

# City of Lynn

## Residential Food Business Guide



### INTRODUCTION

Residential Food Operations License is a type of food handler permit required to operate a *residential* kitchen in the City of Lynn.

A Residential Food Operation is defined as a person who produces food products only in a residential kitchen of that person's primary residence and only for sale directly to the consumer. "Direct to the consumer" includes events like farmers markets, craft fairs, and sales by internet or mail. The end food product must be prepackaged prior to sale with an ingredient label.

If you are interested in selling your product(s) to a Food Establishment (an establishment who will then resell the product to the end user) such as a retail shop or restaurant, then you must receive a Wholesale Food Processor License obtained by the Commonwealth of Massachusetts's Food Protection Program and not the City of Lynn. Contact the Food Protection Program at 617/983-6770 or <https://www.mass.gov/food-safety> for information about how to obtain that License.

Always refer to the Massachusetts State Sanitary Code Chapter X (105 CMR 590.10) for information and guidelines.

#### What Type of Food Can I Prepare?

Under State Sanitary Code Chapter X (105 CMR 590.001(C); FC 1-201.10 (B), Residential food means non-time/temperature control for safety (i.e. foods that can be safely held at room temperature and don't require refrigeration) are allowed under a Residential Food Operation Permit.

#### Items in this category that are allowed:

- **Bread:** bagels, biscuits, breads, brownies, cakes, cookies, doughnuts (no cream filling), muffins, pizzelles, rolls, scones, sweet breads, tortillas
- **Candy:** baked candy, brittles, chocolate, cotton candy, fudge
- **Dry Goods:** Cereals, Coffee beans, Dried fruit, Dried vegetables, herbs, mixes, pasta noodles, spices & seasonings, tea leaves
- **Pastries:** cones, empanadas, other pastries (not cream filled), pies (not cheesecake)
- **Snacks:** caramel corn, chocolate-covered items, crackers & pretzels, fruit leathers, granola, kettle corn, marshmallows, nuts & seeds, popcorn, and popcorn balls
- **Preserves:** jams and jellies

#### Items in this category that are **NOT** allowed:

- pickles, sauces, buttercream, cream-filled pastries, cheesecake, custard, cut fruit and vegetables, tomato and barbecue sauce, pickled products, relishes, salad dressings, vacuum packaged foods, cured and smoked foods, foods that require refrigeration/ perishable foods, and fermented foods
- cannabis baked goods are not permitted under any circumstances.

*If your food item is not listed, please inquire with the ISD Department.*

## REQUIREMENTS & RESTRICTIONS

Residential Food Operations are allowed per the Lynn Zoning Code. Questions about zoning, can be directed to the Inspectional Services Department.

Every residential kitchen being used for Residential Food Operations is required to meet [105 CMR 590.00, Retail Food Code Standards for Permitted Residential Kitchens](#). Review these codes carefully, as they explain regulations for how food is prepared and labeled, but also how food is stored, the personal health and hygiene of the person preparing the food, and cleaning and sanitation of the kitchen.

**We have highlighted a selection of regulations that may be new or unexpected. Applicants should consult 105 CMR 590.00 as the following is an incomplete list.**

- Regulations that apply to the physical, residential kitchen space
- Only one (1) person per residence can produce food at a time, no outside employees can be used.
- The cooking facilities cannot be used by guests while food is being prepared for the business.
- Pets on premise must be out of the preparation area during prep times.
- Premise must be insect and rodent proof.
- A separate dry and cold storage for your business and personal food items in your kitchen are required. This means that you need a separate shelf or designated spot for your business food that is separate from your personal food.
- Toilet room must be clean and in sanitary condition.
- Food contact surfaces must be smooth and easily cleanable.
- Equipment and utensils need to be made of safe materials and kept in good repair. Generally standard kitchen equipment is sufficient, as long as it is in a condition where it can be properly sanitized.
- Cleaning and sanitizing as for a commercial kitchen, but there are some looser exceptions that allow for the use of a residential dishwasher, as long as the highest setting of sanitizing possible for that machine is used, and the temperature rises to 150 degrees, which needs to be tested every day, with records kept for 30 days. Although this is on the books, it seems unlikely that these records would be requested. (See attached Equipment and Chemical Example page)
- Trash cans used for trash need to have lids that seal securely.
- Laundry - If there is a clothes washer or dryer located in the kitchen, it can remain there but cannot be used during food preparation.
- Cleaning and sanitizing as for a commercial kitchen, but there are some looser exceptions that allow for the use of a residential dishwasher, as long as the highest setting of sanitizing possible for that machine is used, and the temperature rises to 150 degrees, which needs to be tested every day, with records kept for 30 days. Although this is on the books, it seems unlikely that these records would be requested.
- All Food ingredients must be obtained from an approved food source.
- Labeling
  - The label affixed or provided to the direct consumer must contain the following information (printed in English):
    - The name and address of the Residential Food Operation
    - The name of the Residential Food Product;

- The ingredients of the Residential Food Product, in descending order of predominance by weight;
- The net weight or net volume of the Residential Food Product;
- 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: sesame seeds, milk, eggs, wheat, peanuts, soybeans, fish (including shellfish, crab, lobster or shrimp) and tree nuts (such as almonds, pecans or walnuts); AND
- Nutritional labeling as specified by federal labeling requirements is required if any nutrient content claim, health claim, or other nutritional information is provided.
- Quoted “Made by a Residential Food Business”

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).** Regulations that apply to the food preparation and packaging; Section 105 CMR 500.00: Good Manufacturing Practices Section 105 CMR 520.000:

**EXAMPLE LABEL:**

WHEAT BREAD

Ingredients: Flour (beached wheat flour, malt barley, flour, niacin, iron, potassium thiamine, thiamine mononitrate, riboflavin, folic acid), sugar, water, milk, margarine (liquid soybean, oil, partially, hydrogenated soybean oil, water, salt, whey, soybean lecithin, vegetable mono & diglycerides, sodium benzoate as a preservative, potassium, caseinate (a milk protein), artificially colored, FD&C Red #3, artificially flavored, vitamin A, dalmite added, east, salt

Contains: wheat, eggs, milk, soy

SELL BY 1/01/2024  
NET WEIGHT: 1LBS (16 OZ)

The Bakery  
1 Main Street  
Lynn Ma 01902

MADE BY A RESIDENTIAL FOOD BUSINESS

## BEFORE YOU START

The following information is required as part of a complete Residential Food Operations Permit





- Copy of your Home Occupancy Permit
- Application for Residential Food Operations Permit
- Certificates Required: Food Protection Managers Certification and Allergy Awareness
- NOTE: Food Protection Manager training must be completed with one of the following providers:
  - Thomson Prometric (formerly Exterior Assessments)
  - ServSafe
  - National Registry of Food Safety Professional
  - 360training.com (Learn2Serve)
- Workman's Compensation Affidavit MGL c. 152 §25A
- A signed letter from the property owner/manager, if applicant is a renter. Landlord must have the rental units registered with the City of Lynn Rental Program. (See attached example of letter)
- Intergraded Pest Management. Detailed plan of finding and extermination plan
- A full list of all food item(s) that will be produced and distributed
- A full list of sources for all ingredients used
- Copy of label that will be affixed to products
- Photographs and/or drawings showing where food is stored
- The type and brand of sanitizer that will be used. Please note, two kinds of sanitizer are allowed

## INSPECTION




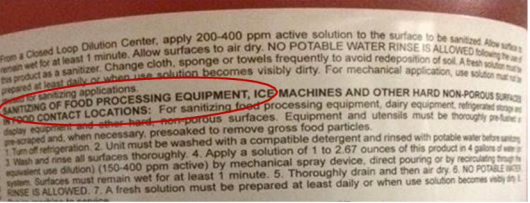
A pre-operational inspection is required to be passed prior to operation. Inspections will occur regularly in the home. Understanding of the Food Code is required to pass inspections.

## Equipment and Chemical Examples

### Maximum Registering Thermometer:

Option #1: Thermolabels	Option #2: Maximum Registering Thermometer
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>← Label BEFORE use in the dish machine.</p> </div> <div style="text-align: center;">  <p>← Label AFTER use in the dish machine – The color change indicates the surface temperature inside the dish machine reached the minimum temperature as stated on the label.</p> </div> </div> <div style="text-align: center; margin-top: 20px;">  </div>	

### Chemicals / Sanitizer:

Option #1: Bleach (Sodium Hypochlorite)	Option #2: Quaternary Ammonium
<ul style="list-style-type: none"> <li>Bleach can be used as a Sanitizer as long as it states on the label it can be used on Food Contact Surfaces.</li> <li>Concentration for Bleach (Sodium Hypochlorite) is 50-200 parts per million (ppm). About 1 teaspoon into a gallon of water = 65 ppm.</li> <li>Contact time (the amount of time the equipment or surfaces shall remain in the sanitizing solution) = Two (2) minutes</li> </ul> <div style="text-align: center; margin-top: 10px;">  </div> <div style="border: 1px dashed black; padding: 5px; margin-top: 10px;"> <p>Scented bleach or bleach which do NOT state "for food contact use" are not approved. Always read the label. Approved sanitizers will have an <b>EPA Registration Number</b> on the container</p> </div> <div style="text-align: center; margin-top: 10px;">  </div>	<ul style="list-style-type: none"> <li>Concentration for Quaternary Sanitizers is 200 ppm or 150 / 200 – 400 ppm for multi-use Quaternary. Always follow the concentration directions on the label.</li> <li>Water temperature should be 65 °F – 75 °F in order for the test strips to accurately measure the concentration.</li> <li>Contact time = One (1) minute</li> </ul> <div style="text-align: center; margin-top: 10px;">  </div> <div style="margin-top: 10px;">  </div>

[Property owner company logo or letterhead, if applicable]

Date: [today's date]

To Whom It May Concern:

I, [name of property owner/manager], give permission to [tenant's full name] at [tenant's present address] to pursue a Cambridge Cottage Food Operations Permit, issued from the Cambridge Inspectional Services Department.

I have spoken with [tenant's full name] and understand that the scope of food preparation is strictly limited to the preparation of non-potentially hazardous foods (non-PHF), such as baked goods, confectioneries, jams, and jellies. Non-PHFs, such as cakes and cookies, which have PHF ingredients are acceptable. I understand that cannabis baked goods are not permitted under the Cambridge Cottage Food Operations Permit.

[Tenant's full name] has a lease that will expire on [date, make sure to include year] and has [X number and/or kind] of options to renew.

Please contact me with any questions.

[Signature of property owner/manager]

[Print Property owner/manager name]

[Print Full address associated of property owner/manager]

[Print Phone number of property owner/manager]

[Print Email address of property owner/manager]