

A guide to permitting in Albuquerque



Definitions

Mobile Food Unit

Any wagon, truck, push cart, or vehicle self-propelled or otherwise movable from place to place from which any person sells, offers for sale, or gives away, beverages, food or any food product for human consumption. A mobile food unit may be as complex as a full commercial kitchen on wheels or may be as simple as a push cart.

Commissary

A permitted food business that acts as the base of operations for a mobile food unit. A commissary provides necessary facilities that can't be provided by the mobile food unit. These services include storage of food, paper goods and supplies, a place to dispose of garbage and grease. A commissary provides a place to fill fresh water tanks and dispose of waste water. It may provide a place for overnight parking and provide electrical outlets to support equipment when the mobile unit is not in operation. It may provide a place to do some or all food preparation. The services provided will depend on the needs of the mobile food unit.



Permitting

The first step in permitting is determining where your commissary will be, that address will be listed on your Business Registration and Health permit.

Contact the City of Albuquerque Environmental Health Department at 505-768-2738 to find out who your inspector will be. The office will send you a pre-opening packet to review. Prior to scheduling a pre-opening inspection, you will need to provide:

1. Your New Mexico Tax and Revenue Registration Certificate and City of Albuquerque Business Registration. The Registration Certificate can be obtained at the New Mexico Taxation and Revenue office at 10500 Copper Ave Suite C. (505) 841-6200
2. City of Albuquerque Business Registrations can be applied for at <https://www.cabq.gov/planning/business-registration-information>. Mobile Food businesses will be required to register under the commissary address that supports the mobile food unit.
3. Your fire permit. Contact the Fire Marshal's office at 505-924-3611 to make an appointment.
4. Your current Commissary agreement. The agreement must include:
 - a. A list of all services provided to the Applicant by the Commissary;
 - b. Identification of the name, title, mailing address, telephone number, and e-mail address of the Commissary and Food Establishment; and
 - c. A statement signed by the Applicant and Commissary owner that attests to the accuracy of the information provided and affirms that the applicant will visit the Commissary on every day of operations.

Once all documents have been obtained, contact Environmental Health to schedule a pre-opening inspection.

Pre-opening Inspections



PLEASE NOTE THAT PRE-OPENING INSPECTIONS ARE CONDUCTED BY APPOINTMENT ONLY AND WILL BE PERFORMED AT YOUR COMMISSARY.

Call (505) 768-2738 for information and to set up an inspection time.

The mobile unit must be fully operational, with all water tanks filled and equipment functional. All mobile food units except push carts must be inspected by the Fire Department prior to your health inspection.

Your health inspector will submit your application packet for approval and processing once the pre-opening inspection has been passed.


Permits are NOT transferable and each mobile unit must be licensed separately.

- Mobile Food Units will display a green “APPROVED” sticker in a visible window on the truck.
- The permit must also be displayed in a conspicuous location.
- Pushcarts display a yellow date sticker as the permit and will also be issued a green “APPROVED” sticker.

Purchasing or remodeling a mobile unit

Before you purchase, remodel, or build a mobile food unit, please bring a copy of your menu and equipment layout drawing to the Environmental Health Plan Review Office for review. A review of your plans and proposed food operations will help ensure that your unit will pass inspection. Call the Environmental Health Plan Review Office at (505) 768-2653 or email consumerhealth@cabq.gov to schedule an appointment.

Permit Renewal


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- All permits must be renewed each year, and are renewed when the annual fee is paid.
 - Health Permits are NOT transferable: If you sell the business to a new owner, they must obtain a new permit.
 - If the unit wishes to change commissaries, they must contact the Environmental Health Department to schedule an inspection at the new location prior to having the permit updated. The business owner will also need to provide an updated Commissary Agreement, and NM Tax and Revenue Registration Certificate and City of Albuquerque Business Registration reflecting the new address.
 - Arrangements for inspections, renewals, or change of ownership shall be made by calling Consumer Health Protection at 505-768-2738.
 - If you change your mailing address or your phone number, please let us know. If we can't locate your business for inspection, your health permit may be placed out of business. Please be sure to have an up to date email address on file with our office as well.

The Consumer Health Protection Office is open Monday to Friday 8am to 5pm.


Fire Department Requirements

- If the vendor produces any grease laden vapors (pan frying, deep-fat frying, using the griddle, etc), a Type 1 Hood shall be installed... NFPA 96
- New Food Trucks or Trailers with New Hood Suppression Systems shall be inspected by the Plans Check Division. The Installing Contractor shall provide the current Documents for the Installation of a New Hood Suppression System. Call 505-924- 3611 to make an appointment.
 - Hood Suppression System Permit
 - A current Manufacturers Certificate attached to their Permit
 - A current, State Fire Marshal's Office, Certificate of Fitness attached to their Permit
 - Acceptance Test of the Hood Suppression System shall be performed
 - Initial Inspection shall be performed for the entire Food Truck or Trailer
- All Type 1 Hood systems shall have a pre-engineered hood suppression system that meets NFPA 17 standards. When a pre-engineered dry chemical system cannot be installed or serviced annually, the suppression system shall be upgraded to a UL 300 suppression system. NFPA 17.9.9 3.
- The hood suppression system shall be serviced and inspected every 6 months. NFPA 96.8
- Existing food trucks requiring renewal of their annual permit shall be inspected by the Fire Marshal's Office located at 724 Silver SW. 505-764-6300. Documents required to be provided during inspection:
 - A current Maintenance Report from an Authorized Contractor
 - A current Manufacturers Certificate attached to their Maintenance Report
 - Beginning 01/01/2020, a current State Fire Marshal's Office Certificate of Fitness, attached to their Maintenance Report
- All cooking appliances producing grease laden vapors shall be under a Type 1 Hood. No part of the appliance shall extend beyond the outer lip of the hood. IFC 610.1
- All vendors shall have a 2A10BC portable fire extinguisher mounted in a conspicuous place within the kitchen area. IFC 906.1
- Vendors with portable generators shall have a 3A40BC portable fire extinguisher in addition to the other fire extinguishers. IFC 906.1
- All vendors that produce grease laden vapors shall have a class K portable fire extinguisher within the kitchen area IFC 904.11.6

Fire Department Requirements Continued

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- All portable fire extinguishers shall be serviced and inspected annually. All extinguishers must have current tags and vendor must provide a report with no deficiencies. NFPA 10
 - All deep-fat fryers shall have a steel baffle between the fryer and surface flames of any adjacent appliance. The baffle shall be 8 inches in height NFPA 96.13
 - L.P. Gas containers shall be located outside. Safety release valves shall be pointed away from the tent, canopy, or membrane structure. Portable L.P. gas containers with a capacity of 500 gallons or less shall have a minimum separation between the container and the structure not less than 10 feet. NFPA 58 & 54
 - Any hose used to pipe L.P. Gas to a device shall be UL or FM listed specifically for LP Gas service. All couplings, fittings, and any other devices shall meet the requirements for LP Gas service as outlined in the International Fuel Gas Code, NFPA 58, and NFPA 54, or be deemed unapproved and removed from service
 - All mobile units with propane shall post a NO SMOKING sign next to the propane bottle. IF 3807.2

Know Your Food Codes



Mobile food businesses are regulated by the City Of Albuquerque Food Service and Retail Ordinance. The Food Service and Retail Ordinance Rules adopt the 2022 FDA Food Code as a regulatory document. The Ordinance, Rules, and Food Code contain requirements that affect your business operations. These documents contain requirements that effect your business operation. Links to these documents can be found on the City web site www.cabq.gov/2024foodupdates and are available in the City Clerks Office.

Safe Food

MOBILE FOOD ESTABLISHMENTS MUST USE THEIR COMMISSARY

Mobile food establishments must use their commissary for the storage of food and single service items. All ingredients must come from permitted food vendors, such as food distributors and grocery stores. Ask to see your suppliers health permit if you are unsure.

Only foods that qualify for the homemade food act that are prepared and packaged in a manner that complies with the act can be sold by a mobile food establishment that is owned by the same person who prepared the homemade food. For more information on the homemade food act and what can and can't be sold from your mobile food establishment, please visit cabq.gov or call 505-768-2738.

Temperatures

USE YOUR THERMOMETER.

Cold food must be 41 degrees F or colder. Hot food must be 135 degrees F or hotter during hot holding. Reheat prepared foods to at least 165 degrees F. Use your calibrated thermometer to check food temperatures. Temperatures should be checked every two hours to prevent food from being in the temperature danger zone for 4 hours or more and having to discard that food.

You should note that food items that are undercooked in any manner, like ceviche, rare or medium rare hamburgers and eggs with runny yolks require a consumer advisory like the one above. The advisory must be posted on your menu or in a conspicuous location on your unit.

Know Your Food Codes Continued



Hand Washing

WHEN TO WASH:

- After touching your body
- Before changing your gloves
- After using the rest room
- After coughing, sneezing, blowing your nose
- After eating, drinking or smoking, and after handling soiled equipment
- When switching between handling raw food and ready to eat food
- After any activity that might contaminate your hands and as often as necessary to prevent cross contamination when preparing foods

General Requirements



Signage

The name and address of the business must be permanently displayed on both sides of the mobile unit in letters at least 3 inches tall and 1/2 inch wide. Your permit sticker must be clearly displayed and the permit to operate must be kept on board at all times.

Commissary

Your mobile food unit must report to the commissary every day of operation.

You and your commissary must be able to show an inspector visitation logs of when you visited the commissary.

Equipment Requirements

Your menu determines the equipment that is required. If you are handling unwrapped food, a hand wash sink is required with hot and cold water, soap and disposable towels available. Residential equipment is not allowed in your commercial business. Equipment must be certified by an ANSI (American National Standards Institute) accredited certification program such as NSF or equivalent.

If you will need to wash any equipment on board the vehicle, a three compartment sink with basins large enough to accommodate immersion and two 18 inch drain boards is required.

Fresh water tanks must be sloped to drain. Inlets must be covered to protect from road dust and other contamination. Waste water tanks must be at least 15% larger than fresh water tanks.

If your menu requires a stove, griddle or other cooking equipment that creates open flames or grease laden vapors, a commercial type 1 exhaust hood with a fire suppression system is required.

Cleaning and Illnesses



Clean and Sanatize

Mobile Food Units preparing food on board must have a three compartment sink. A separate compartment is needed for each step in the ware washing process: WASHING, RINSING, AND SANITIZING.

Approved sanitizers include chlorine, quaternary ammonia, and iodine. Follow the instructions on the label for proper dilution of sanitizing chemicals. Chlorine bleach is the most commonly used sanitizer. Chlorine bleach should be diluted to between 50—100 ppm chlorine. This is done by mixing about 1 tsp. bleach per gallon of water. Verify the concentration with test strips. An approved sanitizer and test strips must be kept on board your mobile unit at all times.

Illnesses

We all get sick sometimes, plan ahead to keep your business healthy.

You need to know when you or your employees are too sick to work.

An employee must report the following symptoms to the person in charge:

- Vomiting
- Diarrhea
- Jaundice (yellowing of the skin or eyes)
- Sore throat with fever
- An infected wound or lesion on the hands or wrist.