



**Massachusetts Department of Public Health**  
Bureau of Environmental Health  
305 South Street  
Jamaica Plain, MA 02130-3597  
(617) 983-6712 (617) 983-6770 - Fax

## **Food Protection Program Policies, Procedures and Guidelines**

**Issue: Licensure for Truck Vendor Equipped with Insulated  
Mechanically-refrigerated Unit Operating as  
Retail Mobile Food Operation**

**No: RF- 12**

### **Background:**

The Food Protection Program (FPP) has received many inquiries from local boards of health (LBOH) related to the licensure requirements and operational procedures of truck vendors that are equipped with insulated mechanically-refrigerated units operating as retail mobile food operations selling frozen pre-packaged meat, poultry and seafood items. Many of these truck vendors are independent contractors who buy their frozen products from companies within Massachusetts or out-of-state and then travel from town-to town conducting retail door-to-door sales. It has been a challenge for LBOH to get these truck vendors to obtain the proper license and determine if these food products are coming from approved sources. Some jurisdictions have contacted their local police departments to assist them in stopping these truck vendors from doing business in their communities because they are not properly licensed.

### **Licensure requirements:**

All mobile food operations shall comply with the requirements of 105 CMR 590.000 - State Sanitary Code Chapter X: Minimum Sanitation Standards for Food Establishments which adopts by reference the federal 1999 Food Code. Local boards of health are responsible for licensing and inspecting mobile food operations.

Truck vendors equipped with insulated mechanically-refrigerated units operating as retail mobile food operations must obtain the following permits/license:

- Mobile Food Operation Permit from LBOH in each jurisdiction in which they operate.
- Hawker and Peddler License from MA Division of Standards, One Ashburton Place, Room 1115, Boston, MA 02108, (617) 727-3480; <http://www.mass.gov/standards>
- Local Police Department Permit (i.e., Solicitor Permit) may also be required.
- Retail Seafood Truck Dealer Permit from MA Division of Marine Fisheries, 251 Causeway Street, Suite 400, Boston, MA 02114, (617) 626-1520 if selling raw fresh or raw frozen seafood products; <http://www.mass.gov/dfwele/dmf>

Copies of the above mentioned Permits/License shall be kept with the vehicle for the jurisdictions in which the sales are conducted and made available upon request by LBOH or local police. Truck vendors that are operating as a delivery service for pre-ordered food products are exempt from licensure.

**Operational procedures:**

All mobile food operations are required to operate from a fixed licensed base of operation at which they obtain and/or store their food and clean their vehicles in accordance with 105 CMR 590.009(B)(12). All frozen meats, poultry, and seafood or any other food products shall be from approved sources. Mobile food operators shall retain receipts or invoices which must indicate the name of the food item, the date purchased and the name of the approved food source. In accordance with Food Code section 3-501.11, stored frozen foods shall be maintained frozen. Vehicles shall be equipped with an insulated mechanically-refrigerated unit, powered by the vehicle on which it travels, to maintain foods frozen. In accordance with Food Code sections 4-203.12 and 4-204.112, an ambient air temperature measuring device shall be located to measure the air temperature in the warmest part of the mechanically-refrigerated unit. In accordance with Food Code section 4-502.11, ambient air temperature measuring devices shall be maintained in good repair and be accurate within the intended range of use.

Although it is not required by regulation, it is recommended that mobile food operators maintain a temperature monitoring log with recordings logged at start, every two hours, and finish of each date in which frozen product is held on the vehicle and retain all sales records which indicate the name, address, phone number, date of sale and product purchased by the customer in order to facilitate traceability and safe food handling practices.