



CITY OF HEREFORD

STARTING A NEW RETAIL FOOD ESTABLISHMENT UNDER THE DEPARTMENT OF CITY HEALTH SERVICES JURISDICTION

*****Contact your city code enforcement division regarding local building, plumbing, electrical, fire, and zoning requirements.*****

***PERMITTING**

***OBTAINING A CERTIFIED FOOD MANAGER'S CERTIFICATE**

***OBTAINING A TAX ID NUMBER**

***EQUIPMENT AND FACILITY REQUIREMENTS**

***APPROVED WATER SOURCE/WATER WELLS**

***RESTRICTIONS FROM COOKING FROM YOUR PRIVATE RESIDENCE**

***TEXAS FOOD ESTABLISHMENT RULES (TFER)**

1. **PERMITTING** – Unless specifically exempted, a retail food establishment located in any area regulated by the City of Hereford Health Services must have a valid permit before operating. Permit exemptions may be reviewed at 25 TAC 229.371(6)(B) and 25TAC 229.372(b) and (c).
 - A. Retail food establishments, unless specifically exempted, must be permitted. There are 3 types of permits:
 - i. Fixed Establishment (including child care facilities licensed for 13 or more children) – permit application
 - ii. Mobile food unit (including roadside vendors) - permit application
 - iii. Temporary establishment – permit application
 - a) Single event not to exceed 14 consecutive days
 - b) Multiple event permit for unlimited number of events for 2 years.
 - B. The City of Hereford Health Department permit applicants must acknowledge that they have “read and understood Chapter 437 of the

Health & Safety Code, the applicable provisions of 25 TAC, Chapter 229 (The Texas Food Establishment Rules)(TFER), and agree to abide by them”.

2. OBTAINING A CERTIFIED FOOD MANAGER’S CERTIFICATE

All food service establishments, under the jurisdiction of the City Health Department, with some exemptions, shall employ a Certified Food Manager. Additional information is available at <http://www.dshs.state.tx.us/foodestablishments/cfm.shtm>.

Exemptions include:

- A. Non-profit organizations.
- B. Child care (day care) facilities.
- C. Firms that sell only prepackaged foods.
- D. Firms that do not prepare or handle exposed potentially hazardous foods.

3. OBTAINING A TAX ID NUMBER

You must have a sales tax ID number before you submit a permit application. Contact the State Comptroller’s Office at 1-800-252-5555 or by referring to the web site at <http://www.window.state.tx.us/taxpermit/> for information about obtaining a sales tax ID number.

4. EQUIPMENT AND FACILITY REQUIREMENTS

The following list of equipment and facility requirements was developed in response to questions from customers making initial business decisions. It is not a complete list. For more detailed requirements, refer to the Texas Food Establishment Rules at:

<http://www.dshs.state.tx.us/foodestablishments/rules.shtm>.

A. Fixed Establishment:

- i. A 3-compartment sink to wash, rinse, and sanitize equipment and utensils. A mechanical dishwasher may also be utilized.
- ii. Hand wash sink(s) conveniently located in the food preparation area(s).
- iii. Employee restroom(s) with hand wash facilities.
- iv. Hot and cold water under pressure at all sinks.
- v. A service sink or curbed cleaning facility for mops.
- vi. A sewage disposal system that is properly constructed, maintained, and operated.
- vii. Water from an approved source.
- viii. Adequate heating and/or refrigeration equipment for cooking, reheating, or holding foods at safe temperatures.

- ix. An appropriate temperature measuring devices for checking internal food temperatures (probe-type thermometers or thermocouples).
- x. An accurate thermometer for each hot/cold holding unit.

B. Mobile Food Unit: Minimum requirements can be reviewed at 25 TAC 229.169 and Mobile Food Unit Checklist

NOTE: Mobile food unit operators typically prepare or handle unpackaged foods. Roadside vendors are limited to handling pre-packaged foods only.

C. Temporary Food Establishment: Minimum requirements can be reviewed at 25 TAC 229.170 and Compliance Requirements.

D. Food Contact Surfaces of Equipment: Minimum requirements can be reviewed at 25 TAC 229.165 or the TFER, Section 229.165(a)(1).

5. APPROVED WATER SOURCE/WATER WELLS

Water used for food preparation, hand washing, and dishwashing must come from an approved source. The following sources are approvable:

A) Community (municipal) water system (public water system).

6. RESTRICTIONS ON COMMERCIAL FOOD PREPARATION IN A HOME

The Texas Food Establishment Rules (TFER), Section 229.167(d)(10) states: A private home, a room used as living or sleeping quarters, or an area directly opening into a room used as living or sleeping quarters may not be used for conducting food establishment operations.

7. TEXAS FOOD ESTABLISHMENT RULES (TFER)

Refer to the TFER for detailed information regarding these and other requirements. The TFER can be found at

<http://www.dshs.state.tx.us/foodestablishments/rules.shtm>.

You can also contact the Food Establishments Group at (512) 834-6753 for additional guidance.