

# Mobile Food Unit, Seasonal Temporary Food Stand, and Seasonal Permanent Food Stand Construction Guide

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MDH Documentation Adopted by: [Clay-Wilkin-Otter Tail Public Health](#)



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# Minnesota Department of Health

## Environmental Health Division

### Food, Pools, and Lodging Services Section

#### Mobile Food Unit, Seasonal Temporary Food Stand, and Seasonal Permanent Food Stand Construction Guide

Minnesota Department of Health

Environmental Health Division

Food, Pools, and Lodging Services Section

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Website: [www.health.state.mn.us/divs/eh/food/license/planreview.html](http://www.health.state.mn.us/divs/eh/food/license/planreview.html)

*If you require this document in another format contact 651-201-4500.*

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## PURPOSE

This document is intended to assist individuals or groups in submitting plans to the Minnesota Department of Health (MDH) or the local jurisdiction for mobile food units (MFU), seasonal temporary food stands (STF), and seasonal permanent food stands (SPF). Construction, equipment, and operational standards outlined in this guide are minimum requirements per the Minnesota food code.

MFU, STF, and SPF in Minnesota are licensed by a variety of different agencies. The menu and location of operation will be used to determine which agency is responsible for plan review and licensing.

To determine whether your license will be issued by MDH, your local jurisdiction, Minnesota Department of Agriculture (MDA), or Indian Health Services, see the Food, Pools, and Lodging Services Section website at [www.health.state.mn.us/divs/eh/food/license/index.html](http://www.health.state.mn.us/divs/eh/food/license/index.html) or call MDH at 651-201-4500.

**MDH will not review plans nor license mobile food units and seasonal temporary food stands that do not have scheduled events or areas of operation in MDH jurisdictions. Contact your local your local health department for plan requirements in areas outside MDH jurisdiction.**

## DEFINITIONS

Minnesota Statutes, section 157.15 defines a mobile food unit, seasonal temporary food stand, and seasonal permanent food stand as:

### Mobile Food Unit

"Mobile food unit" means a food and beverage service establishment that is a vehicle mounted unit, either:

- (1) motorized or trailered, operating no more than 21 days annually at any one place, or operating more than 21 days annually at any one place with the approval of the regulatory authority as defined in Minnesota Rules, part 4626.0020, subpart 70; or
- (2) operated in conjunction with a permanent business licensed under this chapter (157) or chapter 28A at the site of the permanent business by the same individual or company, and readily movable, without disassembling, for transport to another location.

### Seasonal Temporary Food Stand

"Seasonal temporary food stand" means a food and beverage service establishment that is a food stand which is disassembled and moved from location to location, but which operates for no more than 21 days annually at any one location, except as provided in paragraph (b).

(b) A seasonal temporary food stand may operate for more than 21 days annually at any one place with the approval of the regulatory authority, as defined in Minnesota Rules, part 4626.0020, subpart 70, that has jurisdiction over the seasonal temporary food stand.

## Seasonal Permanent Food Stand

“Seasonal permanent food stand” means a food and beverage service establishment that is a permanent food service stand or building, but operates no more than 21 days annually.

### RESTRICTIONS

Menu and process determine the type of equipment required and whether the operation can be approved. Complex food items usually require additional or specialized equipment, and will not be approved unless necessary equipment is provided.

Catering operations cannot be conducted from MFU, STF or SPF unless approved by the regulatory authority and adequate provision is made for the safe storage and handling of the large volume of foods associated with catered events.

All food storage and preparation must take place in the stand, unit or at a permanent approved food establishment.

*(Minnesota Statutes, sections 157.15, 157.16)*

*(Minnesota Rules, parts 4626.0130; 4626.1425; 4626.1720, item D)*

### PLAN SUBMITTAL AND REVIEW

**Plans must be submitted to MDH at least 30 days before beginning construction, extensive remodeling or conversion of an existing structure to a food establishment. “Approved” means acceptable to MDH based on a determination of conformity with principles, practices and generally recognized standards that protect public health.**

#### Plan Review Process

The MDH plan review process follows these steps:

1. Submit your plan review application, all required information and appropriate fee. MFU, STF or SPF plan review application is available at [www.health.state.mn.us/divs/eh/food/license/praptfs.pdf](http://www.health.state.mn.us/divs/eh/food/license/praptfs.pdf).
2. MDH plan review staff reviews plans in the order they are received. In order to provide timely and accurate review of your application, all required information listed in [Plan Submittal](#) must be received before MDH staff can process your plan review.
3. MDH plan review staff calls or emails you when review starts, and to request any needed additional information.
4. When review is complete, you will receive a letter reporting the findings of the review (approval or denial). Plan approval letters will include a license application.
5. Begin construction after approval to avoid costly corrections and delayed openings.
6. Submit the license application and appropriate fee.
7. Contact MDH to request a preoperational inspection.

Plans may take up to **30 days** to review. Incomplete plans may take longer.

#### Projects That May Require Plan Review

Following are examples of situations that may require a plan review:

- **New construction:** MFU, STF or SPF that is newly constructed or purchased new **requires a plan review.**
- **Remodel:** A change in the type of food operation or the addition of equipment due to a menu change of MFU, STF or SPF **may require a plan review.**
- **Previously licensed in another state:** MFU or STF that has been licensed in another state **must submit** a plan review application and fee, and undergo an “on-site” plan review to determine if it is in compliance with Minnesota statutes and rules, and other applicable regulations. If modifications are required before licensure, you will need to follow the complete process listed above (1-7).
- **Previously licensed in Minnesota:** MFU, STF or SPF licensed by MDA or a MDH or MDA delegated agency **may not** need a plan review. However, an inspection and license fee is required to determine if the MFU, STF or SPF is in compliance with Minnesota statutes and rules, and other applicable regulations.

Please contact Clay County Environmental Health at 218-299-7195 if you have questions about whether a plan review is needed for your MFU, STF, or SPF.

### Plan Submittal

Submit plans with the completed application, all the required information and correct fee to:

<b>Mailing Address</b>	<b>Delivery Address</b>
Clay County Environmental Health 715 North 11 <sup>th</sup> Street, Suite 303 Moorhead, MN 56560	

Make sure to include all of the following when you submit your plan. Your plan will not be reviewed until all information has been received:

- Completed plan review application with the required fees.
- Intended menu.
- Description of how food will be prepared.
- Easily readable floor plan layout indicating the location of all equipment (e.g., cooking equipment, hood, refrigerators, food prep counters, handwashing sink(s), three-compartment sink, and food prep sink).
- Finish schedule for floors, walls and ceilings.
- Manufacturer’s equipment specifications sheets for all equipment, including sinks.
- Size of water heater, and fresh water and wastewater holding tanks.
- Finishes for counters and cabinetry.
- Commissary agreement, if required.
- List of intended, scheduled events or areas of operation if known.

In addition to the items listed above, other information may be requested during the plan review process.

For further information and application, please refer to your local jurisdiction office, the websites below, or contact MDH at 651-201-4500.

Mobile Food Unit: [www.health.state.mn.us/divs/eh/food/license/mfureview.html](http://www.health.state.mn.us/divs/eh/food/license/mfureview.html)

Seasonal Temporary Food Stand: [www.health.state.mn.us/divs/eh/food/license/tempseason.html](http://www.health.state.mn.us/divs/eh/food/license/tempseason.html)

Seasonal Permanent Food Stand: [www.health.state.mn.us/divs/eh/food/license/seasperm.html](http://www.health.state.mn.us/divs/eh/food/license/seasperm.html)

### Licensing and Preoperational Inspection

Once plans are approved and construction is completed, follow these steps to get your MFU, STF, or SPF licensed:

**1. Apply for a license.**

You will receive a license application with your plan approval letter. **The license fee is separate from the plan review fee.** Submit the completed license application and required license fee before contacting the local jurisdiction to request a preoperational inspection. Please contact the local jurisdiction 14 days in advance to schedule a preoperational inspection.

**2. Have your MFU, STF or SPF inspected.**

Bring the MFU or STF to an agreed public location (e.g., the local jurisdiction office) for the preoperational inspection. Staff cannot conduct inspections at a private residence. Have all equipment present. Completely set up a STF. Do not bring food into the MFU, STF or SPF until the local jurisdiction approves them for operation. SPF preoperational inspections are conducted on site.

**3. Post the license and decal during operation.**

The local jurisdiction will issue a license and permanent decal after approval. Post the original license and permanent decal in the unit at all times. The license is valid for one calendar year (January 1 through December 31), and must be renewed annually.


*(Minnesota Statutes, section 157.16)*




*(Minnesota Rules, parts 4626.0020, 4626.1720, 4626.1725, 4626.1745, 4626.1750, 4626.1755, 4626.1765, 4626.1770)*

#### GENERAL EQUIPMENT INFORMATION

### Equipment Design and Construction

Food and beverage equipment in MFU, STF and SPF must meet the applicable standards for one of the following:

Certifying Group	Mark
National Sanitation Foundation (NSF)	

<p><b>Edison Testing Laboratories (ETL)</b> Marked "ETL Sanitation."</p>	
<p><b>Underwriters Laboratory (UL)</b> Marked "classified UL EPH."</p>	
<p><b>Canadian Standards Association (CSA)</b> Marked "CSA sanitation to NSF/ANSI."</p>	

All custom fabricated equipment must be made by an NSF custom fabricator and bear a sticker indicating the equipment meets the standard. Equipment must be designed for its intended use. Equipment (e.g., heating elements for hot holding units, sinks, smokers or any other equipment) cannot be homemade.

Used equipment may be used if approved by the local jurisdiction. In order to be approved the equipment must:

- Have met existing applicable standards when it was manufactured.
- Have been properly maintained.
- Have not been modified.

### Equipment Numbers and Capacities

Provide equipment sufficient for the cooking, heating, and hot and cold holding needs of the establishment. Potentially hazardous foods must be cold-held and hot-held using mechanical equipment. Picnic coolers may not be used for food storage except for bottled and canned beverages. NSF approved refrigerators designated for the storage of pre-packaged food, canned or bottled beverages must not be used for open food storage.

### Unapproved Equipment

Examples of equipment that is frequently submitted but **not approved** include:

- Unfinished wood
- Paintbrushes
- Drills
- Domestic crock pots
- Wooden spoons
- Non-food grade plastic containers
- Galvanized containers
- Plastic tables
- Enamelware
- Domestic roasters

[\(Minnesota Rules, parts 4626.0450, 4626.0495, 4626.0505, 4626.0540, 4626.0675\)](#)

### SINKS

Include specifications and proposed locations for all sinks in submitted plans. All sinks must be manufactured to **NSF Standard No. 2** and may not be constructed from stainless steel pans or other components not originally designed as sinks.



## Handwashing Sink

Provide at least one handwashing sink, either free standing or installed into an approved counter. Each handwashing sink must be provided with hot and cold water under pressure through a mixing valve or combination faucet. MDH may require splash guards at handwashing sinks.

Handwashing sinks in MFU must be permanently installed. Portable handwashing sinks are allowed in STF and SPF.

## Three-Compartment Sink

Provide an integral (one piece) three-compartment sink, either free standing or installed into an approved counter. Each compartment must be large enough to allow immersion of the largest utensil or piece of equipment used in the operation. The three-compartment sink must be supplied with water under pressure with a mixing valve.

Three-compartment sinks in MFU must be permanently installed. Portable three-compartment sinks are allowed in STF and SPF.

## Food Preparation Sink

If the proposed menu calls for a food preparation process requiring washing or thawing of food in a sink, include a food preparation sink in submitted plans. The sink must be designed for use as a food preparation sink.

## Summary of Sink Requirements

The following table summarizes the sink requirements for MFU, STF, and SPF. Shaded areas indicate sinks that are **always required**. Non-shaded areas indicate sinks that may or may not be required.

<b>Type of Sink</b>	<b>Mobile Food Unit</b>	<b>Seasonal Temporary Food Stand &amp; Seasonal Permanent Food Stand</b>
<b>Handwashing Sink(s)</b>	<i>Permanently installed Water must be supplied under pressure</i>	<i>May be portable</i>
<b>3-Compartment Sink</b>	<i>Permanently installed</i>	<i>May be portable</i>
<b>Food Preparation Sink</b>	<i>Permanently installed</i>	<i>May be portable Water must be supplied under pressure</i>

[\(Minnesota Rules, parts 4626.0300, 4626.0315, 4626.0320, 4626.0680, 4626.0780, 4626.0955, 4626.1860\)](#)

## EXHAUST VENTILATION

Cooking equipment in enclosed spaces or indoors that produces excessive heat, grease vapor, steam, fumes, smoke, condensation or odor must be located under an approved exhaust ventilation hood constructed to **NSF Standard No. 2**. Exhaust ventilation hoods that have been modified or no longer meet NSF Standard No. 2 are not allowed. Custom fabricated hoods must be made by an NSF fabricator, and must bear the NSF sticker and name of the manufacturer. Galvanized hoods are not allowed.

Exhaust ventilation hoods must completely cover the cooking equipment. Cooking or reheating equipment with a BTU output of less than 12,000 BTU/hour (3.7kW) does not require an exhaust ventilation hood. Grease filters used in an exhaust ventilation hood or other grease extracting equipment must be designed to be readily removable for cleaning and/or replacing if not designed to be cleaned in place.

Light bulbs within the exhaust ventilation hood must be shielded, coated or otherwise shatter-resistant.

Fire suppression is recommended within the exhaust ventilation hood.

*([Minnesota Rules, parts 4626.0495, 4626.0505, 4626.0690, 4626.1375, 4626.1475, 4626.1860](#);  
[Minnesota Rules, chapter 1346](#))*

## COUNTERS AND CABINETS

Purchase and install food preparation counters that meet **NSF Standard No. 2** or equivalent. Non-NSF plastic laminate surfaces or plastic tables are not acceptable as food preparation surfaces. All food preparation must take place on approved food contact surfaces.

If non-food-contact surfaces (i.e. point of sale counters, dry goods storage cabinets) will be exposed to splash or other food soiling, or will require frequent cleaning, they must be constructed of a corrosion-resistant, nonabsorbent, and smooth material. Non-food-contact counters and cabinets may be plastic laminate or other nonabsorbent material. Unfinished wood is not allowed.

Make sure that counters and cabinets do not have unnecessary ledges, projections, and crevices. Hollow enclosed base cabinets are prohibited. Design and construction should allow easy cleaning and maintenance. Examples of approvable finishes for underside and interior of cabinets include: plastic laminate, plastic, high gloss paint, or three coats of polyurethane.

Place cooking equipment on **NSF Standard No. 2 tables**. Examples include:

- Grill
- Deep fryer
- Flat top
- Oven

**Stainless steel top** surfaces are required for some types of equipment. Examples include:

- Hot plate
- Waffle iron
- Sautee station

**Stainless steel, laminated top** or other equivalent nonabsorbent surfaces are allowed for some types of equipment. Examples include:

- Coffee machine
- Espresso machine
- Air pot
- Milk dispenser
- Pop dispenser
- Blender
- Handwashing sink
- Three-compartment sink
- Display merchandiser (e.g., popcorn, pizza)
- Hot dog roller
- Countertop warmer (e.g., soup warmer)
- Microwave
- Tabletop refrigerator
- Tabletop freezer

Contact MDH at 651-201-4500 or the local jurisdiction for further clarification or with specific questions.

*([Minnesota Rules, parts 4626.0450, 4626.0540, 4626.0495, 4626.0505](#))*

## **FLOORS, WALLS AND CEILINGS**

Design, construct and install floors, walls and ceilings in MFU, STF, and SPF so that they are smooth and easily cleanable. Use durable, nonabsorbent, nonwood materials. The minimum requirements for floors, walls and ceilings are provide in this section.

Prior to selecting floor, wall and ceiling surfaces for a STF or SPF; owners, design professionals, and others involved in preparing the plans should consider the following factors when choosing surfaces.

- Amount of use (number of events).
- Amount of traffic and repeated cleaning.
- Life span of the surface.
- The replacement cost.

### **Floors**

When operating STF and SPF on machine-laid asphalt or concrete

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that is sloped to drain, an additional flooring surface is not required. *Common flooring surfaces used by*

When operating STF and SPF on grass, dirt or gravel, provide a surface such as mats, removable platforms or duckboards that are easily cleanable. Mats and duckboards must be constructed of nonabsorbent, nonwood, grease-resistant material.

### **Walls and Ceilings**

Walls and ceiling surfaces must be smooth, durable, and easily cleanable.

Stainless steel is required behind cooking equipment.

Provide a canopy or other form of overhead protection for STF and SPF. All equipment must fit under the overhead protection.

MFU, STF, or SPF must provide protection during adverse weather.

*other operators include: commercial grade vinyl, tile or epoxy flooring.*

Food activities must cease if protection from adverse weather fails.

Protect food preparation and cooking areas by a shield or separation distance to ensure customer safety and to prevent food contamination by customers. Examples include ropes, equipment or other structures. Contact MDH at 651-201-4500 or the local jurisdiction for more information on floor, wall and ceiling finishes.

*([Minnesota Rule, parts 4626.1325, 4626.1355, 4626.1860](#))*

## **UTILITIES**

### **Water Supply**

Several different terms (e.g., drinking water, potable water, and fresh water) are used to describe water that is safe for use in a food establishment. Use only drinking water in MFU, STF, and SPF. Drinking water must be obtained from an approved source. Water cannot be obtained from a residential well.

The water inlet must be protected from contamination and be designed to prevent attachment of a nonpotable service connection. Hoses used to obtain water must be of food grade quality and be provided with an approved backflow preventer. Garden hoses are not permitted.

### **Drinking Water and Wastewater Holding Tanks and Water Heaters**

Drinking water tanks must be designed for holding potable water, be easily cleanable, of sufficient capacity to meet the needs of the operation and constructed of an approved food grade non-toxic material.

A wastewater or grey water, holding tank must be provided which is sized 15 percent larger in capacity than the water supply tank. MFU must have wastewater and fresh water tanks permanently installed on the unit.

A water heater must be adequately sized to meet the demands of the foodservice facility. Recommended guidelines for MFU:

- 20 gallon fresh water tank

- 25 gallon grey water tank
- 6 gallon water heater

### Sewage Disposal

Wastewater must be removed in such a manner that a public health hazard or nuisance is not created. Wastewater must be discharged into a sanitary sewage system. Dumping any wastewater onto the ground or storm sewer is not allowed.

### Utility Service Lines

Exposed utility service lines and pipes must be installed so they do not obstruct or prevent cleaning of the floors, walls, or ceilings. Electrical service must comply with Minnesota Rules, chapter 1315. Contact electrical inspections for information at [www.dli.mn.gov/CCLD/Electrical.asp](http://www.dli.mn.gov/CCLD/Electrical.asp) or 651-284-5025.

*([Minnesota Rules, parts 4626.1015, 4626.1025, 4626.1060, 4626.1340, 4626.1860](#))*

### **SAFE OPERATION OF A FOOD ESTABLISHMENT**

Individuals or groups operating a food establishment must operate in compliance with the Minnesota food code ([Minnesota Rules, chapter 4626](#)). Some of the general requirements for the safe operation of a food establishment licensed and inspected in Minnesota are listed below. For a complete list of requirements, see the Food Business Safety website at [www.health.state.mn.us/divs/eh/food/index.html](http://www.health.state.mn.us/divs/eh/food/index.html).

- Food service employees who have been ill with vomiting and/or diarrhea should not work in a food establishment for at least 24 hours after their symptoms end.
- Food employees must dress in clean clothing and wear an effective hair restraint such as a hairnet, hat or scarf.
- While preparing food, a food employee must not have painted or false fingernails, nor wear jewelry on the arms and hands, except for a wedding band or other plain ring.
- Person in Charge (PIC) must be present during all hours of operation and service.
- PIC is responsible for providing employees with safe food handling information needed while performing their job and to ensure the employees follow approved procedures.
- Handwashing sink(s) must be set up and operational prior to the start of an event.
- Handwashing sink(s) must be easily accessible to all employees and used for no other purpose.
- Handwashing sink(s) must be supplied with soap, fingernail brush and disposable towels.
- Hands must be washed before working with food, clean equipment and utensils, after smoking, eating or drinking, using toilet facilities or any time hands become contaminated.
- Gloves, wet-wipes, or hand sanitizers are not substitutes for handwashing.
- Limit bare hand contact with ready-to-eat or cooked foods by wearing disposable gloves or using utensils, deli tissue, spatulas, tongs or other dispensing equipment.
- All foods, beverages, and ice must be obtained from an approved source.
- Food cannot be prepared or stored in a home.

- When food is prepared at another location; a copy of that establishment's license or the commissary agreement should be carried during periods of operation.
- Ice must be stored and handled as a food product.
- Drained ice used to cool beverages must not be used in drinks or food preparation.
- Food must be discarded after an event or at the end of the period of operation unless it is returned to a permanent licensed food establishment or maintained at safe food temperatures using mechanical equipment at the site of the event or operation.
- The entire operation must be accomplished from a single self-contained unit, except for storage of food and single-use items.
- Locate the food establishment away from possible contamination sources.
- Adequate storage areas are required for storing food, equipment, utensils, linens and single-service items.
- Designate a separate area for chemical storage away from food and single-service items.
- Facilities located indoors may not be located on carpet.
- Water tanks, pumps and hoses must be flushed and sanitized before being placed into service, after construction, repair, modification and periods of nonuse.
- Provide accurate thermometers for monitoring food temperatures and in all refrigeration units.
- Cook all potentially hazardous food to the following temperatures or hotter: poultry, 165°F; ground beef, sausage, gyro, 155°F; pork, 155°F; fish, shrimp, shell eggs, 145°F, beef steak, beef roast, lamb, 145°F.
- Hold hot foods at or above 140°F. Hold cold foods at or below 41°F.
- Never thaw foods on the counter at ambient temperature.
- Do not cross-contaminate ready-to-eat foods with raw meats, poultry and fish. Common crosscontamination items may include cutting boards, cooking utensils, cloths, aprons and hands.
- Utensils and equipment must be washed, rinsed, sanitized and air dried after each use in an approved sanitizer at the required strength and contact time. Approved sanitizers may include chlorine bleach, quaternary ammonium or iodine. Always follow label instructions.
- Damp or soiled wiping cloths must be stored in an approved sanitizer at the required strength.
- Provide an appropriate test kit to check the concentration of the sanitizer used.
- All light fixtures shall be shielded, coated or otherwise shatter resistant.
- Receptacle(s) for trash and garbage must be provided.
- Food establishments must operate in compliance with all applicable gas hook-up and service, electrical and fire code requirements.