

New Food Establishment Information Packet



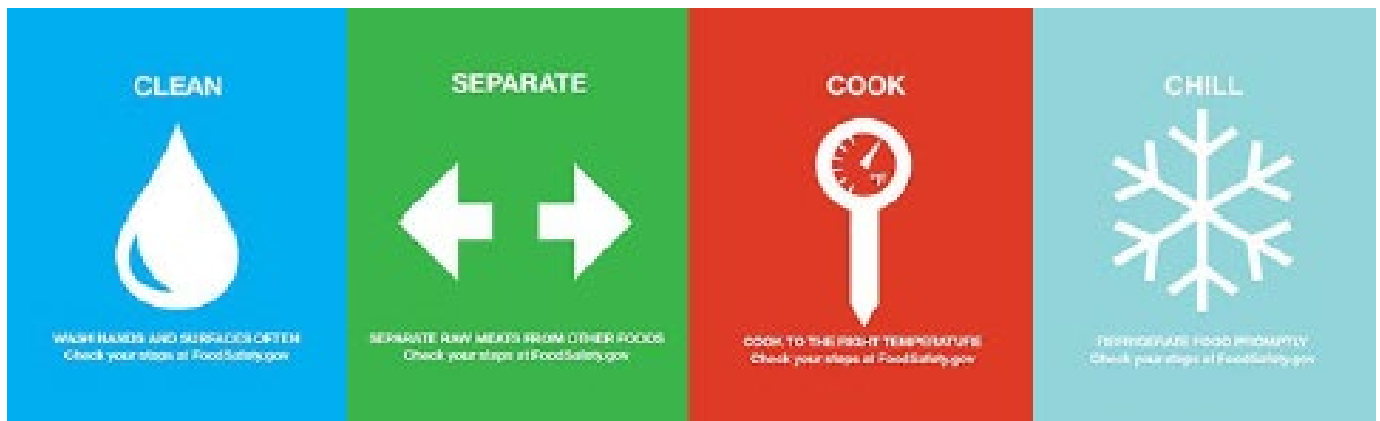
Orange County Environmental Health and Code Compliance

11475-C FM 1442

Orange, Texas 77630

409-745-1463 (Phone)

Environmental@co.orange.tx.us





We are excited to learn that you are opening a new food establishment in Orange County! This packet is designed to answer your questions and provide the tools you need to get your business started.

Note: If your business is located within city limits, you must contact that city's code enforcement department to obtain any additional required permits.

Which Retail Food Businesses Require a Permit?

- Restaurants
- Bakeries
- Catering businesses
- Convenience stores
- Schools/Cafeterias
- Church soup kitchens
- Hotels
- Drug stores
- Supermarkets/Bakeries/Deli
- Snow cone stands
- Mobile shrimp vendors
- Retail meat markets (excluding deer processing)



Food Permits

Submitting a Food Service Permit Application and Plan Review

The first step in opening a food service operation is to submit a **Food Service Permit Application** along with a complete set of plans electronically. The Plan review is a critical component of the Orange County Food Safety Program. It allows the department to evaluate the proposed establishment's menu, equipment and facilities to identify potential food safety hazards before construction and operation begin. Plans will be evaluated for compliance with the Texas Food Establishment Rules and the Rules for the Regulation of Food Establishments in Orange County, Texas.

Submit applications online at:
<https://myhealthdepartment.com/orangecotx>

FDA Food Code & Texas Food Establishment Rules (TFER)

All food service establishments in Orange County must comply with the FDA Food Code, as adopted and amended by the State of Texas in the Texas Food Establishment Rules (TFER).

For a complete copy of both the adopted FDA Food Code and TFER go to:
http://www.co.orange.tx.us/Food_Service.html

Types of Permits

- **Fixed Establishment**
 - **Mobile Food Unit** (including roadside vendors)
 - **Temporary Establishment** – single event not exceeding 14 consecutive days
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Certified Food Protection Manager (CFPM)

A Certified Food Protection Manager shall be present at all times of operation. This employee must have the authority to direct and control food preparation and service. A Certified Food Protection Manager must show proficiency of the required information through passing a test that is part of an accredited program.

The original Food Protection Manager certificate shall be posted in a location in the food establishment that is conspicuous to consumers.



Food Handler Requirements

Except in a temporary food establishment and if a food handler possesses a Certified Food Protection Manager certification, all other food service employees shall successfully complete an accredited food handler training course within (30) days of employment. The food establishment shall maintain on premises a certificate of completion of the food handler training course for each food employee.



This section does not apply to certain types of food establishments deemed by the regulatory authority to pose minimal risk of causing, or contributing to, foodborne illness based on the nature of the operation and extent of food preparation.

Training Options

Classroom Instruction:

Orange County partners with the Texas AgriLife Extension Service to provide classroom instruction for both the Certified Food Protection Manager and Food Handler training. Their phone number is 409-882-7010.

Online Courses can be found at:

Food Protection Manager:

<https://www.dshs.texas.gov/licensing-certified-food-manager-training-programs>

Food Handler:

<https://www.dshs.texas.gov/licensing-food-handler-training-programs>

Obtaining a Sales Tax ID

You must have a Sales Tax ID Number from the Stat Comptroller's Office before you submit a Food Service Permit Application! For more information contact them at 1-800-252-5555 or visit their website at <https://comptroller.texas.gov/>

Home-Based Food Restrictions

Private homes or rooms used as living/sleeping quarters may **not** be used for food establishment operations (TFER Section 228.174(k)).

Equipment & Facility Requirements

The following list of equipment and facility requirements was developed in response to questions from customers making initial business decisions. This is not a complete list for every food establishment. For a more detail list please refer to the FDA Food Code and the Texas Food Establishment Rules (TFER) at

<https://www.co.orange.tx.us/departments/EnvironmentalHealthCodeCompliance/FoodService>

- Three-compartment sink for washing, rinsing, and sanitizing
 - Handwashing sink(s) conveniently located in food prep areas
 - Employee restrooms with handwashing facilities and signage
 - Hot and cold water under pressure at all sinks
 - Service/mop sink with floor drain
 - Properly constructed and maintained sewage disposal system
 - Adequate cooking, heating, and refrigeration equipment
 - Temperature-measuring devices for internal food checks
 - Thermometers for hot/cold holding units
 - Smooth, non-absorbent and easily cleanable walls and ceilings
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Cottage Food Production

Effective September 1, 2025, Texas Senate Bill 541 allows cottage food operators to sell food that is prepared from one's home. Labeling and other requirements need to be met to fall under the Texas Cottage Food Law.

Prohibited foods include:

1. Meat, Meat products, poultry, or poultry products
2. Seafood, including seafood products, fish, fish products, shellfish, and shellfish products
3. Ice or ice products, including shaved ice, ice cream, frozen custard, popsicles, and gelato
4. Low-acid canned goods
5. Products containing cannabidiol (CBD) or tetrahydrocannabinol (THC)
6. Raw milk and raw milk products



An individual who operates a cottage food production must successfully complete a basic food safety education or training program for food handlers.

More Info: <https://www.dshs.texas.gov/retail-food-establishments/texas-cottage-food-production>

Approved Water Sources

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

- Community (municipal) Water System (Public Water System)
 - Non-Community (Public Water System) Water System- This category included on-site wells that supply more than 25 customers per day for a total of 60 days per year. These wells must be listed and approved by the Texas Commission of Environmental Quality (TCEQ). TCEQ will oversee the testing requirements and operation of the wells. Contact the TCEQ Beaumont Office at 409-898-3838.
 - **Non-Public (Private) Water System- This category included wells that serve less than 25 customers per day for a total of 60 days per year. The well must be properly constructed, maintained and operated. Prior to use, the water must be sampled for safe bacteriological quality and must be tested at least bi-annually thereafter.**
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Outdoor BBQ Pits & Crawfish Cookers

Commercial outdoor cooking on barbeque pits and crawfish cookers is a common practice here in Texas. Although many of these establishments have been in existence for many years, our first responsibility is to protect public health. Barbeque pits and crawfish cookers are used in many types of facilities, both old and new. The following guidelines should be used during an inspection to determine the requirements for the various types of barbeque facilities.

Fixed Establishments:

Fixed Food Establishment- Outdoor barbeque pits/crawfish cookers in conjunction with a fixed food establishment shall have, as a minimum:

1. Overhead cover
2. Enclosed screened shelter
3. Floors that are surfaced with concrete, asphalt or similar materials

No food preparation activities other than cooking on the pit are allowed unless hand washing facilities with hot and cold water are available inside the enclosure.



Mobile Shrimp Vendors:

Mobile shrimp vendors shall have the following:

- Approved, safe shrimp maintained at $\leq 41^{\circ}\text{F}$
- Three-compartment sink and handwash sink with soap and paper towels
- Wastewater retention tank
- Pest prevention construction
- Central prep facility may be required
- CFPM certification required
- Retail Fish Dealer Truck Permit required (TPWD 1-800-792-1112)

Safe Refrigerator Storage for Retail Food Establishments

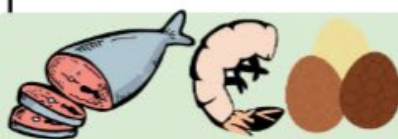
Fridge: 41°F / 5 °C

When storing foods, place the foods with the **highest** internal cooking temperatures at the **bottom** of your fridge!



Ready-to-eat foods, fully cooked foods, and produce

Internal cooking temperature of the food:



Raw seafood, fish, and eggs

145 °F

Note!

FRIDGE SPACE

If you're low on space, you can place:
a) raw seafood, fish, eggs
b) steak, and
c) pork
on the same shelf!



Raw steak

145 °F



Raw pork

145 °F



Raw ground beef

155 °F



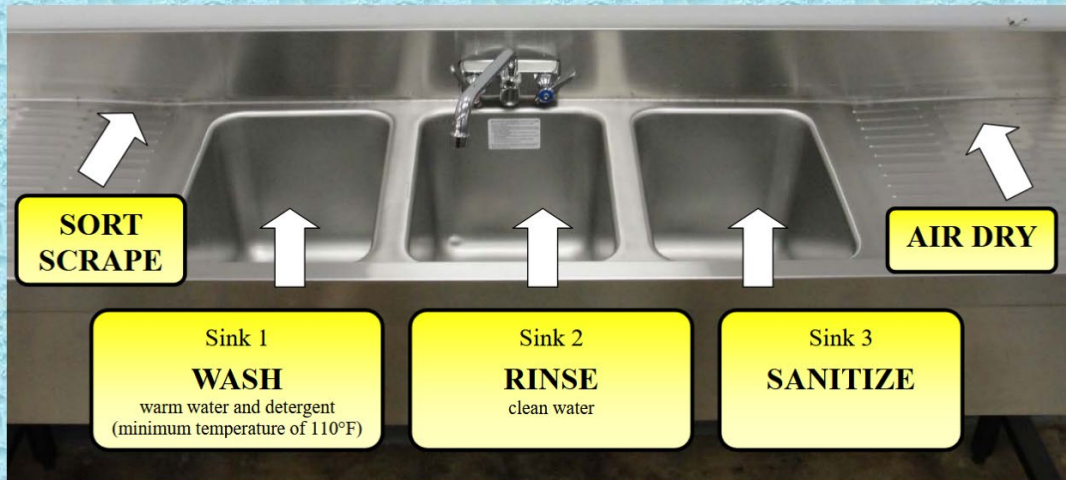
Raw poultry

165 °F

Adapted from: <https://www.dshs.state.tx.us/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=8589997346>

Educational programs of the Texas A&M AgriLife Extension Service are open to all people without regard to race, color, religion, sex, national origin, age, disability, genetic information or veteran status.

Three-Compartment Sink



HOW TO SANITIZE

Chlorine Solution

- minimum temperature 75°F - 100°F
- 7-10 seconds in 25 - 100 ppm

Quaternary Ammonium Solution

- minimum temperature 75°F
- 30 seconds in 200 - 400 ppm

Iodine Solution

- minimum temperature 75°F
- 30 seconds in 12.5 - 25 ppm

*All chemical solutions should be tested for effectiveness using a test kit strip.
Use according to manufacturers directions and the Texas Food Establishment Rules*



Food Establishments Group

www.dshs.state.tx.us/foodestablishments

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Service Sink or Curbed Cleaning Facility



➡ 228.147(c)(1)...requires at least one service sink or curbed cleaning facility shall be provided with a floor drain.

➡ 228.143(b)...requires water of sufficient capacity, under pressure, and hot water to be sufficient to meet the peak hot water demands throughout the food establishment.



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EMPLOYEES MUST WASH HANDS BEFORE RETURNING TO WORK



**1. Wet hands with running water,
(at least 100°F [38°C])**



2. Apply soap



**3. Vigorously scrub lathered fingers,
fingertips, between fingers, and**



**scrub hands and arms for at least 10
to 15 seconds**



4. Rinse under clean running water



5. Dry cleaned hands and arms

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