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County Executive

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Commissioner of Health

In accordance with NY State Sanitary Code Chapter 1, Subpart 14-4, mobile food units are required to be serviced at a commissary. All food that is not prepared on the unit itself must be prepared and stored at a licensed commissary.

#### 14-4.95 Commissaries.

(a) All mobile food service establishments and pushcarts are to be serviced only at a commissary operated under a valid permit issued under Subpart 14-1 of this Part or operated under license or permit of an appropriate regulatory authority at a frequency necessary to maintain the sanitary conditions of the mobile unit or pushcart, and in any event at least daily for pushcarts and every 72 hours for mobile food service establishments.

(b) All food served by mobile food service establishments and pushcarts is to be obtained from its commissary or other source meeting the requirements of section 14-1.31 of this Part.

#### 14-4.31 Definition of Food Processing Establishment and Commissary.

(a) A food processing establishment is a commercial establishment operated under license or permit of an appropriate regulatory authority where food is manufactured or packaged for human consumption at another establishment or place.

(b) A mobile food service establishment commissary is an establishment operated under license or permit of an appropriate regulatory authority where food is manufactured, stored, prepared, portioned or packaged, or any combination of these, where such food is intended for consumption at another establishment or place. It is also the place which is used as the base of operations for one or more mobile food service establishments or pushcarts, where such unit or units are serviced, cleaned, supplied, maintained, and where the equipment, utensils and facilities are serviced, cleaned and sanitized.

**All Mobile Food Unit permit applications must be accompanied with an original notarized agreement or contract signed by a commissary operator indicating the specific goods and services provided for the permittee's mobile food unit AND a copy of the current commissary permit.**

The permittee must maintain a copy of such agreement on the mobile food unit at all times of operation and make it available for inspection. Such goods and services must include, but are not limited to

- 1) Storage of the unit and foods
- 2) Cleaning and sanitizing of the unit, equipment and utensils
- 3) Disposing of refuse, liquid and solid waste generated by the operation of the unit
- 4) Amount of potable water supplied
- 5) Foods provided, including those prepared and prepackaged at the commissary
- 6) Nonfood items supplied by the commissary

The entire Mobile Food Unit Code can be accessed online at:

[https://www.health.ny.gov/regulations/nycrr/title\\_10/part\\_14/subpart\\_14-4.htm#s31](https://www.health.ny.gov/regulations/nycrr/title_10/part_14/subpart_14-4.htm#s31)

If you have any questions, please contact 914-864-7369.