

PART ONE – SCORED VIOLATIONS
APPENDIX 6-A: SELF-INSPECTION WORKSHEET FOR MOBILE FOOD VENDING UNITS (MFVU)

| Critical Violations | Conditions | | | | | Score | | | | | | | | | | | | | | | | | | |
|---|--|----|-----|----|----|-------|------|--|--|---|---|--|--------------------------------|-----------------------|---|-------|----------------------------------|---|--------------------------------------|---|------------|---|-----------------|-----------------------|
| | I | II | III | IV | V | | | | | | | | | | | | | | | | | | | |
| Time and Temperature Control for Safety (TCS) Food Temperature | | | | | | | | | | | | | | | | | | | | | | | | |
| 2A* Food not cooked to required minimum internal temperature: | – | – | – | 10 | 28 | | | | | | | | | | | | | | | | | | | |
| | <table border="1"> <thead> <tr> <th>Food</th><th>Required Minimum Internal Temperature at or above:</th></tr> </thead> <tbody> <tr> <td>Poultry, poultry parts, ground and comminuted poultry, all stuffing containing poultry, meats, fish or ratites</td><td>165° F for 15 seconds with no interruption of the cooking process</td></tr> <tr> <td>Ground meat, and food containing ground and comminuted meat</td><td>158° F with no interruption of the cooking process, except per individual customer request</td></tr> <tr> <td>Pork, any food containing pork</td><td>150° F for 15 seconds</td></tr> <tr> <td>Mechanically tenderized or injected meats</td><td>155°F</td></tr> <tr> <td>Whole meat roasts and beef steak</td><td>required temperature and time listed in 81.09(c)(3), except per individual customer request</td></tr> <tr> <td>Raw animal foods cooked in microwave</td><td>165° F, covered, rotated or stirred for 2 minutes</td></tr> <tr> <td>Shell eggs</td><td>145° F for 15 seconds, except per individual customer request</td></tr> <tr> <td>All other foods</td><td>140° F for 15 seconds</td></tr> </tbody> </table> | | | | | | Food | Required Minimum Internal Temperature at or above: | Poultry, poultry parts, ground and comminuted poultry, all stuffing containing poultry, meats, fish or ratites | 165° F for 15 seconds with no interruption of the cooking process | Ground meat, and food containing ground and comminuted meat | 158° F with no interruption of the cooking process, except per individual customer request | Pork, any food containing pork | 150° F for 15 seconds | Mechanically tenderized or injected meats | 155°F | Whole meat roasts and beef steak | required temperature and time listed in 81.09(c)(3), except per individual customer request | Raw animal foods cooked in microwave | 165° F, covered, rotated or stirred for 2 minutes | Shell eggs | 145° F for 15 seconds, except per individual customer request | All other foods | 140° F for 15 seconds |
| Food | Required Minimum Internal Temperature at or above: | | | | | | | | | | | | | | | | | | | | | | | |
| Poultry, poultry parts, ground and comminuted poultry, all stuffing containing poultry, meats, fish or ratites | 165° F for 15 seconds with no interruption of the cooking process | | | | | | | | | | | | | | | | | | | | | | | |
| Ground meat, and food containing ground and comminuted meat | 158° F with no interruption of the cooking process, except per individual customer request | | | | | | | | | | | | | | | | | | | | | | | |
| Pork, any food containing pork | 150° F for 15 seconds | | | | | | | | | | | | | | | | | | | | | | | |
| Mechanically tenderized or injected meats | 155°F | | | | | | | | | | | | | | | | | | | | | | | |
| Whole meat roasts and beef steak | required temperature and time listed in 81.09(c)(3), except per individual customer request | | | | | | | | | | | | | | | | | | | | | | | |
| Raw animal foods cooked in microwave | 165° F, covered, rotated or stirred for 2 minutes | | | | | | | | | | | | | | | | | | | | | | | |
| Shell eggs | 145° F for 15 seconds, except per individual customer request | | | | | | | | | | | | | | | | | | | | | | | |
| All other foods | 140° F for 15 seconds | | | | | | | | | | | | | | | | | | | | | | | |
| 2B* Hot TCS food item not held at or above 140° F. | 7 | 8 | 9 | 10 | 28 | | | | | | | | | | | | | | | | | | | |
| 2C Hot TCS food item that has been cooked and cooled is being held for service without first being reheated to 165° F or above for 15 seconds within 2 hours. | 5 | 6 | 7 | 8 | – | | | | | | | | | | | | | | | | | | | |
| 2D Precooked TCS food in hermetically sealed and intact packages from commercial food processing and non-retail processing establishments not heated to 140° F within 2 hours. | 5 | 6 | 7 | 8 | – | | | | | | | | | | | | | | | | | | | |
| 2E Whole frozen poultry or poultry breasts, other than a single portion cooked frozen or partially thawed. | 5 | 6 | – | – | – | | | | | | | | | | | | | | | | | | | |
| 2F Meat, fish, poultry or eggs served or offered raw or undercooked without written consumer advisory. | 5 | – | – | – | – | | | | | | | | | | | | | | | | | | | |
| 2G* Cold TCS food item held above 41° F, processed fish above 38° F or intact raw eggs above 45° F. Applies except during necessary preparation. | 7 | 8 | 9 | 10 | 28 | | | | | | | | | | | | | | | | | | | |
| 2H* After cooking or removal from hot holding, TCS food not cooled by an approved method whereby the internal temperature is reduced from 140° F to 70° F or less within 2 hours, and from 70° F to 41° F or less within 4 additional hours. | 7 | 8 | 9 | 10 | 28 | | | | | | | | | | | | | | | | | | | |
| 2I TCS food removed from cold holding or prepared from or combined with ingredients at room temperature not cooled by an approved method to 41° F or below within 4 hours. | 5 | 6 | 7 | 8 | – | | | | | | | | | | | | | | | | | | | |
| Food Source | | | | | | | | | | | | | | | | | | | | | | | | |
| 3A* Food from unapproved or unknown source or home canned or home prepared. Live animal slaughtered and/or raw meat processed into smaller cuts or pieces in the MFVU. | – | – | – | 10 | 28 | | | | | | | | | | | | | | | | | | | |
| 3B* Commercially manufactured, or processed shellfish not from approved source, or improperly tagged/labeled; tags not retained for 90 days on MFVU. | – | – | – | 10 | 28 | | | | | | | | | | | | | | | | | | | |

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|--|------------|----|-----|----|----|-------|
| | I | II | III | IV | V | |
| 3C* Unclean or cracked whole eggs or unpasteurized liquid, frozen or powdered eggs kept or used. | 7 | 8 | 9 | 10 | 28 | |
| 3D* Food packages, canned food, hermetically sealed container not suitable for human consumption. Packages swollen, leaking or rusted, without "Do Not Use" label or not segregated from other consumable food items. | 7 | 8 | 9 | 10 | 28 | |
| 3E* No or inadequate potable water supply. Water or ice not potable or from unapproved source. Bottled water not NY state certified. Cross connection in potable water supply system. | - | - | - | 10 | 28 | |
| 3F* Unpasteurized milk or milk product (except certain aged cheese) served. | - | - | - | 10 | 28 | |
| 3G Raw fruit or vegetables not properly washed prior to cutting or serving. | 5 | 6 | 7 | 8 | - | |
| 3H* Raw meat, fish, or shellfish stored, prepared, served or sold on MFVU. | - | - | - | 10 | 28 | |
| 3I* Unpasteurized juice packaged and sealed on MFVU or commissary not labeled or label incomplete; no warning statement. | - | - | - | 10 | 28 | |
| Food Protection | | | | | | |
| 4B* Food worker or vendor spits; prepares food or touches utensil when ill with a disease transmissible by food or has exposed infected cut or burn on hand. | - | - | - | 10 | 28 | |
| 4C* Food worker or vendor does not use utensil or other barrier to eliminate bare hand contact with food that will not receive adequate additional heat treatment. | 7 | 8 | 9 | 10 | 28 | |
| 4D* Food worker or vendor does not wash hands thoroughly after using the toilet, coughing, sneezing, smoking, eating, or otherwise contaminating hands or does not change gloves when gloves are contaminated. | - | - | - | 10 | 28 | |
| 4E* Toxic chemicals or pesticides improperly labeled, stored or used such that food contamination may occur. | 7 | 8 | 9 | 10 | 28 | |
| 4F* Food, food preparation area, food storage area, or other area used by food worker or food vendor contaminated by sewage or liquid waste. | - | - | - | 10 | 28 | |
| 4G* Unprotected TCS food re-served. | - | - | - | 10 | 28 | |
| 4H* Raw, cooked or prepared food is adulterated, contaminated or cross-contaminated. Food exposed to contamination when containers stored in cooking water. | 7 | 8 | 9 | 10 | 28 | |
| 4I Unprotected non-TCS food re-served. | 5 | 6 | 7 | 8 | - | |
| 4J Properly calibrated thermometer or thermocouple not provided or not readily accessible in food preparation and hot/cold holding areas to measure temperatures of TCS foods during cooking, cooling, reheating and holding. | 5 | - | - | - | - | |
| 4K Evidence of rats or live rats in MFVU's food and/or non-food areas. | 5 | 6 | 7 | 8 | 28 | |
| 4L Evidence of mice or live mice in MFVU's food and/or non-food areas. | 5 | 6 | 7 | 8 | 28 | |
| 4M Live roaches in MFVU's food and/or non-food areas. | 5 | 6 | 7 | 8 | 28 | |

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| | I | II | III | IV | V | |
| 4N Filth flies or food/refuse/sewage associated (FRSA) flies or other nuisance pests in MFVU's food and/or non-food areas. FRSA flies include house flies, blow flies, bottle flies, flesh flies, drain flies, Phorid flies and fruit flies. | 5 | 6 | 7 | 8 | 28 | |
| 4O Live animal other than fish in tank or service animal present in MFVU food and/or non-food area. | 5 | 6 | 7 | 8 | — | |
| Facility Design and Construction | | | | | | |
| 5A* Sewage disposal system is not provided, improper, inadequate or unapproved. Waste tank not provided with a readily accessible vented check valve. | — | — | — | 10 | 28 | |
| 5B* Harmful, noxious gas or vapor detected. Carbon Monoxide (CO) level at or exceeding nine (9) ppm. | — | — | — | 10 | 28 | |
| 5C+ Food contact surface or equipment improperly constructed, placed or maintained. Unacceptable material used. Culinary sink or other acceptable method not provided for washing food. Potable water tank and plumbing improperly constructed or designed. | 7 | 8 | 9 | 10 | 28 | |
| 5D+ No hand wash facility or hand wash facility not accessible, obstructed or used for non-hand washing purposes. No hot and cold running water or water at inadequate pressure. No soap or acceptable hand-drying device. | — | — | — | 10 | 28 | |
| 5F+ Inadequate or no refrigerated or hot holding equipment to maintain Time/Temperature Control for Safety (TCS) foods at required temperatures. | — | — | — | 10 | 28 | |
| 5H+ No facilities available to wash, rinse, and sanitize utensils or equipment and/or refillable returnable containers. | — | — | — | 10 | 28 | |
| 5I Signed original service contract or agreement with commissary or other approved facility not provided at pre-permit inspection; documents not kept on MFVU and made available for inspection. | — | — | — | 10 | 28 | |
| 5J+ Construction and design inadequate. Overhead structure not provided or constructed. Food truck not provided with partition or self-closing door between the driver's seat and the food operations. Ice cream truck not equipped with operational warning beeper and signage arm. Tamper proof locks or other food security mechanism not provided. Potable water tank or hand wash sink tank capacity inadequate. | — | — | — | 10 | 28 | |
| Food Worker Hygiene and Other Food Protection | | | | | | |
| 6A Personal cleanliness inadequate. Outer garment soiled with possible contaminant or not properly dressed; sleeveless garment or bare midriff worn. Effective hair restraint not worn when required. Jewelry worn on hands or arms, fingernail polish worn; or fingernails not kept clean and trimmed. | 5 | 6 | 7 | 8 | — | |
| 6B Tobacco or e-cigarette use, eating, or drinking from open container in food preparation or other area where food, equipment or utensils may be exposed to contamination. | 5 | 6 | 7 | 8 | — | |
| 6C Food, supplies or equipment not protected from potential sources of contamination during storage, preparation, transportation, display or service. Condiments not in single-service containers or dispensed directly by the vendor. | 5 | 6 | 7 | 8 | — | |

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| | I | II | III | IV | V | |
| 6D Food contact surface not properly washed, rinsed and sanitized after any activity where contamination may have occurred. | 5 | 6 | 7 | 8 | — | |
| 6E Sanitized equipment or utensil, including in-use food dispensing utensil, improperly used or stored. | 5 | 6 | 7 | 8 | — | |
| 6F Wiping cloths soiled or not stored in sanitizing solution; inadequately sanitized. | 5 | 6 | 7 | — | — | |
| 6J No approved written standard operating procedure for avoiding contamination by refillable returnable containers | — | — | — | 8 | 28 | |
| 6K* MFVU left unattended longer than one-half hour. | — | — | — | — | — | 28 |
| 6L Ice not stored until dispensed in the manufacturer's bag. Ice not obtained in chipped, crushed, or cubed form and in single-use food grade plastic or wet-strength paper bag sealed at the point of manufacture. | — | — | 7 | — | — | |
| Other Criticals | | | | | | |
| 7A Duties of an officer of the Department interfered with or obstructed. | — | — | — | — | 28 | |
| Critical Violations Total: | | | | | | |

| General Violations | Conditions | | | | | Score |
|--|------------|----|-----|----|----|-------|
| | I | II | III | IV | V | |
| Garbage, Waste Disposal and Pest Management | | | | | | |
| 8A Harborage or conditions conducive to attracting pests to the MFVU. | — | — | 4 | 5 | — | |
| 8B Garbage receptacles not pest or water resistant, or covered with tight-fitting lids, except while in active use. Garbage receptacles and covers not cleaned after emptying and prior to reuse. Garbage, refuse and other solid and liquid waste not collected, stored, removed and properly discarded. | 2 | — | — | — | — | |
| 8C Pesticide use not in accordance with label or applicable laws. Pesticides are unauthorized for use. Unprotected, unlocked bait station used. Toxic chemical or pesticide prohibited on MFVU. | 2 | 3 | 4 | 5 | 28 | |
| Food Protection | | | | | | |
| 9A Cans of food with dented body damage not segregated from other cans for return to distributor. | 2 | 3 | 4 | 5 | — | |
| 9B Thawing procedures improper. | 2 | 3 | 4 | 5 | — | |
| 9C Food contact surface chipped, crack, worn or in a condition where it cannot be properly maintained or cleaned. | 2 | 3 | 4 | 5 | — | |
| 9D MFVU used as a dwelling, sleeping or for residential purposes. | — | — | — | — | 28 | |
| 9E "Wash hands" sign not posted at hand wash facility. | 2 | — | — | — | — | |
| Facility Maintenance | | | | | | |
| 10B Back-siphonage or back-flow prevention device not provided where required; equipment or floor not properly drained; sewage disposal system in disrepair or not functioning properly. Condensation or liquid waste improperly disposed of. | 2 | 3 | 4 | 5 | 28 | |

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| | | I | II | III | IV | V | |
| 10C | Lighting inadequate; permanent lighting not provided in food preparation areas, ware washing areas, and storage areas. No shatterproof bulbs or shield to prevent broken glass from falling into food or onto surfaces. | 2 | 3 | 4 | 5 | – | |
| 10D | Mechanical or natural ventilation system not provided, improperly installed, in disrepair and/or fails to prevent excessive build-up of grease, heat, steam condensation vapors, odors, smoke, and fumes. | 2 | 3 | 4 | 5 | – | |
| 10E | Accurate thermometer not provided or properly located in cold or hot holding equipment. | 2 | 3 | 4 | 5 | – | |
| 10F | Non-food contact surface or equipment made of unacceptable material, not kept clean, and/or not properly sealed, raised, spaced or movable to allow accessibility for cleaning on all sides above and underneath equipment or other structures. | 2 | 3 | 4 | 5 | – | |
| 10G | Proper sanitization not used or provided for ware washing operation. No test kit. | – | – | – | 5 | – | |
| 10H | Single service items not provided. Single service items reused, not protected from contamination when transported, stored or dispensed. Drinking straws not completely enclosed in wrapper or dispensed from a sanitary device. | 2 | 3 | 4 | 5 | – | |
| 10I | Failure to clean unit at commissary or approved facility at least daily. | – | – | – | – | 28 | |
| General Violations Total: | | | | | | | |
| Critical and General Combined Total: | | | | | | | |

PART TWO – UNSCORED VIOLATIONS

| | | Condition Observed | |
|------------------------------|---|--------------------|----|
| | | Yes | No |
| NUTRITION | | | |
| Artificial Trans Fat | | | |
| 16-01 | A food containing artificial trans fat, with 0.5 grams or more of trans fat per serving, is being stored, distributed, held for service, used in preparation of a menu item, or served. | | |
| 16-02 | The original nutritional fact labels and/or ingredient label for cooking oil, shortening or margarine or acceptable manufacturer's documentation not maintained on site. | | |
| Calorie Menu Labeling | | | |
| 16-03 | Caloric content not posted on menus, menu boards, in a food service establishment that is 1 of 15 or more outlets operating the same type of business nationally under common ownership or control, or as a franchise or doing business under the same name, for each menu item that is served in portions, the size and content of which are standardized. | | |
| 16-04 | Required nutritional information statement not posted (2,000 calories per day). | | |
| 16-06 | Additional nutritional information statement not posted, or additional nutritional information not provided. | | |
| Sodium Menu Labeling | | | |
| 16-08 | Sodium Warning icon not posted on menus, menu boards or food tags for food items that contain 2300mg or more of sodium in a food service establishment that is 1 of 15 or more outlets operating the same type of business nationally under common ownership or control, or as a franchise or doing business under the same name. | | |

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| | Condition Observed | |
|---|--------------------|----|
| | Yes | No |
| 16-09 Sodium Warning icon posted on menus, menu boards or food tags for food items that contain 2300mg or more of sodium is not a black and white equilateral triangle; or the equilateral triangle is not as wide as it is tall, or is not equal in height to the largest letter in the food item's name, as displayed on the menu, menu board or tag. | | |
| 16-10 Sodium Warning statement not posted conspicuously at the point of purchase. "Warning:  indicates that the sodium (salt) content of this item is higher than the total daily recommended limit (2300 mg). High sodium intake can increase blood pressure and risk of heart disease and stroke." | | |
| ADMINISTRATION | | |
| Permit and License | | |
| 18-03 Operating a mobile food vending unit without a permit in any private space. | | |
| 18-04 Operating a mobile food vending unit without a permit in any public space. | | |
| 18-05 Operating a mobile food vending unit without a license, in any private space. | | |
| 18-06 Operating a mobile food vending unit without a license in any public space. | | |
| 18-07 Permit decal obstructed or not visible. Clear fourteen inch in height and 14 inch in width space not provided for decal. Decal covered by material that prevents ready access for examination/inspection. | | |
| 18-09 Operating a mobile food vending unit in any private space without badge conspicuously displayed or without the original license and original permit papers available on demand. | | |
| DOCUMENTATION | | |
| 18-12 Reproducing or altering document issued by the Commissioner, Department or Board of Health. Submitting false, misleading statement. | | |
| 18-13 Failure to comply with an Order of the Board of Health, Commissioner or Department. | | |
| 18-14 Order or notice posted or required to be posted by the Department mutilated, obstructed or removed. | | |
| 18-15 Failing to report occurrence of suspected food-borne illness to the Department. | | |
| 18-16 Failing to allow an inspection or present unit. | | |
| ENVIRONMENTAL PROTECTION | | |
| 19-04 Possessing or selling expanded Polystyrene (EPS) single service article not designated as a recyclable material. | | |
| SIGNAGE | | |
| 20-06 Current letter grade or 'Grade Pending' card not posted. | | |
| 20-07 Removing, destroying, modifying, obscuring, or otherwise tampering with a letter grade or 'Grade Pending' card. | | |
| OPERATION | | |
| 22-03 Vending food other than fresh fruits and vegetables from a green cart. | | |
| 22-04 Green cart vendor failed to carry map showing authorized vending areas. | | |
| 22-05 Operating without location device. Location sharing device removed, disposed of, obstructed, modified or tampered with. | | |
| 22-06 Vending non-food items. | | |

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| | Condition Observed | |
|--|--------------------|----|
| | Yes | No |
| 22-07 Vending of unapproved items. | | |
| 22-08 Except for waste container, all items related to the operation of MFVU not in, on or under the unit. | | |
| 22-09 Vending at time or place prohibited by code provision. | | |
| 22-10 Vending from any place other than a mobile food vending unit. | | |
| PLACEMENT | | |
| 24-01 Vending on sidewalk that allows less than 12 feet as pedestrian path; or unit not at, or abutting curb. | | |
| 24-02 Pushcart touching, leaning against, or affixed to building or structure. | | |
| 24-03 Pushcart against display window or within 20 feet of any building entranceway or exit. | | |
| 24-04 Vending in bus stop, sidewalk next to a hospital or health facility, no standing zone or within 10 feet of driveway, subway, or crosswalk. | | |
| 24-05 Vending on median strip when strip not intended as mall or plaza. | | |
| 24-06 Vending in area under the jurisdiction of the Department of Parks and Recreation without written authorization from the Commissioner. | | |
| MISCELLANEOUS | | |
| 28-01 Creating or allowing a nuisance to exist. Facility not free from unsafe, hazardous, offensive or annoying condition. | | |
| 28-02 Container used to heat food in a microwave oven does not display a "microwave safe" icon, or the words "microwave-safe". | | |
| 28-03 Lighting fixture located over, by or within food storage, preparation, service or display facility, and facility where utensils and equipment are cleaned and stored, which may shatter due to extreme heat, temperature changes or accidental contact; not fitted with shatterproof bulb or shielded and encased, with end caps or other device. | | |
| 28-04 Failing to remove or clean solid/liquid waste, debris and food spillage caused by the operation of the MFVU or consumer litter adjacent to the mobile food vending unit. | | |
| 28-05 Adulterated or misbranded food produced, possessed or offered. | | |
| 28-06 Contract with a pest management professional not in place. Record of extermination activities not kept on premises. | | |
| 28-07 Unauthorized outdoor, street or sidewalk cooking. | | |
| 28-08 MFVU exceeds length or width specifications. | | |

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