





# INTRODUCTION

## ***About this Guide***

This booklet is designed to help mobile food vendors within the Middlesex-Essex Public Health Collaborative's (MEPHC) service area (Andover, Haverhill, Lynnfield, North Andover, North Reading, and Reading) to understand Massachusetts' rules and regulations regarding mobile food vending. Resources regarding specific rules and regulations, along with contact information and how to apply for permits for each MEPHC municipality, are provided in the Appendix at the end of the booklet.

## ***About MEPHC***

In January 2023, the Middlesex-Essex Public Health Collaborative (MEPHC) received a State Action for Public Health Excellence (SAPHE) grant. The SAPHE grant program is responsive to the Special Commission of Local and Regional Public Health (SCLRPH) recommendation outlined in the 2019 Blueprint for Public Health Excellence report to "increase cross-jurisdictional sharing of public health services to strengthen the service delivery capacities of local public health departments".

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# PERMITTING

The first order of business is getting a permit for your mobile food establishment (MFE).

You **need** a permit to run a MFE if you:

- Prepare or sell ready-to-eat foods such as sandwiches, hot dogs, salads, etc.
- Sell pre-packaged time/temperature-controlled-for-safety (TCS) foods
- Sell TCS beverages or beverages containing TCS ingredients
- Or sell foods that involve cooking, cooling, reheating, hot holding, or foods that are prepared according to a Hazard Analysis Critical Control Point Plan (HACCP Plan)

You **do not** need a permit from your local health department (LBOH) if you:

- Only transport whole fresh produce, unprocessed honey, pure maple products, or farm fresh eggs that are stored and maintained at 45°F or under
- Transport food as a delivery service

# PERMITTING

A LBOH may still require you to have a permit if you sell pre-packaged, non-TCS foods, like candy, chips, or bottled beverages. Please check with your LBOH for more information.

If you are operating a MFE in multiple towns or cities, you need separate permits from each town's or city's LBOH. If you operate multiple mobile facilities, you also require separate permits for each facility in each town/city it operates in.

MFEs must also have a plan that is submitted along with its permit application. Please read the application thoroughly and be prepared for the municipality to ask for information regarding your operations such as:

- Menu
- Layout of the mobile facility
- Equipment types and equipment specification sheets

LBOHs also retain the right to ask for additional info regarding the MFE or to restrict items listed on the menu.

# PERMITTING

Additional state or local permits may also be required for a MFE to operate.

These permits may include:

LICENSE OR PERMIT	REQUIRED FOR	ISSUED BY
Hawker and Peddler License	Going from town to town or place to place to sell goods to people passing by.	MA Division of Standards or municipal licensing agency
Ice Cream Truck Vendor Permit	Selling or displaying ice cream or any other pre-packaged food from an ice cream truck.	Local Police Department
Retail Seafood Truck Permit	Selling fish and live lobsters and crabs following an inspection from the LBOH. Does not allow for the sale of shellfish or cooking, processing, or shucking of fish products.	MA Division of Marine Fisheries
Propane Permit	MFEs which hold propane tanks. Check with your local fire department on allowable limits.	Local Fire Department
Generator Permit	MFEs planning on using a generator during operations.	Local Fire Department

*Table continued on next page.*

# PERMITTING

*Continued.*

LICENSE OR PERMIT	REQUIRED FOR	ISSUED BY
Zoning Approvals	Zoning restrictions in some municipalities may impact where MFEs can operate.	Zoning Board
License Commission	Check with LBOH when this applies.	Licensing Commission

Please confirm with your LBOH which approvals are needed prior to completing your application.



# REGULATORY REQUIREMENTS

In order to operate, MFEs must comply with  
Massachusetts' Retail Food Code Standards  
105 CMR 590.00.

Please remember to contact your LBOH for  
additional local regulations and requirements  
regarding MFEs.

# STAFFING

## ***Person in Charge***

A MFE must always have a designated **person in charge (PIC)** during all hours of operation. A PIC is responsible for:

- Overall food operations
- Demonstrating knowledge of safe food practices
- Ensuring compliance with applicable Sanitary Codes
- Must be a **certified food protection manager\***

All MFE staff must be properly trained in food safety, including food allergy awareness.



\*This provision only applies to communities operating on the 2022 FDA Food Code. Check with your LBOH if this applies to you.

# EMPLOYEE HEALTH

## *Employee Health*

Employee health is crucial in a MFE. Practices and interventions aimed at preventing the spread of bacteria and viruses to food must be established and implemented at MFEs.

To keep employees and customers safe:

- Sick employees **should not** report to work until they are healthy again.
- Any wounds, sores, or injuries on hands should be covered with either gloves or finger cots.

MFEs should also have an established employee health policy and reporting procedures if employees experience **any** of the following symptoms:

- Vomiting
- Diarrhea
- Jaundice (yellow eyes or skin)
- Sore throat with fever
- Infected cuts and burns with pus on hands and wrists

# HANDWASHING & HYGIENE

## *Handwashing & Hygiene*

Hygiene is important at any food establishment, including MFEs. All employees that handle food must follow good hygiene practices during all hours of operations.

Employees in charge of preparing food **may not** touch ready-to-eat food without using items such as single-use gloves, deli paper, spatulas, tongs, or dispensing equipment.

Hands and exposed arms must be thoroughly cleaned before food prep. Employees should clean their hands and exposed arms as often as needed to remove any contamination and prevent cross contamination among food.

Food employees must wear clean clothes and aprons, along with effective hair restraints as needed.



# HANDWASHING & HYGIENE

Food employees are also not allowed to eat, chew gum, drink beverages, or use tobacco products while in food prep and service areas, **with the exception** of drinking from a **closed** beverage container.

# FOOD EQUIPMENT & STORAGE AND HANDLING

## ***Cross Contamination***

Food must be protected from cross contamination during transport, storage, food prep, holding, and display by separating different types of raw meat from ready-to-eat foods.

Equipment and utensils must be thoroughly cleaned and sanitized **after** being used for raw animal foods and **before** being used for ready-to-eat food.

## ***Dry Storage***

All food, equipment, utensils, and single-service items shall be properly stored in accordance to section 590.003 of the Retail Food Code.

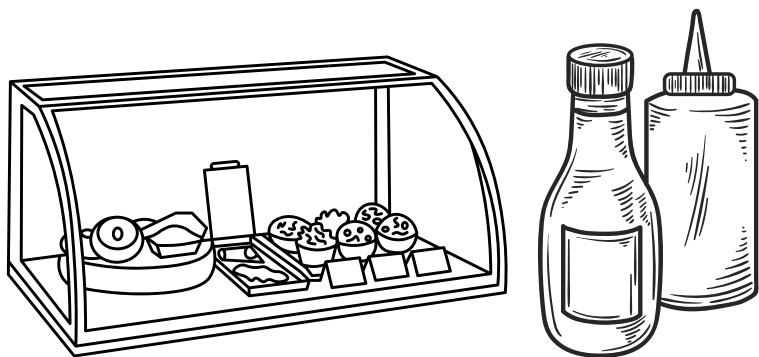
Storage must be at least 6 inches off the ground or floor, protected from contamination, and have effective overhead protection.

# FOOD EQUIPMENT & STORAGE AND HANDLING

## ***Food Display***

Food must be protected from customer handling and contamination via wrapping, food shields, or other effective barriers.

Condiments must be dispensed through single-service packaging, in-pump dispensers, or protected squeeze bottles, shakers, and/or containers.



## ***In-Use Utensil Storage***

All in-use utensil storage must be in compliance with Retail Food Code Section 590.003.

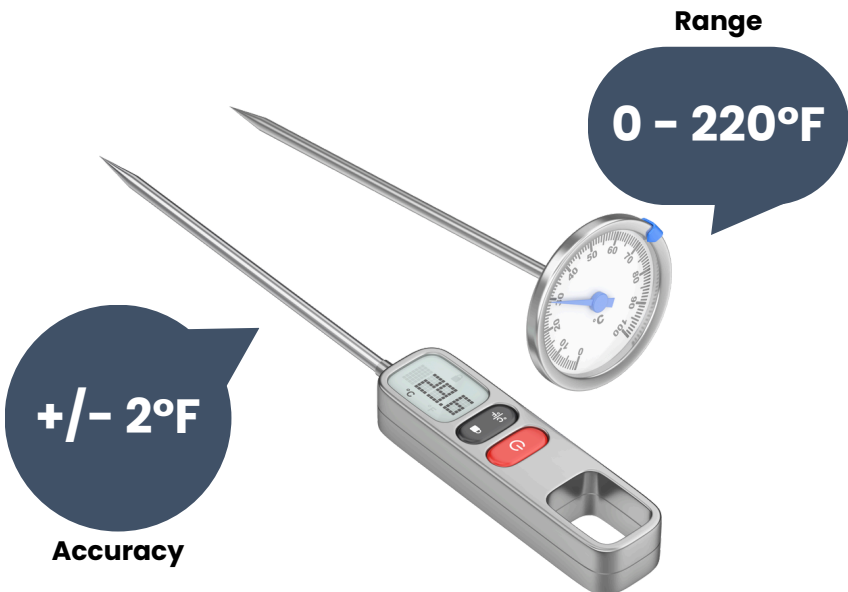
Back-up utensils must be clean and dry, and stored in a protected location.

# TEMPERATURE CONTROL

## *Temperature Measuring Devices*

Appropriate temperature measuring devices must be used for monitoring temperatures for TCS foods present at the MFE. A thermocouple, thermistor, or metal stem thermometer must be available to check the temperatures of TCS hot and cold foods and must be appropriate to the type of foods served.

All food temperature measuring devices must be accurate to  $\pm 2^{\circ}\text{F}$  and have a range of 0 to  $220^{\circ}\text{F}$ . All food temperature measuring devices must be regularly calibrated.





# SERVICING AREA

## *What is a Servicing Area?*



A servicing area is also known as a commissary or base of operation. It must be a licensed commercial food establishment. Residential kitchens **may not** be used as servicing areas. Your LBOH may ask for a copy of your servicing area's food permit and most recent inspection.

## *What do I do at my servicing area?*



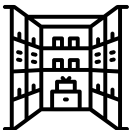
**Wastewater  
removal**

Wastewater must be removed from your MFE at your servicing area or by a sewage transport vehicle.



**Cleaning**

Your MFE should be cleaned before and after service or at anytime contamination occurs at your commissary or other location approved by your LBOH.



**Storage**

Between service, food should be maintained under temperature control in a protected space that is secure, such as your servicing area.

# WATER SUPPLY

## ***Water***

An adequate supply of potable water must be available on MFE for operations and must come from an approved approved water source.

Your hot water tank must be large enough to accommodate all water needs during operations. You should have a plan to mitigate any disruptions to your water supply.

## ***Water System***

The supply system and hoses must be constructed and handled in accordance with the Retail Food Code Section 590.005.

The LBOH may allow for the water supply to not be pressurized. In this case, water may be accessed through commercially bottled drinking water, closed portable water containers, enclosed vehicular water tanks, on-premises water storage tanks, or piping/tubing/hoses connected to an adjacent approved water source.

# APPENDIX

## ***Town of Andover***

### **Andover Health Department**

36 Bartlet Street  
Andover, MA 01810  
Phone: 978-623-8640  
Fax: 978-623-8694

#### **Hours**

Monday - Friday: 7:30 AM - 3:30 PM

[Andover Permit Application](#)



## ***City of Haverhill***

### **Haverhill Health & Inspectional Services Department**

4 Summer Street, Room 214  
Haverhill, MA 01830  
Phone: 978-374-2338  
Fax: 978-374-2337

#### **Hours**

Monday - Friday: 8:00 AM - 4:00 PM

[Haverhill Permit Application](#)



# APPENDIX

## ***Town of Lynnfield***

### **Lynnfield Health Department**

590 Main Street  
Lynnfield, MA 01940  
Phone: 781-334-9480  
Fax: 781-334-9489

#### **Hours**

Monday - Thursday: 8:00 AM - 4:30 PM  
Friday: 8:00 AM - 1:00 PM

[Lynnfield Permit Application](#)



## ***Town of North Andover***

### **North Andover Health Department**

120 Main Street  
North Andover, MA 01845  
Phone: 978-688-9540  
Fax: 978-688-9542

#### **Hours**

Monday, Wednesday, Thursday: 8:00 AM - 4:30 PM  
Tuesday: 8:00 AM - 6:00 PM  
Friday: 8:00 AM - 12:00 PM

[North Andover Permit Application](#)



# APPENDIX

## ***Town of North Reading***

### **North Reading Health Department**

235 North Street  
North Reading, MA 01864  
Phone: 978-664-6042  
Fax: 978-664-1713

#### **Hours**

Monday - Thursday: 8:00 AM - 4:00 PM  
Friday: 8:00 AM - 1:00 PM

[North Reading Permit Application](#)



## ***Town of Reading***

### **Reading Public Health Department**

16 Lowell Street  
Reading, MA 01867  
Phone: 781-942-9061

#### **Hours**

Monday, Wednesday, Thursday: 8:00 AM - 5:30 PM  
Tuesday: 8:00 AM - 7:00 PM  
Friday: Closed

[Reading Permit Application](#)



# APPENDIX

## *Additional Resources*

### **105 CMR 590.00: State sanitary code chapter X: Minimum sanitation standards for food establishments:**

<https://www.mass.gov/doc/105-cmr-590-state-sanitary-code-chapter-x-minimum-sanitation-standards-for-food-establishments/download>

### **Massachusetts' Department of Fire Services Quick Reference Guide – Food Trucks:**

<https://www.mass.gov/doc/quick-reference-guide-food-trucks/download>

### **Mobile Food Establishment Questions and Answers:**

<https://www.mass.gov/info-details/mobile-food-establishment-questions-and-answers>

### **Retail Food Code Standards for Mobile Food Establishments:**

<https://www.mass.gov/guidance/retail-food-code-standards-for-mobile-food-establishments>

### **Pre-Operational Checklist for Food Establishments:**

<https://files.aptuitivcdn.com/m1YxMb9Dea-1840/docs/General-Pre-operational-Checklist-3.7.25.pdf>

### **Food Employee Reporting Agreements:**

<https://mhoa.com/aws/MHOA/pt/sp/food-protection>



