**From:** Doug Kress

**To:** DPH-Testimony, Reg (DPH)

**Subject:** 105 CMR 590.00

**Date:** Wednesday, November 30, 2016 4:35:12 PM

**Attachments:** image001.png image003.png image005.png image007.png image012.jpg image013.png image014.jpg

Please note there appears to be word missing: potential correction is in RED

1. Shared Kitchen or Incubators
	1. Shared kitchens or incubator operations are food preparation facilities that are designed to provide fledgling food retailers or preparers with kitchen space and access to professional equipment.
	2. Shared kitchen entrepreneurs use these facilities:
		1. To develop their skills and create products before committing to the expense of operating a commercial kitchen on their own, or
		2. To rent space for the purpose of preparing food that may be served or sold to the public before they are ready to open a restaurant or operate a commercial kitchen on their own.
	3. An alternative to renting space in a shared kitchen incubator is renting space in the kitchen of a permitted restaurant, in which an entrepreneur would operate under the permit and supervision of the restaurant's operator with a separation of food production and food products.
	4. Required Approvals.
		1. The owner-operator of a shared kitchen shall NOT rent or share the kitchen unless it has been approved to do so and has obtained a valid permit from the board of health. Each shared kitchen is subject to inspection and enforcement as a retail food establishment.
		2. Each user of a shared kitchen must obtain a retail food license from the board of health of the town where the food is sold or served in order to sell ready-to-eat food at street fairs or any type of catered event in Massachusetts.

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