

## **SECTION 4: Food Service**

**Authority:** The Wareham Board of Health adopts this regulation in accordance with M.G.L., Chapter III, Section 31. Under the authority of this section, violators may be punished by a fine of not more than \$200.00.

### **Catering**

#### **1. Definitions:**

- A. Catered Function Site: Any food establishment or location, which is used for functions at which food is to be prepared and/or served by a caterer.
- B. Caterer: Any person who prepares food intended for individual portion service and transports in to another location, who prepares and serves food at a food service establishment other than the one for which he holds a permit, for service at a single meal, party or similar gathering.

#### **2. Provisions:**

- A. No person/caterer shall serve any meals within the Town of Wareham without first obtaining a permit from the Board of Health. Permits may be obtained at the Board of Health.
- B. Cumulative per function fees will not constitute the fees for annual permit, i.e., four per function fees will not be construed as satisfying the annual fee requirement, since these fees are for two separate permits.
- C. Each cater whose base of operation is within the Town of Wareham shall operate from a licensed food establishment, inspected and approved by the Wareham Board of Health.
- D. Each caterer must provide the Wareham Board of Health with notification on a form provided by the Wareham Board of Health 48 hours prior to catering a function.
- E. Each caterer whose base of operation is not within the Town of Wareham shall provide the Board of Health with a copy of their current food establishment permit from the town in which their base of operation is located and must notify the Board of Health in writing 48 hours prior to a catered function.
- F. It is the responsibility of the owner renting or leasing a catered function site to keep a function log which must be maintained and make available for review by the Wareham Board of Health. This log must indicate the date of each catered function, the caterer's business name and address or the caterer's base of operation, and the permit number issued by the Wareham Board of Health where the caterer maintains a base of operation.
- G. All caterers shall comply with the State Sanitary Code, Article X – Minimum Sanitation Standards for Food Service Establishments and Vending Machines.
- H. If a caterer fails to obtain a permit and/or an inspection, he will be punished by a fine of not more than \$200.00.

### **Farmer's Markets**

1. Certain foods as defined by the Commonwealth of Massachusetts are exempt from obtaining permits for Farmer's Markets. Permits are not required for the following: unprocessed honey, fresh produce, Maple syrup and farm fresh eggs.
2. Other items that are not Potentially Hazardous Foods (PHF's), i.e., cakes, cookies, breads, jams and jellies, will require a Farmer's Market, Food Service Permit. All kitchens must have an approved food source, permitted and inspected by the local Board of Health. Shellfish and finfish may be sold provided the vendor has a Division of Marine Fisheries Seafood Dealer Permit and any other required State's retail permits. The sale of milk is prohibited.
3. Food for public consumption that is a PHF will require a hand sink within 25 feet of the operations. No food preparation will be allowed onsite. This means no cooking or grilling of any meat, fish or poultry. These items may be sold uncooked as long as proper handling temperatures are maintained, either with mechanical refrigeration or ice. Please see Massachusetts Department of Public Health's Food Protection Program's Policies, Procedures and Guidelines Numbers RF-08 & SF-10.

### **Food Handlers**

#### **1. Certificates:**

- A. All persons handling food or food equipment in any restaurant, drugstore, or other establishment where food or drink is dispensed for consumption on the premises must have a food handlers certificate obtained from the Board of Health.
- B. Any person 16 years old and under will be required to produce a work permit when making application to the Board of Health for a Food Handlers Certificate.
- C. Food Handler Certificates will expire one year from the date of issue.
- D. Proprietors of any types of food handling or processing must provide the Wareham Board of Health with a list of their food handlers.
- E. All meat cutters, butchers, and persons engaged in the process of wrapping or packaging meat and food products shall be required to obtain a Food Handler Certificate immediately.
- F. Violation of this regulation will be cause for the Board of Health to recommend to the Board of Selectmen that the Common Victualer's License be revoked.

### **Mobile Food Units and Pushcarts**

#### **1. Regulations:**

- A. All mobile food units shall comply with 105 CMR 590.029.
- B. Single service articles shall be stored in a container with a lid. This container shall be maintained in a clean, sanitary condition.
- C. Waste receptacles shall be provided at every stop.
- D. All operator accessible toilets and hand washing facilities enroute must be registered with the Board of Health, including proprietor's written approval of facility usage.

- E. All bases of operations shall be registered with the Board of Health, including photocopies of their current Food Service permits. Food receipts for each day's product shall be carried in the unit and be available for inspection.
- F. All mobile food units shall be inspected prior to permit issuance.
- G. All mobile food units shall have the company name, telephone number, address and I.D. number plainly displayed on both sides of the unit.
- H. All units shall be properly licensed, insured and registered.
- I. All mobile food unit operators shall comply with 590.011.
- J. All mobile food unit operators shall be required to carry a current food handler card issued by the Wareham Board of Health.
- K. No animals shall be allowed within the vehicle or serving unit.
- L. A valid State Hawker's and Peddler's License shall accompany the vehicle at all times.
- M. All gas-fired units must be inspected and approved by the local gas inspector.