

Introduction: The provision of food to the public (for free or for sale) is regulated by the Food Protection Program in the Massachusetts Department of Public Health. The regulations, 105 CMR 590, establish standards designed to prevent the spread of food borne illnesses such as salmonella or clostridium, and are, in turn, based upon Federal food safety regulations in the Federal 1999 Food Code. Local Boards of Health are charged with implementing these state and federal regulations.

What Can be Prepared in a Home Kitchen? In accordance with State Department of Public Health Food Protection Program guidelines and recommendations, the only foods which may be prepared at a home kitchen and served at a potluck or similar “open to the public” function are “non-potentially hazardous foods” including shelf stable baked goods, such as brownies, quick breads, rolls, cakes that do not have dairy or egg fillings or icings, and fruit pies not requiring refrigeration.

What are the Requirements for Serving Potentially Hazardous Foods at a Public Event? Potentially hazardous foods (explained below) may only be served if BOTH of the following conditions are met:

- The food is prepared under the direction of a certified food protection manager OR by a caterer licensed by the Sharon Board of Health who is trained in food safety principles and has equipment dedicated to keep foods at approved holding temperatures.

AND

- The facility where the event is held has obtained either a temporary or permanent food establishment license from the Sharon Board of Health

What is “Open to the Public”? Events that are advertised to the community through the media, publicly displayed signs, flyers etc. or are otherwise open to all are considered public and are subject to these requirements.

What are Potentially Hazardous Foods? Potentially Hazardous Foods are food items requiring temperature control (either below 40 F or above 140F) to prevent the growth of pathogens or toxigens (bacteria that can produce toxic substances such as botulism). Note that potentially hazardous foods include most items commonly served at potluck or similar meals, such as:

- animal-based foods such as raw or cooked eggs, meat, fish or poultry, including chilis and soups
- cooked plant-based food such as rice, potatoes, or pasta
- raw seed sprouts, cut melons, cut tomatoes and garlic in oil mixtures
- Hot or cold entrees, cheeses, dips, casseroles, cream filled pastries or pies
- Any other food that can support the rapid growth of infectious or toxigenic microorganism if not kept at the proper temperature

What about bake sales for charitable events? Bake sales are exempt from these requirements provided they are for charitable organizations and sell only shelf stable baked goods that do not require refrigeration.

- Such events do not require a food license and shelf stable baked goods that do not require refrigeration may be prepared in private homes.
- Further, we recommend that the information sheet on food allergies available through the DPH website be utilized.