



City of Westfield, Massachusetts

Health Department

59 Court St, Westfield, MA 01085

Phone: (413) 572-6210 Fax: (413) 572-6279



Public Health
Prevent. Promote. Protect.

Westfield Health Department

Pre-Operational Inspection Checklist: Mobile Trucks & Carts

Sinks/Warewashing

- Handwash sinks provided & conveniently located
- "Employees must wash hands" sign provided at all handwash sinks
- Liquid soap, paper towels, and a trash barrel provided at handwash sinks
- Water temperature at handwash sink at least 100 degrees Fahrenheit
- 3-bay sink provided with bays large enough to submerge the largest equipment and utensils
- Drainboards, utensil racks, or tables large enough to accommodate all soiled and cleaned items that may accumulate during hours of operation
- Size of water supply tank: _____
- Size of water retention tank: _____ (required to be 15% larger than water tank)
- Sanitizer provided (chlorine-bleach or quaternary ammonium compounds)
- Sanitizer testing strips available
- Location where waste water will be exposed: _____

Physical Facility

- Diagram or list of all facilities in the food truck
- Indoor floor, wall, and ceiling surfaces are:
 - Smooth, durable, and easily cleanable
 - Non-absorbent for areas subject to moisture (food prep areas, warewashing areas, and areas subject to flushing or spray-cleaning methods)
 - In good repair (i.e. no cracks, peeling up floor tiles, stained ceiling tiles, missing floor tiles, etc.)
- Light bulbs shielded, coated, or otherwise shatter resistant
- Thermometers in all refrigerators and freezers
- Dry storage areas are clean, dry, protected from splash, dust, or other contamination
- Food is stored at least 6" above the floor
- Poisonous/toxic materials are labeled and stored so they cannot contaminate food, equipment, utensils, and linens

General

- Base of Operation: _____
- Sample Menu
- Probe thermometer available
- Gloves available
- Unit is clean to sight and touch and free of grease, dust, and/or dirt build up
- Refrigerators able to maintain foods below 41 degrees F
- Freezers able to maintain foods at or below 0 degrees F
- Equipment available for hot holding, if applicable
- Unit is identified with business name and phone number on exterior sides
- Unit is constructed and arranged so food, beverage, and utensils are not exposed to insects, dust, or other contaminants



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Required Certificates/Posters/Regulations/Documents

- Submit Completed Application and Check for \$60.00 to the Westfield Health Department. Check made out to: City of Westfield.
- Food Protection Manager and Allergen Awareness certificates, permit & consumer rights to request most recent inspection posted in a conspicuous place for the public
- A clear and conspicuous notice on the printed menu or menu board stating: “Before placing your order, please inform your server if a person in your party has a food allergy” and “Latest Inspection Report available upon request”
- If applicable, a clear and conspicuous notice on the printed menu and/or menu board stating: “Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.”
- Signed copies of Employee Health Care Policy for every active food employee.
- Westfield Fire Department Permit Number & Expiration Date (if applicable- propane & fire suppression systems): _____
- Local and MA Hawker & Peddler’s License Number & Expiration Date _____
- Reviewed, understand and comply with Westfield Board of Health Regulations: Polystyrene Regulations, as well as 105 CMR 590.00 and the 2013 Federal Food Code. Copies of these regulations can be obtained by request in the Health Department or on our website.
- Reviewed, understand and comply with Westfield City Ordinance Article XIII: Mobile Food Vendors.

For more Information:

- <https://www.mass.gov/info-details/mobile-food-establishment-questions-and-answers>
- <https://www.mass.gov/guidance/retail-food-code-standards-for-mobile-food-establishments>
- https://library.municode.com/ma/westfield/codes/code_of_ordinances?nodeid=PTIICOOR_CH9_LIPEMIBURE_ARTXIIIIMOFQVE
- <https://www.cityofwestfield.org/708/Application-Fee-Schedule>
- Westfield Health Department - 413.572.6210
- License Division of City Clerk’s Office – 413.572.6202
- The Fire Department issues a license for Mobile Food Establishments to ensure compliance with Fire Code (Westfield Fire Department – 413.572.6303)
- Local Hawker & Peddler License issued through the Westfield Police Department – 413.572.5411
- For any new location a mobile food establishment plans to operate a zoning determination should be filed in the building department prior to operating in that location (Westfield Building Department – 413.572.6251)

Class 2 Mobile Food Permit does not constitute permission to operate on any City or Private Property. Operator is responsible to ensure that they have the proper permission to operate in any given location.



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APPLICATION FOR FOOD SERVICE ESTABLISHMENT

PAYABLE BY CHECK OR CASH (IN PERSON)

PLEASE PRINT CLEARLY

DATE: _____ EMAIL: _____

ESTABLISHMENT NAME: _____

ADDRESS: _____ Telephone: _____

MAILING ADDRESS: _____

OWNER'S NAME: _____ OWNER'S TELEPHONE: _____

If Corporation/partnership, give name, title, telephone number, and home address of officers or partners:

Person Directly Responsible for Daily Operations (Owner, Person In Charge, Manager, etc.): _____

Days and Hours of Operation: _____

Food Establishment Class:

CLASS 1 **\$150** **CLASS 2** **\$60**

Food Service Establishment

OF SEATS _____

(>25 SEATS) # TRAINED IN CHOKE-SAVER _____

Mobile Food Establishment

Base of Operation: _____

Catering License

CLASS 3 **\$100**

Residential Kitchen

Limited Food Preparation¹

Non-TCS Food - Retail²

CLASS 4

Farmer's Market Stand (no charge)

Provide a brief description of the establishments' scope of operation:

¹Limited Food Preparation: preparation of non-TCS food or preparation of food in conjunction with a single event lasting no more than 24 hours by organizations such as, but not limited to, private clubs, churches, and non-profit organizations.

²TCS: a food that required time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.



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APPLICATION FOR FOOD SERVICE ESTABLISHMENT

There must be at least one employee on premises at all time with certifications. When a Certified Food Safety Manager is not on premises a Person In Charge must be designated who has been trained on food safety by Certified Food Safety Manager. Allergen Awareness Certification is also required.

Name of Certified Food Safety Manager(s):

Name: _____ Certificate #: _____ Expiration: _____
Name: _____ Certificate #: _____ Expiration: _____
Name: _____ Certificate #: _____ Expiration: _____

NOTE: Any false statement made by the Applicant knowing of its falsity or made without taking reasonable steps to determine its truths, or any incomplete or illegible information shall be cause or grounds for refusing to grant the license or permit, or for suspending, canceling or revoking a license or permit already properly granted.

Initials

- _____ I hereby certify that I have reviewed and will comply with the following: Westfield Board of Health Regulations: Anti-Choking Regulations, Pest Control Regulations, Polystyrene Regulations, FOG (Fats, Oils & Grease) Regulations, as well as 105 CMR 590.00 and the 2013 Federal Food Code. Copies of these regulations can be obtained by request in the Health Department or on our website.
- _____ I will notify the Health Department of any construction, renovation, or modification related to the food service operation prior to the beginning of the project. I am aware that the Board of Health may require a plan review depending on the scope of construction. I will notify the Board of Health to request inspection before re-opening the establishment.
- _____ I affirm that the food establishment operation will comply with 105 CMR 590.00, FDA Food Code and all other applicable laws.
- _____ I do hereby certify, under the pains and penalties or perjury that the information provided in this application is true and correct.

SIGNATURE OF INDIVIDUAL

NAME OF INDIVIDUAL COMPLETING APPLICATION: _____



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BASE OF OPERATION AGREEMENT

The operator of a Mobile Food establishment is required to have a base of operation; a licensed commissary/food establishment. Residential kitchens will not be approved. The base of operation is an essential part of a mobile food operation and must have facilities for supply storage, potable water, equipment cleaning and sanitizing, food preparation, refuse, water and grease disposal and other servicing activities.

Base of Operation Information:

Name of Business: _____

Address: _____ City: _____ Zip: _____

Contact Person: _____ Phone: _____

Title: _____ Email: _____

Business Hours of Operation: _____

**** Attach a copy of your current food establishment license ****

Mobile Unit/Vendor Information:

Name of Business: _____

Address: _____ City: _____ Zip: _____

Contact Person: _____ Phone: _____

Title: _____ Email: _____

Days/Time at Base of Operation: _____

Signatures:

Base of Operation Owner/Agent: _____

Mobile Vendor Owner/Agent: _____

This agreement between the owner of the Base of Operation and the owner/operator of the mobile food establishment signifies that both parties agree to the allowed use of the kitchen as specified. Note that this agreement is not transferable. Should there be a change in ownership of either the kitchen or mobile food unit, or should there be any modification or cancellation of this agreement between parties, then the Mobile Food Establishment Permit may be suspended.

Approved by Health Inspector: _____ Date: _____



Sec. 1-10.4 Form for ZONING PERMIT & ZONING DETERMINATION

- FOR BUILDING DEPARTMENT USE -

1 PROPERTY INFORMATION

STREET ADDRESS _____

ASSESSOR'S MAP _____ LOT _____

ZONING DISTRICT(S) _____ OVERLAY DISTRICTS:
[F] FLOODPLAIN [F] WATER RESOURCE

PREVIOUS SPECIAL PERMITS, SITE PLAN APPROVALS, FINDINGS OR VARIANCES ISSUED: _____

MUNIS # _____

PARCEL # _____

2 OWNER & APPLICANT INFORMATION

PROPERTY OWNER OF RECORD IS: [F] APPLICANT [F] OTHER PARTY: _____

APPLICANT _____

REPRESENTATIVE, if any _____

MAILING ADDRESS _____

PHONE _____ EMAIL _____

3 PROJECT & SITE DETAILS NOTE: Any omission of requested information may result in an INCOMPLETE determination

[F] No changes to building, site or lot Existing Proposed

LOT SIZE _____ SF _____ SF

FRONTAGE _____ FT _____ FT

FRONT LOT LINE _____ FT _____ FT

SIDE LINE (left/right) _____ FT / _____ FT _____ FT / _____ FT

REAR LOT LINE _____ FT _____ FT

BUILDING HEIGHT _____ FT _____ FT

TOTAL BLDG. FLOOR AREA _____ SF _____ SF

BLDG. COVERAGE (footprint) _____ SF / _____ % of lot _____ SF / _____ % of lot

IMPERVIOUS COVERAGE^1 _____ SF / _____ % of lot _____ SF / _____ % of lot

PARKING/LOADING SPACES _____ / _____ _____ / _____

SIGNS (size & type) _____ _____

WETLAND AREA _____ SF _____ SF

UTILITY SERVICES [F] CITY WATER [F] CITY SEWER [F] CITY WATER [F] CITY SEWER

- FOR BUILDING DEPT. REVIEW -

REQ'D EX. NON-CONF:
LOT SIZE [F]

FRONTAGE [F]

FRONT SB [F]

SIDE SB [F]

REAR SB [F]

BLDG HT [F]

FLOOR AREA LIMIT

LOT COVER [F]

IMPERVIOUS [F]

PARKING [F]

SIGNS [F]

NON-CONFORMING USE [F]

^1 Buildings, roofs, driveways, pavements (including gravel), etc. are regulated in the Water Resource Protection District

CURRENT USE OF THE PROPERTY _____

PROPOSED USE OF THE PROPERTY _____

PROJECT DESCRIPTION _____

I have attached additional narrative, plans or supporting materials (any oversize plans should also be included in an 8.5 x 11" format)

YES NO UNSURE Work is proposed in or within 100' of a wetland or 200' of a stream/river, or construction will occur within the Floodplain district. If so, CONSERVATION COMMISSION review is required.

YES NO UNSURE The project will disturb more than 40,000 square feet (1 acre) of land or is part of a larger project that will. If so, a STORMWATER MANAGEMENT PERMIT is required. *NOTE: Other site thresholds (building /impervious area, parking spaces, etc.) may trigger this permit requirement.*

Non-Residential and Multi-Family (3+) Residential projects only:

YES NO The project will increase at least one of the following by 25% or more: gross floor area, motor vehicle traffic at or to the site, number of parking spaces, number of tenants or employees.

4 CERTIFICATION

This determination is based only on the information provided, which I represent as accurate. The issuance of a Zoning Permit does not relieve the Applicant of the responsibility to obtain other zoning or non-zoning permits, as may be required, and this determination is based on the zoning in effect at the issue date and grants no protection from any pending or future zoning changes. Additional information may be requested and required to properly process this form. Any non-zoning related comments provided are cursory in nature; Applicants should follow-up with appropriate City Departments. Sec. 2-144 of the Code of Ordinances authorizes the denial of a license or permit where an outstanding debt or obligation to the City exists. By my signature, I acknowledge the foregoing statements:

SIGNATURE _____ DATE _____

APPLICANT APPLICANT'S REPRESENTATIVE

FILING INSTRUCTIONS: Deliver this form (no fee required) to the Building Department (413) 572-6251. For digital submissions, please confirm receipt. A complete application will be processed within 30 days. The applicant must pick-up, or arrange for the receipt of, this processed form.

⊗ ZONING PERMIT DETERMINATION		~ FOR BUILDING DEPARTMENT USE ONLY ~	
<input type="checkbox"/> APPROVED	<input type="checkbox"/> DENIED:	<input type="checkbox"/> The proposed use is not permitted in the subject zoning district <input type="checkbox"/> Only permissible with variance relief from the Zoning Board of Appeals	
<input type="checkbox"/> APPROVED PENDING ADDITIONAL APPROVAL:			
<u>Per Zoning Ordinance Section(s)</u>		<u>Approval Required</u>	<u>Permitting Authority</u>
_____	_____	<input type="checkbox"/> SPECIAL PERMIT(s)	<input type="checkbox"/> PLANNING BOARD
_____	_____	<input type="checkbox"/> SITE PLAN APPROVAL	<input type="checkbox"/> BOARD OF APPEALS
_____	_____		<input type="checkbox"/> CITY COUNCIL
_____	_____		
CITY BUILDING OFFICIAL _____		ISSUE DATE _____	

This determination may be appealable to the Zoning Board of Appeals under the provisions of MGL Ch. 40A Sec. 8.

MOBILE FOOD REGULATIONS

FC 5-303.13 Mobile Food Establishment Tank Inlet.

A mobile food establishment's water tank inlet shall be: (A) 19.1mm(three-fourths inch) in inner diameter or less; and (B) Provided with a hose connection of a size or type that will prevent its use for any other service.

FC 5-401.11 Capacity and Drainage.

A sewage holding tank in a mobile food establishment shall be: (A) Sized 15 percent larger in capacity than the water supply tank; and (B) Sloped to a drain that is 25mm(1 inch) in inner diameter or greater, equipped with a shut-off valve.

105 CMR 590.009(B) Mobile Food Operations

- (1) Mobile food operations shall comply with the requirements of the federal 2013 Food Code and other applicable provisions of 105CMR590.000 except as otherwise provided in 105CMR590.009(B). The board of health may impose additional requirements and restrictions to protect against health hazards related to the conduct of mobile food operation and may prohibit the sale of some or all potentially hazardous foods.
- (2) Mobile food operations not equipped with an adequate water and waste system to facilitate hand-washing and the cleaning and sanitizing of utensils shall be limited to the preparation and service of frankfurters and non-potentially hazardous foods and to the sale of pre-packaged food prepared at a food processing establishment licensed in accordance with 105CMR500.000, except that pre-packaged food may be prepared by the mobile food operator at a licensed food establishment for which he or she holds a permit in accordance with 105CMR590.000.
- (3) Mobile food operations equipped with an adequate water and waste system to facilitate hand-washing and the cleaning and sanitizing of utensils may prepare potentially hazardous foods requiring limited preparation for immediate service, provided that any advanced food preparation, if necessary, is conducted by the mobile operator in a licensed food establishment.
- (4) Mobile food operations shall provide only single-service articles for use by the consumer.
- (5) Condiments, cream and sugar shall be served only from a sanitary dispenser or in individually wrapped servings.
- (6) Mechanical refrigeration or insulated containers with ice or gel packs must be used to maintain product temperature for pre-packaged, ready-to-eat foods which are required to be held at 41°F (5°C) or below. The storage of packaged food in contact with water or undrained ice is prohibited. Wrapped ready-to-eat foods such as sandwiches shall not be stored in direct contact with ice. All mobile food operations selling or distributing ready-to-eat TCS's must be equipped with mechanical refrigeration that can maintain TCS's at 41°F (5°C) or below.
- (7) Bulk food shall not be used unless purchased from an approved source. Bulk TCS's, with the exception of frozen desserts, must be sold or served on the same day as purchased. All hot food shall be discarded if not used or sold by the end of the day.
- (8) A convenient hand-washing facility must be available on site for employee handwashing whenever handling unpackaged foods. This facility shall consist of at least sufficient warm running water, soap and individual paper towels. The board of health may approve chemically treated towelettes in lieu of handwashing facilities if only frankfurters, non-potentially hazardous foods and non-perishable foods are served and there is no bare-hand contact. Chemically treated towelettes must be made available for use by customers in self-service operations.
- (9) A sign shall be provided at consumer self-service operations, which states that the use of bare hands by consumers for self-service is prohibited by state law.
- (10) Equipment. (a) Equipment shall be located and installed in a way that prevents food contamination and that also facilitates cleaning the equipment and establishment. (b) Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Effective shields for such equipment shall be provided, as necessary, to prevent contamination. Mobile food operations, which cook or reheat unpackaged food for hot holding shall be fully enclosed unless equipped with air curtains to prevent the contamination of food and food contact surfaces with environmental contaminants. (c) Ware-washing facilities, when required, shall be available in accordance with the food code for cleaning in-use utensils and food contact surfaces.
- (11) Operators of mobile food operations shall obtain the use of adequate and suitable toilet facilities where handwashing facilities are available.
- (12) Mobile food operations shall operate from a fixed, licensed food establishment or food processing plant and shall report at least daily to such locations for all food, water and supplies and for all cleaning and servicing operations. Mobile food operators shall retain the list of ingredients and the receipt for all bulk foods, which must indicate the name of the food item, the date purchased and the name of the approved food source licensed in accordance with 105CMR500.000.
- (13) Servicing areas shall be provided with overhead protection except that areas used only for the loading of water, packaged food or the discharge of sewage and other liquid waste, through the use of a closed system of hoses, need not be provided with overhead protection.
- (14) Mobile food operations shall have identification, *i.e.*, person's name and/or business name, city and telephone number in letters not smaller than 3 inches, on the left and right door panels of the vehicle, trailer or pushcart.

ARTICLE XIII. - MOBILE FOOD VENDORS

Sec. 9-495. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board. City of Westfield Board of Health.

Mobile food vendor. Any mobile operation that stores, prepares, packages, serves, sells or otherwise provides for human consumption any prepared or packaged food or beverages from a truck or a cart. This definition does not include "ice cream truck" as defined and permitted under M.G.L.A. c. 270, § 25.

(Ord. No. 1630, 5-21-15)

Sec. 9-496. - Mobile food vendor license required.

- (a) No person or business entity shall operate as a mobile food vendor in any public, private or restricted space without obtaining a license from the board. Said license shall be conspicuously posted in a place that is visible to all customers.
- (b) The applicant must complete an application form and pay an application fee of \$60.00 in the business license office. All applicants will need a state hawker/peddler license and a City of Westfield hawker/peddler license.
- (c) In the event either the state hawker/peddler license or the City of Westfield hawker/peddler license is revoked, the mobile food vendor license shall automatically become void. Failure to notify the board within ten days that such license has been revoked shall constitute a violation of this article.

(Ord. No. 1630, 5-21-15)

Sec. 9-497. - Renewal.

Every mobile food vendor license may be renewed annually upon payment of the fee, provided that the mobile food licensee is in compliance with the applicable requirements of this article.

(Ord. No. 1630, 5-21-15)

Sec. 9-498. - Conditions of operation.

- (a) Unless otherwise specified, no mobile food vendor may operate between the hours of 10:00 p.m. and 6:00 a.m. on any public property.

- (b) Mobile food vendors shall not be allowed to remain in one location for more than eight hours on any given calendar day.
- (c) The mobile food licensee shall comply with all applicable rules, regulations and ordinances, including but not limited to the board of health regulations, traffic and parking regulations and the noise ordinance.
- (d) Mobile food vendor licenses are not transferable.
- (e) Permitting of mobile food vendors does not supersede approvals required for special events on public property or within the public right of way.

(Ord. No. 1630, 5-21-15)

Sec. 9-499. - Enforcement.

- (a) Any mobile food vendor operating in violation of any provision within this section or any other rules and regulations promulgated by the board may be subject to a fine of \$100.00 per day, enforced by noncriminal disposition under M.G.L.A. c. 40, § 21D. The board or their designee, the police department, fire department or superintendent of buildings may enforce any provision of this article. Each day of violation shall constitute a separate offense.
- (b) The board may revoke, suspend or modify a mobile food vendor license after reasonable notice to the licensee of the grounds for the proposed revocations, suspension or modification and the time and place of the hearing regarding such proposed action.

(Ord. No. 1630, 5-21-15)

Secs. 9-500—9-519. - Reserved.



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Regulation of the Westfield Board of Health Restricting the use of Polystyrene Disposable Food Containers in Food Establishments

A. Statement of Purpose:

Whereas, styrene is a synthetic compound often used to make rubber, plastic, insulation, fiberglass, pipes, automobile parts, carpet backing and disposable food containers.¹

Whereas, published in the National Toxicology Program's 12th Report on Carcinogens (2011), styrene, a key ingredient in polystyrene and expanded polystyrene is reasonably anticipated to be a human carcinogen.²

Whereas, styrene exposure can occur through smoking, inhalation of indoor air, and ingestion of food.²

Whereas, styrene seeps out of polystyrene containers and into warm food and drink, causing a recommendation against microwaving polystyrene food containers.³

Whereas, in a study concerning the migration of styrene in polystyrene cups to hot drinks, it was determined that the concentration of styrene monomer found in the drinks was above the Environmental Protection Agency recommended levels, including the Maximum Contaminant Level Goal (MCLG) standard.⁶

Whereas, the amount of styrene monomer migration from polystyrene into hot drinks was dependent on the temperature and fat content of the drinks.⁶

Whereas, exposure to styrene vapor can cause irritations of the eyes, nose, throat, and skin, as well as toxic effects on the liver, and can act as a depressant on the central nervous system that also causes neurological impairment.⁶

Whereas, potential effects of styrene exposure during its production can cause eye and mucosal irritations and gastrointestinal issues. Possible effects on the central nervous system include headache, weakness, fatigue, depression, general dysfunction hearing loss and peripheral neuropathy.⁴

Whereas, workers with high exposure to styrene showed increased cancer of the lymph hematopoietic system and possibly related mortality, as well as increased levels of DNA adducts and genetic damage to lymphocytes.²

Whereas, occupational studies concerning styrene have shown risks for workers for lymph hematopoietic cancers, such as leukemia and lymphoma, and genetic damage in the white blood cells, or lymphocytes, as well as increased risks for pancreatic and esophageal cancers.²

Whereas styrene has caused lung tumors in mice.²

Whereas, benzene a component of polystyrene is a known carcinogen and enters the body through the respiratory system and skin contact.³

City of Westfield, Massachusetts

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Whereas, polystyrene is a harm to the environment. It makes up a considerable amount of debris in cities, and is harmful to the marine wildlife that it often arrives in.³

Whereas, the environmental impacts of polystyrene rank second behind aluminum for total environmental impacts especially in energy consumption and greenhouse gas effects.³

Whereas, over 80% of plastic pollution to the ocean comes from urban litter such as polystyrene.⁵

Whereas, less than 35% of fast food restaurants' waste does not end up in landfills.⁵

Whereas, polystyrene is not biodegradable and does not easily deteriorate in landfills, taking up more space than paper.³

Whereas, programs to recycle polystyrene are expensive, costing thousands of dollars per ton and litter clean-up costs billions.⁵

Whereas, polystyrene is not recycled because it is not economic to wash, degrease, transport, and store in order to recycle.³

Whereas, over 100 American, Canadian, European and Asian cities and towns have enacted a polystyrene ban.³

Therefore it is the intention of the Westfield Board of Health to prohibit the purchase, sale, distribution and use of any polystyrene disposable food container used to serve prepared food in a food establishment.

B. Authority:

This regulation is promulgated to the authority granted to the Westfield Board of Health by Massachusetts General Laws Chapter 111, Section 31 that "Boards of Health may make reasonable health regulations".

C. Definitions:

For the purpose of this regulation, the following words shall have the following meanings:

Disposable Food Container: Single use disposable containers used for the purpose of serving and transporting prepared and ready-to-consume food or beverages. This includes but is not limited to plates, cups, bowls, trays, and hinged or lidded containers. This does not include single-use packaging for unprepared food, nor single-use items such as disposable straws, cup lids, or utensils.

Expanded Polystyrene (EPS): Polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid form.

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Food Establishment: An operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a food establishment for purposes of this Board of Health regulation.

Polystyrene: Can also be referred to as "Styrofoam", a trademarked brand owned by the Dow Chemical Company. A type of expanded polystyrene, a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene). Polystyrene also refers to clear or solid polystyrene, also known as "oriented polystyrene".

Prepared Food: Food and beverage prepared on the food provider's premises for consumption using any food preparation or cooking technique. This does not include unprepared food such as uncooked raw meat, fish or eggs unless provided for consumption without further food preparation.

Styrene: A colorless, flammable liquid, characterized with a sweet odor and high volatility. This industrial chemical is used to make polystyrene.

D. Prohibition:

No food establishment shall use disposable food containers made from polystyrene or expanded polystyrene to provide prepared food to customers. No person shall purchase, offer for purchase, sell, give away, or distribute any polystyrene disposable food container from a food establishment.

E. Violations:

It shall be the responsibility of the establishment, food establishment permit holder and/or his or her business agent to ensure compliance with this regulation pertaining to the prohibition of his or her distribution of polystyrene disposable food containers in their establishment. The violator shall receive:

- a. In the case of the first violation, a fine of one hundred dollars (\$100.00).
- b. In the case of a second violation within 36 months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the food establishment permit shall be suspended for seven (7) consecutive business days.
- c. In the case of three or more violations within a 36 month period, a fine of three hundred dollars (\$300.00) and the food establishment permit shall be suspended for thirty (30) consecutive business days.

City of Westfield, Massachusetts

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F. Non-Criminal Disposition:

Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D or by filing a criminal complaint at the appropriate venue.

Each day any violation exists shall be deemed to be a separate offense.

G. Enforcement:

Enforcement of this regulation shall be by the Westfield Board of Health or its designated agent(s)

Any person who desires to register a complaint pursuant to the regulation may do so by contacting the Westfield Board of Health or its designated agent(s) and the Board shall investigate.

H. Severability:

If any provision of this regulation is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

I. Effective Date:

This regulation shall take effect on: September 1, 2016

Date of Board of Health Vote: January 13, 2016

Board of Health Members: Juanita Carnes, FNP- BC Chairperson
Michael Paquette, Pharm.D. Member
Teresa Mitchell, M.D. Member

Director of Public Health: Joseph Rouse

¹ Agency for Toxic Substances & Disease Registry, (2011), *Toxic Substances Portal* (Styrene). Retrieved from: <https://www.atsdr.cdc.gov/substances/toxsubstance.asp?toxid=74>.

² National Toxicology Program, (NTP) (2011), *12th Report on Carcinogens (RoC)* (Substance Profile (Styrene). Retrieved from: <https://www.ncbi.nlm.nih.gov/pubmed/21822324>.

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⁵ Californians Against Waste, (2014), *The Problem of Polystyrene*. Retrieved from: <https://www.cawrecycles.org/polystyrene-and-other-non-recyclable-plastics>.

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**Springfield Technical
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Workforce Development
Building 27, Second Floor
(413) 755-4300

workforcetraining@stcc.edu

Program Description

Our Workforce Development course provides a comprehensive training solution for food service professionals, offering ServSafe Food Handlers, Alcohol, and Managers Preparation courses. Equip yourself or team with essential skills and knowledge to excel in food safety and responsible service, ensuring compliance and enhancing the overall dining experience.

ServSafe Food Handlers Preparation Course

This 16-hour ServSafe Food Handlers course is designed to equip food service employees with essential knowledge and skills to ensure food safety and sanitation in the workplace. This course covers critical topics such as proper food handling, personal hygiene, temperature control, cross-contamination prevention, and cleaning protocols.

ServSafe Alcohol Preparation Course

Enhance your knowledge and skills with our 16-hour ServSafe Alcohol Training course, designed for anyone involved in the sale and service of alcohol in restaurants, bars, and other hospitality settings. This comprehensive program covers essential topics such as responsible alcohol service, recognizing signs of intoxication, understanding state and local laws, and implementing effective ID checks.

ServSafe Managers Preparation Course

Elevate your food safety expertise with our 32-hour ServSafe Managers Training course, designed for professionals with at least six months of experience in the hospitality industry. This in-depth program prepares managers and supervisors to implement effective food safety practices and lead their teams in maintaining high standards.

Prerequisites/Requirements

- Most employers favor applicants with a High School Diploma, G.E.D. or HiSET, especially if you are planning a career in this industry.
- ServeSafe Managers Preparation Course requires 6 months of experience within the hospitality industry.

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<https://alwaysfoodsafes.com/en/food-protection-manager/massachusetts>

<https://www.usher.com/us/programs>

https://www.360training.com/learn2serve?_gl=1*1ik2hg5*_up*MQ..*_gs*MQ..&gclid=Cj0KCQjw58PGBhCkARIsADbDilyDmF7uthgDMSoJidRx42dLwbM5COczJDeRbxJ0xi-IxgDwCrojr8aAt4hEALw_wcB

<https://www.servsafe.com/ServSafe-Manager>

<https://www.statefoodsafety.com/food-safety-manager-certification/training-and-exam>

<https://aaafoodhandler.com/food-manager-certification/>

<https://myfoodservicelicense.com/collections/food-manager-course?srsltid=AfmBOoov2UkNx03vYI1AQsGYAK7Hcmz-Jij75LYSGzcmAMGoN3WCRKLu>

<https://trust20.co/massachusetts-manager-certification>

<https://www.nrfsp.com/manager/>



The Commonwealth of Massachusetts

Executive Office of Health and Human Services
Department of Public Health - Bureau of Environmental Health
Food Protection Program
305 South Street, Jamaica Plain, MA 02130
Phone: 617-983-6712 Fax: 617-524-8062

TO: Local Boards of Health and Health Departments
FROM: Michael Moore, MDPH/BEH Food Protection Program
DATE: October 2, 2018
RE: **Vendors Approved by MDPH to Provide Allergen Awareness Training**

The following two vendors are approved by Massachusetts Department of Public Health (MDPH) to issue certificates of allergen awareness training in accordance with 105 CMR 590.011(C)(3)(a).

- **Compliance** – To comply with 105 CMR 590.011(C)(3)(a), at least *one certified food protection manager per food establishment* must obtain an allergen awareness certificate from one of these three MDPH-approved vendors.
- **Online Training** – To obtain an allergen awareness certificate over the Internet, visit a vendor's website, pay \$10, and follow the instructions for watching the allergen awareness video.
- **Classroom Training** - To obtain an allergen awareness certificate in a classroom setting, contact a vendor and ask for information about available classroom trainings.

Berkshire Area Health Education Center 1350 West Street Pittsfield, MA 01201	Options to be trained by Berkshire AHEC:<ul style="list-style-type: none">• Visit their website at http://www.berkshireahec.org/• Contact AHEC at margie@berkshireahec.org• Call (413) 236-4500
Massachusetts Restaurant Association 160 East Main St. - Suite 2 Westborough, MA 01581	Options to be trained by MRA: <ul style="list-style-type: none">• Visit the MRA website at http://www.themassrest.org/• Call 508-303-9905