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COMPACT MOBILE FOOD OPERATION (CMFO) STORAGE AND COMMISSARY GUIDELINES

Recent updates to the California Retail Food Code (effective January 1, 2023) have created a new definition for mobile food facilities, a Compact Mobile Food Operation (CMFO), and expanded the options for where these types of mobile food facilities can be stored. The following information is designed to help determine the best type of storage facility to use, based on the type of CMFO, and to provide details to help ensure the storage location can properly support the CMFO.

Any CMFO that has 25 square feet or less of display area and only sells prepackaged non-potentially hazardous food (e.g., bottled water, soda, chips, etc.) and whole uncooked produce does not require a health permit and is exempt from the storage facility requirements outlined below.

All other CMFOs are required to submit detailed plans of the CMFO to the Division of Environmental Health Services for review and obtain a health permit prior to operating. The evaluation of the identified storage location will be part of the plan review process. If the CMFO already has a health permit with EH and would like to modify their storage location, only the storage facility will need to be evaluated prior to its use.

TYPES OF STORAGE LOCATIONS

There are two types of facilities that can be used to store a CMFO. A field inspection will need to be scheduled and conducted to properly evaluate the proposed site prior to use in order to determine if it has the necessary infrastructure to support a CMFO.

1. **COMMISSARY** - A commissary is a permitted food facility, including a Microenterprise Home Kitchen Operation (MEHKO), or Cottage Food Operation (Class B only) that services a CMFO where food, containers, or supplies are stored; where food is prepared or prepackaged for sale or service at other locations; where utensils are cleaned; where liquid and solid wastes are disposed; and where potable water is obtained.

- *Section 114368.3 (b)(1) - Existing permanent food facilities may be permitted to support the operations and storage of compact mobile food operations.*
- *Section 114368.3 (a)(1) - A permitted cottage food operation or microenterprise home kitchen operation may serve as a commissary or mobile support unit for up to two compact mobile food operations if...the cottage food operation or microenterprise home kitchen operation is capable of supporting the preparation and storage of the food being sold from the compact mobile food operation and the storage and cleaning of the compact mobile food operation.*

Note: Any CMFO operating as an extension of an MEHKO or CFO (Class B only) may only sell the products that are made as part of their approved home-based operation and commercially packaged shelf-stable food.

2. **COMPACT MOBILE FOOD OPERATION STORAGE FACILITY** - A CMFO storage facility is a non-permitted facility or a private home that may be approved for the storage of CMFO(s). No food storage or preparation may take place at this facility.

- *Section 114368.3 (c)(1) - Unless prohibited by local ordinance, an enforcement agency may allow the use of a private home for the storage of a compact mobile food operation if it determines, after an evaluation, that storage in the private home would not pose a public health hazard and that the compact mobile food operation will be stored in a manner that protects the compact mobile food operation from contamination.*
- *Section 114368.3 (b)(4) - Existing facilities may be permitted to support the operation of a CMFO when a determination is made by the enforcement agency that any nonconforming structural conditions do not pose a public health hazard*

Note: For home storage, the identified storage space must be under control of the homeowner, and prior approval from a HOA or Management Company must be obtained prior to scheduling a home evaluation.

COMMISSARY AND COMPACT MOBILE STORAGE FACILITY REQUIREMENTS

Sites that are proposed to be used to store a compact mobile food operation must meet the following applicable requirements based on the type of facility that will be used.

COMMISSARY

Permitted Food Facility

- Food preparation space
- Food storage space
 - Commercial refrigeration for potentially hazardous foods
 - Dry storage space for shelf stable food items
- Approved commercial cooking equipment
- Warewashing facilities to properly wash, rinse, and sanitize utensils and equipment
- Janitorial facilities
- Adequate trash disposal containers
- Cart storage space
- Facilities to allow for the proper cleaning of the cart
- Available potable water to fill freshwater tanks

COMPACT MOBILE STORAGE FACILITY

Commercial Facility/Home Storage

- Overhead protection or an enclosed space (garage/shed)
- Proper cart covering to secure the cart and prevent unapproved access to the cart
- Proper cart storage to protect from vermin
- Proper Flooring material
 - Outdoors – asphalt or concrete (no grass or dirt)
 - Indoors – hard surface or carpet
- Stored in an area that is easily accessible
- Prepackaged non-potentially hazardous food and raw whole product stored in approved area

*Note – a permitted food facility may also be required to support the food prep, cart cleaning, wastewater disposal, and freshwater requirements for the mobile operation.

COMPACT MOBILE STORAGE FACILITY

MEHKO/CFO

- Overhead protection or an enclosed space (garage/shed)
- Proper cart covering to secure the cart and prevent unapproved access to the cart
- Proper cart storage to protect from vermin
- Proper flooring material
 - Outdoors – asphalt or concrete (no grass or dirt)
 - Indoors – hard surface or carpet
- Stored in an area that is easily accessible
- Facilities to allow for the proper cleaning of the cart

*Note – only selling the food items produced by a CFO/MEHKO as an extension of the existing CFO/MEHKO permit is permitted.