

Dear City Manager

Why is it okay for some places to serve food and prepare food without a grease trap? What about a food permit? When I wanted to open a business, I was told I had to have a grease trap and a health permit. I see a lot of people selling food online or in their businesses that have neither of them. Why can they do it and no one else can? Who decides these rules? Can someone please explain the rules to me?

Thank you for your question. We get this question a lot in the city. Let's start with the basics. Permitting. A potential business owner needs to register their business with a certificate of occupancy at city hall. If serving food, they need a health certificate from Matagorda County.

The City has adopted Matagorda County Rules for Food Establishments. Below is a partial list of basic food establishment guidelines. It is not intended to cover all requirements of the Matagorda County Environmental Health standards. We urge you to visit their office in person with any questions.

1. **Equipment Sanitizing** - *For manual cleaning and sanitizing of equipment and utensils, a sink with two or three compartments shall be provided for use. Either a commercially approved dishwasher or a three-compartment sink is required for dishware that comes in contact with the customer. Sink compartments shall be large enough to accommodate the immersion of the utensils for which it is designed. A two-compartment sink may be used for pots and other equipment with the compartments large enough for washing and sanitizing equipment.*
2. **Hand Basins** - Hand sinks with hot and cold water shall be conveniently located in
 - a. food preparation areas.
3. **Separate Food Preparation Sink Required** - Food preparation will not *be* permitted *in* sinks used
 - i. for cleaning and sanitizing utensils and equipment.
4. **Mop Sink Required** - A mop sink separate from dishwashing, food preparation, and food storage are required on all new construction or change of ownership.
5. **Restrooms** - All operators or managers providing services to the public or all new construction for **Food Service Establishments** with a dining area shall be required to provide and maintain a restroom that shall be available for use by the public. **Minimum Construction Standards are as follows:**
 - a. Light-colored, smooth, easily cleaned walls to a four (4) foot level.
 - b. Automatic vent fans.
 - c. Mixed hot and cold water on new business or new construction.
 - d. Self-closing doors.
 - e. Soap and towels or air dryer.
6. **Ceilings and Walls** - In food preparation, food storage, and dishwashing areas, as well as restrooms and vestibules, walls and ceilings shall be light-colored, smooth, non-absorbent, and easily cleaned. Studs, joists, and rafters shall not be exposed. If exposed in any other area, they shall be finished to provide an easily cleaned surface.
7. **Floors** - Floors shall be sealed concrete or covered with a smooth, easily cleaned covering in the food preparation, food storage, and dishwashing areas as well as the restrooms and vestibules. Floor and wall junctions shall be covered and sealed.
8. **Lighting** - In food preparation areas, food storage, and dishwashing areas, bulbs shall be shielded against breakage.
9. **Buildings and Doors** - Buildings and doors shall be sealed to make them insect and rodent-proof.
10. **Equipment** - Equipment shall meet NSF Commercial Restaurant Standards and be easily movable to facilitate cleaning, or sealed to the floor, or elevated at least six (6) inches.

11. **Refrigeration Equipment/Freezers** - All refrigeration equipment and freezers must be provided with an approved and easily readable thermometer in good working order.
12. **No Unfinished Wood Surfaces**-All wood surfaces in the food preparation and storage areas must be of a smooth, non-absorbent, easily cleaned material. All wooden surfaces must be sealed and painted.
13. **Refuse Storage Areas** - Approved dumpsters or other approved covered garbage containers are required. The dumpsters and/or cans must be kept clean. **THEY MUST:**
 - a. Be adequate and convenient for each business.
 - b. Provide outside water for cleanup of the storage area.
 - c. Be on a solid, smooth surface such as asphalt or concrete.
 - d. Be emptied on a regular basis.
14. **Adequate dry storage areas** -will be provided so that all bulk foods, canned goods, equipment, and single service items can be stored at least six (6) inches off the floor and the floors under the storage shelves can be easily cleaned.
15. **Plans** - Plans shall be submitted to and approved by the Matagorda County Health Department prior to the renovation or construction of a food establishment.
16. **A final inspection** - by the Matagorda County Health Department and approval by the inspection department is required before a Food Service Permit is issued.
17. **An acceptable bacteriological analysis** -will be required of any business operating on a water well and furnishing water to the public or to employees for consumption or as food. Water samples will be submitted to a state-approved laboratory for bacteriological analysis.
18. **Sewage disposal** - Any business that maintains an individual on-site disposal system will operate and maintain this system according to the Matagorda County Septic Order and the Rules of the Texas Commission on Environmental Quality (TCEQ). A copy of the system permit should be kept on file.
19. **Heimlich Maneuver Poster** - must be displayed by all establishments serving food for public consumption. Contact the Health Department: for poster requirements.
20. **A Food Service Permit** - will be issued upon final inspection and approval of all Food Service establishments. This Permit must be always displayed in a prominent location for public viewing along with a copy of the inspection form.

Grease-Trap Waste

Am I required to have a grease trap?

A grease trap is required for any facility (including municipal, state, or federal) whose business activity is the source of cooking grease or oil in sewage—such as restaurants, cafeterias, and food-processing plants—and is located in an area that has adopted a plumbing code. Plumbing codes do not allow discharges of grease into the sewers because discharges block the lines.

Who regulates my grease trap?

Grease traps are regulated by the Texas Department of State Health Services (DSHS), the city, or both. The TCEQ regulates the pumping (evacuation), transportation, and disposal of all grease-trap waste.

The City of Palacios has adopted the 2012 International Plumbing Code (IPC). Per IPC Section 1003.3 Grease Interceptors:

A grease interceptor or automatic grease removal device shall be required to receive the drainage from fixtures and equipment with grease-laden waste located in food preparation areas, such as in restaurants, hotel kitchens, hospitals, school kitchens, bars, factory cafeterias, and clubs. You can find out more by visiting <https://codes.iccsafe.org/content/IPC2012/chapter-10-traps-interceptors-and-separators>

A person selling food from their home is covered by the Texas Cottage Food Production Law. The law became effective September 1, 2013. Please note that the Cottage Law is specific to people operating and selling out of their homes, a business, regardless of its nature, is not covered by the Texas Cottage Law. Operators selling under the Cottage Law must still pass a basic food safety education or training program, must label their food products, and include safe handling instructions. A list of requirements and contacts for the Texas Cottage Law can be found on the Texas Department of State Health Services website at <https://www.dshs.texas.gov/retail-food-establishments/texas-cottage-food-production>.

The City does its best efforts to make sure that everyone who is serving food to the public is following these rules. If you wish to make a complaint about an establishment regarding food safety, we urge you to call Matagorda County Health Department. Their number is 979-244-2717. If you have a question about a grease trap, call our Code Compliance Office at 361-972-3605 and ask for Gisela or Ryan. If you wish to make a complaint regarding a Cottage Food Production call 512-834-6753. We encourage and support small businesses, we want you to succeed, know your rules, do your homework, and take care of your customers and your business.