

Weymouth Health Department

Director
Daniel McCormack,
R.S., C.H.O

Mayor
Robert L. Hedlund



Health Department
75 Middle Street
Weymouth, MA 02189
Tel. (781) 340-5008
Fax. (781) 682-6112

Food Truck or Temporary Food Permit Application **Process Letter**

Completed application packets must be mailed or dropped off at the Health Department. Applications cannot be submitted electronically. Contact our office at 781-340-5008 with any questions.

All documents requiring signature must be signed and each section completed in full. Incomplete applications will be returned. Your application must include the following documentation:

- ☐ Completed Signed Application *** The Application must be typed and printed. Please **do not** hand-write applications. ***
- ☐ Certifications/Documentation: (You must supply your own copies of certificates with your application)
 - ☐ *Food Protection Manager Certificates - Food Handler Certificates* do not meet the state requirements.
 - ☐ *Allergen Awareness Certificates*
 - ☐ *State Hawker and Peddler License*
 - ☐ *Vehicle Registration*
- ☐ Workers' Compensation Insurance Information:
 - ☐ Completed Workers' Compensation Affidavit
 - ☐ Workers' Compensation declaration page (if you have employees)
- ☐ Additional required items:
 - ☐ A copy of your municipal commissary permit if licensed in another municipality
 - ☐ A copy of your use agreement for commissary kitchen
 - ☐ Submit a schematic showing how you set up and operate (hand wash, food prep, heating, refrigeration for temp and food setup).
 - ☐ A copy of your menu
- ☐ Fee:
 - ☐ Checks (made payable to Town of Weymouth) or ☐ Cash
 - ☐ Mobile Food Permit = \$75
 - ☐ Temporary Food Permit = \$40

Once we receive your completed application we will contact you to schedule an inspection. Inspections are **by appointment only** – Monday through Friday 9:00 am to 3:30 pm. Inspections are done at Weymouth Town Hall, 75 Middle Street, Weymouth with both Health and Fire.

You must also obtain a permit from the Weymouth Fire Department.

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2024 Mobile Food Permit Application

Business Name:		
Mobile Truck DBA Name:		
Location and Date(s) of Events:		
Applicant Name & Title:		
Business Address:		
Mailing Address (if different):		
24 Hour Emergency Telephone # (required):		Email Address (required):
Home Address:		
Vehicle Registration #	Registration Expiration Date:	(You must attach a copy)
Are you currently permitted as a Food Establishment in Weymouth? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Do you currently hold a Food Permit from another municipality (attach a copy): <input type="checkbox"/> Yes <input type="checkbox"/> No		
Do you hold a State Hawker and Peddler License (attach a copy) <input type="checkbox"/> Yes <input type="checkbox"/> No		
Commissary Kitchen Name:*		Address:
* You must attach a copy of use agreement		
If selling PHFs/TCSs you must have someone that is Food Manager and Allergen Awareness Certified. Copies of valid training certificates must be submitted with this application. Certifications attached <input type="checkbox"/> Yes <input type="checkbox"/> No		
Are you preparing food on site? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Describe facilities and equipment:		
Details for maintaining food temperatures above 135f or below 41f:		
Confirm your understanding that the following is needed for all food handling:		
Food grade gloves: <input type="checkbox"/> Food thermometer: <input type="checkbox"/> Hand sanitizer/towels: <input type="checkbox"/> Covers on food: <input type="checkbox"/>		
Please attach a menu to application		
In compliance with MGL chapter 152 it is a requirement that you submit a completed Worker's Compensation Insurance Affidavit and the policy declaration page. <input type="checkbox"/> Yes <input type="checkbox"/> No		

I, the undersigned, attest to the accuracy of the information provided in this application and I affirm that the food establishment operation will comply with 105 CMR 590.000 and all other applicable law.

Pursuant to MGL 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 state taxes required under law.

Signature of Applicant: _____ Date: _____



The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette, Boston, MA 02111-1750
www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

1. ☐ I am an employer with _____ employees (full and/or part-time).*
2. ☐ I am a sole proprietor or partnership and have no employees working for me in any capacity.
[No workers' comp. insurance required]
3. ☐ We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. ☐ We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. ☐ Retail
6. ☐ Restaurant/Bar/Eating Establishment
7. ☐ Office and/or Sales (incl. real estate, auto, etc.)
8. ☐ Non-profit
9. ☐ Entertainment
10. ☐ Manufacturing
11. ☐ Health Care
12. ☐ Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (check one):

1. ☐ Board of Health 2. ☐ Building Department 3. ☐ City/Town Clerk 4. ☐ Licensing Board
5. ☐ Selectmen's Office 6. ☐ Other _____

Contact Person: _____ Phone #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an **employee** is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An **employer** is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that **"every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required."**

Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette,
Boston, MA 02111-1750

Tel. (857) 321-7406 or 1-877-MASSAFE

Fax (617) 727-7749

www.mass.gov/dia



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

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

Retail Food Code Standards for Mobile Food Establishments

Updated May, 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), Mobile Food Establishments (MFE) must comply with all applicable state and municipal laws and sections of the Retail Food Code for conducting a mobile food operation. MFEs can vary in size and complexity, from large modular units to pushcarts. The following requirements apply to all MFEs and their servicing areas (which is an operating base location used regularly by the MFE), if required. These guidelines are being issued under 105 CMR 590.010 (B) to promote uniform application of the Retail Food Code. This is a summary of the Retail Food Code requirements and may not incorporate all applicable standards. The full text of the regulation can be accessed here: mass.gov/lists/retail-food.

PERSONNEL

1. PERSON IN CHARGE

- a. The MFE must have a person in charge (PIC) present during all hours of its operation. The person in charge shall be responsible for the overall operation of the MFE and for compliance with the Retail Food Code. A Certified Food Protection Manager may be required if the MFE is preparing foods that require certain time/temperature controls for safety (TCS) to prevent growth of bacteria. **(590.002 (A-D); FC 2-101 – 2-103)**
- b. Food employees must be properly trained in food safety, including food allergy awareness, as it relates to their assigned duties. **(590.002 (D); FC 2-103.11 (N); 590.011 (C))**
- c. The menu and manner for transportation, storage, cooking, preparation, and service of the food and beverage items must be provided to the regulatory authority for evaluation and approval. **(590.008; FC 8-201.11, FC 8-201.12; 590.008 (B); FC 8-201.20)**
- d. All food and beverage items to be offered at the MFE must be identified and approved by the regulatory authority during the application process and prior to an evaluation being conducted of the structural components of the MFE. **(590.008; FC 8-201.11, FC 8-201.12; 590.008 (B); FC 8-201.20)**
- e. Properly prepared plans and specifications of the MFE must be submitted to the local board of health. Plans must include the intended menu, proposed layout, equipment types and information, and anticipated volume of food to be stored and prepared. These plans may be used by the board of health to determine whether the MFE would require a servicing area. **(590.008; FC 8-201.11, FC 8-201.12)**
- f. Personal clothing and belongings must be stored in a designated place in the MFE away from food preparation, food service, dry storage areas, utensil and single-service and single-use item storage, and ware washing areas. **(590.006; FC 6-403.11)**

2. EMPLOYEE HEALTH

- a. Employees who have been diagnosed with or show signs of communicable diseases which can be transmitted through food shall be excluded and/or restricted from food activities. **(590.002 (E-G); FC 2-201.11, FC 2-201.12, FC 2-201.13, 2-201.20; FC 2-401.12)**
- b. Food employees who have an infected or open cut or wound on their hands, wrists or arms must have it properly bandaged and covered with an impermeable cover such as a glove and finger cot. **(590.002 (F); FC 2-201.13 (I))**
- c. There must be employee practices and behaviors established that can help prevent the spreading of

viruses and bacteria to food. Highly infective pathogens that can be easily transmitted by food employees and cause severe illness include Norovirus, Hepatitis A virus, *Shigella* spp., Shiga toxin-producing *Escherichia coli*, *Salmonella* Typhi, *Salmonella* (nontyphoidal), and any other disease transmissible through food so designated in 105 CMR 300.000. **(590.002; FC 2-3; FC 2-4)**

- d. Interventions must be used to prevent the transmission of foodborne illness. These interventions include (a) restricting or excluding ill food employees from working with food; and (b) using proper handwashing procedures. **(590.002; FC 2-201.12; FC 2-301.11, FC 2-301.12, FC 2-301.14, FC 2-301.15)**
- e. Proper management involves ensuring that food employees do not work when they are ill and having procedures for identifying employees who may transmit foodborne pathogens to food, other employees, and consumers. The PIC should be concerned with employees having the following symptoms: vomiting, diarrhea, jaundice (yellow skin or eyes), sore throat with fever, infected cuts and burns with pus on hands and wrists. **(590.002 (E); FC 2-201.11, FC 2-201.12; 2-201.20)**
- f. Information and forms to aid in complying with Employee Health can be found in Chapter 8 of the Foodborne Illness Investigation and Control Manual.

<https://www.mass.gov/lists/foodborne-illness-investigation-and-control-manual>

3. HANDWASHING and HYGIENE

- a. Food employees shall maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods. **(590.002; FC 2-3)**
- b. Employees preparing food may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils such as deli paper, spatulas, tongs, single-use gloves or dispensing equipment. **(590.003 (C); FC 3-301.11)**
- c. Food employees shall clean their hands and exposed portions of their arms, including surrogate prosthetic devices for hands and arms, immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles and as often as necessary to remove soil and contamination and to prevent cross contamination. **(590.002; FC 2-301.11, FC 2-301.12, FC 2-301.14, FC 2-301.15)**
- d. Food employees shall have clean outer garments, aprons and effective hair restraints. **(590.002; FC 2-304.11, 2-402.11)**
- e. Food employees are not allowed to eat (including chewing gum), drink, or use any tobacco in the food preparation and service areas. A food employee may drink from a closed beverage container if the container is handled to prevent contamination of the employee's hands; the container; and exposed food, clean equipment, utensils and single-service/single-use articles. **(590.002; FC 2-401.11)**

4. FOOD DEFENSE

- a. The MFE must be secured to prevent unauthorized access to food, equipment, utensils, and related items. **(590.003; FC 3-307.11)**
- b. Self-service operations at MFEs must be supervised at all times. **(590.003; FC 3-306.13(C))**
- c. Unauthorized personnel shall not be allowed at or in the MFE. **(590.002 (D); FC 2-103.11(B))**

FOOD SOURCE AND TEMPERATURE CONTROL

1. APPROVED SOURCE

- a. The source of food on an MFE must be in compliance with **590.003 (A-B); FC 3-201, 3-202 and 3-203**. All meat and poultry must come from USDA or other acceptable government regulated approved sources.
- b. All locations used for preparation of ice or other food items as well as proper storage of those items must be permitted. **(590.008; FC 8-301.11)**
- c. Home canned and home cooked foods may not be offered at the MFE unless the home kitchen is permitted by the LBOH. **(590.003 (A); FC 3-201.11 (B), FC 3-201.12)**
- d. Ice for use as a food or a cooling medium shall be made from potable water. **(590.003; FC 3-202.16)**

2. TEMPERATURE MEASURING DEVICES

- a. Temperature measuring devices, appropriate to the operation, must be used for monitoring temperatures for the types of TCS foods prepared and held at the MFE. **(590.004; FC 4-302.12)**
- b. A thermocouple, thermistor or metal stem thermometer shall be provided to check the internal temperatures of TCS hot and cold food items. The temperature measuring device must be appropriate for the type of foods served such as for thin foods. **(590.004; FC 4-302.12(B))**
- c. Food temperature measuring devices shall be accurate to $\pm 2^{\circ}\text{F}$ and have a suggested range of 0°F to 220°F . **(590.004; FC 4-203.11(B))**

- d. Regular calibration of the temperature measuring devices shall be accomplished to ensure accurate food temperature measurements. (590.004; FC 4-502.11 (B))

3. COOKING, HOLDING, AND REHEATING FOR HOT HOLDING TEMPERATURES (See Charts Below)

Summary Chart for Minimum Cooking Food Temperatures and Holding Times Required by 590.003; FC Chapter 3 adapted from FC Annex 7 Chart 4-A	
Food	Minimum Temperature and Holding Time
<ul style="list-style-type: none"> Raw Eggs prepared for immediate service Commercially Raised Game Animals and Exotic Species of Game Animals Fish, Pork, and Meat Not Otherwise Specified in this Chart or in 590.003; FC 3-401.11(B) 	63°C (145°F) for 15 seconds
<ul style="list-style-type: none"> Raw Eggs not prepared for immediate service Comminuted Commercially Raised Game Animals and Exotic Species of Game Animals Comminuted Fish and Meats Injected Meats Mechanically Tenderized Meats 	68°C (155°F) for 15 Seconds or: <ul style="list-style-type: none"> 70°C (158°F) for 1 second 66°C (150°F) for 1 minute or 63°C (145°F) for 3 minutes
<ul style="list-style-type: none"> Poultry Baluts Stuffed Fish; Stuffed Meat; Stuffed Pasta; Stuffed Poultry; Stuffed Ratites Stuffing Containing Fish, Meat, Poultry, or Ratites Wild Game Animals 	74°C (165°F) for 15 seconds
<ul style="list-style-type: none"> Food Cooked in a Microwave Oven 	74°C (165°F) and hold for 2 minutes after removing from microwave oven

Summary Chart for Minimum Food Temperatures and Holding Times Required by 590.003; FC Chapter 3 for Reheating Foods for Hot Holding adapted from FC Annex 7 Chart 4-B		
Food	Minimum Temperature and Time at the Specified Temperature	Maximum Time to Reach Minimum Temperature
Food that is cooked, cooled, and reheated (590.003; FC 3-403.11(A) and (D))	74°C (165°F) for 15 seconds	2 hours
Food that is reheated in a microwave oven (590.003; FC 3-403.11(B) and (D))	74°C (165°F) and hold for 2 minutes after reheating	2 hours
Food that is taken from a commercially processed, hermetically sealed container or intact package 590.003; FC 3-403.11(C) and (D))	57°C (135°F) (No time specified)	2 hours
Roasts: Option A (590.003; FC 3-403.11(E)) Unsliced portions of meat roasts cooked as specified under 590.003; FC 3-401.11(B)	Same oven parameters and minimum time and temperature conditions as specified under 590.003; FC 3-401.11(B)	Not applicable

Roasts: Option B (590.003; FC 3-403.11(E)) Un sliced portions of meat roasts cooked as specified under 590.003; FC 3-401.11(B)	74°C (165°F) for 15 seconds	2 hours
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3. COOLING

- All TCS food which is pre-cooked and pre-cooled either on the MFE or at the Servicing Area should be pre-approved by the local regulatory authority. **(590.008; FC 8-201.12; 590.003; FC 3-401.14)**
- The person in charge must demonstrate that the facilities on the MFE or at the Servicing Area are adequate to cool TCS foods in accordance with **590.003; FC 3-501.14 and FC 3-501.15.**
- Cooked TCS food shall be cooled from 135° F to 70°F within 2 hours; and from 135°F to 41° F within a total of 6 hours or less. **(590.003; FC 3-501.14 and FC 3-501.15)**
- The regulatory authority may require time/temperature logs for TCS foods that are cooled on the MFE.

4. THAWING

- All frozen TCS foods shall be thawed under refrigeration at 41° F or less; or completely submerged under 70° F running water; or as part of the cooking process. **(590.003; FC 3-501.13 (A – D)).**
- One exception is frozen reduced oxygen packaged (ROP) fish labeled “Keep Frozen” shall be removed from its ROP package before thawing under refrigeration at 41° F or less or before or immediately after thawing under 70° F running water. **(590.003; FC 3-501.13 (E)).**

FOOD EQUIPMENT AND UTENSIL REQUIREMENTS, STORAGE & HANDLING

1. CROSS CONTAMINATION

- Food shall be protected from cross contamination during transportation, storage, preparation, holding, and display by separating different types of raw animal foods from ready-to-eat foods. **(590.003; FC 3-302.11)**
- Equipment and utensils (including knives, cutting boards, and food storage containers) must be thoroughly cleaned and sanitized after being used for raw animal foods and before being used for ready-to-eat food. **(590.004; FC 4-601.11; FC 4-702.11)**

2. DRY STORAGE

- All food, equipment, utensils, and single-service items shall be properly stored including storage which is at least 6" off the ground or floor, protected from contamination, and provided with effective overhead protection. **(590.003; FC 3-305.11 & 590.004; FC 4-903.11)**

3. FOOD DISPLAY

- All food shall be protected from customer handling, coughing, sneezing or other contamination by wrapping, the use of food shields or other effective barriers. **(590.003; FC 3-306.13)**
- Condiments must be dispensed in single-service type packaging, in pump-style dispensers, or in protected squeeze bottles, shakers, or similar dispensers which prevent contamination of the food items by food workers, patrons, insects, or other sources. **(590.003; FC 3-306.12)**

4. IN-USE UTENSIL STORAGE:

- In-use utensil storage shall be in compliance with **590.003; FC 3-304.12.**
- Back-up utensils must be stored clean and dry and in a protected location. **(590.004; FC 4-903.11)**

CLEANING AND SANITIZING

1. WAREWASHING

- Warewashing shall be done in compliance with **590.004; FC 4-6; FC 4-7.**
- Warewashing methods must be available to wash, rinse, and sanitize equipment and utensils coming into contact with food. **(590.004; FC 4-6, FC 4-7)**

2. SANITIZING

- Equipment, food-contact surfaces and utensils shall be cleaned and sanitized when changing from

working with raw foods to working with ready-to-eat foods; between uses with raw fruits and vegetables and with TCS food; before using or storing a food temperature measuring device; and if used with TCS food shall be cleaned throughout the day at least every 4 hours; and at any time during the operation when contamination may have occurred. **(590.004; FC 4-602.11)**

- b. Approved sanitizers must be provided for sanitizing food-contact surfaces, equipment, and wiping cloths. **(590.007; FC 7-204.11)**
- c. Sanitizers shall be used in accordance with EPA-registered label use instructions. **(590.007; FC 7-202.12)**
- d. An approved test kit must be available to accurately measure the concentration of sanitizing solutions. **(590.004; FC 4-501.116, FC 4-703.11)**

3. WIPING CLOTHS

- a. Wiping cloths that are in use for wiping food spills shall be used for no other purpose and shall be stored clean and dry or in a clean solution at the approved sanitizer concentration. **(590.003; FC 3-304.14)**

PREMISES

1. OVERHEAD PROTECTION

- a. Each individual piece of cooking and hot and cold holding equipment must be separately covered (cooker top, lidded holding compartment, etc.) or the structure of the MFE must have overhead protection (ceiling) **(590.006; FC 6-202.16; FC 6-201.12 (A))**. Examples of acceptable overhead protection are roofs or other permanent structures, canopies, awnings, or attached umbrellas for units such as pushcarts. Overhead protection may not always be suitable for use over frying or grilling operations that generate airborne grease. State/local fire codes may dictate specific limitations.
- b. For MFEs that have self-service components, additional protection of individual food dispensing containers that are located beneath an awning or similar structure may be necessary **(590.003; FC 3-306.12 (A))**. Examples would be lidded dispensing containers and sneeze guards.

2. WALLS

- a. For self-contained MFEs, walls are required to protect against the elements, wind-blown dust and debris, insects or other sources that may contaminate food, food-contact surfaces, equipment, utensils, or employees. **(590.006; FC 6-202.16)**
- b. Walls must be smooth, durable, easily cleanable and nonabsorbent. Pass-through windows may be installed in the walls and may require screening to prevent the entrance of insects **(590.006; FC 6-101.11; FC 6-201.11; FC 6-202.15; FC 6-202.16; FC 6-501.11)**.

3. FLOORS

- a. Unless otherwise approved, floors of self-contained MFEs must be designed, constructed, and installed so they are smooth, durable, and easily cleanable. Examples of acceptable floors are vinyl composition tile, commercial grade linoleum, or similar finish **(590.006; FC 6-101.11; FC 6-201.11; FC 6-501.11)**.
- b. The floor and wall junctures are to be coved and sealed **(590.006; FC 6-201.13)**.
- c. Push carts and food delivery and dispensing units must be located on concrete, asphalt, or a similar non-absorbent surface that minimizes dust and mud. The service sites should be graded to drain away from the MFE **(590.006; FC 6-102.11)**.

4. VENTILATION AND FIRE PROTECTION

- a. Local regulations shall govern ventilation and fire protection requirements at the MFE.
- b. Enclosed MFEs must comply with **590.006; FC 6-304.11**.

5. LIGHTING

- a. Adequate lighting by artificial or natural means is required.
- b. MFEs that are fully enclosed must be provided with artificial lighting.
- c. The lighting intensity shall be in accordance with **590.006; FC 6-303.11** and shielding of the lights shall be in accordance with **590.006; FC 6-202.11**.

6. HANDWASHING FACILITIES

- a. A handwashing sink is not required if the only food items offered are commercially pre-packaged foods that are dispensed in their original containers. The board of health may approve the use of chemically treated towelettes in lieu of hand-washing facilities if only frankfurters, non-TCS foods and non-perishable foods are served and there is no bare-hand contact. Chemically treated towelettes must be made available for use by customers in self-service operations. **(590.005; FC 5-203.11 (C))**

- b. At least one handwashing sink must be located on all MFE's that are involved in food handling and preparation, cooking, cooling and reheating. **(590.005; FC 5-203.11)**
- c. Each handwashing sink must be provided with suitable hand cleaner, individual disposable towels, and a waste receptacle. A handwashing sign is to be posted at the handwashing sink. **(590.006; FC 6-301.11; FC 6-301.12; FC 6-301.14)**
- d. Handwashing facilities shall be equipped to provide potable water at a minimum temperature of at least 100°F through a mixing valve or combination faucet. **(590.005; FC 5-202.12 (A))**
- e. Hand-washing facilities must be provided at all toilet facilities used by the food employees. **(590.005; FC 5-204.11 (B))**

7. TOILET AND HANDWASHING FACILITIES

- a. Toilet and hand washing facilities must be available for MFE employees along their route of service. **(590.005; FC 5-204.11)**
- b. The toilet facilities must be conveniently located to the food preparation and ware washing areas. **(590.006; FC 6-402.11)**

8. GARBAGE AND PESTS

- a. An adequate number of non-absorbent, easily cleanable garbage containers must be provided at the MFE. **(590.005; FC 5-501.13)**
- b. Garbage containers must be rodent-proof, non-absorbent, and covered when not in use. **(590.005; FC 5-501.13 (A); FC 5-501.15)**
- c. Final disposal facilities for garbage, grease, and other waste materials must be identified, approved by the regulatory authority, and used. **(590.005; FC 5-503.11)**
- d. The MFE must be maintained free of insects, rodents, and other pests. **(590.006; FC 6-202.15)**

9. TOXIC MATERIALS

- a. Materials necessary for the operation of an MFE shall be properly stored, labeled and used. **(590.007; FC 7-1 and 7-2)**
- b. Poisonous or toxic materials are to be properly labeled and stored so they cannot contaminate food, equipment, utensils, and single-service and single-use articles. **(590.007; FC 7-201.11)**
- c. Only those chemicals necessary for the food operation shall be provided. **(590.007; FC 7-202.11)**
- d. Toxic materials must be labeled and located in accordance with **590.007; FC 7-1 and 7-2.**

EQUIPMENT

1. FOOD-CONTACT AND OTHER SURFACES

- a. All food-contact and other surfaces used in an MFE shall be designed, constructed, and maintained in accordance with **590.004; FC Chapter 4.**
- b. Materials used in the construction of food-contact surfaces shall comply with **590.004; FC 4-1, FC 4-2.**
- c. Food-contact surfaces shall be non-toxic, smooth, easily cleanable, free of rust, dents or pitting, and durable under the conditions to which they will be exposed. **(590.004; FC 4-202.11)**
- d. All other surfaces shall be finished so that they are smooth, nonabsorbent, corrosion resistant, and easily cleanable. **(590.004; FC 4-101.19)**

2. COOKING AND REHEATING EQUIPMENT

- a. Cooking and reheating equipment shall be designed, constructed, and maintained in accordance with **590.004; FC Chapter 4.**
- b. The reheating equipment used on the MFE must be capable of heating all of the TCS foods offered from the MFE to their required reheating temperature within two hours or less. If proper temperatures cannot be attained using the equipment on the MFE, then cooking and reheating must occur at the servicing area and will not be allowed on the MFE. **(590.003; FC 3-403.11 (D))**

3. HOT AND COLD HOLDING EQUIPMENT

- a. Equipment used at the MFE for hot holding must be capable of maintaining TCS foods at 135° F or above. **(590.003; FC 3-501.16)**
- b. Equipment used for cold holding at the MFE must be capable of maintaining TCS foods at 41° F or below. **(590.003; FC 3-501.16)**
- c. Refrigeration, such as mechanical, absorption or thermoelectric, shall be installed and used in accordance with the manufacturer's instructions.
- d. Each refrigeration unit must have a numerically scaled thermometer accurate to $\pm 3^{\circ}$ F to measure the air

- temperature of the unit. **(590.004; FC 4-203.12 (B))**
- e. Unpackaged foods may not be stored in direct contact with undrained ice, except as allowed for raw fruits and vegetables, and raw poultry and raw fish that are received on ice in shipping containers. **(590.003; FC 3-303.12)**
 - f. Ice used as a coolant for foods shall not be used for drink ice. **(590.003; FC 3-303.11)**

WATER SUPPLY, CAPACITY AND WASTEWATER DISPOSAL

1. WATER

- a. An adequate supply of potable water meeting the requirements of **590.005; FC 5-101, FC 5-102, and FC 5-103** shall be available on the MFE for cooking and drinking purposes; for cleaning and sanitizing equipment, utensils, and food-contact surfaces; and for hand washing.
- b. Water must come from an approved public water source or an approved well water source. **(590.005; FC 5-101.11)**

2. WATER SYSTEM

- a. The water supply system and hoses carrying water must be constructed with approved food-contact materials and must be installed to preclude the backflow of contaminants into the potable water supply. **(590.005; FC 5.205.12; FC 5-301.11; FC 5-302.11; FC 5-302.14; FC 5-302.15; FC 5-302.16)**
- b. All hose and other connections shall be installed, handled and stored so that no contamination is created. **(590.005; FC 5-303.12; FC 5-304.13)**
- c. If approved by the regulatory authority, water supplied to an MFE need not be under pressure. If no permanent water supply is available, the MFE may access water through:
 - A supply of containers of commercially bottled drinking water
 - Closed portable water containers
 - An enclosed vehicular water tank
 - An on-premises water storage tank
 - Piping, tubing, or hoses connected to an adjacent approved source. **(590.005; FC 5-104.12)**
- d. A MFE water inlet shall be three-fourths inch in diameter and provided with a hose connection of a size or type that will prevent its use for any other service. **(590.005; FC 5-303.13)**

3. WASTEWATER DISPOSAL

- a. Equipment and facilities that generate liquid waste must be disposed of in an approved manner. **(590.005; FC 5-403.11)**
- b. Wastewater shall be disposed in an approved wastewater disposal system. **(590.005; FC 5-403.11)**
- c. Wastewater must be removed from an MFE at an approved waste servicing area or by a sewage transport vehicle. **(590.005; FC 5-402.14)**
- d. Wastewater may not be dumped onto the ground surface, into waterways, or into storm drains, but shall be collected and dumped into an approved receptacle. **(590.005; FC 5-402.14)**

RESOURCES

- MA Department of Public Health, 2018, MA Regulation 105 CMR 590.000 - *Minimum Sanitation Standards for Food Establishments – Chapter X* - <https://www.mass.gov/lists/retail-food>
- 2013 FDA Food Code with Annex - <https://www.fda.gov/media/87140/download>
- U.S Food and Drug Administration, 2014, *Conference for Food Protection Recommended Guidance for Mobile Food Establishments* - <http://www.foodprotect.org/guides-documents/>