



# **FOOD ESTABLISHMENT HELPFUL LINKS AND INFORMATION**



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## **SUMMARY**

Under the Code of Massachusetts Regulations (CMR), 105 CMR 590 states that Massachusetts requires a variety of food permits and licenses to operate a food establishment in every city and town. **A permit from the local board of health is required for all food establishments.** The local board of health ensures that the establishment complies with state and local standards.

A food establishment is an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food. *For questions regarding Food Permits in the Town of Mendon, please call or email the Board of Health Office.*

## **FOOD ESTABLISHMENT CATEGORIES • 1-5 are considered [Permanent Food Establishments \(LINK\)](#)**

### **1. FOOD SERVICE ESTABLISHMENT**

A restaurant style establishment that provides seated food service and is prepared on-site.

### **2. COMMERCIAL KITCHEN**

Commercial Kitchens are food preparation facilities that provide space and access to professionals with equipment on a lease or rental basis.

### **3. RETAIL FOOD ONLY**

Retail food is all food, other than restaurant food, that is purchased by consumers and consumed off-premises. Retail food can come from grocery stores, drug stores, convenience stores, and gas stations.

### **4. HOUSE OF WORSHIP**

House of worship means a building set apart primarily for the purpose of worship in which religious services are held and the main body of which is kept for that use and not put to any other use inconsistent with its primary purpose. This definition shall include, but not be limited to: chapels, churches, congregations, temples, mosques, shrines, and similar structures.

### **5. SCHOOL KITCHEN**

The kitchen area used during the course of the regular school day to prepare or serve breakfast, lunch, or dinner to students in an elementary, middle, high, charter, or innovation school operated by a public school district or board of trustees pursuant to M.G.L. c. 71.

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### **MOBILE FOOD ESTABLISHMENT (LINK)**

A Mobile Food Establishment (MFE) means a motorized vehicle or vehicle-towed trailer in which food is cooked and/or prepared to order and is served to walk up customers.

### **TEMPORARY FOOD ESTABLISHMENT (LINK)**

A temporary food establishment is defined as a food establishment that operates for a period of no more than 14 consecutive days (excluding Farmers' Market participation) in conjunction with a single event or celebration where food is served to an open-ended number of participants over a period of time. [Food Establishments at Events and Farmers Markets Questions and Answers \(LINK\)](#)

### **RESIDENTIAL KITCHEN (LINK)**

A Residential Kitchen is a kitchen in a private home producing food for sale "direct to the consumer" is considered a Retail Residential Kitchen and is required to have a permit under 105 CMR 590. "Direct to the consumer" includes events like farmers markets, craft fairs, and sales by internet or mail. Residential kitchens can only serve "cottage food products." These are foods that can be safely held at room temperature, including baked goods, jams, and jellies. Residential Kitchens may *not* prepare finished products that require hot or cold holding for safety, including meat or fish that is raw or heat-treated, certain cut produce including melons, leafy greens, and tomatoes. [Residential Kitchen Questions and Answers \(LINK\)](#)

## **MASSACHUSETTS 105 CMR 590.00 (LINK)**

The Massachusetts 105 CMR 590.00, known as the **Retail Food Code**, establishes minimum sanitation standards for food establishments in the state, incorporating sections of the FDA's 2013 Food Code with amendments. It covers various aspects of food safety, including food preparation, temperature control, handling of poisonous or toxic materials, and requirements for specific operations like residential kitchens and bed and breakfasts. The code aims to prevent foodborne illness and ensure consumer protection by setting standards for safe food practices across the Commonwealth.

## **FDA FOOD CODE (LINK)**

The U. S. Food and Drug Administration (FDA) publishes the Food Code, a model that assists food control jurisdictions at all levels of government by providing them with a scientifically sound technical and legal basis for regulating the retail and food service segment of the industry (restaurants and grocery stores and institutions such as nursing homes). The Food Code is a model for best practices to ensure the safe handling of food and it has significantly reduced the risk for foodborne illness within retail establishments, thus strengthening consumer confidence in the safety of the food we eat.

## **MENDON FOOD CODE REGULATIONS (LINK)**

Along with the Massachusetts 105 CMR 590 regulations, the Mendon Board of Health has also adopted its own food code regulations which is promulgated pursuant to the authority granted to the Mendon Board of Health by the M.G.L. Chapter 111, Section 31.

## **MASSACHUSETTS ALLERGEN AWARENESS VENDORS (LINK)**

Massachusetts has transitioned from approving specific vendors to requiring allergen awareness training that meets criteria, such as ANSI/ANAB accreditation, approval by Food Allergy Research & Education (FARE), or including interactive videos and exams covering specified content areas. Approved vendors and resources can include [ServSafe Allergens](#), [State Food Safety](#), [Trust20](#), and [Always Food Safe](#), among others, all of which provide online, video-based, and sometimes in-person training.

## **MASSACHUSETTS FOOD PROTECTION MANAGER CERTIFICATION (LINK)**

To get your food manager certification in Massachusetts, you need to complete an ANSI National Accreditation Board (ANAB) accredited food manager training course and pass a proctored exam. Companies that offer Allergen Awareness Certification, presumably offer the Food Manager courses and exams, ensuring you learn about food safety, sanitation, and regulatory compliance. After passing the exam, you'll receive a certificate that is generally valid for five years and must be renewed.

## **RETAIL FOOD CODE STANDARDS FOR FOOD ESTABLISHMENTS AT EVENTS & FARMERS MARKETS (LINK)**

Under 105 CMR 590 (the Retail Food Code), Food Establishments operating at Farmers Markets and in conjunction with Temporary Events must be permitted as a Temporary Food Establishment (TFE) and must comply with all applicable state and municipal law, including sections of the Retail Food Code for conducting a non-permanent food operation. These guidelines are being issued under 105 CMR 590.010(C) to promote uniform application of the Retail Food Code.

## **WHAT ARE TCS FOODS? (LINK)**

TCS foods, or Time/Temperature Control for Safety foods, are perishable foods that need specific time and temperature controls to prevent harmful bacteria from growing and causing foodborne illness. These foods are sometimes called Potentially Hazardous Foods (PHFs) because they become hazardous if their bacteria growth is not controlled. These foods have a high moisture content, protein, and are generally in a neutral to slightly acidic pH range, making them ideal for rapid bacterial growth in the Temperature Danger Zone (41°F – 135°F). Examples include meat, poultry, fish, eggs, dairy products, cooked rice, and cut melons.

## **SAFE SANITIZING & DISINFECTING WITH BLEACH (LINK)**

To use bleach safely and effectively in a food establishment, first, clean all surfaces with soap and water to remove dirt and debris. Then, sanitize food contact surfaces with a solution of no more than 1 tablespoon of regular, unscented household bleach per gallon of water. Ensure the solution is applied to visibly wet surfaces for at least one minute, then allow to air dry. The ideal concentration for a bleach sanitizer for food contact surfaces is 50–100 ppm (parts per million). To know you have met this concentration, use chlorine test strips to test your mixed solution. Do not use pool test strips. Too concentrated of a solution can be harmful, but too little can be ineffective. *(Use chlorine bleach that has 8.25% sodium hypochlorite, commonly labeled as "disinfecting bleach." The percentage for disinfecting bleach should be clearly stated on the label. Be cautious. It is easy to grab bleach that is at a much lower concentration or not intended for sanitizing. You might find bleach that clearly states on the label that its purpose is for deodorizing or whitening laundry, not for cleaning or sanitizing. Do not use scented, concentrated, or gel bleach solutions.)*

## **TEMPORARY HANDWASHING STATION (LINK)**

A temporary handwashing station provides a self-contained unit with soap, water, and a basin for use where plumbing is not available. You can either rent a commercial station for events or construct a simple, low-cost one yourself.

## **TEMPORARY FOOD ESTABLISHMENT CHECKLIST – ARE YOU READY? (LINK)**

A Temporary Food Establishment (TFE) checklist ensures food safety is being adhered to by verifying compliance with local health regulations and covering key areas like approved food sources, proper hot and cold food holding temperatures, and cleaning and sanitizing.