

Ohio Department of Agriculture

January 31, 02

Fact Sheet

Mobile Retail Food Establishment

What is a Mobile Retail Food Establishment?

A Mobile Retail Food Establishment is defined in Chapter 3717 of the Ohio Revised Code as a retail food establishment that is operated from a movable vehicle or other portable structure, and that routinely changes location.

Is there a Limit to How Long a Mobile Retail Food Establishment May Operate from the Same Location?

Yes. If the establishment operates at any one location for more than forty consecutive days it is no longer considered a mobile retail food establishment.

How do you Determine if a Mobile Unit is a Mobile Retail Food Establishment or a Mobile Food Service Operation?

As with permanent retail food establishments and food service operations the determination is based upon the primary business of the facility, the type of foods being offered and the method of sale.

A mobile food service operation is a unit where food is prepared and/or served in individual portions. Served means a response made to an order for one or more individual portions of ready-to-eat food.

A mobile retail food establishment is a unit where food is processed, prepared, manufactured or otherwise held or handled for retail sale in bulk quantities.

What are Examples of Typical Mobile Retail Food Establishments?

- Ø A mobile unit selling fresh or frozen meat, poultry or fish.
- Ø A mobile unit selling fresh eggs.
- Ø A mobile unit making and / or selling fudge by the pound.

Where Does the Operator of a Mobile Retail Food Establishment Get Licensed?

The operator of a Mobile Retail Food Establishment is licensed by the local health department where their business headquarters is located. The business headquarters is the business mailing address. The operator of a Mobile Retail Food Establishment that comes to Ohio from another state must obtain their license from the local health department where they first sell food from their unit.

How do I get a license?

You will need to contact the local health department. They will help guide you through the licensing process. They will identify the type of information that they require to determine if your unit meets the necessary criteria to become licensed. A few of the basic items that they will need include: a drawing or sketch of the layout of your mobile unit, an equipment listing, and a listing of the food products you plan to sell.

Are there Limitations to What Foods I can Sell from my Mobile Retail Food Establishment?

Yes. The foods that may be offered for sale are limited by the equipment and facilities provided on the mobile unit. The local health department will determine your equipment needs prior to issuing a license. They will sketch a diagram of your unit on the back of the license and identify the types of foods that you are approved to offer for sale.

Do I have to Obtain a Mobile Retail Food Establishment License from each Local Health Department that

has Jurisdiction Over the Area where I set My Unit Up to Sell Food?

No. The license you obtain from the local health department where your business headquarters is located will be given "full faith and credit" by all local health departments in Ohio.

What are Examples of Mobile Units that would be Exempt from a Mobile Retail Food Establishment License?

- Ø A mobile unit selling fresh fruits and fresh vegetables that are unprocessed.
- Ø A mobile unit with alcoholic beverages and/or prepackaged beverages that are not potentially hazardous.
- Ø A mobile unit with commercially pre-packaged non-potentially hazardous foods in displays up to 200 cubic feet.

Questions?

Contact ODA Division of Food Safety
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