



TOWN OF CONCORD

BOARD OF HEALTH

141 Keyes Road
Concord, MA 01742
(978) 318-3275 FAX: (978) 318-3281



Public Health
Prevent. Promote. Protect.

TO: Church/Temple/Community Event Operators
FROM: Concord Health Division
RE: Guidance for Permitting for Temporary Food Events
DATE: December 2015

The Concord Health Division receives many inquiries for guidance on permitting temporary food events sponsored by religious organizations or community groups. The Board of Health, through its staff, works to protect the general public by promoting safe food handling and smart menu choices for large groups, especially those with “at risk” populations (the elderly, the very young, or those with weakened immune systems). The Health Division staff raises awareness of food-borne illness by offering guidance and information that encourages safe food preparation that will minimize adverse health effects. This collaborative effort between the Board of Health, its staff and the users of non-profit kitchens allows groups to sponsor events like fund raisers, soup kitchens and community suppers without endangering the public health.

When is a permit required?

Public Events

Any event where food is served to the “general public” requires a Temporary Food Event permit from the local Board of Health. An event that is advertised with fliers, banners, newspaper articles, radio or TV announcements, or by other means--regardless of whether or not a fee is charged-- is considered a public event and is subject to health code requirements of the regulatory authority.

Applying for a Temporary Food Permit

To apply for a Temporary Food Permit, please download Form G from the Health Division website www.concordma.gov/pages/ConcordMA_health/forms/FormG.TEMPFOODAPPLICATION.pdf or visit the Health Division office at 141 Keyes Road and pick up a hard copy.

Applications must be submitted at least 2 weeks prior to the event to allow sufficient time for review by staff.

Fundraisers

Churches, Temples, school groups and other non-profit groups often use food sales as a way to raise funds for their organization. Functions whose main objective is to raise funds for purposes other than covering food expense are fundraisers. Food safety regulations restrict the types of foods that may be sold at these events. Prior to holding a fundraising event, apply to the Health Division for a Temporary Food Event permit. Please submit a proposed menu with your application. Health staff will review your proposed event and either issue the permit or request modifications to the proposed menu and/or food handling practices.

Several factors are evaluated to determine which foods may be served at these events, such as:

- Proposed menu (potentially hazardous foods vs. non-potentially hazardous foods)
- Will food be prepared and served the same day or will food be prepared in advance then cooled and reheated for service?
- Condition of the facility where food is being prepared.
- Equipment provided (e.g. number and size of refrigeration equipment, hot holding capacity, cold holding capacity, adequate preparation areas, hand sinks, etc.)
- Food safety knowledge of persons conducting the event

“Potentially hazardous foods” (PHF) include eggs, meats, dairy products, mayonnaise-based foods and other foods that require temperature control. Events that propose a menu that includes potentially hazardous foods pose the highest risk and, therefore, must meet more stringent guidelines to ensure food safety. Foods for a public event or fundraiser **MAY NOT** be made in a home kitchen (except baked goods such as cookies, brownies or cakes sold at Bake Sales, as described below).

Health Division staff will work with the “person in charge” of the event to assist in modifying menu choices or food preparation techniques that will reduce potential food hazards. Please contact the Health Division at least two weeks in advance of your event to provide sufficient time for consultation and review.

Bake sales

Non-potentially hazardous foods such as cakes, cookies, pies, brownies etc. *which do not need refrigeration* may be made in a home kitchen for sale at a bake sale. When possible, food items should be pre-packaged before sale; vendors must wear gloves while handling unpackaged foods. Contact the Health Division for food safety guidance and to determine if a Temporary Food Permit is needed for your event.

Catered Events

An event where a caterer prepares and serves food requires that the caterer register with the local Board of Health. For each event, caterers must submit a copy of the proposed menu, identify the date and location of the event, the number of guests to be served, provide a copy of the permit from the town in which their base kitchen is licensed, and provide proof of “Servesafe” food safety training. The caterer is responsible for all aspects of safe food service.

NOTE: A Temporary Food Event Permit is required for an event where a caterer prepares and delivers the food, but the sponsoring organization serves the food (see Section Applying for Temporary Food Permit). The sponsoring organization is responsible for hot and cold holding of any food (i.e., sandwiches, quiches, soups, etc.) to ensure proper temperatures for safe food handling and service. Contact the Health Division for food safety guidance and to obtain a Temporary Food Permit for events that fall into this category.

What if I'm not sure a permit is required?

Sometimes there is a fine line between a public event and a private event. Please contact the Health Division who will help answer your questions and assist you with any additional information you may need to provide to clarify whether a Temporary Food Event permit is needed.

Potluck Events - Potluck and private events do not require a permit from the Board of Health.

We are pleased to announce that Massachusetts loosened the regulatory requirements for potluck dinners to allow charitable organizations to share food at communal events without regulatory oversight. In 2014, Governor Deval Patrick signed into law chapter 230, section 328A, "An Act Relative to Potluck Events". Under this legislation, all of the following conditions must be met for the event to be considered a "Potluck Event" exempt from regulation.

- People must be gathered to share food at the event;
- No compensation may be provided for bringing food to the event;
- The event is sponsored by a group of individuals or by a religious, charitable or non-profit organization;
- The event may not be conducted for commercial purposes, but money may be collected to support the religious, charitable or non-profit organization; and
- **The participants at the event must be informed that neither the food nor the facilities have been inspected by the state or the local public health agency.**

A business establishment dealing in the sale of food may not sponsor a potluck event. Additionally, food from the potluck event shall not be brought into the kitchen of a business establishment dealing in the sale of food.

Potluck events do not require a permit from the Board of Health.

Private Events

A private event is an exclusive group, which could include family, friends, neighbors, or committee members meeting over a shared meal. The event is not open to the general public or advertised to the public. No fees may be charged. The private function can be held in many types of venues—a private home, rental hall, church basement or public building or park. Food prepared in a home kitchen is allowed **only** at private events. **Private events do not need a permit.**

Please contact the Concord Health Division at 978-318-3275 to discuss your event so that we may assist you through the process or answer any additional questions or concerns.

Safety Tips to Avoid the "Top 7 pitfalls" when preparing food for Public Events

1. **Inadequate cooling and cold holding.** More than half of all food borne illness is due to food kept out of proper refrigeration (below 41 degrees). Not having sufficient refrigeration or capability to cool cooked hot foods quickly to < 41 degrees poses one of the most serious risks to food safety. Improperly cooled food can leave food in the *danger zone* (over 40 degrees but under 140 degrees) where bacterial growth can be prolific.
2. **Inadequate hot holding:** Holding hot foods at less than 140 degrees places food in the danger zone.

3. **Inadequate reheating.** All foods to be served hot must be rapidly reheated to 165 degrees in order to keep them out of the temperature danger zone and kill off any residual bacteria. A calibrated thermometer and an attentive Person in Charge are critical to this process.
4. **Preparation of foods too far in advance of service.** Foods prepared in advance, which go through several cycles of cooking/cooling/reheating pose additional risk of temperature abuse and require more refrigeration and freezer capacity to quickly cool food, and stove capacity to quickly reheat food.
5. **Lack of personal hygiene:** Frequent hand washing is critical to food safety. Wash hands for 20 seconds with hot soapy water after using the bathroom, touching raw meats, emptying the trash, sneezing, touching kitchen equipment, etc. Wear gloves when preparing and serving ready to eat foods such as sandwiches, baked goods, appetizers, etc.
6. **Avoid cross contamination:** Prepare raw meats and other potentially hazardous foods on separate surfaces than those used to prep ready-to-eat foods. This will prevent cross contamination with bacteria from raw foods.
7. **Menu choice:**
Choose menu items which are simple to manage such as baked goods, broth soups, and sandwiches. Prepare all food the same day as the event to avoid the need to cool and reheat.