



Texas Department of State
Health Services

**Consumer Protection Division
Policy, Standards, And Quality Assurance Section
Public Sanitation and Retail Food Safety Unit**

**Mobile Food Unit
Variance Request Template for a Central Preparation Facility (CPF)**

Central Preparation Facility Required:

According to the Texas Food Establishment Rules (TFER) §228.221(b)(1), a mobile food unit must operate from a licensed central preparation facility (CPF) or other approved retail food establishment. The mobile food unit should report to such location daily for supplies and for cleaning and servicing operations. Servicing operations include the flushing and drainage of liquid wastes and filling of potable water.

The mobile food unit operator must provide a signed letter of authorization during the pre-licensing inspection if the establishment is not owned by the operator. The most recent inspection for the CPF shall be maintained on the MFU for review.

Servicing Area Required:

If a waiver is granted for a CPF, the MFU operator must provide information about the servicing operations. This includes the location the MFU operator will use to fill their potable water supply and the disposal of liquid waste. The servicing area must comply with all requirements identified in TFER 228.221(c)(1)(A)-(E). A servicing area may not be a private home or living quarters. If the servicing area is not owned by the operator, a signed letter of authorization is required.

Variance Request Requirements:

Before a variance for operating a MFU without a Central Preparation Facility is approved, the following information must be provided:

- A statement of the proposed variance that includes the section of the rule(s) related to the modification.
- An analysis of the rationale for how the potential public health hazards and nuisances addressed by the relevant rule sections will be alternatively addressed by the proposal.

➤ A HACCP Plan may be required.

If the variance request lacks “part or all” of the information, the variance will not be approved. Please feel free to submit documents and photographs that will help our department verify that a health hazard or nuisance will not result from the variance. The department will provide a written response to the requester concerning the outcome of the variance request.

If the department grants a variance, any deviation from the procedures is justification to rescind the variance.

Variance Request

Name of establishment: _____ License/File number: _____

Mailing address: _____

Applicant Name: _____ Phone Number: _____

Email Address: _____

I, _____, owner or authorized manager (circle one), request a variance of rule §228.221(b)(1) concerning the requirement for a Central Preparation Facility.

Signature of owner or authorized manager: _____

Date: _____

Public health rationale must be provided as justification for the variance. You may provide the necessary rationale for your variance request by using the attached checklist. Use additional pages or pictures for your explanations. Submit your request by mail, fax, or email to:

Texas Department of State Health Services
PSQA - Public Sanitation and Retail Food Safety Unit
PO Box 149347 MC1987, Austin, Texas 78714-9347

Or Fax to

Texas Department of State Health Services
PSQA - Public Sanitation and Retail Food Safety Unit
Attention: Compliance Officer
(512) 834-6683

Or Email to

HACCPVarianceRequest@dshs.texas.gov

Public Sanitation and Retail Food Safety Unit • PO Box 149347, Mail Code 1987 • Austin, Texas 78714-9347(512) 834-6753 • Facsimile: (512) 834-6683 • <http://www.dshs.texas.gov/foodestablishments/>

Statement of Proposed Variance for Central Preparation Facility

In order to waive any requirements for a Central Preparation Facility, the MFU owner/operator must demonstrate how the MFU meets the following requirements:

Variance Request Rationale
<p>Sufficient space is required for food storage, preparation, cooking, cooling or otherwise handling food to prevent cross contamination and other health hazards.</p> <p>Explain how your MFU meets the above requirements (i.e. Size of refrigerator, freezer, shelving, storage containers):</p>
<p>All food, food equipment, utensils and single service articles are required to be stored on the MFU in a manner to avoid contamination as specified in TFER.</p> <p>Explain how and where you will store the above equipment on the MFU:</p>
<p>The manual warewashing sink compartments are required to be large enough to immerse all equipment and utensils on the unit to be properly washed, rinsed, and sanitized.</p> <p>What is the largest piece of equipment or utensil you are using and how will it be sanitized?</p> <p>What is the capacity (size) of the three compartment sink?</p>
<p>Potable water is required to be obtained from an approved source.</p> <p>Please specify how you will meet this requirement. Provide physical address of the facility from where potable water will be obtained:</p>

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Sewage and other liquid wastes shall be removed from a Mobile Food Unit at an approved waste servicing area or by a sewage transport vehicle in such a way that a public health hazard or nuisance is not created. MFU must have a permanently installed waste retention tank.

Please specify how you will meet this requirement. Provide physical address of the wastewater disposal facility:

All food handling preparation is required to take place inside the mobile food unit. No food preparation, food storage, dry storage, etc. is allowed at a private residence.

Please specify how you meet the above requirement:

A Central Preparation Facility is required to be designed, constructed and operated as a retail food service operation (i.e. walls, floors, ceiling, equipment, plumbing, etc.).

Please specify how your MFU meets these requirements:

The following documentations are required:

- Certified Food Manager Certificate
- Servicing area Authorization (please describe the facility)
- Menu of all food items to be sold
- Photos of mobile food unit and equipment (interior/ exterior)

Provide a copy of each of these documents in this request.

Failure to provide any of the requested information may cause a delay in processing your variance request.

*****NO FOOD SERVICE OPERATIONS WILL OCCUR AT A PRIVATE RESIDENCE*****