



**CITY of NORTHAMPTON**  
**Department of Health and Human Services**

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<http://www.northamptonma.gov/245/Health>



**Public Health**  
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**MEMORANDUM**

Re: Policy for Pot Luck Meals, Bake Sales, and Temporary Food Events

Questions have recently arisen with respect to Northampton Department of Health of Human and Human Services (DHHS) regulations pertaining to pot luck meals, bake sales, and temporary food service events at school facilities. The information below will help clarify any questions you may encounter when determining if your event requires a permit, but if in doubt, please direct your questions or vendors to the DHHS at (413)587-1214 or [healthdept@northamptonma.gov](mailto:healthdept@northamptonma.gov)

**Pot Luck Meals – No Permit Required for Members Only Meals** (not open to the public)

Pot luck meals are events for which food is prepared in private homes or purchased (party pizzas, etc) and brought to a central location (for example, a church, community center, or school), from which the food is served to the members of the group that sponsors the meal (i.e. basketball team, chorus group.). **Members Only** pot luck meals are not regulated or permitted in any way by the DHHS.

**Pot luck meals that are open to the public** (spaghetti suppers etc, where tickets are sold to the public) no longer fall under the definition of pot luck and are considered temporary food events. Temporary food establishment/events (see definition below) require a permit from the local board of health per 105 CMR 590.010(C).

**Bake Sales – No Permit Required**

For non-profit organizations operating for religious, charitable, or educational purposes, *no permit is required* when food items to be sold require no refrigeration and have no bare-hand contact during preparation and packaging. This includes the following items: Breads, Pastries, Cakes, Cupcakes, Cookies, Cinnamon Rolls, Brownies/Blondies, Popcorn balls, Rice Krispy Treats, Candy such as fudge, peanut brittle, taffy, divinity, lollipops and other similar products.

- Food may be prepared in a private, residential kitchen;
- Foods must be prepackaged and sold only as packaged;
- Cannot use fresh produce as a topping (i.e. strawberries on a cupcake);
- **Sale of drinks (soda, coffee, water, etc) not allowed. A temporary event permit is required. (see the next section).**
- Baked goods which are considered \*potentially hazardous (i.e. cream pies, custards, pumpkin pie, flan) and other similar products **are not allowed** or must be permitted as a temporary food establishment/event.

*\*Potentially Hazardous Food - A food which supports the growth of disease-causing bacteria. If bacteria growth occurs, illness can result. Examples of such foods are: milk and milk products, hamburgers, chicken, burritos, chili, eggs, fish, cooked rice, cooked beans, egg rolls, cooked pasta, meat gravies, custard desserts and some cream-filled pastries and cut vegetables, i.e. lettuce, tomatoes, cantaloupe, bean sprouts.*

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## **Temporary Food Establishment – Permit Required**

A temporary food establishment (TFE) is defined as an event where food is prepared or purchased commercially and sold or given away to the **public**. Food items can be retail (in a package form) or prepped and served on site for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

Temporary food establishments are permitted and inspected by the DHHS in, accordance with Massachusetts Regulation 105 CMR 590.010(C) Minimum Sanitation Standards for Food Establishments. Temporary Event Applications must be submitted to the DHHS at least 14 business days prior to the event. Applications for Temporary Events Permit applications can be found: [TMP-Permit-2023 \(northamptonma.gov\)](https://www.northamptonma.gov/TMP-Permit-2023)

Applicants for temporary food events shall be required to provide a Food Protection Certification and Allergen Awareness Certification to the DHHS.

The definition of a temporary food establishment includes but not limited to the following:

- A Food Service Establishment permitted by the DHHS or other health jurisdiction that is participating as a food vendor (the restaurant permit **does not** extend outside their brick and mortar or off-premises of their operation at a temporary event);
- A mobile food unit without a permit issued by the Northampton Health Department.
- A food vendor who sells packaged and/or unpackaged food items
- A food vendor who offers packaged and/or unpackaged samples of their product to the public;
- A demonstration cooking booth where samples are offered to the public; and
- Any sale of drinks (soda, water, coffee, tea) during a bake sale



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