



Town of Berkley
Massachusetts
Offices of
Board of Health
One North Main Street
Berkley, MA 02779
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Berkley Board of Health Residential Kitchen Regulations.

A. Purpose and Scope:

The purpose of these regulations is to set forth the licensure procedures and requirements for Permitting All Residential Kitchens in the Town of Berkley.

B. Definitions:

Residential Kitchen means a kitchen in a private home.

C. Operating a Residential Kitchen – Permit required:

Residential Kitchens are unique, in that they are kitchens in a private home that are allowed to be used to prepare food to be sold for public consumption, rather than just their typical use of filling the needs of the individuals that reside in the home. In order for an applicant to be considered for a Residential Kitchen permit in Berkley, the applicant must meet these minimum requirements:

- A) The Operator of the Residential Kitchen must follow any and all Federal and State regulations, such as the currently adopted Federal Food Code and 105 CMR 590, as well as any and all local regulations or ordinances pertaining to food service establishments.
- B) A plan review packet must be submitted to the Board of Health along with the application for the Residential Kitchen permit.
- C) Hours of operation must be stated on the application for purposed of inspectional opportunities afforded to the Board of Health.
- D) Operators must possess a current food protection manager certification, and allergen awareness in their name.
- E) Any dry good, refrigerated ingredients, baking and cooking utensils, etc. used for the residential kitchen must be kept separate from food that is used for the personal use of the occupants of the residence.

- F) If the home is served by a well a water test must be submitted to the Board of Health with application and must be submitted once per year. Additionally, before the change of use, a Title V inspection may/shall be required.
- G) All food preparation surfaces and equipment must be cleaned and sanitized before and after use and the procedures for this process shall be included in the plan review packet.
- H) The finished product shall be stored in a manner to protect it from contamination.
- I) Any vehicle used for transportation of the finished products shall be maintained in a clean and sanitary manner and the food shall be protected from contamination during transport. Any vehicles used for transportation of product shall also be subject to inspection by the Board of Health.
- J) Products made must be properly labeled and are not to be sold outside of Massachusetts or where otherwise prohibited by law.
- K) The Board of Health or its representative may impose additional requirements as it deems necessary for the best interest and health of the public.

4. Prohibitions:

- A) Pets are not allowed in the food preparation area of a residential kitchen at any time during preparation. Food preparation areas must be capable of and be blocked off from the entry of pets at all times during preparation.
- B) Smoking is not allowed at any time anywhere in the residential kitchen during operation.
- C) Any other things already prohibited under all applicable local, State and Federal regulations and ordinances.

These regulations are only meant to supplement applicable Local, State and Federal regulations and ordinances. It is the sole responsibility of the operator to ensure that they are in compliance with all applicable regulations.

Adopted: February 26, 2019

The effective date of these regulations shall be: February 26, 2019

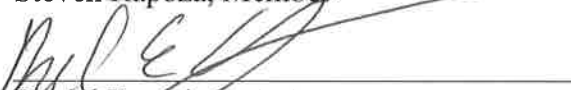
Approved by unanimous vote of the Board of Health on February 26, 2019.



James Romano, Chairman



Steven Rapoza, Member



Daniel Fournier, Clerk