

COTTAGE FOOD LAW REPORT

Berkshire County

Massachusetts · — · FIPS 25003 · Population 128,763 ·
Crosodo Index #2680*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
105 CMR 590.009(D)	Okay	—	MEDIUM	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.

How to start — 60-second path

Berkshire County, Massachusetts — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

—

HOME OCCUPATION PERMIT?

Yes

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

Yes

PETS

Not explicitly prohibited by state regulation; individual town Boards of Health may impose additional requirements.

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Massachusetts cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Massachusetts home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

[Open the live county page →](#)

[Massachusetts label one-pager →](#)

[Local notes & questions →](#)

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

MASSACHUSETTS: BERKSHIRE COUNTY

CROSODO INDEX #2680* · FIPS 25003 · —

Berkshire County

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

QUICK VIEW FOR BAKERS IN THIS COUNTY

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 KITCHEN REQUIRED?

No

PETS ALLOWED?

Not explicitly prohibited by state regulation; individual town Boards of Health may impose additional requirements.

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).)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

Yes (Home kitchen inspection required by local Board of Health before permit issued.)

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.
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). 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.berkshirecounty.gov>

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

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

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/massachusetts/berkshire-county-discuss

Bordering counties — cottage food law

Regulation	Berkshire County	Hampshire County	Franklin County
HOME KITCHEN ALLOWED	Yes	Conditional	Conditional
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	Not explicitly prohibited by state regulation; individual town Boards of Health may impose additional requirements.	Pets typically excluded from kitchen during food production per Board of Health guidelines.	No pets allowed in kitchen during production (standard health code requirement)
INSPECTION REQUIRED	Yes	Yes	Yes
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Direct sales permitted from home, farmers markets, and retail. Online sales allowed but no mail order. Catering is prohibited. All sales wi...	Direct sales and sales to retail stores allowed. No mail order or catering. Online sales limited. Each municipality's Board of Health rules...	Direct sales only; no mail order or internet sales (MA prohibits mail order under residential kitchen permit)
HOME OCCUPATION PERMIT	Yes	Yes	Yes
LOCAL BUSINESS LICENSE	Yes	Yes	Varies
RESTRICTIONS	Massachusetts treats home kitchens as food establishments requiring a local Board of Health permit and kitchen inspection. No statewide sal...	Massachusetts uses a 'residential kitchen' model: home kitchens are treated as food establishments requiring a local Board of Health permit...	Residential kitchen permit required from local board of health. Kitchen must be inspected and permitted annually. Only non-PHF foods allowe...
FOOD STORAGE	Non-potentially hazardous foods not requiring refrigeration. Stored in food-safe containers.	Non-PHF foods only. No pickles, sauces, fermented foods, or items requiring variance.	Proper food storage; no cross-contamination; sealed containers
POPULATION	128,763	153,931	70,980

State context — Massachusetts cottage food law

Berkshire County's rules sit on top of Massachusetts's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE

105 CMR 590.009(D)

ANNUAL SALES CAP

—

REGISTRATION REQUIRED

Yes

FOOD HANDLER CERT

Recommended

KITCHEN INSPECTION

Yes

DIRECT SALES ONLY

No

INDIRECT SALES

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.

For the full state-level analysis including the verbatim statute text, see the [Massachusetts cottage food law report](#) on Crosodo, or open the live guide: crosodo.com/states/massachusetts.

STATE-LEVEL REFERENCES

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

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

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

Questions about Berkshire County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/massachusetts/berkshire-county-discuss

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Berkshire County, Massachusetts. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

crosodo.com/nb/massachusetts/berkshire-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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