

## COTTAGE FOOD LAW REPORT

# Dukes County

Massachusetts · Edgartown · FIPS 25007 · Population  
21,061 · Crosodo Index #2686\*

STATE BASELINE	STATE TIER	ANNUAL SALES CAP (STATE)	CONFIDENCE	LAST VERIFIED
105 CMR 590.009(D)	Okay	—	MEDIUM	2026-05-06

**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.

MASSACHUSETTS: DUKES COUNTY

CROSODO INDEX #2686\* · FIPS 25007 · Edgartown

# Dukes County

Population 21,061 · State baseline: 105 CMR 590.009(D) · **MEDIUM**

## QUICK VIEW FOR BAKERS IN THIS COUNTY

**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 KITCHEN REQUIRED?**

No

**PETS ALLOWED?**

Local Board of Health standards apply; typically animals must be excluded from food prep areas during production.

**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.)

**ON-SITE / PORCH PICKUP?**

Yes

**INSPECTION REQUIRED?**

Yes (Pre-operational inspection required by local Board of Health before permit issuance. Subsequent inspections at BOH discretion.)

## Home kitchen rules

<b>HOME KITCHEN ALLOWED</b>	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.
<b>SEPARATE DEDICATED KITCHEN</b>	No
<b>PET RESTRICTIONS</b>	Local Board of Health standards apply; typically animals must be excluded from food prep areas during production.
<b>WATER SUPPLY</b>	Potable water required per local Board of Health standards.
<b>HANDWASHING</b>	Required per Massachusetts food safety standards and local Board of Health.
<b>FOOD STORAGE</b>	Shelf-stable products only. Foods requiring refrigeration or temperature control are not permitted under Residential Kitchen framework.

## Inspection & permitting

<b>INSPECTION REQUIRED</b>	Yes — Pre-operational inspection required by local Board of Health before permit issuance. Subsequent inspections at BOH discretion.
<b>HOME OCCUPATION PERMIT</b>	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.
<b>LOCAL BUSINESS LICENSE</b>	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](https://health.maryland.gov/phpa/OEHFP/OFPCHS/Documents/Updated_CF_Guidelines_2025.pdf)

**Questions?** Join the Crosodo Forum to discuss your county’s specific zoning rules at <https://crosodo.com/nb/massachusetts/dukes-county-discuss>

## State context — Massachusetts cottage food law

Dukes 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.

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<p><b>STATUTE</b> 105 CMR 590.009(D)</p> <p><b>REGISTRATION REQUIRED</b> Yes</p> <p><b>KITCHEN INSPECTION</b> Yes</p> <p><b>INDIRECT SALES</b> 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.</p>	<p><b>ANNUAL SALES CAP</b> —</p> <p><b>FOOD HANDLER CERT</b> Recommended</p> <p><b>DIRECT SALES ONLY</b> No</p>
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For the full state-level analysis including the verbatim statute text, see the [Massachusetts cottage food law report](#).

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### 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/>

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## Questions?

Join the Crosodo Forum to discuss Dukes County's specific zoning rules, permits, and what other home bakers are seeing locally.

<https://crosodo.com/nb/massachusetts/dukes-county-discuss>

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