

## Frequently Asked Questions for CMFOs

1. What is a Compact Mobile Food Operation (CMFO)?
  - A CMFO is limited to non-food preparation or limited food preparation from a non-motorized conveyance.
2. What does limited food preparation mean?
  - *Limited food preparation – means food preparation that is restricted to one or more of the following:*
    - (1) Heating, frying, baking, roasting, popping, shaving of ice, blending, steaming or boiling of hot dogs, or assembly of nonprepackaged food.
    - (2) Dispensing and portioning of nonpotentially hazardous food or dispensing and portioning for immediate service to a customer of food that has been temperature controlled until immediately prior to portioning or dispensing.
    - (3) Holding, portioning, and dispensing of any foods that are prepared for satellite food service by the onsite permanent food facility or prepackaged by another approved source.
    - (4) Holding, portioning, and dispensing of any foods that are prepared by a catering operation.
    - (5) Slicing and chopping of nonpotentially hazardous food or produce that has been washed at an approved facility or slicing and chopping of food on a heated cooking surface during the cooking process.
    - (6) Cooking and seasoning to order.
    - (7) Juicing or preparing beverages that are for immediate service, in response to an individual consumer order, that do not contain frozen milk products.
    - (8) Hot and cold holding of food that has been prepared at an approved permanent food facility.
    - (9) Reheating of food that has been previously prepared at an approved permanent food facility and held at temperatures required by this chapter.
  - Limited food preparation does not include:
    - (1) Slicing and chopping potentially hazardous food, other than produce, unless it is on the heated cooking surface.
    - (2) Thawing.
    - (3) Cooling of cooked, potentially hazardous food.
    - (4) Grinding raw ingredients or potentially hazardous food.
    - (5) Washing of foods.
    - (6) Cooking of potentially hazardous foods for later use.
    - (7) Handling, manufacturing, freezing, processing, or packaging of milk, milk products, or products resembling milk products subject to licensing under Division 15 (commencing with Section 32501) of the Food and Agricultural Code.

3. If I'm selling sealed, pre-packaged foods or whole uncut produce from a cart, stand or table, do I need a permit?
  - Yes, a permit is required to sell foods to the public if the display area is greater than 25 square feet.
  - However, if you are selling sealed, pre-packaged non-potentially hazardous foods or whole uncut produce AND your display area is less than 25 square feet, then you do not need a permit. (i.e. chips, soda, candies, crackers, bottled water, etc.)
4. What is considered prepackaged food?
  - Prepackaged food is food that has been processed by a manufacturer, a food facility or other approved source, properly labeled and sealed to prevent any direct human contact with the food prior to sale.
5. What are some required equipment I need for my CMFO?
  - The type of equipment required depends on the menu:
    - (1) If you have open foods that are NOT pre-packaged, then a handsink is required.
    - (2) If you are handling raw meats, poultry, or fish, then a 3 compartment warewash sink is required.
    - (3) If you have potentially hazardous (perishable) foods that require temperature control, then you must have a mechanical refrigeration unit for cold foods (41F or below) or hot holding unit for hot foods (135F or above).
      1. Mechanical refrigeration is not required for non-potentially hazardous foods or frozen ready-to-eat foods, whole FISH, and whole aquatic invertebrates.
6. What is a potentially hazardous food (PHF)?
  - Perishable foods that require time and temperature control to prevent the growth of bacteria that can get someone sick. PHFs include foods containing animal origin that are raw or heat-treated, dairy milk, eggs, heat treated produce, cut melons, cut tomatoes, raw seed sprouts, and garlic-in-oil mixtures.
7. If I'm building a new CMFO that has never been permitted in another county in California or modifying a previously permitted CMFO, how do I apply for a permit?
  - Plans are required to be submitted for review and approval prior to applying for a permit. You can visit our [Newly Constructed or Remodeled MFFS - Consumer Protection Division - County of Santa Clara \(sccgov.org\)](#) Page for more information.
8. What is a commissary and why do I need one?
  - A commissary is a food facility that services mobile food facilities (including CMFOs), mobile support units, and vending machines for food and equipment storage, food preparation or pre-packaging for sale or service at another location, cleaning utensils, where potable water is obtained, liquid/solid wastes are disposed and parking.
  - A mobile food facility including CMFOs must operate in conjunction with a commissary or approved facility by the local enforcement agency.
9. What are my options for a commissary?
  - A CMFO can use a mobile food facility commissary, commercial kitchen, or restaurant for their services.

- New options are available with SB972, you may use your own [Cottage Food Operation \(CFO\)](#) (Class B) or [Microenterprise Home Kitchen Operation \(MEHKO\)](#) as a commissary.
- Overnight parking for CMFO must be within a fully enclosed facility or unit which can be a public storage, commercial location, or your private home. Private home is subject to evaluation and approval by DEH, [click here for more information](#).

10. Can I prepare food from home for my CMFO?

- Yes, only if your private home has a CFO Class B or MEHKO permit from Department of Environmental Health and the foods sold on the CMFO are the same foods/menu allowed in your health permit. If your home does not possess any of the above permits, then no food preparation can be conducted at home.

If you have any further questions that cannot be answered above, please call (408)918-1908 or email [dehmf@deh.sccgov.org](mailto:dehmf@deh.sccgov.org)