

Starting a New Retail Food Establishment under Bell County Public Health District

DSHS regulates retail food establishments in all areas of the State that are not permitted and inspected by local health agencies, like Bell County Public Health. To determine the permitting and inspecting agency, contact your city or county government offices.

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

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Permitting

Unless specifically exempted, a retail food establishment located in any area regulated by Bell County Public Health (BCPH) 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 \(c\)](#).

Retail food establishments, unless specifically exempted, must be permitted. There are 2 types of permits:

- Fixed Establishment
- Mobile food unit (including roadside vendors)

BCPH 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”.

Obtaining a Certified Food Manager's Certificate

All food service establishments, under the jurisdiction of the BCPH, with some exemptions, shall employ at least 1 Certified Food Manager per facility. Additional information on obtaining a food manger certificate is available on the [Requirements for Individuals Seeking Food Manager Certification](#) page.

Exemptions include:

- Non-profit organizations
- Childcare (day care) facilities
- Firms that sell only prepackaged foods
- Firms that do not prepare or handle exposed potentially hazardous foods

Obtaining Food Handler Certification

All food employees, as defined in 25 TAC 228.2 (56), are required to obtain a food handler certification from an accredited course. This rule has been in effect since September 1, 2016. Any food employee hired after that date are required to obtain food handler certification within 30 days of employment. To obtain information and guidance on how to become a food handler through an accredited course, please visit our [food handler website](#).

Obtaining a Tax ID Number

You must have a sales tax ID number before you submit a permit application. Please visit the [Online Tax Registration page](#) of the State Comptroller's Office website, or call 1-800-252-5555 for information about obtaining a sales tax ID number.

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](#).

Fixed Establishments:

- A 3-compartment sink to wash, rinse, and sanitize equipment and utensils. A mechanical dishwasher may also be utilized
- Handwash sink(s) conveniently located in the food preparation area(s)
- Employee restroom(s) with handwash facilities
- Hot and cold water under pressure at all sinks
- A service sink or curbed cleaning facility for mops
- A sewage disposal system that is properly constructed, maintained, and operated
- Water from an approved source
- Adequate heating and/or refrigeration equipment for cooking, reheating, or holding foods at safe temperatures
- An appropriate temperature measuring devices for checking internal food temperatures (probe-type thermometers or thermocouples)
- An accurate thermometer for each hot/cold holding unit

Approved Water Source/Water Wells

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

- Community (municipal) water system (public water system).
 - Non-Community water system (public water system). This category includes 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 Public Drinking Water Section at (512) 239-4691 for assistance.
 - Non-public (private) water system – This category includes 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 annually thereafter.
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Restrictions on Commercial Food Preparation in a Home

The [Texas Food Establishment Rules \(TFER\), Section 228.174\(k\)](#) 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.

Texas Food Establishment Rules (TFER)

Refer to the TFER on the [Food Establishment Laws and Rules page](#) for detailed information regarding these and other requirements.

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