

MICROENTERPRISE HOME KITCHEN OPERATION GUIDELINES

These guidelines have been developed to assist individuals that are interested in operating a Microenterprise Home Kitchen Operation (MEHKO) within their private home. These guidelines are not meant to be inclusive of all local and state requirements, but are intended to provide a summary of the requirements contained within the California Retail Food Code (CRFC) for obtaining a permit and operating a MEHKO safely.

WHAT IS A MICROENTERPRISE HOME KITCHEN OPERATION

A microenterprise home kitchen operation (MEHKO) is defined by the CRFC as a food facility that is operated by a resident in a private home where food is stored, handled, prepared, and served to consumers. Food can be consumed onsite, picked up or be delivered.

GETTING STARTED

1. Submit the permit application, Standard Operating Procedure (SOP) and payment.
2. Contact your local city or county building or planning department to obtain a Business License or other applicable approval.
3. If you plan to offer liquor (beer, wine or spirits) as part of your MEHKO, contact Department of Alcohol Beverage. <http://www.abc.ca.gov/districts.asp?City=EKA#Eureka>.
4. If you plan to utilize an internet food service intermediary (IFSI) as part of the operation, visit the California Department of Public Health, Food and Drug Branch website to ensure that the IFSI is registered with the Department. <https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/MEHKO/Internet%20Food%20Service%20Intermediary%20General%20Requirements.pdf>
5. Visit www.dir.ca.gov for a list of Frequently Asked Questions if you plan to hire an employee.

It is important to note that there may be other permits or licenses that must be obtained to operate a MEHKO.

PRIVATE HOME REQUIREMENTS

In order to obtain approval as a MEHKO, the residential home will be evaluated to ensure that the proposed food operation can be conducted in a manner that safeguards public health. The following items will be evaluated to determine if the proposed operation can be conducted:

- Adequate food production and food storage capacity for the proposed menu or food products to be prepared.
- Adequate equipment to keep cold foods cold (41°F) and hot foods hot (135°F) during storage or transportation (if required).
- Adequate dry food storage and utensil/equipment storage.
- Equipment and utensils that will be used as part of the MEHKO operation must be in good repair.
- A fully operable kitchen sink with hot and cold water for cleaning and sanitizing purposes.
- Restroom handwashing sink must be supplied with warm water, soap and paper towels.
- Toilet room is supplied with toilet paper and is working properly.
- Appropriate lighting is available in the food preparation area.
- Adequate ventilation that allows gases, odors, steam, heat, grease, vapors, and smoke to escape the kitchen (based on proposed menu).
- Floors, walls, ceilings, in kitchen and toilet facility are smooth, of durable construction and easily cleanable.

OPERATIONAL REQUIREMENTS

A MEHKO operator and food employees must adhere to the following when “operating” as a MEHKO:

- The person-in-charge is responsible for ensuring that food preparation activities are not conducted in a manner that could result in contamination of the food by consumers.
- Food employees are prohibited from the consumption of food, drink or tobacco during food preparation.
- Consumer access to the kitchen is to be limited during food preparation activities to prevent food contamination.
- All animals are to be kept outside of food preparation areas during preparation and operation of the MEHKO.

FOOD EMPLOYEE REQUIREMENTS

- The permit holder of the MEHKO shall successfully pass an approved and accredited food safety certification examination within 60 days of commencing operation.
- Any individual that is involved in the preparation, storage or service of food at the MEHKO must have a valid food handler card (unless they possess a valid food manager certificate) within 30 days or within the required time for those enforcement jurisdictions with a food handler program. For more information on accredited food certification or food handler programs, visit the following website:
<https://www.ansica.org/wwwversion2/outside/ALLdirectoryListing.asp?menuID=8&prgID=8&status=4>

In addition to completing the above training requirements, the person-in-charge and all food employees shall have adequate knowledge of, and be able to demonstrate as it relates to their assigned duties. Such as:

- Understands the importance of employee health and hygiene, including but not limited to handwashing practices and exclusion of ill food employees.
- Able to demonstrate how cooking, cooling and reheating temperatures are verified.
 - The use of a calibrated food temperature measuring device with a suitable probe thermometer that is designed to measure the foods being prepared is to be available.
- Able to demonstrate how to prevent cross-contamination during preparation and storage of food.
- How to properly wash, rinse and sanitize equipment and utensils within the kitchen sink and food-contact surfaces to prevent cross-contamination.
 - Determine which type of sanitizer will be used and obtain the appropriate test strips to measure concentration.

LIMITATIONS

A MEHKO is limited to the following:

- No more than one full-time equivalent food employee, not including family or household members
- Food must be prepared, cooked, and served, picked up, or delivered on the same day. No left over food can be used as part of the preparation for next-day service or sold on subsequent days.
- No more than 30 individual or approximate equivalent meals per day and no more than 60 individual or approximate equivalent meals per week.
- No more than \$50,000 in verifiable gross annual sales (adjusts annually based on Consumer Price Index).
- Food must be sold directly to consumers for consumption on the premises, pick-up or delivery and not provided to a wholesaler or other retail food operation.

RESTRICTIONS

- A MEHKO cannot prepare or provide the following food items:
 - Smoking food as a method of preservation.
 - Curing or pickling of food.

- Use of food additives as a method of food preservation (e.g. sushi rice to be held at room temperature).
- Reduced-oxygen packaging of food (e.g. vacuum packaging, sous-vide).
- Produce, serve, or sell raw milk or raw milk products (Section 11380, Title 17 CCR).
- Serve or sell raw oysters.
- A MEHKO **cannot** post any type of signage or other outdoor displays advertising MEHKO.
- A MEHKO must comply with local noise ordinances.

ADVERTISING FOR AN MEHKO

A MEHKO may utilize an internet food service intermediary or other method (e.g. newspaper, social media) of advertising the food operation. As noted above, there is a prohibition against posting any signage or other outdoor display at the private residence. The term “catering” is not to be used in any form of advertisement for a MEHKO.

If advertising directly to the public, via a website, internet, social media platform, newsletter, or other public announcement, you are required to include the following in the advertisement:

- Name of the enforcement agency that issued the permit
- Include the permit number
- Include the following statement in a clear and conspicuous location “Made in a Home Kitchen”

If utilizing an internet food service intermediary, please visit the link below for additional information.

<https://www.cdph.ca.gov/Programs/CEH/DFDCS/Pages/FDBPrograms/FoodSafetyProgram/MicroenterpriseHomeKitchenOperations.aspx>

Internet Food Service Intermediary (IFSI) means an entity that provides a platform on its internet web site or mobile application through which a MEHKO may choose to offer food for sale and from which the internet food service intermediary derives revenues, including, but not limited to, revenues from advertising and fees for services offered.