

# MASSACHUSETTS Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





# MANUFACTURER/PROCESSOR

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Food Processor		Authority*			
Food Repacked		Authority			
Food Salvager		Authority			
Bottled Water		Split Authority			Split Authority
Ice		Authority			
Dietary Supplements		*			
Warehouse		Authority			
Food Banks		Authority			
Seafood		Split Authority	Split Authority		
Food Transport		Authority			
Beer/Wine				Authority	
Distilled Spirits				Authority	

**COMMENTS:**

\* Defers to FDA (no MA inspection program).





# DAIRY

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Grade-A Plant		Authority			
Raw Milk	Authority				
Cheese		Authority			
Yogurt		Authority			
Cream/Sour Cream		Authority			
Butter		Authority			
Ice Cream		Authority			
Milk Pooling	Authority				
<b>COMMENTS:</b>					





# MEAT/POULTRY

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Meat		Authority			
Poultry		Authority			
Rabbit		Authority			
Other Non-Amenable Species	Authority				
Custom Slaughter		Authority			
Livestock Inspection	Authority				
Pet Food – Raw		Authority			
Pet Food – Processed		Authority			
Egg Inspection/Grading	*				

**COMMENTS:**  
 \* Defers to USDA.





# ANIMAL FEED

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Feed		Authority			
Medicated Feed		*			
BSE Inspections		*			
Rendering Plant					
Grain		*			

**COMMENTS:**  
\* Defers to FDA.





# RETAIL FOOD

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Restaurant					Authority
Food Service					Authority
Grocery Store					Authority
Market					Authority
Convenience Stores					Authority
Public/Private Schools					Authority
Correctional Facilities		Authority			
Hospitals					Authority
Long-Term Care					Authority
Nursing Homes					Authority
Other Institutions					Authority
Vending Machines		Authority			
Mobile Food Facilities					Authority
Caterers					Authority
Home Based Processors					Authority

**Retail Food list continued on next page.**



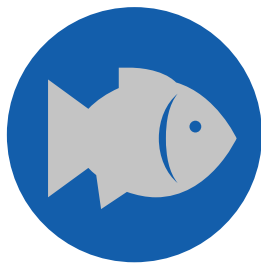
# RETAIL FOOD (continued)

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Temporary Food Facilities					Authority
Water Vending Machines		Authority			
Ice Vending Machines		Split Authority	Split Authority		
Farm Stands					Authority
Farmers Markets					Authority
Live Poultry Markets		Authority			
Food Pantry					Authority

**COMMENTS:**

There are 350 local Departments of Health responsible for conducting retail food facility inspections in Massachusetts (<http://mhoa.com/municipal-links>). The State Department of Public Health provides guidance and training to the local agencies.





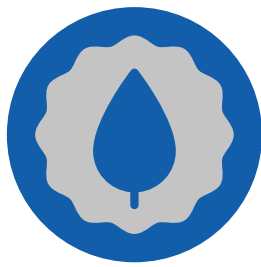
# SHELLFISH/AQUACULTURE

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Shellfish Growing Areas			Authority		
Shellfish Post Harvest Handling		Authority			
Shellfish Depuration		Split Authority	Split Authority		
Shellfish Patrol			Authority		
Biotoxin Monitoring	Split Authority		Split Authority		
Aquaculture	Authority				

**COMMENTS:**







# ORGANIC FOODS

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Organic Production					
Organic Food Handling					
Organic Food Processing					
<b>COMMENTS:</b> None					





# PRODUCE

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Farms	Authority				
Packing Sheds	Authority				
Repackers	Authority				
Terminal Markets		Authority			
<b>COMMENTS:</b>					





# ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Embargo/Quarantine		Authority			Authority
Seizure		Authority			Authority
Condemnation & Destruction		Authority			Authority
Voluntary Condemnation & Destruction		Authority			Authority
Stop Sale Orders		Authority			Authority
Health Advisories		Authority			Authority
Administrative Penalties		Authority			
Criminal Penalties		Authority			Authority
Civil Penalties		Authority			Authority

**Enforcement Authority list continued on next page.**





# ENFORCEMENT AUTHORITY (continued)

FACILITY TYPE	MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES	MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH	MASSACHUSETTS DEPARTMENT OF FISH AND GAME	MASSACHUSETTS BOARD OF ALCOHOL BEVERAGES CONTROL COMMISSION	LOCAL AGENCIES
Injunction		Authority			Authority
Warning Letters		Authority			Authority
License Suspension		Authority			Authority
License Revocation		Authority			Authority
Hearings		Authority			Authority
Closure		Authority			Authority
Mandatory Recall					
Inspection Warrant		Authority			Authority
<b>COMMENTS:</b>					

