

# Guidance on obtaining a food establishment permit in Maynard

## Prerequisite for operation

A person interested in operating a food establishment must obtain a valid public health division permit.

### A Food establishment is an operation that:

- (a) stores, prepares, packages, serves, vends food directly to the consumer, or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; and
- (b) relinquishes possession of food to a consumer directly or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers

### Food establishment includes:

- a) An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the Board of Health permits the vending or feeding location; and
- (b) 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.

### But Food establishments do not include:

- (a) An establishment that offers only prepackaged foods that are not time/temperature control for safety foods;
- (b) A produce stand that only offers whole, uncut fresh fruits and vegetables;
- (c) A food processing plant, including those that are located on the premises of a food establishment
- (d) A kitchen in a private home if only food that is not time/temperature control for safety food is prepared for sale or service at a function such as a religious or charitable organization's bake sale if allowed by law and if the consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to regulation and inspection by the board of health;
- (e) An area where food that is prepared as specified in subparagraph (3)(d) of this definition is sold or offered for human consumption;

(f) A kitchen in a private home, such as a small family day-care provider or a bed-and-breakfast operation that prepares and offers FOOD to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 6, breakfast is the only meal offered, the number of guests served does not exceed 18, and the CONSUMER is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the FOOD is prepared in a kitchen that is not regulated and inspected by the Board of Health; or

(g) A private home that receives catered or home-delivered FOOD

## Permit

To obtain a permit from the Board of Health, an applicant must apply at least 30 calendar days before the date they plan to open the food establishment or when the current permit expires. To apply for a food establishment permit, visit the public health division webpage and click on [the online permit processing system](#). If you have any difficulties, please call 978-897-1302.

For new, converted, or remodeled food establishments, applicants must submit plans with a plan review application, which can also be found at the public health division webpage.

Once permits are issued, they are transferable from one person to another or from one type of operation to another if the Board of Health does not approve the changes.

## Guidance on temporary operations

### Mobile Food Operations.

(1) Exempt Mobile Food Operations. No permit from the board of health is required if a mobile food operation: (a) Transports only whole, uncut fresh fruits and vegetables, unprocessed honey, pure maple products, or farm fresh eggs which are stored and maintained at 45°F (7.2°C) or less; or (b) Transports food as a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers or jobbers

### Temporary food establishment

A permit for a temporary food establishment is issued for a time period that does not exceed 14 consecutive days. If the health inspector finds that the temporary food establishment violates the regulations, the vendor or operator must correct the violations within 24 hours. If the violations are not corrected within 24 hours, the Board of Health or its agent will order the establishment to cease food operations immediately.

## Farmers Market

No permit is needed for the following:

1. Whole, uncut, fresh fruits and vegetables
2. Unprocessed honey
3. Pure maple products
4. **Farm fresh eggs, which are stored and kept at 45°F (7.2°C) or less.**

Other food vendors at the farmer's markets must obtain a food permit and be inspected before selling food directly to consumers.