

Guide for Operating a Pushcart Food Service



KANSAS CITY
MISSOURI

**KCMO HEALTH DEPARTMENT
ENVIRONMENTAL PUBLIC
HEALTH PROGRAM**

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Revised May 2010

This guide intended as an informational guide for “PUSHCART” operators. This guide contains rules & guidelines on operating a “PUSHCART”.



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CONSTRUCTION, EQUIPMENT, AND OPERATION GUIDELINES FOR PUSHCARTS

I. GENERAL INFORMATION

1. “PUSHCART” means and refers to a non-self propelled vehicle designed to be readily movable which is limited to the serving and assembling of frankfurters from a steam table and/or grill and commissary wrapped foods maintained at proper temperatures using approved equipment. Unpackaged non-potentially hazardous food items approved for sale from a pushcart shall be limited to popcorn, nuts, produce, pretzels and similar bakery products, coffee, lemonade, shaved ice and snow cones.

2. This Construction, Equipment and Operation Guideline is available to any person intended to construct, remodel or obtain a new permit or convert a trailer into a pushcart in Kansas City, MO. It is intended as a general overview of the Department requirements and should not be considered all-inclusive. Please contact our office at the above phone numbers for further information.

3. Plans shall be submitted to the Environmental Health Program at the above address for reviewing. Plans must be drawn to scale (e.g. 1/4" = 1 ft.) on 8½ X 11 inches or larger white paper with dark ink only, blue prints, or other standard floor plans. The plans must show top schematic view of equipment layout and model numbers, and side view of electrical and plumbing installations. Generally, the plan

review process takes up to 14 days to complete. In addition, the applicant should submit an application for a permit at least 30 calendar days before the date planned for opening and operating.

4. After your plans have been reviewed, you will receive Notification of Plan Review Approval letter from this Department. Upon receipt of the notification of approval, you may proceed with construction, remodeling, or conversion. Upon completion, or when the pushcart is in compliance, you must schedule an appointment for inspection by calling the number listed above. An initial construction inspection will then be conducted at the KCMO Health Department located at the address listed above. The pushcart must be clean and all equipment including steam tables and water heaters are operating at the time of inspection. Note: Owner must be present at time of pre-opening inspection.

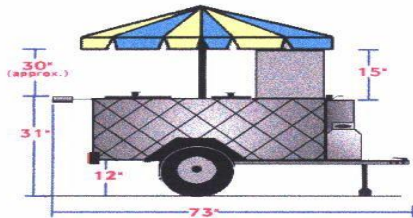
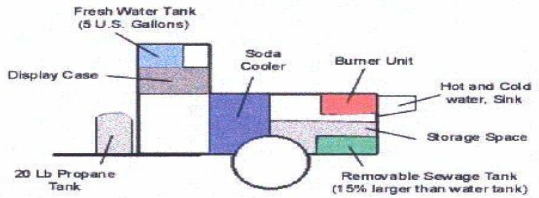
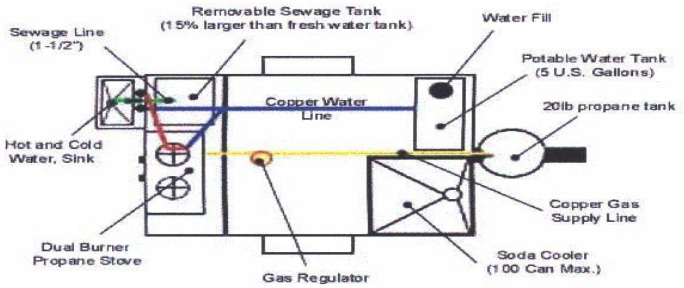
5. Initial construction inspections are conducted on Monday through Friday from 8:00am to 12:00pm and from 1:00pm to 4:00pm by appointment only. After all construction and equipment requirements, and all other requirements set forth by the KCMO Health Department have been met, a permit and decal will be issued. KCMO Health permits/decal are valid from April 1st to March 31st of each year. It is necessary to check with other regulatory or municipal authorities before operating.

II. PLANS AND SPECIFICATIONS

The plans and specifications for a pushcart shall include the following information to demonstrate conformance with the KCMO Health Codes:

1. Proposed layout, mechanical schematics, construction materials, and finish schedules (see schematics example below).
2. Proposed equipment types, manufacturers, model numbers, dimensions, locations, performance capacities, and installation specifications.
3. Evidence that standard procedures to ensure compliance with the requirement of this Code are developed or are being developed.
4. Other information that may be required by the Department for the proper review of the proposed construction, conversion or modification, and procedures for operating a pushcart.

Typical Cart Schematics



III. COMPLIANCE AND REQUIREMENTS

Each pushcart shall be in full compliance with the following items before final approval:

1. Each applicant shall submit a proposed menu and listing of all of the food and beverage items to be offered from the pushcart. Menu must be approved prior to pre-opening inspection and must meet certain requirements set forth by the KCMO Health Department. Operator shall notify the Health Department on any menu changes.

2. Provide a signed agreement with an approved commissary at time of plans submittal. A “commissary” means a permitted food establishment (i.e. restaurant, market, etc.) that has a service area for cleaning and servicing the unit, the service area shall: be physically separated from other food operations; be equipped to furnish portable water; and provide facilities for the drainage and disposal of liquid waste and ware washing of utensils and equipment.
 - The commissary is to comply with all provisions applicable to food establishments and be used for storage, food preparation, cleaning, etc.
 - A written contract between the pushcart operator and the commissary owner shall be completed and filed with the Food Protection Program at the KCMO Health Department. Contract must have procedures of usage for the commissary (times, storage of unit and food, cleaning usage, water systems, any commissary equipment to be used for the pushcart operation, etc).

- Any changes to the commissary contract must be immediately reported to the Health Department. Any pushcart found in operation without a valid commissary contract the Food Service Permit will be suspended.
- Commissary contract must be validated by the Health Department prior to approval and operation.
- Pushcart must report back to the commissary after each closing business day for cleaning, servicing, and restocking. Failure to comply may result in revocation of an annual food-operating permit.
- Pushcart must remain at the commissary if not in use. Failure to comply may result in revocation of an annual food-operating permit.
- Commissaries outside of Kansas City, MO must provide a copy of the current health permit, a copy of the most recent inspection conducted, and a layout of the establishment.
- Commissaries must be limited to the Kansas City Metropolitan area.
- Pushcart Food Service Permit is immediately suspended when the commissary Health Permit is out of compliance with the local Regulatory Authorities.
- A follow-up inspection may be conducted on the commissary 30 days after the pushcart permit is issued. This inspection must be conducted regardless of the location of the commissary (i.e. Missouri, Kansas, etc.).

The commissary must provide:

- Water supply
- Food storage

- Food preparation as approved by the KCMO Health Department
- Solid and liquid waste disposal
- Utensil cleaning facilities.

Note: The pushcart shall report at least daily to such location for all supplies, cleaning and service operations. The KCMO Health Department will periodically review the daily log of reporting to the approved commissary. Applicable forms and necessary documents are available at the KCMO Health Department – Food Protection Program office.

3. Each pushcart shall be fabricated to exclude vermin, dust, dirt, splash, and spillage encountered under normal use, and shall be easily cleaned, maintained, and serviced. Design and construction shall minimize the potential of cross-contamination.

4. The entire cart must be covered by a single overhead protection; attached to the unit and must be up at all times of operation.

5. Equipment must be constructed of approved material, adequate in size, easily cleanable, and in good repair. Equipment design, construction, and installation must meet National Sanitation Foundation (NSF) standards or equivalent (i.e. corrosive-resistant, nonabsorbent, and easily cleanable).

6. Nonfood-contact surface materials in the food zone shall be smooth, corrosion-resistant, non-toxic, stable, and nonabsorbent under normal use conditions. All material shall

not impart an odor, color, taste or contribute to the adulteration of food.

7. Hot food storage equipment and steam tables shall be capable of maintaining food temperature at 135° F (57° C) or above at all times.

8. The business name and pushcart number shall be plainly indicated on the exterior of the pushcart. Letters must be made of contrasting colors and at least three inches high with a minimum of 3/8 inch wide.

9. Food contact surfaces in the food preparation areas shall be constructed of smooth, waterproof and easily cleanable materials.

10. Provide a permanently installed hand wash sink in the food preparation area. Minimum hand wash sink size is 9" x 9" x 5" deep with hot and cold water supplied through a mixing faucet.

11. Provide a permanently installed potable water tank. The tank shall be large enough to supply an adequate amount of water whenever the pushcart is in operation. A minimum of five (5) gallons storage capacity in the potable water system is required.

12. Provide a permanently installed wastewater storage tank with at least 5.75 gallons capacity. The capacity of this tank must always be at least 15% larger than the potable water system tank.

13. The hand sink must provide adequate hot and cold water under mechanical pressure. Hand sink must be only used for hand washing purposes.

14. The water heater shall be of adequate capacity and recovery rate to furnish a continuous supply of hot water whenever the pushcart is in operation. An instant water heater meeting all requirements may be approved.

15. Install at least 12" high waterproof splashguard between the hand-washing sink and the food preparation area.

16. Provide a metal stem type dial thermometer with scale reading 0-220° F in 2-degree increments.

17. Provide a National Foundation Sanitation (NSF) or FDA approved water hose designated for drinking water use only. This hose is to be used only to fill the fresh water tank.

18. All connections to the waste disposal facilities shall be of different size or type than those used for supplying potable water to the pushcart. The waste connection shall be located lower than the potable water inlet connection to preclude contamination of the potable water system.

19. The wastewater tank shall contain at least one drain fitting with a minimum 1/2 inch (12.7mm) per foot outlet located at the lowest point in the tank to allow for drainage.

20. The bottom of the wastewater tank shall have a slope of at least ½-inch per foot (12.7mm) to the drain.

21. Tanks shall have at least one fill connection located on the top or higher point.

22. All equipment (including coolers, trash receptacles, etc.) must be attached to the unit.

IV . ADDITIONAL REQUIREMENTS

1. Copies of past inspection reports, commissary agreement, and any Food Service Manager and Food Service Worker cards shall be kept on pushcart at all times and be made readily available by request of the Public Health Specialist for examination.

2. A copy of owner's valid Photo identification.

3. List of serving locations of daily operations shall be available for the Public Health Specialist for examination. This list shall include site location and address, time in and time out of each stop, and any other relevant information.

4. The walking, parking and driving surfaces of all exterior areas (at serving area and commissary) shall be surfaced with concrete or asphalt to minimize dust.

5. The pushcart shall be self-contained (see Section III, #20) and readily moveable at all times.

6. Each pushcart shall be operated in full compliance with all applicable environmental regulations duly adopted and all other Local, County, and State Rules, Ordinances and Regulations pertaining thereto. Owners are responsible for knowing the contents of the applicable regulations as pertain to said business.

7. No permit or decal is transferable from person-to-person, vehicle-to-vehicle, place-to-place, or from the type of operation specified in the application to another.

V. FOOD PROTECTION AND OPERATION GUIDELINES

1. Milk may only be served as an ingredient to the coffee product. Milk must be provided from a commercially filled container of not more than ½ gallon capacity. No other open dairy products may be prepared or served from cart.
2. Only dry ice and cold packs shall be used for cooling or cold holding foods to prevent submerged food storage in melted ice. Storage of packaged foods in contact with water or un-drained ice is prohibited (not allowed).
3. Ice used for consumption must be separate from ice used for cooling or cold holding pre-packaged beverages (i.e. canned soda and bottled water). Cubed ice may be used for cooling only pre-packaged beverages. Melted ice shall be drained only at the commissary.
4. No potentially hazardous food preparation or processing other than frankfurters is permitted on any pushcart.
5. All foods and drinks shall be protected from dust, overhead leakage, improper handling, contamination, droplet infection, insects, rodents, and any other pollution.
6. An approved commissary must be maintained for the storage of food, cleaning of equipment and utensils and emptying of holding tanks. The operator must report with the pushcart or vehicle to the commissary at least daily. *See separate commissary handout.*

7. All food must come from an approved source. Any food preparation at home is prohibited (not allowed).
8. Potentially hazardous foods must be maintained at proper temperatures at all times. Hot foods must be maintained at 135° F or above and cold foods at 41° F or below.
9. Hot holding units must be powered by electricity or propane. The use of Sterno and other similar fuel is prohibited (not allowed).
10. Proper utensils must be provided to minimize manual contact with food. The use of tongs, disposable plastic gloves, or deli-tissues to handle food is required. During operation, utensils shall be stored in the food product with the handles up, or on a clean, sanitized surface.
11. Pushcarts shall provide only single-service articles for use by the consumer.
12. A supply of hand soap and paper towels must be available on the pushcart at all times. The hand wash sink must be available and accessible for use only by food workers and must be provided with an approved hand sink sign.
13. The use of glassware in pushcarts is prohibited (not allowed).
14. Wiping cloths must be stored in a clean solution containing 100 parts per million (PPM) of available chlorine as a hypochlorite and at a temperature of at least 75° F. Other

approved sanitizing compounds at appropriate concentrations may be used. Note: Spray bottles containing sanitizing solution must be used with disposable towels only.

15. Provide and demonstrate use of a sanitizer testing kit to check the concentration of the sanitizing solution.

16. When the pushcart is in transit, all closures shall be in place and all foods are appropriately protected against contamination or spoilage.

17. Salt, sugar, catsup, mustard, and similar condiments shall be served in individually wrapped, single-service containers, or from approved dispensers.

18. Adequate and durable waste containers of easily cleanable construction, with tight-fitting covers shall be furnished and attached to unit for use by customers and the operator.

19. All equipment (including coolers, trash receptacles, etc.) must be attached to the unit.

20. The regulatory authority may impose additional requirements to protect against health hazard related to the conduct of the pushcart and may prohibit the sale of some or all potentially hazardous foods until no health hazard will result.

VI. PERSONAL HEALTH & CLEANLINESS

1. No person shall work in any pushcarts if he/she:

A. Has symptoms caused by illness, infection, or associated with an acute gastrointestinal illness such as: diarrhea, fever, vomiting, jaundice, cold, flu, sore throat, runny nose, cuts, burns, and wounds.

B. Has been diagnosed with an illness due to *Salmonella Typhi*, *Shigella spp.*, *Escherichia Coli* O157:H7, Hepatitis A virus, Norovirus.

2. Food service workers shall use hair restraints, which prevent any possibility of hair or perspiration entering into food or contaminating food contact surfaces.

3. Food service workers shall keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough.

4. Food service workers may not wear fingernail polish or artificial fingernails when working with food.

5. Food service workers shall wash their hands and the exposed portions of their arms thoroughly with soap and warm water before starting work, during work as often as is necessary to keep them clean, and after smoking, eating, drinking or using the toilet.

6. Food service workers, while engaged in preparing or handling food, shall not use tobacco in any form. Employees must be at least 10 feet in distance from unit, when using tobacco.

7. Food service workers shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to approved hygienic practices while engaging in handling, processing, preparing or serving food, and it is preferred that workers wear a white cloth apron.

8. No bare hand contact is allowed. Food workers must use disposable plastic gloves, tongs, deli tissue, etc. to ensure that their bare hands do not come in contact with the food being served.

9. Only persons necessary in the preparation and serving of food, management or maintenance of the pushcart shall be allowed to work on pushcart.

10. While preparing food, food employees may not wear jewelry on their arms and hands. This section does not apply to a plain ring such as a wedding band.

VII. RESPONSIBILITIES OF THE PERMIT HOLDER

Upon acceptance of the permit issued by the KCMO Health Department, the permit holder in order to retain the permit shall:

1. Maintain decal and its integrity in the pre-assigned location on the pushcart as posted by the KCMO Health Department.
2. Decal may not be removed nor tampered with, without the approval of the KCMO Health Department.
3. Comply with provisions of this Code including any other stipulations or conditions.
4. Immediately discontinue operations and notify the KCMO Health Department if an imminent health hazard may exist.
5. Allow representatives of the KCMO Health Department access to the pushcart.
6. Replace existing equipment with equipment that comply with this Code if:
 - A. The Department directs the replacement because the equipment constitute a public health hazard or nuisance or no longer comply with the criteria upon which the equipment were accepted,
 - B. The Department directs the replacement of equipment because of a change of ownership, or
 - C. The equipment is replaced in the normal course of operations.

7. Comply with directives of the KCMO Health Department including time frames of corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the KCMO Health Department in regard to the permit holder's pushcart or in response to community emergencies.

8. Accept notices issued and served by the KCMO Health Department according to law.

9. Be subject to the administrative, civil, injunctive, and criminal remedies authorized in law for failure to comply with this Code or a directive of the KCMO Health Department, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives.

VIII. MANAGEMENT AND PERSON IN CHARGE KNOWLEDGE

During inspections and upon request, the person in charge shall demonstrate to the KCMO Health Department knowledge of foodborne disease prevention and the requirements of this Code. The person in charge shall demonstrate this knowledge by being in compliance; by being Certified Food Service Manager who has shown proficiency of required information through passing a test that is part of an accredited program; or by responding correctly to the Inspector's questions as they relate to the specific food operation. These areas of knowledge include, but are not limited to:

1. Describing the relationship between the prevention of foodborne diseases and the personal hygiene of a food service worker.
2. Explaining the responsibility of the person in charge for preventing the transmission of foodborne disease by a food service worker who has a disease or medical condition that may cause foodborne illness.
3. Explaining the significance of the relationship between maintaining the time and temperature of potentially hazardous food and the prevention of foodborne illness.
4. Stating the required temperatures and times for the safe refrigerated storage, hot holding, cooling, and reheating of potentially hazardous food
5. Describing the relationship between the prevention of foodborne illness and the management and control of the following:
 - (1) Cross contamination,
 - (2) Hand contact with ready-to-eat foods,
 - (3) Hand washing, and
 - (4) Maintaining food temperatures
6. Explaining the relationship between food safety and providing equipment that is sufficient in number and capacity. Equipment shall be properly designed, constructed, located, installed, operated, maintained and cleaned.

7. Explaining correct procedures for cleaning and sanitizing utensils and food-contact surfaces of equipment.
8. Identifying the source of water used and measures taken to ensure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections.
9. Identifying poisonous or toxic materials on the pushcart and the procedures necessary to ensure that they are safely stored, labeled, dispensed, used, and disposed of according to law.
10. Identifying critical control points in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining the steps taken to ensure that the points are controlled in accordance with the KCMO Food Code.

IX. PUBLIC HEALTH AND CONSUMER EXPECTATIONS

It is a shared responsibility of the food industry and the KCMO Health Department to ensure that food provided to the consumer is safe and does not become a vehicle in a disease outbreak or in the transmission of communicable disease. This shared responsibility extends to ensuring that consumer

expectations are met and that food is unadulterated, prepared in a clean environment, and honestly presented.

Accordingly, this handout should provide you with adequate information and system of preventing and overlapping safeguards designed to minimize foodborne illness, ensure employee health industry manager knowledge, safe food, nontoxic and cleanable equipment, and acceptable levels of sanitation in pushcart; and promote fair dealing with the consumer.

This handout provides and addresses controls for risk factors identified by the Center for Disease Control and Prevention as contributors to foodborne outbreaks that have been investigated and confirmed. Those factors are unsafe sources; inadequate cooking; improper holding; contaminated equipment; and poor personal hygiene. It further establishes 5 key public health interventions to protect consumer health, specifically, demonstration of knowledge; food worker health controls; controlling hands as a vehicle of contamination; time and temperature parameters for controlling pathogens; and the consumer advisory.

All new pushcarts must be in full compliance with all current KCMO Health Codes before any permit is issued. In order to pass inspection, the unit must be fully operational, with all water tanks filled but not stocked with food supplies. If electricity is required to power water pumps, heaters or other equipment, the operator must provide a generator. No electrical power or water supply is available for pushcarts at the KCMO Health Department office. Inspections of new

pushcarts are conducted at 2400 Troost Ave., Kansas City, MO 64108, by appointment only. KCMO Health Department – Food Protection Program office hours are from 8:00am – 4:30pm. Under some circumstances the KCMO Health Department may require that the operator of a pushcart bring the unit to the office for a routine or re-inspection. All pre-opening and permit re-instatement inspections must be conducted at the KCMO Health Department with the pushcart owner present. Once inspected, approved and permitted, pushcart may be routinely inspected at operational locations, during vending routes, and at commissaries.

X. RENEWAL OF PUSHCART PERMIT

Owners or operators of pushcarts are required to maintain valid permit/decal from the KCMO Health Department. Information on how to renew the KCMO Health permit to operate will be mailed within 30 days prior to the permit's expiration date. All pushcart operators/owners must respond within the timeframe designated by the KCMO Health Department. All pushcarts that **do not** respond within the allotted time will have their file closed and must re-apply for a KCMO Health permit. It is your responsibility to renew your permit.

The KCMO Health Department may renew your permit for an existing pushcart upon the following:

1. For any changes made to pushcart or operation, a properly completed application must be re-submitted, reviewed, and approved.

2. Applicable fees are paid.
3. A current agreement with an approved commissary is submitted. Include a copy of the commissary's valid health permit, a copy of the most recent inspection, and a layout of the commissary if it lies outside of Kansas City, MO city limits (see Section III, #2).
4. Current Vending Route is submitted.
5. Inspection for renewal shows that the pushcart is in full compliance with current KCMO Health Codes.
6. Pushcart operator/owner demonstrates basic knowledge of food safety (see Section VIII).

XI. STEPS FOR RECEIVING NEW HEALTH PERMIT

Owners or operators of pushcarts are required to receive a valid permit/decal from the KCMO Health Department. Follow these steps:

1. Receive pushcart application/checklist and proper forms from the KCMO Health Department.
2. Submit plans and specifications for review by the KCMO Health Department.
3. Complete pushcart application/checklist and return forms to KCMO Health Department including valid photo ID.
4. Set appointment to have pushcart inspected at the KCMO Health Department (see **Section IX**).
5. Once approved, pay proper fees.

XII. BUSINESS RESPONSIBILITY

THE OWNER OF PUSHCART ASSUME ALL RESPONSIBILITY FOR THE BUSINESS TO BE CONDUCTED AND THE ESTABLISHMENT WILL BE OPERATED IN FULL COMPLIANCE WITH ALL APPLICABLE ENVIRONMENTAL REGULATIONS DULY ADOPTED AND ALL OTHER LOCAL, COUNTY, AND STATE RULES, ORDINANCES AND REGULATIONS PERTAINING THERETO. IN ADDITION, OWNER IS RESPONSIBLE FOR KNOWING THE CONTENTS OF THE APPLICABLE REGULATIONS AS THEY PERTAIN TO SAID BUSINESS.