



# Important Safety Information for Food Vendors

The TSSA is an Administrative Authority empowered under the Safety and Consumer Statutes Administration Act, 1996 to administer and enforce the Technical Standards and Safety Act 2000 and its regulations. This Act and its related Regulations and Codes regulate the installation, use and maintenance of fuel burning heating & cooking equipment from a safety perspective.

The Act is consumer protection legislation. For public safety reasons it is imperative that the requirements of the Act and its regulations are complied with. Compliance Audits at public events such as this one reinforce that high safety standards must be maintained. They provide a measure of assurance that food vendors are utilizing equipment in a compliant manner. They also act to ensure that all industry members are operating on the same playing field.

The TSSA is concerned that Mobile Food Service Equipment (MFSE), commonly known as "Coffee Trucks", "Chip Wagons" or "Hot Dog and Hamburger Carts", containing propane fired equipment/appliances may be: a) unapproved, b) not properly serviced or maintained, or c) operated in an unsafe manner. These conditions may result in a hazardous situation including a fire or explosion.

Reported incidents and unsafe practices include; a) not extinguishing the pilot lights when refueling the vehicle resulting in ignition of gasoline vapors, b) not shutting off the propane supply when the appliances are not in use, c) not shutting off the propane when the vehicle is in motion or stored, and d) lack of maintenance resulting in gas leaks during operation.

You can ensure personal and public safety and potentially save yourself some significant costs by spending a few minutes to read over the attached information on the certification, inspection and safe use of cooking equipment. An Inspector from the Technical Standards and Safety Authority (TSSA) will be visiting the upcoming event, and he/she will be inspecting fuel burning cooking equipment for compliance.

TSSA will not invoice for their time to conduct an inspection during this event unless they find non-compliances. In order to assist you with identifying non-compliances, we have attached a copy of the checklist that the Inspector will use when they inspect your equipment. Take time to read it over prior to attending the event to be certain that your equipment meets these requirements. If you have questions regarding these requirements, you can contact TSSA at 1-877-682-8772.

## **Legal Authority**

For those who are interested in reading about TTSA, and/or our legal ability to conduct audits or invoice for our services, please see the attached notes, or visit our web site at [www.issa.org](http://www.issa.org).

## **Applicable Clauses of TSSA Act**

The authority for TSSA's Inspectors to carry out inspections is found in the Act. Section 17 (1) of the Act permits Inspectors at any reasonable time to carry out an inspection to determine if the Act and the regulations are being complied with.

Under Section 19 (1) of the Act every person is obliged to facilitate any entry, inspection, examination, test or inquiry by an Inspector in the exercise of his or her powers and duties under the Act and pay the required fees in connection with an inspection, examination, test or inquiry. In addition under Section 19 (3) of the Act, if an Inspector requires that a record or other thing be produced for inspection, "the person who has custody of it shall produce it and, in the case of a record, provide any assistance that is reasonably necessary to interpret it or produce it in readable form".

Under Section 20 (1) of the Act no person shall "hinder, obstruct or interfere with an inspector conducting an inspection, refuse to answer questions on matters relevant to the inspection or provide the inspector with information relevant to the inspection that the person knows to be false or misleading."

Under Section 37 (1) of the Act a person who:

- ◆ contravenes or fails to comply with any provision of the Act or the Regulations or
- ◆ contravenes or fails to comply with an order or requirement of an Inspector or obstructs an Inspector

is guilty of an offence and on conviction liable to a fine of not more than \$50,000.00 or to imprisonment for a term of not more than one year, or to both, or if the person is a corporation, to a fine of not more than \$1,000,000.00. Also under Section 37 a director or officer of a corporation has to duty to take reasonable care to prevent a corporation from committing such offences. If such director or officer fails to carry out that duty, he or she is guilty of an offence and on conviction liable to a fine of not more than \$50,000.00 or to imprisonment for a term of not more than one year, or to both.

### **What Approvals and Inspections are required?**

If your MFSE was manufactured before February 13 2006 it will require an annual inspection as per Director's order FS-056-06 (attached). Please note that the MFSE must have a rating plate as outlined in the attached checklist. If the MFSE does not have a rating plate one must be obtained. A rating plate can be obtained through the manufacturer of the equipment or through the TSSA Field Approval Process.

If the MFSE was manufactured on or after February 13, 2006 it must have approval from a nationally recognized certification organization acceptable to the authority having jurisdiction, or approval through the TSSA Field Approval Process. The TSSA Inspector cannot perform the Field approval of the MFSE equipment during routine inspection. For more information regarding the submission of forms, engineering review and inspection in regards to the field approval process, please contact the TSSA through the number provided. Additionally proof of certification or field approval can be found on the rating plate for the MFSE. In addition to this approval the MFSE will require an annual inspection as per Director's Order FS-056-06 (attached)

Mobile Food Service Equipment ("MFSE"), is mobile equipment, whether or not permanently parked, containing propane or other hydrocarbon fired fuel cooking equipment and, if applicable, associated fuel storage. MFSE are commonly known as, but not limited to, "Coffee Trucks" "Chip Wagons", "Hot Dog Carts" and "Hamburger Carts".

In either case a copy of the complete MFSE annual "Inspection Report" shall be retained by the owner/operator or be available for review by TSSA inspectors.

An other common type of set up at fairs and other large gatherings, such as the Plowing match etc., are kitchens set up to operate in the open often under a tent. These set-ups may consist of a fryer, range or grill connected to a 100Lbs cylinder or a number of fryers, ranger and grills connected to a common manifolds with multiple cylinders or tank. This type of installation must be accompanied by proof that a certificate holder did the installation or assembly. A current pressure test tag will be required. It is also expected that the installing certificate holder will also inspect the appliances for safe operation. This type of set up should be treated as a new installation by the certificate holder with regards to pressure testing and appliance set up.

Please note that hydrocarbon fired fuel-cooking equipment such as "kettle corn poppers", or "nut roasters" that are not classed as "mobile" still require certification from a nationally recognized certification organization acceptable to the authority having jurisdiction, or approval through the TSSA Field Approval Process.

For further information of the TSSA Field Approval Program please contact the TSSA at 1-877-682-8772.

### **Other Resources**

CSA-B149.3-05 – “Field Approval Code of Fuel-Related Components on Appliances and Equipment

CSA-1.8 – “Food Service Equipment”

CSA-149.2-05 – “Propane and Storage Handling Code”



<b>Fuels Safety Program</b>	Ref. No.: FS-056-06	Rev. No.: 1
<b>DIRECTOR'S ORDER</b>	Date: February 13, 2006	Date: June 1, 2013

IN THE MATTER OF:

*Technical Standards and Safety Act 2000*, S.O. 2000, c. 16, s. 31

- and -

Ontario Regulation 211/01 (Propane Storage and Handling)

- and -

Ontario Regulation 212/01 (Gaseous Fuels)

Re: **Mobile Food Service Equipment**

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## 1. Background

On February 13, 2006 Director's Order FS-056-06 was issued to regulate various types of Mobile Food Service Equipment (MFSE) that were unapproved, not properly serviced or maintained or operated in an unsafe manner.

Since that time, although many MFSEs have been approved and are being inspected annually as required, unapproved equipment remains in service and there continues to be a lack of understanding of the requirements that apply to MFSEs. There have also been incidents where members of the public have been injured by unapproved or unsafe MFSEs.

Therefore, pursuant to section 31 of the *Technical Standards and Safety Act, 2000*, this order clarifies the requirements for MFSEs, and provides guidance on obtaining TSSA approval for their sale and use.

## 2. Scope

This order shall apply to two groups of MFSE's, those built prior to February 13, 2006 and those manufactured since February 13, 2006.

## 3. Definition

Mobile Food Service Equipment is mobile equipment, whether or not permanently parked, containing propane or other hydrocarbon fuel fired cooking appliances and, if applicable, associated fuel storage.

An MFSE may be:

- a self-propelled vehicle such as a truck or van fitted with food service equipment and either equipped with propane or other hydrocarbon fuel supply cylinders or intended for connection to a propane supply cylinder at the operation site.
- a trailer or cart fitted with food service equipment intended to be towed to the operation site and either equipped with propane or other hydrocarbon fuel supply cylinders or intended for connection to a propane or other hydrocarbon fuel supply cylinder at the operation site.
- a portable cart fitted with food service equipment that is not towed but may be transported to an operation site and provided with a propane or other hydrocarbon fuel supply cylinder that may be enclosed in the cart.

Note: If the equipment is mounted on a permanent foundation (no jacks), with the wheels removed and connected to one or more services (electrical power, water, sewers or gas), that would render the unit unlikely to be easily relocated, it would not be considered an MFSE, but rather a permanent structure and subject to the requirements of CSA Codes B149.1 and B149.2.

#### 4. Requirements for Compliance

##### A. Mobile Food Service Equipment Built Prior to February 13, 2006

**Danger Labels** – The applicable labels described in Attachment #1 to this order are required to be applied to all existing MFSEs built prior to February 13, 2006.

**Annual Inspections** – The owner/operator of an MFSE shall ensure that a certified gas technician inspects the MFSE annually and completes an Annual Inspection Certificate in the form attached in Attachment #2. The owner/operator shall promptly correct any deficiencies identified in the inspection certificate and shall retain the certificate with the MFSE until the subsequent inspection. All MFSE may be subject to TSSA inspection to confirm annual inspection is current.

##### B. Mobile Food Service Equipment Built after February 13, 2006

**Approval** - All MFSEs built after February 13, 2006 are required to have a Field Approval by TSSA or alternatively must be certified and labeled by an Certification Organization accredited by Standards Council of Canada.

Ontario Regulation 211/01 made under the *Technical Standards and Safety Act, 2000* contains the following provision regarding prohibited activities without approval.

12. (1) Where this Regulation requires that an appliance or any equipment be approved, no person shall,
- (a) offer for sale, sell, rent or buy;
  - (b) install;
  - (c) use; or
  - (d) supply propane to,
- an appliance or equipment unless it is approved or will be approved prior to being put into use.

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Further information may be obtained by contacting: Director – Fuels Safety Division, Technical Standards and Safety Authority,  
14<sup>th</sup> Floor – Centre Tower, 3300 Bloor St. West, Etobicoke ON., M8X 2X4 Ph:416 734 3300 Fx:416 231 7525

Ontario Regulation 212/01 made under the *Technical Standards and Safety Act, 2000* contains the following provision regarding prohibited activities without approval.

4. (1) Where this Regulation requires the approval of an appliance or any equipment or thing, no person shall offer for sale, sell, lease, rent or install an appliance, equipment or thing unless it is approved or will be approved prior to being put into use.

If you are currently operating an MFSE built after February 13, 2006 and it does not have either a Field Approval label issued by TSSA or a recognized certification label you must apply for a TSSA Field Approval by completing an application.

Manufacturers in Ontario producing new MFSEs are required to obtain a TSSA Field Approval or a certification prior to selling and delivering the MFSE.

If you are purchasing an MFSE manufactured outside of Ontario you must obtain a TSSA Field Approval prior to putting the unit into operation.

An application for Field Approval may be found on the TSSA web-site <http://www.tssa.org/regulated/fuels/fuelsField.asp> along with an outline of the requirements that will be applied in the evaluation of the MFSE design and full details of the information and material that must be submitted to document the approval.

**Danger Labels** – The applicable labels described in Attachment #1 to this order are required to be applied to all MFSEs built after February 13, 2006.

**Annual Inspections** – Subsequent to the issuance of a TSSA Field Approval or obtaining certification, the owner/operator of an MFSE shall ensure that a certified gas technician inspects the MFSE annually and completes an Annual Inspection Certificate in the form attached in Attachment #2. The owner/operator shall promptly correct any deficiencies identified in the inspection certificate and shall retain the certificate with the MFSE until the subsequent inspection. All MFSE may be subject to TSSA inspection to confirm annual inspection is current.

#### 5. Additional Notes

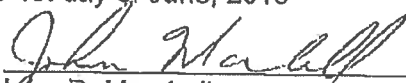
MFSE owners/operators should check for additional municipal compliance requirements.

TSSA inspectors are authorized to inspect MFSEs to ensure compliance with this Director's Order.


This Order is effective immediately

Dated at Toronto this 1st day of June, 2013

ORDERED BY:



John R. Marshall  
Director, Gaseous Fuels Regulation, Propane Storage and Handling  
Regulation, *Technical Standards and Safety Act, 2000*

	<b>MOBILE FOOD SERVICE EQUIPMENT</b>	Document No: MFSE-001
	<b>SAMPLE DANGER LABELS</b>	Date: June 1, 2013
		Page: 1 of 1

The following danger labels shall be affixed to all MFSE, be readily visible and located adjacent to the propane container with the following wording:

### **DANGER**

Cooking appliances shall not be used for space heating.  
When the propane appliance is not in use or the vehicle is stored,  
shut off the supply of propane to the appliance (at the propane tank).

### **BEFORE TURNING ON PROPANE**

Make certain all propane connections are tight, all appliance valves  
have been turned off and any unconnected outlets are capped  
If an open door is used for ventilation/combustion air,  
ensure the door is open before turning on propane

### **AFTER TURNING ON THE PROPANE**

Light all pilots of appliances to be used.  
Each connection, including those at appliances, regulators, and cylinders,  
shall be leak tested initially and periodically with soapy water by the operator.  
Never use a lighted match or other flame when checking for leaks.  
Do not leave a system turned on or containers connected until the system  
has been proven to be leak (propane) tight.  
When the containers are disconnected, the propane supply line shall be capped or plugged.

For all MFSE that are part of a Self-propelled Vehicle, the following additional danger label shall be affixed at the vehicle's fuelling point and inside the driver's compartment with the following wording:

### **DANGER**


All pilot lights shall be extinguished and the supply of propane shut off  
before refueling this vehicle.

For Carts with Self-Contained Propane Supply System the following additional statement shall appear on the label.

For Outdoor Use Only. If Stored Indoors, Detach and Leave Cylinder Outdoors

The word "**DANGER**" shall be a minimum of ¼-inch (6.4 mm) in height. All other words on the label shall be a minimum 1/8-inch (3.2 mm) in height.



	<b>MOBILE FOOD SERVICE EQUIPMENT ANNUAL INSPECTION CERTIFICATE FOR MFSE'S</b>	Document No: MFSE-002
		Date: June 1, 2013
		Page: 1 of 1

Equipment Type: Self-propelled Vehicle  Towed Trailer or Cart  Portable Cart

Equipment Identification (Licence Plate No. or V.I.N.) \_\_\_\_\_

Owner \_\_\_\_\_ Tel. No. \_\_\_\_\_

Address \_\_\_\_\_

FSD Label No. (If built after Feb. 13, 2006) \_\_\_\_\_

The following checklist is intended as a minimum. Additional inspection tests may be necessary to ensure safe operation.

	Yes	No	N/A
Have the required DANGER labels been affixed?			
If built after Feb. 13, 2006, is a TSSA FSD Label and MFSE rating plate in place?			
If the equipment is on 4 wheels, are 2 wheels lockable to prevent movement when in service?			
Are the gas components (hoses, regulators, etc.) approved for the service?			
Are the gas lines, fittings and hoses in good condition?			
Is the propane cylinder properly supported and secured?			
If the cylinder is in a cabinet, is it well ventilated?			
Are the clearances to combustibles maintained?			
Are the appliances in good working condition?			
Is the equipment and all its components leak tight?			
Are the supply pressures to the equipment and appliances set properly?			
Do all the appliances ignite properly?			
Does the owner/operator understand the operations and responsibilities outlined in the Danger labelling?			
Have any deficiencies found been corrected and is the equipment safe to operate?			

To pass all answers must be either YES or N/A

Certificate Holder Name (Print)	TSSA Certificate Holder No.	Date
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Re-Inspection Required 1 Year from the above date.  
This Certification shall be kept available with the equipment covered at all times.

Comments
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<b>Fuels Safety Program</b>	Ref. No.: FS - 122 - 08	Rev. No.:
<b>ADVISORY</b>	Date: March 6, 2008	Date:

**Subject:** Use of Existing Unapproved Equipment (Commercial / Industrial) \*  
**Sent to:** Posted on TSSA Web-Site

All equipment covered under Ontario Regulation 212/01 – “Gaseous Fuels”, Ontario Regulation 211-01 – “Propane Storage and Handling” or Ontario Regulation 213-01 – “Fuel Oil” shall be approved. These regulations state: “No person shall offer for sale, sell, lease, rent or install an appliance, equipment or thing unless it is approved or will be approved prior to being put into use.

The Technical Standards and Safety Authority (TSSA) recognizes that there may be existing equipment operating in Ontario which may not have the appropriate approval. In an effort to enforce the regulations, promote safety and recognizing the need for companies to continue with their daily business, TSSA will consider variances which will allow companies to operate their unapproved equipment until the appropriate approval is obtained. Normally, this approval is a TSSA Field Approval. For further information on the field approval program, click on the attached link: [www.tssa.org/regulated/fuels/fuelsField.asp](http://www.tssa.org/regulated/fuels/fuelsField.asp).

Any certificate holder that finds an unacceptable condition, such as unapproved equipment, and does not consider it to pose immediate hazard, shall promptly notify the user, in writing, describing the condition and indicate in the notice that the distributor will shut off the supply of gas to the appliance if the unacceptable condition has not been corrected within the period of time specified in the notice. This time shall not be greater than 90 days. In this case, if the equipment cannot be approved within the time specified, the user may apply for a variance to allow the continued operation of the equipment. Please note, if the certificate holder believes the condition of the equipment poses an immediate hazard, the fuel supply shall be terminated immediately.

To apply for a variance to operate unapproved equipment, submit a completed variance application form along with the required deposit. Only the owner of the equipment or an employee of the facility where the equipment is located shall apply for the variance. The application form shall reference one of the following.

For Gaseous Fuels – CSA-B149.1-05, Section 4.2.1, and or  
Ontario Installation Code For Oil Burning Equipment –1<sup>st</sup> Edition 2006, Section 3.1.1.

Along with the application form, a brief description of the equipment, an estimate how long it has been operating and any technical specifications available shall be included. Once received, a site visit by TSSA will be conducted in order to obtain a better understanding of the equipment and its installation. Any item(s) determined to be an immediate hazard shall be corrected immediately. Further documentation may be requested at the time of this visit. Following this visit, the variance application will be presented to the variance committee for review and consideration.

Approved variances will contain the following minimum conditions:

- A schedule which provides a timeline for the unapproved equipment to get the appropriate approval.
- The unapproved equipment shall be re-inspected by an appropriate TSSA licensed certificate holder in the presence of a TSSA inspector. Typically this is required within two weeks of the variance acceptance. This inspection is to ensure the equipment is in safe operating condition and it does not present an immediate hazard. The functionality and safety controls will be checked. Any item determined to be an immediate hazard shall be corrected immediately.
- The unapproved equipment shall be re-inspected by an appropriate TSSA licensed certificate holder at least once every 90 days, to confirm it remains in a safe working condition and does not present an immediate hazard. The inspection report shall be forwarded to TSSA within 10 days of the inspection. At a minimum the report shall state that all limits and operating controls have been checked and are working satisfactory and the equipment does not pose any immediate safety concerns.

\* For Mobile Food Service Equipment, see advisory FS-056-06.