



# HOW TO OBTAIN THE REQUIRED LICENSE / PERMIT FOR RETAIL SALES OF PREPARED FOODS AT THE SUSTAINABLE NANTUCKET FARMERS AND ARTISANS MARKET

## CHECKLIST AND ROADMAP

This checklist and roadmap has been prepared by Sustainable Nantucket's Farmers and Artisans Market and has been reviewed and approved by the Nantucket Department of Health. It is subject to change and will be kept updated online at [www.sustainablenantucket.org](http://www.sustainablenantucket.org).

It is intended to inform potential Market Food Vendors what the Town of Nantucket requires for issuance of the following Licenses / Permits to sell prepared foods at the Market. It is also intended to take you through the steps to assure that you meet the requirements for vending prepared food at the Market and to expedite the process of obtaining the necessary Permit / License:

To sell food at The Market you need one of the following licenses:

### **FARMER'S MARKET (COMBINED) RESIDENTIAL KITCHEN PERMIT AND RETAIL FOOD LICENSE -- \$75.00**

This combined license is for home cooks and home kitchens and applies to foods that are non-potentially hazardous foods [Non-PHF.] See further discussion of Non-PHFs and PHFs below. **This license only allows retail sales of home prepared foods at sessions of NFAM.**

### **FARMER'S MARKET RETAIL FOOD LICENSE -- \$35.00**

This license is for persons or businesses that already have a Food Service Establishment License and an approved commercial kitchen. The purpose of this reduced fee license is to allow these businesses to vend prepared foods at Market sessions in addition to their already licensed food establishments. The food must be prepared at the licensed establishment. **With proper food handling, vendors with this license may retail both non-PHFs and PHFs.**

At this time there is no application form for these licenses. It is your responsibility to draft the paperwork necessary to establish that you meet the requirements of the Board of Health.

**Here's how to do it:**

#### **Step 1 Prepare your "Proposal" for submission to the Nantucket Department of Health**

The proposal is a brief written description of the prepared food product(s) that you want to sell at the Market. It should include the name of the food, a description of the food, how the food is to be prepared. It may contain a list of ingredients, but in cases of "standard," that is -- non-potentially hazardous foods such as cookies, cakes, breads or muffins, a recipe is not required. You may, however, provide a recipe if you wish.

You must also provide a description of how you will prevent bare hand contact with food:

- how the food will be prepared and/or cooked
- how the food will be handled and packaged in bulk
- how the food will be and transported to the Market.

If the food will also be packaged in individual servings, describe:

- how any individual servings will be packaged and/or wrapped
- precautions taken during packaging to assure the food is kept free from any contamination.

The objective here is to document that that the food is protected from contamination during preparation, storage, transport and awaiting sale at the Market.

### Sample Proposals:

*I propose to engage in retail sales of the following non-PHF product(s) at the 2011 Market:*

#### STANDARD RECIPE CHOCOLATE CHIP COOKIES.

*The cookies will be baked in my home kitchen at (address) using properly stored ingredients including, flour, brown and white sugar, butter, salt chocolate chips, eggs, vanilla. The cookies will be baked in batches. Immediately after baking and properly cooling, they will be wrapped in individual servings with 2 cookies per serving. Wrapping will consist of plastic food wrap. Approved food handling gloves will be used during these processes and during the wrapping process. Only members of my household and I will be engaged in all production activities.*

*After the individual wrapping, the servings will be packed in plastic bins with snap on covers. The bins will be stored for not more than 2 days in my household storage area. The bins will be transported to the Market site by car on the morning of each Market session. At the Market site, the bins will be placed on a table or other off the ground structure. One bin at a time will be opened to allow vending of the individually wrapped servings to patrons of the Market.*

#### STANDARD RECIPE BEACH PLUM JELLY

*The jelly will be prepared in my home kitchen at (address). I use hand picked beach plums that are washed and boiled with water. A stainless steel masher is used to crush the plums and assist in extracting juice and freeing the pits. When the juice is visible, and the pits loosened, the plums are placed in a new cheese cloth bag and hung over a stainless steel container to allow the full extraction of juice. Strainers and approved gloves will be used during this process. The container and the hanging bag are covered with plastic wrap to protect from outside contamination and allowed to hang for 4 – 6 hours. The juice is measured and sugar is added at a ratio of 1 part juice to 3 parts sugar. Strained Juice of a lemon is added to each batch at a ratio of 1 Tablespoon of lemon juice to one quart of jelly mixture. The mixture is boiled to a rolling boil and maintained until successfully tested for an adequate gel set.*

*Half pint jars are boiled and held at a boil in a covered waterbath vessel for 10 minutes. Jar tops (rings and lids) are heated to a boil and kept hot and covered as the juice mixture is prepared. When it has reached the proper set, the liquid jelly is then ladled into hot jars to ¼ inch from the top. The lid and ring are applied and tightened on each jar. Gloves, tongs and clean towels are used to handle the jars. The covered, filled jars are then immersed back in boiling water and thermal processed for 7 minutes. The jars are then lifted from the thermal processor with a jar lifter and labeled.*

*The filled jars are stored in my kitchen in cardboard jar boxes for a period not to exceed 6 months. The jars in their boxes are transported to NFAM by car. The jars are kept sealed at the Market and sold individually.*

**Step 2 -- Submit your proposal and fee payment in the appropriate amount to the Nantucket Department of Health / Schedule Inspection of your Premises**

**Nantucket Health Department:** | 3 East Chestnut St, Nantucket, MA 02554

Ph: 508-228-7200 ext 7014 & 7020 Fx: 508-325-6117

**Roberto Santamaria**, Health Director | [rsantamaria@nantucket-ma.gov](mailto:rsantamaria@nantucket-ma.gov)

The best way to proceed is to call the Department of Health office as soon as you have drafted and are ready to submit your information and fee. This should be 4 to 6 weeks before your first Market participation date to allow for timely review and inspection of your premises by the Department and the potential that your food product may have to undergo lab tests. Currently the Department can perform inspections within 2 weeks of the initial completed submission by the applicant.

### **Step 3 – Additional Signoffs by Health Department**

#### **Worker's Compensation**

Before Departmental sign off, the Department requires a Worker's Compensation certificate proving that you are covered by Worker's Compensation Insurance or an affidavit that you do not have any employees. The Department will provide you with a form for this affidavit which you may sign and submit with your application.

**REMEMBER – FOR RESIDENTIAL PERMITS, ONLY HOUSEHOLD MEMBERS MAY BE ENGAGED IN THE OPERATION.**

#### **Property Tax Confirmation**

Yes – they check to make sure all your Nantucket property taxes are all paid up before they issue the license.

### **Step 4 -- Potentially Hazardous Foods – PHFs and Non-PHFs**

All PHF food vendors must be Serv Safe certified.

All PHF and Non-PHF food vendors must complete an allergy allergen awareness training.

Please visit: [www.mafoodallergytraining.org](http://www.mafoodallergytraining.org) to receive your training and certificate. There is a \$10 charge per person for this training.

**Simply put – If you have a combined Farmer's Market Residential Kitchen Permit and Retail Food License (See above description of this permit / license) you CANNOT vend PHFs.**

In many cases the Department of Health can easily make a determination as to whether your proposal is PHF or Non-PHF.

#### **EXAMPLES OF PHFs:**

Cream filled pastries, cheese cake, custard, other similar foods which can support the growth of disease causing bacteria, perishable foods that require refrigeration, cut fruit, and vegetables, tomato sauce, garlic in oil products, barbeque sauce, salad dressings, foods manufactured using processes that require state or federal control, such as acidification, hot fill, vacuum packaging, cured or smoked fish or meats.

#### **EXAMPLES OF NON-PHFs:**

Baked goods, brownies, breads, confectioneries, cakes and cookies, items that have PHFs as ingredients (eg. cookies with butter and eggs) are considered Non-PHF so long as the final product is not a PHF.

**JAMS AND JELLIES AND OTHER SIMILAR PRODUCTS THAT ARE THERMAL PROCESSED IN HERMETICALLY SEALED CONTAINERS ARE ALSO NON PHFS.**

#### **TECHNICAL DEFINITION OF PHF**

Non PHF food is food with a PH of 4.6 or below and a water activity of less than .85.

## PHF LAB TEST MAY BE REQUIRED IN QUESTIONABLE CASES

In cases where the Department cannot determine from your ingredient list that your item is a Non-PHF, you will be asked to submit your item to a laboratory for analysis. The Department will give you the names of qualified laboratories for you to use. The cost for this laboratory analysis is reasonable. Using standardized testing procedures; the lab results will provide the necessary documentation as to whether your item meets the definition as a Non-PHF. You must keep the records of the analysis on file.

You should also keep a standardized recipe of the items used in preparation of the food that lists all ingredients in order of weight. If you change the recipe, you may need a new analysis.

### Step 5 -- Getting Your Kitchen Ready for Inspection

**Storage** -- Foods and ingredients used in your operation must be stored separately from other household items. This requirement is satisfied by having a separate shelf or portion of a shelf in your pantry and refrigerator.

The storage areas must be maintained to prevent entry of pests and vermin.

**Sanitation** – A soap dispenser and disposable towels for hand washing must be at the kitchen sink and this sink may not be used for hand washing after toilet use.

A ventilated toilet room must be available for those involved in the operation and soap and disposable towels must be available in this area.

Pets (not pests!) may be present in the household but must be kept out of food prep areas during food prep.

Laundry facilities may be present but not in use during food prep.

Impervious garbage receptacles must be used.

Hot and cold water must be available.

Sewage must be properly disposable.

### Required Special Equipment

Freezer thermometer

Refrigerator Thermometer

Dishwasher Thermometer

Chlorine, iodine or Quat Ammonia test strips (sanitizers)

1 Bay sink capabilities

2 Wash Bins

Dishwasher Machine

Container for food storage at Farmer's Market Site

### STEP 6 – LABELLING REQUIREMENTS

You should consult with the Department at the time you file your application to determine what labeling requirements they may require for your product.