

APPENDIX 6-C-2 MOBILE FOOD VENDING UNIT (MFVU) PENALTY SCHEDULE

VIOLATION CODE	CITATION	VIOLATION DESCRIPTION	VIOLATION PENALTY*
16-01	NYCHC 81.08(a)	Cooking oil, shortening, margarine contains 0.5 grams or more of artificial trans fat	\$200
16-02	NYCHC 81.08(c)	Nutritional fact labels and/or ingredient label is not maintained on site.	\$200
16-03	NYCHC 81.50(c)	Calorie information is not posted on menu and menu board	\$200
16-03	NYCHC 81.50(c)	Total number of calories or total number of discrete calories not posted.	\$200
16-03	NYCHC 81.50(c)	Calorie information not posted for standard menu items offered in different varieties	\$200
16-03	NYCHC 81.50(c)	Calorie information not posted for combination meals	\$200
16-03	NYCHC 81.50(c)	Calorie information not posted for toppings	\$200
16-03	NYCHC 81.50(c)	Calorie information font, appearance, term used improper	\$200
16-03	NYCHC 81.50(c)	Calorie information improperly posted for standard menu items offered in three or more combinations	\$200
16-03	NYCHC 81.50(c)	Calorie information for standard menu item offered in two different combinations not posted with a slash between both calories count	\$200
16-03	NYCHC 81.50(c)	Calorie information for standard menu items that come in two different varieties not posted with a slash between both calorie count	\$200
16-03	NYCHC 81.50(c)	Calorie information improperly posted for standard menu items offered in three or more different varieties.	\$200
16-04	NYCHC 81.50(d)	Required nutritional succinct statements not posted on menu(s) for adults and children	\$200
16-06	NYCHC 81.50(e)	Additional nutritional information statement not posted	\$200
16-06	NYCHC 81.50(e)	Written nutritional information not provided in a manner required by Federal Law	\$200
16-08	NYCHC 81.49(b)(1)	No sodium warning icon where required	\$200
16-09	NYCHC 81.49(b)(1)	Sodium warning icon non-compliant with design specifications	\$200
16-10	NYCHC 81.49(b)(2)	No sodium warning statement at point of purchase	\$200
18-03	NYCHC 89.05(a)	Operating a MFVU without a permit in restricted or private space	\$1,000
18-05	NYCHC 89.07(a)	Operating a MFVU without a license in restricted or private space	\$1,000
18-06	NYCHC 89.13(g)	Allowing unlicensed person to vend	\$1,000
18-07	24 RCNY 6-04(b)(3)	Unobstructed space not provided for posting of permit-decal and grade card	\$500
18-09	NYCHC 89.07(d)	Failure to display license and/or permit documentation	\$200
18-12	NYCHC 3.19	Department document unlawfully reproduced or altered	\$1,000
18-13	NYCHC 3.05(a)	Failure to comply with an Order of the Board of Health, Commissioner or Department	\$1,000
18-14	NYCHC 3.17	Notice, Order or other posted material of the Department mutilated, obstructed, or removed	\$1,000
18-15	NYCHC 81.43(a)	Foodborne illness; failure to notify department	\$200
18-16	NYCHC 89.13(a)	Failure to permit inspection or present unit at time and place designated by the Department	\$1,000
18-17	NYCHC 3.19	Submitting false, misleading statements, documents; documents unlawfully reproduced or altered	\$1,000
20-06	24 RCNY 6-19	Current letter grade or Grade Pending card not posted	\$1,000
20-07	24 RCNY 6-20(b)	Current letter grade or Grade Pending card removed, destroyed, modified, obscured, or otherwise tampered with	\$1,000
22-05	24 RCNY 6-21(b)	Operating without a location sharing device	\$1,000
22-05	24 RCNY 6-21(c)	Location sharing device removed, obstructed, disposed of, modified or tampered with	\$1,000
22-06	24 RCNY 6-03(f)	Vending non-food items	\$200
22-10	NYCHC 89.23(b)	Vending from any place other than a MFVU	\$200
28-01	NYCHC 3.07	Failure to take reasonable precautions to protect health and safety, e.g., by not securing CO2 or liquefied petroleum gas (LPG) containers	\$1,000
28-01	NYCHC 3.09	Failure to abate or remediate nuisance	\$1,000
28-02	NYCHC 81.07(p)	Microwave safe container not marked or used	\$200

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28-03	24 RCNY 6-04(c)	Light fixtures not shielded, shatterproofed, or otherwise protected from accidental breakage	\$200
28-04	NYCHC 89.25(c)	Failure to remove consumer litter, and food spillage caused by the operation	\$200
28-05	NYCHC 71.05	Food adulterated or misbranded	\$500
28-06	NYCHC 81.23(b)(2)	Contract with pest management professional, record of pest extermination activities not kept on premises	\$200
28-07	NYCHC 81.31	Unauthorized FSE street, sidewalk cooking	\$350
28-08	24 RCNY 6-06(a)	MFVU exceeds size requirements	\$200
99-00	NYCHC miscellaneous	Other Health Code unscored violations	\$200

***Default Penalties.** When a respondent is found in default, the penalty for each violation of the Health Code or the State Public Health Law must be doubled, except that in no case may the penalty imposed exceed \$2000.

Except when this Appendix states that a violation is subject to the Multiple Offense Schedule (MOS), the penalty to be imposed upon a respondent found in default for any violation of the rules of the Department in 24 RCNY must be doubled, but may not exceed \$1,000.

When a respondent is found in default for any violation of the New York City Administrative Code or the New York State Sanitary Code, the penalty shall remain the same as that set forth herein.