

February 13, 2017

Regulations covering outdoor cooking discussed with business owners/managers

MOBILE, Alabama — In an effort to clarify the regulations governing the outdoor cooking of food, the Mobile County Health Department today brought together state and local officials to discuss the issue with area business owners and managers.

Although the main topic involved the cooking of crawfish at these establishments, the same rules govern the preparation of hamburgers, hot dogs or other food supplied by any unapproved entity to the public. This includes not only “free” items, but also food sold for a fee or donations.

Attendees were advised that they could request a variance from the State Board of Health to adjust the application of the food code. The group discussed the possibility of varying the language and/or length of time defined in the special events section of the code.

The Alabama Alcoholic Beverage Control Board (ABC) is only concerned with the sale of alcohol. This covers both private clubs — which require a membership card to enter — and those open to the general public. The ABC refers all issues dealing with food regulations to the Alabama Department of Public Health and to county health officials.

The one area where the ABC does have an opinion is on the bundling of food with the purchase of alcohol. There can be no inducement in this manner, such as a two-drink minimum or general cover charge to eat “free” food.

The Mobile Fire Department follows the International Fire Code, which addresses any open flames (308.1.4). Open-flame cooking devices must be 10 feet away from combustible construction, unless the structure is protected by an automatic sprinkler system. This would preclude the cooking of food on any city sidewalk. If the 10-foot area extends into a street, a permit must be obtained from the city to close the road to traffic.

According to the Mobile County Health Department, an establishment that possesses a bar permit is only authorized to sell alcohol. To obtain a food permit, the entity must meet the same requirements required of any restaurant.

Bars that do not have a permitted kitchen to prepare their own food have the option to partner with nearby permitted food establishments to cook the items for them and then deliver the food for consumption, provided the food items are held and transported at the appropriate temperature and offered to the public at no charge.