



TOWN OF BRIMFIELD

COMMONWEALTH OF MASSACHUSETTS

BOARD OF HEALTH

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PROCEDURES FOR TEMPORARY FOOD ESTABLISHMENTS

1. Introduction

1.1. Definition: Temporary Food Establishment means preparing and/or serving meals, snacks or beverages for a limited time (less than 14 days) at a single event or connected events that are intended for consumer consumption on property located in the Town of Brimfield. This includes food or beverages for sale or free distribution.

1.2. Each temporary food establishment, which includes pavilions, tents, stands, trailers, mobile food units or pushcarts, etc. that prepares and/or serves potentially hazardous foods, shall have as its base of operation a food establishment that shall comply with the provisions of 105 CMR 590.000: State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments and which has been issued a current permit for operating a food establishment.

1.2.1 Mobile Food Units (readily movable vehicle mounted food establishments) or push carts (which are non-self-propelled vehicles limited to serving non-potentially hazardous foods or wrapped food prepared at a food establishment and maintained at proper temperatures or limited to the preparation and service of frankfurters) will be evaluated on an individual basis but in all instances must comply with provisions of 105 CMR 590.000: State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments and which has been issued a current permit for operating a food establishment.

1.2.2 Exceptions: Temporary Food Establishments which sell non-potentially hazardous foods such as candy, popcorn and packaged snacks will be evaluated on an individual basis but in all instances must comply with the provisions of 105 CMR 590.000: State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments and which has been issued a current permit for operating a food establishment.

2. General

2.1 It is essential to ensure that foods are safe, wholesome and not injurious to the public health, and that satisfactory food protection and sanitation practices are observed at all stages until food reaches the consumer.

2.2 Each temporary food establishment operation must be in accordance with the food protection and sanitation practices outlined in state regulations, 105 CMR 590.000: State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments, which contain specific and detailed legal requirements with respect to food hygiene and food handling activities. Section 590.000 is specific for temporary operation.

2.3 The Town Health Agent shall be authorized to inspect food intended for human consumption (whether for sale or free), to take samples for microbiological analyses, and to seize, condemn or order destroyed foods that appear to be unfit for human consumption.

3. Issuance of Permits

3.1. Any temporary food establishment wishing to operate on property located in Brimfield shall apply for a permit from the Board of Health via the health agent.

3.2. Applications will be made for each event on a form supplied by the Town and will ask for information regarding the temporary food establishment operation. If a permit is approved, it will authorize operation for a specific period of time, after which a new application will be needed.

3.3. The permit may be revoked (emergency closure) if at any time there are serious breaches of food protection and sanitation practices. This is in accordance with M.G.L. C 111, s. 30.

Sections 4 through 12 are for general information and do not replace state regulations which contain specific and detailed legal requirements.

4. Food Protection

4.1 Food, while being stored, prepared, offered, displayed (held), served, or transported shall be protected from dirt, flies, rodents, roaches and other pests, and any other contamination and all persons engaged in the handling of food shall take all reasonable steps to protect the food from risk of contamination.

4.2 Use of home-canned foods is prohibited.

4.3 Use of fingers to dispense or place food on plates is prohibited. Proper utensils such as tongs or spoons will be used.

4.4 All potentially hazardous foods consisting in whole or part of milk products, eggs, meat, poultry, fish, shellfish or other ingredients capable of supporting rapid growth of pathogenic or toxicogenic organisms shall be kept at a temperature of 45 degrees F (7 degrees C) or below and 140 degrees F (60 degrees C) or above, except during necessary periods of preparation and as otherwise specified in state regulations. **"Sterno" or similar type products are not acceptable for hot holding.** Adequate refrigeration facilities for storage of foods shall be provided. **Ice cannot be used as a substitute.**

4.5 A food handler will periodically check all potentially hazardous foods with an accurate food product thermometer.

4.6 Raw, unprocessed fruit and vegetables shall be thoroughly washed in potable water before use.

4.7 All ice used for cooling drinks shall be manufactured from potable water and be handled in a sanitary manner, i.e. do not use hands; dispense with scoop or tongs. Also, ice shall be sealed in plastic or wet-strength bags until dispensed in a manner which protects the ice from contamination.

4.8 Ice cream scoop water shall be changed at least every half hour.

5. Food Transportation

5.1 All potentially hazardous food shall be kept at safe temperatures during transportation.

5.2 During the transportation of foods, all items shall be in covered containers or completely wrapped or packaged so as to be protected from contamination except raw agricultural products that will be prepared for consumption in such a manner to remove the danger of possible contaminants.

5.3 All food transportation vehicles, including carts, trucks, vans and trailers shall be kept clean, free of pests, and in good repair.

6. Food Handlers (Personnel)

6.1 Every person handling or coming into contact with food, or with any food contact surface or with any equipment or utensil used in its preparation, processing or service shall:

- 6.1.1 Maintain a high degree of personal cleanliness and shall conform to good hygienic practices during all working periods;
 - 6.1.2 Shall wash the hands and exposed portions of the arms thoroughly with soap and warm water before starting work, after smoking, eating, or using the restroom, and between changes in processing or operations, and as often as necessary to keep them clean;
 - 6.1.3 Wear clean outer clothing and hair restraints that confine the hair; if a uniform is not worn, it is suggested that a full apron would be appropriate;
 - 6.1.4 Refrain from spitting and using tobacco in any form while engaged in the handling, preparation, or service of food, while handling equipment or utensils, and while in any are containing open food;
 - 6.1.5 Consume food only in designated areas and not during food preparation or service operations; and
 - 6.1.6 Keep any open sores, cuts, or abrasions on any exposed part of the body covered with a suitable waterproof dressing; and
 - 6.1.7 Not be using any dirty cloths or sponges.
- 6.2 No employee, while infected with a communicable disease that can be transmitted by foods, or who is a carrier of organisms that cause a disease shall work in a food establishment in a capacity that there would be a likelihood of contaminating food or food contact surfaces with pathogenic organisms. An employee who has reason to suspect that he/she is suffering from an infection likely to cause a food-borne illness shall notify the manager of the temporary food establishment. A manager who has reason to believe that any employee has contracted or become a carrier of disease transmitted by food shall immediately notify the Board of Health or its agent and cannot permit such a person to work in the temporary food establishment.

7. Hand Sanitation

7.1 Two alternatives to hand washing when pressurized water is unavailable:

- 7.1.1 A five gallon container, basin, soap, paper towels and a five gallon waste receiving container (see 11.1) can be provided by the vendor for washing hands.
- 7.1.2 A wipe and dry type of towelette (containing alcohol as the basic ingredient, for example, "Wet-Ones") could be provided and use to cleanse the hands.

- 7.2 Hand washing should be done as needed.
- 7.3 Fingernails should be short and cleaned.
- 7.4 No cuts or sores on the hands.
- 7.5 Use utensils instead of hands, in handling foods, or use plastic gloves.

8. Equipment

8.1. Heating and cooling devices must be used when serving potentially hazardous foods. Approved heating devices are:

8.1.1 Inside buildings: electrical (U.L. approved) and steam.

8.2.2 Outside buildings: electrical (U.L. approved), charcoal, gas (U.L. approved). Chafing dishes are not allowed.

8.2. All pieces of equipment with which food comes into contact, or may come into contact, must be kept clean, be so constructed, located, of such materials (corrosion resistant and smooth), and kept in good repair and condition as to:

8.2.1 Enable them to be easily and thoroughly cleaned;

8.2.2 Prevent any matter being absorbed by them; and

8.2.3 Prevent any risk of contamination of the food.

8.3 Equipment shall be installed as to facilitate its cleaning and the cleaning of adjacent areas.

8.4 Single service articles.

8.4.1. Provide only single serve articles for use by the consumer.

8.4.2. They shall be made from clean, sanitary, safe materials.

8.4.3. They shall be stored in closed cartons or containers at least six inches above the ground/floor or on movable racks.

8.4.4. They shall be handled in a manner that prevents contamination of surfaces that comes into contact with food.

8.4.5. Unless pre-wrapped for the consumer, single service utensils must be dispensed in holders that prevent the handle of the utensil to the consumer (a vertical type holder is preferred in this instance).

8.4.6. Straws shall be individually wrapped.

9. Construction and Maintenance of Premises (refers to base of operations, see 1.2).

9.1. All areas of the food establishment which include the internal walls and floors, of every room shall be so constructed and maintained in such good order, repair, and condition as to enable them to be cleaned effectively and to prevent infestation by rodents, flies, roaches, birds and other pests.

9.2. The premises must be kept free of pests. Dogs, cats and other domestic animals must be excluded from areas where food is prepared or stored. All pesticide chemicals and other toxic agents must be clearly labeled and, when not in use, be kept in separate, locked cabinets. The manufacturer's instructions shall be followed whenever using pesticides or toxic agents.

9.3. The premises must be kept in a clean condition and no standing water shall be allowed to accumulate in areas where food is prepared, stored, or served.

9.4. All areas in which food is stored, prepared, or served, or in which utensils and equipment are washed, and all toilet utensils and equipment are washed, and all toilet areas shall be well ventilated and well lighted.

9.5. No room in which food is stored, prepared or served may be used as a sleeping place or communicate directly with a sleeping place or restroom.

10. Water Supply

10.1. Sufficient potable water for the needs of the temporary Food Establishments shall be provided from a source constructed, maintained, and operated according to law.

11. Sewerage

11.1 All sewage, including liquid waste, shall be retained in a holding tank which will be disposed of in a public system constructed, maintained and operated according to law.

12. Storage and Disposal of Refuse

12.1. A sufficient number of watertight containers of durable and non-absorbent material shall be provided for the storage of garbage and other refuse.

12.2. Refuse containers shall have plastic liner bags.

12.3. Garbage and refuse shall be disposed of often enough to prevent the development of objectionable odors and the attraction of pests.

How to Pass a Health Department Inspection at the Flea Market

The Health Inspector will be at the Flea Market to conduct food booth inspections. You must meet the minimum requirements in order to qualify to receive your food permit. Please note that this list is not all-inclusive:

- Application submitted and fees paid for each booth
 - Back Flow Prevention on water line (Bibb for threaded hoses)
 - Food Garden Hoses for water to booth
 - Thermometer for taking food temperatures
 - Hand washing facilities within each booth is required (No Sharing)
 - Bleach water solution of 50-100 ppm and chlorine test strips or MA DPH approved alternate
 - Adequate refrigeration equipment to maintain food at 40 degrees F
 - Adequate hot holding equipment to maintain food at 140 degrees F
 - Adequate food protection from dust, dirt and flies
 - Clean outer clothing
 - No open cuts, sores or diseases transmitted by food
 - 3 bay sink or facilities to wash, rinse and sanitize
 - Containers to hold wastewater or approved septic
 - All foods must come from an approved source
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- **ALL COOKED FOOD MUST BE DISCARDED AT THE END OF THE DAY**
 - **ALL FOODS MUST BE THAWED UNDER REFRIGERATION**

PROTOCOL FOR CLOSURE OF A FOOD BOOTH

1. The Health Inspector will conduct an initial inspection of all food vendors located at the Flea Market. At the completion of the inspection, if the vendor is in compliance with Mass Public Health Code, the Inspector will issue a permit.
2. In the event that the vendor does not pass the initial inspection, the Inspector will make every effort to return within two hours for a 2nd inspection.
3. After the 3rd inspection, if the vendor still does not comply with the Mass Public Health Code, the Inspector will close the booth and no additional options will be given to the food vendor. The specified booth remains closed for the duration of the event.