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Health Inspection Program

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To: Fair Associations and Mobile Vendors
From: Division of Environmental & Community Health, Health Inspection Program
Subject: Requirements for Mobile & Temporary Food Units
Date: March 10, 2023

This notice is to provide you with valuable information as to the regulatory expectations for mobile food service vendors.

Certified Food Protection Manager (CFPM) Requirement

All mobile units must comply with the CFPM requirement in the 2023 season. A certified food protection manager (CFPM) certificate must accompany the application for a new establishment and change of ownership. A CFPM must be hired within 60 days of the departure of the last CFPM leaving employment. Please review the enclosed CFPM handout with exemptions, the checklist for mobile units and mobile unit compliance handout or speak with your district health inspector to determine if your mobile unit meets one of the exemptions for the CFPM requirement.

State Licensure

All mobile food service vendors must possess a current state license before operating a food service establishment per 22 M.R.S. Chapter 562 §2492, License Required. As a mobile vendor, you must show proof of state licensure before you will be allowed to operate your food service establishment. If you own more than one mobile unit, each mobile unit must have its own license posted in the unit. Food service vendors that are found without a state license will be asked to **close immediately and go to the Augusta office to submit an application and license fee or pay license renewal fees.** Maine CDC health inspectors will not collect application and license fees during their inspections at fairs and festivals. New applications must be received by our office 30 days prior to opening to allow for processing and inspection. Mobile vendors will not be allowed to operate until an application with fee or license renewal fee has been submitted and received in the Augusta office. As a responsible business owner, please visit our website to view the rules or you may call our offices and we will mail a copy of the rules to you.

Maine Food Code

For the 2023 season, inspectors will be conducting inspections for compliance with the 2013 Maine Food Code, as well as providing education on many aspects of the Food Code.

Municipal Mobile Licenses

It has come to the Department's attention that there are mobile units that are licensed as municipal mobile units but travel statewide to fairs and festivals. If you have a municipal mobile license but travel statewide to fairs and festivals, you will need to apply for and pay the fee for a statewide mobile license. This will allow you to operate outside of the municipality at statewide fairs and festivals. If you are only operating within the municipality, you will receive a municipal mobile license, which will no longer say "statewide" on the license.

Late Fees

The Health Inspection Program's office hours are Monday – Friday, 8am-5pm. A \$25 late fee will be assessed for all licenses that have not been renewed within 30 days of their expiration date. After that date, a \$100 + \$25 late fee will apply. Please make checks and money orders payable to the "Treasurer State of Maine." Please include your establishment ID# in the bottom corner of your check or money order and mail to Health Inspection Program, 286 Water St., Augusta, Maine 04333-0011.

Repeat Critical Violations

In addition, if your mobile unit has repeat critical violations, which remain uncorrected from previous fairs, you will be asked to **close immediately and will not be allowed to operate until the code violations have been corrected.**

Notice to Nonprofits

There has been a change in licensing procedure for nonprofit food vendors at fairs for the 2023 season. In the past, the Health Inspection Program licensed nonprofit food vendors based on Fair Associations' requests to conduct an inspection and license them. However, this 2023 fair season, the Health Inspection Program will no longer inspect, or issue licenses to, nonprofit food vendors that operate 12 or fewer events annually, as they are exempt from licensing. Per statute, nonprofits are not subject to licensing pursuant to 22 MRS §2501: *Nonprofit organizations including, but not limited to, 4-H Clubs, scouts and agricultural societies are exempt from department rules and regulations relating to dispensing foods and nonalcoholic beverages at not more than 12 public events or meals within one calendar year.*

If a nonprofit food vendor operates at more than 12 public events or meals annually, then that vendor would meet requirements for licensure and require submittal of an application, payment of the license fee, and inspection to operate at a fair. Each day of a fair is considered an event. Public suppers and other food-related fundraisers are also considered events.

If you have any questions or concerns, please call us at (207) 287-5671 and we will provide you with the contact information for your District Health Inspector. We would be pleased to assist you in any way we can to ensure that your event is safe and successful.

Sincerely,



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