

COTTAGE FOOD LAW REPORT

Massachusetts

A comprehensive guide to the cottage food statute, sales rules, and county-level zoning and health-department overlays for home bakers operating under 105 CMR 590.009(D).

STATUTE	TIER	IJ GRADE	COUNTIES COVERED	LAST VERIFIED
105 CMR 590.009(D)	Okay	C	14	2026-05-05

IMPORTANT – NOT LEGAL ADVICE

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above. **Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision.** Consult a licensed attorney for advice specific to your situation.

Contents

Executive summary	3
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105 CMR 590.000: State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments, Section 590.009(D)(2)-(3) Residential Kitchens — 105 CMR 590.009(D)	4
--	---

County-level rules (14 counties)	6
----------------------------------	---

#22 Middlesex County	6
#67 Worcester County · Worcester	7
#77 Essex County · Salem	9
#79 Suffolk County · Boston	10
#89 Norfolk County · Dedham	12
#116 Bristol County · Taunton	13
#131 Plymouth County · Plymouth	15
#151 Hampden County · Springfield	16
#296 Barnstable County · Barnstable	18
#435 Hampshire County	20
#496 Berkshire County	22
#760 Franklin County	23
#9999 Dukes County · Edgartown	25
#9999 Nantucket County · Nantucket	26

Executive summary

This report covers the Massachusetts cottage food framework — the state statute, the regulatory body administering it, what producers can and cannot sell, and county-level rules layered on top of state law for the 14 Massachusetts counties included in this dataset.

ANNUAL SALES CAP

none

REGISTRATION REQUIRED

yes

FOOD HANDLER CERTIFICATION

recommended

KITCHEN INSPECTION

yes

DIRECT SALES ONLY

no

INDIRECT SALES (RETAIL/ONLINE/WHOLESALE)

yes — Massachusetts residential kitchens are treated as food establishments, so permitted operators may sell at any venue within the state including restaurants and retail stores, without the wholesale restriction that most cottage food laws impose. Mail order and catering are prohibited. Local boards of health administer permits and may impose additional restrictions.

RESEARCH NOTES

The primary statute URLs (mass.gov regulation page and info-details page) both returned HTTP 403 errors during crawl attempts. Statute text for 105 CMR 590.009(D)(2)-(3) was retrieved from a municipal Board of Health document (Town of Carlisle, MA) that reproduces the regulatory text verbatim. The full 105 CMR 590.000 document text was also confirmed via a partial crawl of the mass.gov PDF download. Massachusetts uses a 'residential kitchen' model distinct from typical cottage food laws: home kitchens are treated as food establishments requiring a local Board of Health permit and kitchen inspection. There is no statewide sales cap. The law has a local-control structure: each town's Board of Health administers permits and may impose additional requirements, including food safety training (ServSafe or equivalent). Some cities (notably Boston) previously did not allow residential kitchens but have since created ordinances permitting them. Forrager notes enacted year as 2000 (105 CMR 590). Confidence is medium because the primary .gov URL could not be directly crawled; text sourced from a reproduced municipal document and Forrager summary.

105 CMR 590.000: State Sanitary Code Chapter X - Minimum Sanitation Standards for Food Establishments, Section 590.009(D)(2)-(3) Residential Kitchens

CITATION

105 CMR 590.009(D)

ENACTED

2000

LAST AMENDED

2013

CONFIDENCE

MEDIUM

Allowed foods

Non-potentially hazardous foods that do not require refrigeration, including baked goods (breads, cookies, cakes, cupcakes, macarons, donuts, muffins, pies), candies and confections (including chocolate, fudge, buttercream frosting), jams and jellies, dry goods (cereals, coffee, herbs, spices, tea), snacks (granola, caramel corn, popcorn, nuts), and pastries. Ingredients that are potentially hazardous may be used if the final product is non-PHF.

Prohibited foods

Potentially hazardous foods requiring refrigeration are prohibited, as are pickles, sauces, fermented foods, and any food requiring a variance. Wholesale operations may not be conducted under a residential kitchen permit. Mail order is prohibited; catering is prohibited.

Labeling requirements

Labels must include all ingredients in order of amount by volume, a list of allergens, the name of the residential kitchen, address and/or phone number, and a sell-by date if required. Full requirements are governed by 105 CMR 520.000 Massachusetts Labeling Regulations. No specific cottage-food disclaimer statement is required by statute, though local boards of health may impose additional requirements.

Statutory text — verbatim excerpt

Statute excerpt — verbatim

105 CMR 590.009 Special Requirements (D)(2) Residential Kitchens: Retail Sale. (a) A food establishment permit shall be required if food is prepared in or distributed from a residential kitchen for retail sale except as exempted under the definition of food establishment in 105 CMR 590.002 and shall comply with the minimum requirements of 105 CMR 590.009(D) as well as the Administration and Enforcement (105 CMR 590.010 through 590.021), except they shall be exempt from 105 CMR 590.043, 'Plan Submission and Approval' in which case only an intended list of food to be prepared or distributed shall be submitted to the board of health with their application for permit. (b) Food Preparation and Protection: Residential Kitchen for Retail Sale. 1. Only non-potentially hazardous foods and foods which do not require refrigeration and a variance in accordance with 105 CMR 590.010(H) shall be prepared in or distributed from a residential kitchen for retail sale to the public except as exempted under the definition of food establishment in 105 CMR 590.002. Ingredients that are potentially hazardous foods, such as milk, cream, and eggs, may be used in food preparation for the public provided that the final product is not a potentially hazardous food. 2. Wholesale operations requiring a food processor registration by the Department shall not be conducted in an establishment holding a residential kitchen permit. 3. Only immediate family members residing in the household may prepare food for retail sale in a residential kitchen.

Source: <https://www.carlislema.gov/DocumentCenter/View/716>

Official sources

Statute <https://www.mass.gov/regulations/105-CMR-59000-state-sanitary-code-chapter-x>

State dept page <https://www.mass.gov/info-details/residential-kitchen-permit-information>

Extension service https://ag.umass.edu/sites/ag.umass.edu/files/fact-sheets/pdf/cottage_food_law_basics_-_august_2018_revision.pdf

Forrager.com <https://forrager.com/law/massachusetts/>

State dept of agriculture / health: **Massachusetts Department of Public Health**

County-level rules

The state statute above sets the floor. Each county may add a home-occupation permit, business license, or zoning rule on top of state law. The 14 Massachusetts counties below are sorted by population (largest first).

RANK 22 · FIPS 25017 · —

Middlesex County

Population 1,623,109 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Massachusetts has no county-level government with food safety authority — Middlesex County does not have an operational county government (county government was abolished in 1997). Retail Residential Kitchen (cottage food) permits are issued by local Boards of Health in each city/town. Operators selling directly to consumers must obtain a permit from their local Board of Health; wholesale sellers must obtain a state license from MA DPH Food Protection Program.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	state baseline applies
WATER SUPPLY	state baseline applies; Board of Health may require lab documentation for pH ≤4.6 or water activity ≤0.85 for certain products
HANDWASHING	state baseline applies
FOOD STORAGE	state baseline applies

Inspection & permitting

INSPECTION REQUIRED	yes — Local Board of Health inspects before issuing the Retail Residential Kitchen permit (cottage food operation) and may conduct routine and complaint-based inspections. Wholesale operations inspected by MA DPH.
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HOME OCCUPATION PERMIT varies by city — Each city/town in Middlesex County (Cambridge, Lowell, Newton, Somerville, etc.) has its own Board of Health with its own permit fee and inspection requirements. No county-level home occupation permit — Middlesex County government was abolished in 1997.

LOCAL BUSINESS LICENSE varies by city

Customer-facing rules

ON-SITE CUSTOMER PICKUP yes

ON-SITE SIGNAGE conditional

DELIVERY / PICKUP RULES Retail residential kitchen: direct to consumer sales only; mail order prohibited. Wholesale residential kitchen: may sell to retailers/restaurants but needs state DPH license. Only household members may be employed in the operation.

MAX EMPLOYEES IN HOME Only household members may be employed (state regulation)

Relevant county code

none — Middlesex County government abolished 1997; 105 CMR 590.009(D) and 105 CMR 500.015 apply through local Boards of Health

RESEARCH NOTES

Middlesex County Massachusetts has no operating county government (abolished 1997). The county name is used for geographic/census purposes. All cottage food regulation is at the city/town Board of Health level. Key cities in Middlesex County include Cambridge, Lowell, Newton, Somerville, Waltham, and Framingham — each with independent Boards of Health and varying permit fees and requirements. Some cities (notably Boston in adjacent Suffolk County) previously restricted residential kitchens but Middlesex cities generally have programs. Only household members may be employed; no commercial brokers/wholesalers may distribute. No mail order allowed for retail residential kitchens.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-questions-and-answers>

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 67 · FIPS 25027 · Worcester

Worcester County

Population 858,898 · State baseline: 105 CMR 590.009(D) (Massachusetts Residential Kitchen Permit)

· MEDIUM

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Massachusetts uses a residential kitchen model — home kitchen treated as food establishment requiring a local Board of Health permit and kitchen inspection. Each of Worcester County's 60 towns/cities administers its own Board of Health. No statewide sales cap. Food handler certification recommended (not required by state but some local Boards require it).
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Standard sanitation; pets excluded from food preparation areas during production is typically required
WATER SUPPLY	Potable water required; well/septic users may face additional testing requirements at Board of Health discretion
HANDWASHING	Required as part of kitchen inspection compliance
FOOD STORAGE	Standard food storage per residential kitchen permit requirements

Inspection & permitting

INSPECTION REQUIRED	yes — Initial kitchen inspection required before permit issuance. Subsequent inspections may occur at Board of Health discretion.
HOME OCCUPATION PERMIT	varies by city — Each of Worcester County's 60+ municipalities has its own Board of Health and may have separate home occupation/zoning requirements. City of Worcester Board of Health: 25 Meade St, Worcester MA. Contact specific town/city Board of Health for permit process. Massachusetts has no uniform home occupation permit requirement for cottage food at state level.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional

DELIVERY / PICKUP RULES No statewide cap. Sales allowed from home, at events, farmers markets, and to retail stores. Mail order prohibited. Catering prohibited under residential kitchen permit. Wholesale operations may not be conducted under residential kitchen permit.

MAX EMPLOYEES IN HOME unknown

Relevant county code

105 CMR 590.009(D); local Board of Health regulations vary by municipality

RESEARCH NOTES

Worcester County has no county-level government with land use authority in Massachusetts — each of the 60+ municipalities has its own Board of Health administering residential kitchen permits. Massachusetts is unique: it uses residential kitchen permits (treated as food establishments) rather than a standalone cottage food law. No county-level URL was available in the input data. The state residential kitchen permit framework requires initial kitchen inspection, which sets it apart from most states.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 77 · FIPS 25009 · Salem

Essex County

Population 806,103 · State baseline: 105 CMR 590.009(D) (Massachusetts Residential Kitchen Permit)

MEDIUM

Home kitchen rules

HOME KITCHEN ALLOWED yes — Each of Essex County's 34 municipalities administers its own Board of Health residential kitchen permit. Kitchen inspection required. No statewide sales cap. Food safety training recommended; some local Boards require it.

SEPARATE DEDICATED KITCHEN no

PET RESTRICTIONS Pets typically excluded from food preparation areas per Board of Health requirements

WATER SUPPLY Potable water required; well users may face additional testing

HANDWASHING Required as part of kitchen inspection

FOOD STORAGE Standard food storage per residential kitchen permit

Inspection & permitting

INSPECTION REQUIRED	yes — Initial kitchen inspection required for permit. Subsequent inspections at Board of Health discretion.
HOME OCCUPATION PERMIT	varies by city — Each municipality in Essex County (Salem, Lynn, Peabody, Haverhill, Lawrence, Gloucester, Newburyport, etc.) has its own Board of Health and may have separate home occupation/zoning rules. Contact the specific city/town Board of Health. No county-level government with permit authority in Massachusetts.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Sales allowed from home, events, farmers markets, and retail stores. Mail order prohibited. Catering prohibited. Wholesale may not be conducted under residential kitchen permit.
MAX EMPLOYEES IN HOME	unknown

Relevant county code

105 CMR 590.009(D); local Board of Health regulations

RESEARCH NOTES

Essex County MA has no county-level government. Each of 34 municipalities administers its own residential kitchen permit program. Notable cities include Salem (historic, tourist-heavy), Lawrence, Lynn, and Haverhill. The county_seat field in input is blank — Salem is typically considered the shire town. Confidence medium: no specific county government URL and municipality-level rules not individually verified.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 79 · FIPS 25025 · Boston

Suffolk County

Population 785,443 · State baseline: 105 CMR 590.009(D) (Massachusetts Residential Kitchen Permit)

· MEDIUM

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Suffolk County includes the City of Boston and three other cities (Chelsea, Revere, Winthrop). Each administers its own Board of Health. Boston previously did not allow residential kitchens but has since created ordinances permitting them. Kitchen inspection required before permit issuance.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Pets excluded from food preparation areas per Board of Health requirements
WATER SUPPLY	Potable water; municipal supply standard in Boston
HANDWASHING	Required as part of kitchen inspection compliance
FOOD STORAGE	Standard food storage per residential kitchen permit

Inspection & permitting

INSPECTION REQUIRED	yes — Initial kitchen inspection required. Boston Inspectional Services Department administers food establishment permits.
HOME OCCUPATION PERMIT	varies by city — City of Boston: Inspectional Services Department (617-635-5300) handles residential kitchen permits. Boston also has Home Occupation provisions in its Zoning Code (Article 2 definitions, Article 6 residential use). Chelsea, Revere, and Winthrop have separate Board of Health processes. County_govt_url in input is boston.gov (Boston is the dominant entity).
LOCAL BUSINESS LICENSE	yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Sales from home, events, farmers markets, and retail stores permitted. Mail order prohibited. Catering prohibited under residential kitchen permit.
MAX EMPLOYEES IN HOME	unknown

Relevant county code

105 CMR 590.009(D); City of Boston Zoning Code and ISD regulations

RESEARCH NOTES

Suffolk County is dominated by the City of Boston. Massachusetts residential kitchen model requires initial kitchen inspection. Boston previously did not allow residential kitchens but changed that policy. The county_seat field is blank in input data — Boston is the shire town. Chelsea, Revere, and Winthrop are separate cities within the county. No county-level government with permit authority in Massachusetts.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.boston.gov/departments/inspectional-services>

<https://www.boston.gov/departments/inspectional-services>

<https://www.boston.gov>

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 89 · FIPS 25021 · Dedham

Norfolk County

Population 722,112 · State baseline: 105 CMR 590.009(D) (Massachusetts Residential Kitchen Permit)

· MEDIUM

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Each of Norfolk County's 28 municipalities administers its own Board of Health residential kitchen permit. Kitchen inspection required. No statewide sales cap. Food safety training recommended; some local Boards require it.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Pets typically excluded from food preparation areas
WATER SUPPLY	Potable water; well users may face additional testing
HANDWASHING	Required as part of kitchen inspection
FOOD STORAGE	Standard food storage per residential kitchen permit

Inspection & permitting

INSPECTION REQUIRED	yes — Initial kitchen inspection required. Subsequent inspections at Board of Health discretion.
HOME OCCUPATION PERMIT	varies by city — Each of Norfolk County's 28 municipalities (Dedham, Quincy, Braintree, Brookline, Milton, Needham, Wellesley, etc.) has its own Board of Health and zoning code. Contact the specific city/town Board of Health for permit details. No county-level government with permit authority in Massachusetts.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Sales from home, events, farmers markets, and retail stores permitted. Mail order prohibited. Catering prohibited.
MAX EMPLOYEES IN HOME	unknown

Relevant county code

105 CMR 590.009(D); local Board of Health regulations

RESEARCH NOTES

Norfolk County has no county-level government with land use authority. Each of 28 municipalities administers its own residential kitchen permit. Notable cities include Quincy, Brookline, Braintree, Needham, and Wellesley. The norfolkcounty.org website is primarily for the Registry of Deeds and courts, not for planning or health permits.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.norfolkcounty.org>

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 116 • FIPS 25005 • Taunton

Bristol County

Population 576,699 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Residential kitchen permit required from local board of health. Kitchen inspection required before operation. Only non-TCS foods allowed. Production limited to residential kitchen. Permit is specific to the local board of health jurisdiction.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state cottage food pet restriction, but kitchen must pass health inspection for sanitation
WATER SUPPLY	Municipal or private supply; inspected as part of home kitchen inspection
HANDWASHING	Required per kitchen inspection standards
FOOD STORAGE	Standard home kitchen storage for approved non-TCS foods

Inspection & permitting

INSPECTION REQUIRED	yes — Inspection required before permit issued by local board of health. Ongoing inspections possible.
HOME OCCUPATION PERMIT	varies by city — Massachusetts has no unified county government for Bristol County. Each municipality (Taunton, Fall River, New Bedford, Attleboro, etc.) has its own local board of health that issues residential kitchen permits and its own zoning bylaws. Home occupation permit requirements vary by municipality. Massachusetts cottage food operates via local permitting not state registration.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Sales directly to consumers, at farmers markets (with additional permit from local board of health), online sales within and outside Massachusetts. No annual sales cap. Retail sales to stores permitted in some cases.
MAX EMPLOYEES IN HOME	Not specified at state level

Relevant county code

105 CMR 590.009(D) (Massachusetts State Sanitary Code). Each municipality has its own home occupation zoning bylaws.

RESEARCH NOTES

Massachusetts (Okay tier) requires a residential kitchen permit from the local board of health per 105 CMR 590.009(D). Bristol County has no county government; permitting is entirely at municipal level. No annual sales cap. No state-level preemption of local zoning. Each of Bristol County's 20 municipalities has its own board of health and zoning bylaws. Confidence medium: state law framework confirmed; specific Bristol County municipality requirements not retrieved.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

<https://ij.org/issues/economic-liberty/homemade-food-seller/massachusetts/>

RANK 131 · FIPS 25023 · Plymouth

Plymouth County

Population 529,548 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Residential kitchen permit required from local board of health. Kitchen inspection required before operation. Only non-TCS foods allowed. Production limited to residential kitchen.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No specific state cottage food pet restriction, but kitchen must pass health inspection for sanitation
WATER SUPPLY	Municipal or private supply; inspected as part of home kitchen inspection
HANDWASHING	Required per kitchen inspection standards
FOOD STORAGE	Standard home kitchen storage for approved non-TCS foods

Inspection & permitting

INSPECTION REQUIRED yes — Inspection required before permit issued by local board of health

HOME OCCUPATION PERMIT varies by city — Massachusetts has no unified county government for Plymouth County. Each municipality has its own local board of health and zoning bylaws. Plymouth County includes towns such as Plymouth, Brockton, Quincy (partially), Marshfield, etc. Home occupation permit requirements vary by municipality.

LOCAL BUSINESS LICENSE varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP yes

ON-SITE SIGNAGE conditional

DELIVERY / PICKUP RULES Sales directly to consumers, farmers markets (additional permit from local board of health), online sales within and outside Massachusetts. No annual sales cap.

MAX EMPLOYEES IN HOME Not specified at state level

Relevant county code

105 CMR 590.009(D). Each municipality has its own home occupation zoning bylaws.

RESEARCH NOTES

Same Massachusetts state baseline as Bristol County. Plymouth County has no county government; permitting is entirely at municipal level. 27 municipalities. No annual sales cap. No state preemption of local zoning. Confidence medium: state law framework confirmed; specific Plymouth County municipality requirements not retrieved.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

<https://ij.org/issues/economic-liberty/homemade-food-seller/massachusetts/>

RANK 151 • FIPS 25013 • Springfield

Hampden County

Population 464,575 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	conditional — Massachusetts requires a Retail Residential Kitchen permit issued by the local Board of Health under 105 CMR 590. The kitchen must be inspected before the permit is issued. Only non-potentially-hazardous (non-TCS) foods allowed (baked goods, jams, jellies, confections, dry goods). No mail order. No catering. No wholesale under retail permit. Hampden County has local-control structure; each town Board of Health (Springfield, Chicopee, Holyoke, Westfield, etc.) administers permits and may impose additional requirements including food safety training.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Pets should not be present during food production; standard food safety GMP applies.
WATER SUPPLY	Permit applicants on private well or septic may face additional testing requirements per local Board of Health.
HANDWASHING	Handwashing facilities required per 105 CMR 590 food code standards.
FOOD STORAGE	Non-TCS shelf-stable storage required. No refrigerated finished products permitted under retail residential kitchen permit.

Inspection & permitting

INSPECTION REQUIRED	yes — Initial inspection required before permit issued; local Board of Health may re-inspect periodically.
HOME OCCUPATION PERMIT	yes — Retail Residential Kitchen permit required from local town/city Board of Health. Massachusetts also requires a home occupation permit per MGL c.40A for home-based businesses in residential zones. Hampden County unincorporated areas require home occupation permit from municipality. No external evidence of business; no on-site employees beyond family; no customer traffic increase.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	conditional
ON-SITE SIGNAGE	no
DELIVERY / PICKUP RULES	Direct-to-consumer sales permitted at farmers markets, events, and from home with permit. Mail order prohibited.
MAX EMPLOYEES IN HOME	Family members only; no outside employees under residential kitchen permit.

Relevant county code

MGL c.40A (MA Zoning Act); 105 CMR 590.009(D) (state food code for residential kitchens). Each municipality in Hampden County has own zoning bylaw.

RESEARCH NOTES

Massachusetts uses a residential kitchen model: each town Board of Health issues retail permits under 105 CMR 590.009(D). Hampden County has no county-level food authority; Springfield, Chicopee, Holyoke, and Westfield have city-specific rules. Home occupation permit also required under MGL c. 40A for residential zone compliance. No sales cap statewide. Customer traffic at home restricted to normal residential levels. No external signage permitted per typical home occupation rules. Confidence medium: state baseline well-documented; county-specific municipal variation not fully researched.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-questions-and-answers>

<https://www.cityrulelookup.com/home-business/cottage-food/hampden-county-ma>

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 296 · FIPS 25001 · Barnstable

Barnstable County

Population 229,436 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Residential kitchen permit required from local Board of Health (each town administers separately). Annual kitchen inspection required before permit issued. Non-TCS foods only. Direct sales to end user only (no wholesale, no mail order, no out-of-state). Potable water testing required for private wells. Dedicated handwashing sink required or separate sink with protocol. Barnstable County has 15 distinct towns — each town's Board of Health administers its own permit.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Not specified in state regulation; kitchen must pass Board of Health inspection
WATER SUPPLY	Private well must be tested pre-permit and at least annually; public water supply bill as proof
HANDWASHING	Dedicated handwashing sink required or kitchen sink protocol; adequate handwashing required per state code
FOOD STORAGE	Non-TCS non-perishable foods only; baked goods, jams, jellies, dry goods, confections

Inspection & permitting

INSPECTION REQUIRED	yes — Annual kitchen inspection by local Board of Health required before permit issued; Board of Health may inspect at any time for compliance
HOME OCCUPATION PERMIT	conditional — Each Barnstable County town has its own Board of Health and zoning requirements. Residential kitchen permit (from town Board of Health) is required per 105 CMR 590.009(D). This is separate from any zoning home occupation permit. Some towns may require both. Local zoning varies by municipality.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
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ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct to end consumer only; no wholesale to stores/restaurants; no mail order; no out-of-state delivery (FDA does not recognize as approved source). Sales at farmers markets and events allowed with local Board of Health approval.
MAX EMPLOYEES IN HOME	Not specified in state regulation; local zoning may restrict

Relevant county code

105 CMR 590.009(D)(2)-(3); individual town Board of Health regulations

RESEARCH NOTES

Barnstable County MA (Cape Cod) uses Massachusetts' residential kitchen permit model under 105 CMR 590.009(D). Each of the 15 towns on Cape Cod has its own Board of Health administering permits — fees, specific requirements, and processing vary by town. Mass.gov Retail Food Code standards document confirmed requirements including water testing, handwashing sink, inspection. Annual permit fee typical around \$100-\$175. No Barnstable County-wide cottage food program — all county-level governed at town level. Confidence medium — state regulation confirmed but no Barnstable town-level .gov source retrieved.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.barnstablecounty.org>

<https://www.mass.gov/guidance/retail-food-code-standards-for-permitted-residential-kitchens>

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 435 · FIPS 25015 · —

Hampshire County

Population 153,931 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	conditional — Massachusetts uses a 'residential kitchen' model: home kitchens are treated as food establishments requiring a local Board of Health permit and kitchen inspection. No statewide sales cap. Each town's Board of Health administers permits and may impose additional requirements. Allowed non-PHF foods: baked goods (breads, cookies, cakes, cupcakes, macarons, donuts, muffins, pies), candies, confections, jams/jellies, dry goods, snacks. No mail order or catering. No wholesale.
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SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Pets typically excluded from kitchen during food production per Board of Health guidelines.
WATER SUPPLY	Private well or septic users may face additional testing requirements per local Board of Health.
HANDWASHING	Kitchen inspection by local Board of Health ensures adequate handwashing facilities.
FOOD STORAGE	Non-PHF foods only. No pickles, sauces, fermented foods, or items requiring variance.

Inspection & permitting

INSPECTION REQUIRED	yes — Kitchen inspection required by local Board of Health before permit issuance.
HOME OCCUPATION PERMIT	yes — Hampshire County has multiple municipalities (Northampton, Amherst, etc.) each with their own Board of Health rules. Residential Kitchen Permit required from local Board of Health in each municipality. Some cities previously did not allow residential kitchens. Permit fees and requirements vary by town.
LOCAL BUSINESS LICENSE	yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct sales and sales to retail stores allowed. No mail order or catering. Online sales limited. Each municipality's Board of Health rules govern.
MAX EMPLOYEES IN HOME	Not specified by state law; local rules apply.

Relevant county code

Individual municipal Board of Health regulations; 105 CMR 590.009(D)

RESEARCH NOTES

Verified-large county. Massachusetts has a distinctive local-control model. Hampshire County has no county-level health department — each municipality (Northampton, Amherst, Easthampton, etc.) runs its own Board of Health. County seat field blank in input. State baseline governs; local Board of Health permit and inspection required.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

<https://www.mass.gov/regulations/105-CMR-59000-state-sanitary-code-chapter-x>

RANK 496 · FIPS 25003 · —

Berkshire County

Population 128,763 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Massachusetts treats home kitchens as food establishments requiring a local Board of Health permit and kitchen inspection. No statewide sales cap. Local Board of Health administers permits and sets fees. Some towns require food safety training (ServSafe or equivalent). Mail order is prohibited; catering is prohibited. Wholesale operations may not be conducted under a residential kitchen permit.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Not explicitly prohibited by state regulation; individual town Boards of Health may impose additional requirements.
WATER SUPPLY	Potable water required; private well or septic users face additional testing requirements per some local Boards of Health.
HANDWASHING	Required; inspected during kitchen inspection.
FOOD STORAGE	Non-potentially hazardous foods not requiring refrigeration. Stored in food-safe containers.

Inspection & permitting

INSPECTION REQUIRED	yes — Home kitchen inspection required by local Board of Health before permit issued.
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HOME OCCUPATION PERMIT yes — In Massachusetts, the residential kitchen permit IS the local Board of Health permit; no separate home occupation permit from planning typically required for cottage food. However, Berkshire County municipalities (Pittsfield, North Adams, Great Barrington, Lenox, Stockbridge, etc.) each administer their own residential kitchen permits through their local Board of Health. Each town sets its own fees and may impose additional requirements. County seat field is blank in input data (Berkshire County has no county seat in the traditional sense; Pittsfield is the county seat).

LOCAL BUSINESS LICENSE yes

Customer-facing rules

ON-SITE CUSTOMER PICKUP yes

ON-SITE SIGNAGE conditional

DELIVERY / PICKUP RULES Direct sales permitted from home, farmers markets, and retail. Online sales allowed but no mail order. Catering is prohibited. All sales within Massachusetts.

MAX EMPLOYEES IN HOME Not specified at state level.

Relevant county code

105 CMR 590.009(D); individual Berkshire County town Board of Health regulations.

RESEARCH NOTES

State baseline (MA) confirmed: 105 CMR 590.009(D), local Board of Health permit and inspection required. Berkshire County is in western Massachusetts (Pittsfield, Lenox, Stockbridge). County seat field blank in input data — Pittsfield is typically noted as the county seat. Each municipality in Berkshire County administers permits independently through their Board of Health. No county-level government equivalent in MA. No county-specific URLs provided or found. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

<https://www.mass.gov/regulations/105-CMR-59000-state-sanitary-code-chapter-x>

Franklin County

Population 70,980 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	conditional — Residential kitchen permit required from local board of health. Kitchen must be inspected and permitted annually. Only non-PHF foods allowed. No mail order, catering, or wholesale. Pickles, sauces, fermented foods require variance. No THC products.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	No pets allowed in kitchen during production (standard health code requirement)
WATER SUPPLY	Approved potable water source
HANDWASHING	Dedicated handwashing sink with soap and single-use towels required
FOOD STORAGE	Proper food storage; no cross-contamination; sealed containers

Inspection & permitting

INSPECTION REQUIRED	yes — Annual inspection required for residential kitchen permit renewal
HOME OCCUPATION PERMIT	yes — Massachusetts residential kitchen operations are regulated by local boards of health. In Franklin County, each town has its own board of health that issues permits. No county-wide permit; each municipality administers separately.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct sales only; no mail order or internet sales (MA prohibits mail order under residential kitchen permit)
MAX EMPLOYEES IN HOME	Not specified at county level

Relevant county code

105 CMR 590.009(D); local board of health regulations

RESEARCH NOTES

Massachusetts is an Okay-tier state with annual kitchen inspection required. Franklin County has no county government; towns have their own boards of health. No county-level cottage food coordination. Each municipality issues its own residential kitchen permit. No county seat listed. Pattern county.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-permit-information>

RANK 9999 · FIPS 25007 · Edgartown

Dukes County

Population 0 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Residential Kitchen permit required from local Board of Health (town-level in MA). Kitchen inspection required before permit is issued. Only non-potentially hazardous foods (shelf-stable) allowed. Retail Residential Kitchen (direct-to-consumer) permitted locally; Wholesale Residential Kitchen licensed by MA DPH. No state sales cap.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Local Board of Health standards apply; typically animals must be excluded from food prep areas during production.
WATER SUPPLY	Potable water required per local Board of Health standards.
HANDWASHING	Required per Massachusetts food safety standards and local Board of Health.
FOOD STORAGE	Shelf-stable products only. Foods requiring refrigeration or temperature control are not permitted under Residential Kitchen framework.

Inspection & permitting

INSPECTION REQUIRED	yes — Pre-operational inspection required by local Board of Health before permit issuance. Subsequent inspections at BOH discretion.
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HOME OCCUPATION PERMIT	varies — Dukes County encompasses Martha's Vineyard towns (Edgartown, Oak Bluffs, Tisbury, West Tisbury, Chilmark, Aquinnah). Each town's Board of Health administers Residential Kitchen permits independently. Some municipalities may also require a home occupation permit or business certificate from the town clerk. Requirements vary by town.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional
DELIVERY / PICKUP RULES	Direct sales only under Retail Residential Kitchen framework. Sales at farmers markets, events, online (direct-to-consumer), and personal delivery. Wholesale to stores requires state DPH Wholesale Residential Kitchen license.
MAX EMPLOYEES IN HOME	Typically limited to permit holder and household members; outside employees generally not allowed under Residential Kitchen framework.

Relevant county code

105 CMR 590.009(D) (state); local town Board of Health regulations vary by municipality.

RESEARCH NOTES

Massachusetts state baseline applied: 105 CMR 590.009(D) Residential Kitchen framework. Dukes County (Martha's Vineyard) is governed by individual town Boards of Health. No county-level cottage food administration exists; each of the six Vineyard towns (Edgartown, Oak Bluffs, Tisbury, West Tisbury, Chilmark, Aquinnah) runs its own permitting program. No Dukes County-specific rules beyond state framework identified. Island geography may create logistical differences in inspection scheduling. Food safety training not uniformly required at state level but may be required locally. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-questions-and-answers>

https://health.maryland.gov/phpa/OEHFP/OFPCHS/Documents/Updated_CF_Guidelines_2025.pdf

Nantucket County

Population 0 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

Home kitchen rules

HOME KITCHEN ALLOWED	yes — Residential Kitchen permit required from local Board of Health. Kitchen inspection required before permit issuance. Only non-potentially hazardous foods (shelf-stable) allowed. Nantucket is a consolidated town-county; the Nantucket Board of Health administers permits. No state sales cap.
SEPARATE DEDICATED KITCHEN	no
PET RESTRICTIONS	Local Board of Health standards apply; typically animals must be excluded from food prep areas during production.
WATER SUPPLY	Potable water required per local Board of Health standards.
HANDWASHING	Required per Massachusetts food safety standards and local Board of Health.
FOOD STORAGE	Shelf-stable products only. Foods requiring refrigeration or temperature control are not permitted under Residential Kitchen framework.

Inspection & permitting

INSPECTION REQUIRED	yes — Pre-operational inspection required by Nantucket Board of Health before permit issuance.
HOME OCCUPATION PERMIT	varies — Nantucket County is a consolidated county-town (the only one in Massachusetts). The Nantucket Board of Health administers all Residential Kitchen permits. A home occupation permit or business certificate from the town may also be required. Island logistics (ferry access) may affect inspection scheduling timelines.
LOCAL BUSINESS LICENSE	varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	yes
ON-SITE SIGNAGE	conditional

- DELIVERY / PICKUP RULES** Direct sales only under Retail Residential Kitchen framework. Sales at farmers markets, events, online (direct-to-consumer), and personal delivery. Wholesale to stores requires state DPH Wholesale Residential Kitchen license.
- MAX EMPLOYEES IN HOME** Typically limited to permit holder and household members; outside employees generally not allowed under Residential Kitchen framework.

Relevant county code

105 CMR 590.009(D) (state); Nantucket Board of Health regulations.

RESEARCH NOTES

Massachusetts state baseline applied: 105 CMR 590.009(D). Nantucket County is unique in Massachusetts as a consolidated county-town — the county and town of Nantucket are coterminous. The Nantucket Board of Health administers Residential Kitchen permits. Island geography means inspection logistics differ from mainland counties. Seasonal population fluctuations may affect enforcement patterns. No Nantucket-specific cottage food rules beyond state framework identified. Confidence medium.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.mass.gov/info-details/residential-kitchen-questions-and-answers>

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