



Commonwealth of Massachusetts
TOWN OF PLYMOUTH
PUBLIC HEALTH DEPARTMENT
 508-747-1620 X10118
 Fax: 508-830-4062
 26 Court Street
 Plymouth, Massachusetts 02360

FEE: \$200.00
 Check or Money Order
 payable to Town of Plymouth

Permit to Operate a Residential Kitchen Service License January 1st through December 31st Annually

MAKE CHECK PAYABLE TO: Town of Plymouth
RETURN TO: Public Health Department, 26 Court Street, Plymouth, MA 02360

Legal Business Name (Corp., LLC, Etc.) _____

DBA (if different) _____

Business Address _____

Mailing Address _____

Email Address _____

Business Phone _____ Alternate Phone Number: _____

Location Where Meals will be Prepared: _____

Proposed Menu Items (attach labels with ingredients) _____

Where will foods be purchased: _____

Name of Certified Food Manager _____

Date Test Taken _____

Name of Allergen Awareness Holder _____

Certificate Received _____

Pursuant to M.G. L. Ch. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Social Security number or Federal Identification Number

Signature of Individual or Corporate Name

**ALL APPLICANTS MUST PROVIDE A COPY OF THEIR FOOD SAFETY
 CERTIFICATE AND AN ALLERGEN AWARENESS CERTIFICATION**

FOR OFFICE USE ONLY:

MUNIS NUMBER: _____ ACCESS: _____ LICENSE MAILED: _____



The Commonwealth of Massachusetts

Executive Office of Health and Human Services
Department of Public Health - Bureau of Environmental Health
Food Protection Program
305 South Street, Jamaica Plain, MA 02130
Phone: 617-983-6712 Fax: 617-524-8062

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000

www.mass.gov/dph

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

Retail Food Code Standards for Permitted Residential Kitchens

Updated April, 2019

The following information is provided to assist municipalities, food establishments and other interested parties in interpretation of the Retail Food Code. Additional information is available on our website at mass.gov/lists/retail-food or by contacting the Food Protection Program at (617) 983-6712 or fpp.dph@state.ma.us.

Under 105 CMR 590 (the Retail Food Code), Cottage Food and non-exempted Bed and Breakfast Operations (Permitted Retail Residential Kitchens) must comply with all applicable municipal laws and zoning ordinances and sections of the Retail Food Code for conducting a business from one's home residence. The following minimum provisions for Residential Kitchens apply to both Cottage Food Operations and Bed and Breakfast Operations. Additional notes are provided for alternate standards or provisions which apply to only one type of Permitted Retail Residential Kitchen. These guidelines are being issued under 105 CMR 590.009(E) to promote uniform application of the Retail Food Code.

Water Supply and Sources

- **Water Supply:** Only potable water from a properly constructed on-site well or municipal water system can be used. Any Permitted Retail Residential Kitchen which has a private water supply must have the supply tested prior to permitting and at least annually thereafter and demonstrate through a written record of testing that the water supply is potable. The regulatory authority may require more frequent testing as deemed necessary. **(590.005; FC 5-1)**
- **Wastewater:** Sewage shall be disposed of through a system approved by the LBOH. **(590.005; FC 5-403.11)**
- **Handwashing Sinks:** The kitchen sink to be used for handwashing must be provided with a soap dispenser and disposable towels. However, the kitchen sink cannot be used for handwashing after toilet use; therefore, there must also be a sink in the toilet room. **(590.002; FC 2-301.15 / 590.005; FC 5-203.11)**
- **Manual Warewashing:** The kitchen sink can also be used for food preparation and warewashing provided it is cleaned and sanitized prior to and between use. For manual warewashing, a two compartment sink can be used if it is approved by the LBOH and the washing is done in limited batches within the requirements of 4-301.12(D)(2)(a)-(c). **(590.004; FC 4-301.12, FC 4-501.114)**

- **Mechanical Warewashing:** A domestic or home-style dishwasher may be used for Permitted Retail Residential Kitchens, provided that it is operated in accordance with the manufacturer's specifications and the dishwasher's internal temperature is a minimum of 150°F after the final rinse and drying cycle. **(590.004; FC 4-501.15)**

Sanitation and Preventing Contamination

- **Food Contact Surfaces:** All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of food products must be washed, rinsed, and sanitized before each use **(590.004; FC 4-6, FC 4-7)**
- **Rodents and Pests:** All food preparation and food and equipment storage areas must be maintained free of rodents and insects **(590.006; FC 6-501.111)**
- **Handwashing:** All persons involved in the preparation, packaging, or handling of food must wash their hands before any food preparation and food packaging activities **(590.002; FC 2-301.14)**
- **Bare Hand Contact:** All persons involved in the preparation, packaging, or handling of food must avoid bare hand contact with ready-to-eat foods through the use of single-service gloves, bakery papers, tongs, or other utensils **(590.003; FC 3-301)**
- **Illness:** All persons involved in the preparation, packaging, or handling of food must not work in the home kitchen when ill **(590.002; FC 2-201.11)**

Kitchen Policies

- **Food Preparation:** Only the permittee, and individuals under the supervision of the permittee, may be engaged in the processing, preparing, packaging, or handling of food **(590.002; FC 2-103.11(B),(C))**
- **Living or Sleeping Quarters:** Rooms used as living or sleeping quarters in a private home may not be used for conducting cottage food operations. **(590.006; FC 6-202.111)**
- **Children:** No infants or small children are in the Permitted Retail Residential Kitchens during the preparation, packaging, or handling of food **(590.002; FC 2-103.11(B))**
- **Pets:** Pets must be excluded from the kitchen area during food preparation **(590.006; 6-501.115)**
- **Other Activities:** No preparation, packaging, or handling of food may occur in the kitchen area concurrent with other domestic activities such as family meal preparation, clothes washing or ironing, or guest entertainment **(590.002; FC 2-103.11(B) / 590.004; FC 4-803.13)**

Standards Specific to Cottage Food Operations

Cottage Food Products

- **Non-TCS Foods:** Only non-time/temperature control for safety (TCS) baked goods, jams, jellies, and other such foods may be produced at a Cottage Food Operation. **(590.001(C) “Cottage Food Product”)**
- **TCS Ingredients:** Ingredients from approved sources that are TCS foods, such as milk, cream, and eggs, may be used in food preparation for the public provided that the final product is not a TCS food. **(590.003; FC 3-201.11(A), FC 3-201.13, FC 3-202.13, FC 3-202.14(A)&(B))**

Labeling

A Cottage Food Operation may only sell cottage food products which are prepackaged with an ingredient label. The product does not need to be analyzed by a laboratory to obtain an official ingredient list, but all ingredients must be listed in descending order of predominance by weight. If a prepared item is used in the recipe, sub-ingredients must also be listed. For example, if you use soy sauce as an ingredient, listing soy sauce is not acceptable; soy sauce (wheat, soybeans, salt) is acceptable. **(590.003; FC 3-602).**

The label affixed or provided to the direct consumer must contain the following information (printed in English):

- a. The name and address of the Cottage Food Operation;
- b. The name of the Cottage Food Product;
- c. The ingredients of the Cottage Food Product, in descending order of predominance by weight;
- d. The net weight or net volume of the Cottage Food Product;
- e. Allergen information as specified by federal labeling requirements. This includes identifying if any of the ingredients are made from one of the following food groups: milk, eggs, wheat, peanuts, soybeans, fish (including shellfish, crab, lobster or shrimp) and tree nuts (such as almonds, pecans, walnuts, and/or sesame seeds); AND
- f. Nutritional labeling as specified by federal labeling requirements is required if any nutrient content claim, health claim, or other nutritional information is provided.

Standards Specific to Bed and Breakfast Operations

Applicable Regulations

Permitted Retail Residential Kitchens for Bed-and-Breakfast Operations must comply with all minimum requirements of the Food Code except for FC 8-2 "Plan Submission and Approval". However, an intended menu must be submitted to the board of health with the application for permit **(590.010(E)(2)(b))**

Food Temperatures

All food temperature requirements shall be met as contained in 105 CMR 590.000. Bed and Breakfast Operations permitted to prepare TCS foods must have sufficient hot and cold holding equipment to maintain food at temperatures specified under 105 CMR 590.000. **(590.010(E)(2)(d)(4))**

- Specifications for Receiving - see **590.003; FC 3 -202.11(A)**
- Cooking – see **590.003; FC 3-401**
- Reheating – see **590.003; FC 3-403**
- Temperature and Time Control – see **590.003; FC 3-501**
- Cooling, Heating, and Holding Capacities – see **590.004; FC 4 -301.11**

Additional

- If you rent your apartment or home, you must have written permission from your landlord for a residential kitchen.
- If you live in a condominium or neighborhood with a Homeowners Association (HOA), you must have written permission from the HOA.