



St. Clair County Health Department Food Service Program FAQ

Do I need a license to prepare and sell food to the general public?

Yes. With a few exceptions, the state Food Law, Act 92, prohibits a person from operating a food service establishment unless licensed and inspected by the designated regulatory authority.

But I am only selling beverages; do I still need a license?

Possibly; food is anything that can be consumed by humans which includes beverages and ice. Prior to selling beverages, the Health Department must be consulted to determine whether a license is required.

But I am giving the food/beverage away; do I still need a license?

Yes. The requirements of the Food Law remain the same. Food/beverage offered to the public must be stored, prepared and handled in the same safe manner whether it is sold or given away.

I want to start a home-based catering/bakery business, what do I need to do?

Private homes cannot be licensed as a food service establishment. The FDA Food Code 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." In addition, room finishing materials and equipment must be commercial grade and meet specific construction, durability and cleaning requirements.

What do I need to do to open a hot dog cart, mobile truck or concession stand?

All new food service establishments must undergo a plan review process before a license is granted. A completed plan review application along with equipment specifications, standard operating procedures, menu, and scaled floor plans must be submitted for review and approval by the local health department.

I am buying an existing restaurant, can I use their license?

No. Food service licenses are issued to a specific owner and to a specific address therefore are not transferable to another person or to another location. A Change of Ownership Application is required to be completed and submitted to the local health department.

I am planning on constructing a new establishment or remodeling an existing establishment. Do I need to let the Health Department know?

Yes. New and remodeled facilities are required to submit plans and specifications to the local Health Department for review and approval prior to the start of construction.

I am buying an existing restaurant and just replacing a few pieces of equipment. Do I still need Plan Review approval? Yes. Before adding, removing or replacing equipment the Health Department must be consulted to determine if proposed changes will meet Food Code requirements.