



Fuels Safety Program	Ref. No.: FS-056-06	Rev. No.: 1
DIRECTOR'S ORDER	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**

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.

Further information may be obtained by contacting: Director – Fuels Safety Division, Technical Standards and Safety Authority,
14th 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

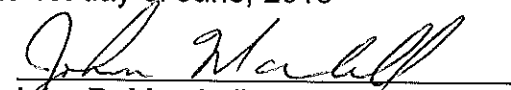
MFSE owners/operators should check for additional municipal compliance requirements.

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*