary handwashing facility is provided; and 3) A notice is posted in public view that states: "Notice: Food service at this location may not have been inspected by the regulatory authority", or other language if approved.	February 1, 2020
	333-162-0036	Mobile Food Units Operating at Temporary Events	A licensed mobile food unit operating as a single-event temporary restaurant as specified under ORS 624.650 may utilize off-unit tables and display areas for non-potentially hazardous foods and dispensed beverages, condiments, and single-service articles such as napkins and utensils. The off-unit tables and display areas allowed under this rule may not be used to conduct activities such as food preparation, assembly or cooking. The display or dispensing of potentially hazardous foods is not allowed. Mobile food units that place equipment or conduct operations outside the unit that are beyond those allowed in this rule must obtain a single-event temporary restaurant license	February 1, 2020

Comments:

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Establishment Name: \_\_\_\_\_ City: \_\_\_\_\_ Date: \_\_\_\_\_

Operator \_\_\_\_\_ EHS: \_\_\_\_\_

If you have any questions or comments on the proposed rules, please contact Dave Martin at (971) 673-3283 or [david.c.martin@state.or.us](mailto:david.c.martin@state.or.us).

\*Catering means using a mobile food unit to prepare food that will be removed from the unit and served at another location. A mobile unit must move to the location where the food will be served and must serve food to the ultimate consumer from the window and not buffet-style.