

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
VENDORS AND
SOLICITORS**

CHAPTER 5. VENDORS AND SOLICITORS

504. Inspection of Food Vending Businesses
507. Display of Certificates of Authority
513. Food Vending Operations

504. INSPECTION OF FOOD VENDING BUSINESSES

504.1 Prior to being put in operation, the equipment used in vending food products shall first be inspected by and receive a certificate from the Mayor.

504.2 Each certificate shall indicate compliance with the provisions of this chapter, and all other applicable regulations in full force and effect in the District of Columbia.

504.3 Each food vending business shall be inspected at least two (2) times a year.

504.4 When a food vending operation conforms to the requirements of this chapter, the owner of the operation shall be issued a certificate of inspection that shall expire at the time of the next inspection.

507. DISPLAY OF CERTIFICATES OF AUTHORITY

507.1 All certificates of authority to vend shall be properly and conspicuously displayed at all times during the operation of the vending business.

507.2 Each certificate shall be attached to the outer garment of the vendor above the waist and made clearly visible to the public.

507.3 A certificate of health inspection shall be considered to be properly displayed when it is firmly attached to the vending vehicle or stand and made clearly visible to the public.

507.4 Each licensee or holder of a certificate of authority issued pursuant to this chapter shall exhibit the license or certificate for examination upon demand by any authorized representative of the District of Columbia government.

507.5 No person shall fraudulently alter, mutilate, forge, or illegally display any certificate of authority issued pursuant to this chapter.

507.6 All roadway vehicles shall be required to have a D.C. Inspection Certificate and a D.C. Registration.

513. FOOD VENDING OPERATIONS

513.1 All preparation, storage, handling, transportation, and storage of food vended under the provisions of this chapter shall be in compliance with An Act Relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898 (30 Stat. 246; D.C. Official Code § 48-101 et seq.), and the regulations issued pursuant to that act.

513.2 No person licensed to vend any food that may be potentially hazardous (perishable) shall operate a vending vehicle unless it is equipped with a refrigerant or facilities sufficient to maintain food at a temperature of forty-five degrees Fahrenheit (45 (degrees) F.) or less or under appropriate heat treatment at a temperature of one hundred forty degrees Fahrenheit (140 (degrees) F.) or more.

513.3 No fish, poultry, or animals shall be cleaned or have their entrails removed in a food vending vehicle or on or at a stand; nor shall fish poultry, or animals be cut, processed, or otherwise prepared in a food vending operation.

513.4 Each vendor shall submit to the Mayor the address of the supplier of all prepared foods that he or she vends.

513.5 No food vending equipment shall be used for purposes other than those authorized by the Mayor, unless the Mayor has first approved another use in writing.

513.6 All vending vehicles that serve ready-to-eat or commercially prepackaged foods shall be inspected and approved by the Department of Consumer and Regulatory Affairs as being of a design which is approved by or is equivalent to a design approved by the National Sanitation Foundation and in compliance with DCMR, Title 23.

513.7 No vendor shall be allowed to vend meatless burritos, fried chicken, fried fish, french fries, roasted peanuts, honey roasted almonds or cashews, coleslaw, potato salad, fruit salad, cheese steaks, hamburgers, cheeseburgers and gyros, as lifted in subsection 515.19(j), without meeting the following additional requirements:

(a) The vendor must submit, in writing to the Director, a food-handling plan to be called a Hazard Analysis Critical Control Point (HACCP) plan.

(b) The HACCP plan submitted by each vendor shall be reviewed every six (6) months in conjunction with the issuance of the vendor's health certificate.

(c) To comply with the requirements of paragraph 513.7(a), the vendor shall submit to the Department an original and one copy of a "Hazard Analysis Work Sheet" and a "H.ACCP Plan Form", on forms provided by the Director.

(d) If the HACCP plan is approved by the Department, all documents shall be stamped approved with the date and the copy returned to the applicant and the original retained by the Department.

(e) The HACCP plan shall contain a clear analysis and discussion of the following:

(1) An assessment of any hazard in the flow of food;

(2) The identity of any critical control point where food is subject to such hazard;

(3) The establishment of standards and procedures of each critical control point;

(4) The establishment of a monitoring system for all critical control points;

(5) The establishment of corrective actions if such standards, procedures, or requirements are breached; and

(6) The establishment of a record keeping system to document every hazard, procedure, control point, or corrective action.

(f) The HACCP plan must include specific reference to the following requirements as set forth in Title 23B DCMR:

(1) An assessment of any hazard which would make the food item either unfit for consumption or other than wholesome, as required by subsections 2100.1 through 2101.5, and 3010.1 through 3011.3, respectively;

(2) Requirements, standards, and procedures for the prevention of contamination of food, as required by subsections 2101.1 through 21.2.5;

(3) Compliance with storage requirements for potentially hazardous food, and refrigeration requirements, as required by subsections 2202.1 through 2203 and 3013.1 through 3013.2, respectively;

(4) Compliance with storage of supplies and disposal of refuse, as required by subsections 2205.1 through 2205.2, and 2206.1 through 2206.6, respectively;

(5) Compliance with standards for food handler cleanliness as required by subsections 3015.1 through 3015.7; and

(6) Certification from an accredited Food Handler Sanitation course as required by subsections 2201.1 through 2201.5.

(g) The vendor's food handling operation shall be subject to, verification with the procedures, standards, and requirements as set forth in the HACCP plan.

(h) Any changes in HACCP plan, the operational procedures contained therein, or products listed, must be submitted to the Director for approval prior to implementation.

513.8 Health inspection approval for vendors selling meatless burritos and other specified food items pursuant to subsection 515.19(j) shall be granted only after a thorough inspection of the vending cart, truck, trailer or other vehicle, an inspection of the storage facilities for the cart, the equipment and utensils, and the food supplies; a review of the preparation and holding procedures for the food; and a determination that the HACCP plan will prevent the growth of disease causing organisms or germs.

513.9 No vendor shall prepare or vend fried chicken, fried fish, french fries, roasted peanuts, honey roasted almonds or cashews, cheese steaks, hamburgers, cheeseburgers, and gyros or any other foods cooked aboard a vending vehicle as listed in subsection 515.19(j) without meeting the following additional requirements:

(A) All deep fryers must be protected with a hood suppression system, approved by the Fire Prevention Division of the District of Columbia Fire Department;

(B) The hood suppression system in these vehicles must have approved plans and must be inspected by the Fire Prevention Division of the District of Columbia Fire Department;

- (C) All vehicles equipped with cooking appliances must have at least one (1) minimum 2A-10BC fire extinguisher mounted in the cooking area;
 - (D) Vehicles operating with propane must obtain a permit from the Fire Prevention Division of the District of Columbia Fire Department and must be posted in the vehicle at all times;
 - (E) All propane compartments should be secured and placarded;
 - (F) No smoking signs must be posted on the vehicle; and
 - (G) All vehicles with deep fryers, propane and any other electrical or cooking devices must be inspected by the Fire Prevention Division of the District of Columbia Fire Department every three (3) months, or at a schedule prescribed by the Fire Marshall of the District of Columbia.
 - (H) Any vending vehicle utilizing propane cylinders in excess of sixty (60) pounds must have direct approval from the Fire Marshall of the District of Columbia".
- 513.10 No vendor shall prepare any foods identified in subsection 519(j) without meeting the following requirements:
- (A) Hot and cold water in sufficient quantity to support routine operations;
 - (B) A fresh water tank with at least a thirty-eight (38) gallon capacity;
 - (C) A waste water tank with a capacity fifteen percent (15%) or larger than the fresh water tank;
 - (D) A three (3) compartment sink with hot and cold running water;
 - (E) A separate hand washing sink with mixing faucet;
 - (F) Walls, ceiling, and floors that are smooth and easily cleanable;
 - (G) Natural or electrical lighting to provide a minimum of fifty (50) foot candles of light on work surfaces;
 - (H) A generator powered refrigerator that will maintain stored foods at forty-one degrees (41) Fahrenheit or below as approved by the Department, Building and Land Regulatory Administration electrical Inspection Section of the Department;
 - (I) A generator-powered freezer, which will hold foods at zero degrees (0%) Fahrenheit or below, approved by the Department, Building and Land Regulation Administration; Electrical Inspection Section of the Department;
 - (J) Both refrigerator and freezer to have sufficient holding capacity for a one (1) day operation;
 - (K) Adequate ventilation;
 - (L) All equipment must be commercial in design and comply with National Sanitation

Foundation (NSF) standards or the equivalent;

(M) Food handlers must enroll and complete a Food Service Supervisors Training Course;

(N) No cooking oil shall be kept in cooking containers but shall be kept in a secure manner while the vending vehicle is in transit; and

(O) The Director may excuse any of the above requirements upon receipt of a written recommendation from the Director, D.C. Department of Health on a case by case basis".