



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Environmental Health
250 Washington Street, Boston, MA 02108-4619
Phone: 617-624-5757 Fax: 617-624-5777
TTY: 617-624-5286

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

EILEEN M. SULLIVAN
Acting Commissioner

Tel: 617-624-6000
www.mass.gov/dph

January 22, 2015

Dear Local Health Official,

I am writing to ensure that you are aware of statutory and regulatory provisions related to hot water in restrooms of food establishments in the Commonwealth. As you know, the Massachusetts Retail Food Code requires that water in a handwashing lavatory have a minimum temperature of at least 43°C (110°F) through a mixing valve or combination faucet (105 CMR 590.006 and 1999 Federal Food Code Chapter 5-202.12 Handwashing Facility, Installation.)

It has come to our attention that there has not been uniform compliance with hot water requirements, including, but not limited to, handwashing fixtures used by the public and by food workers. We believe this may in part be due to lack of familiarity with all federal and state regulatory requirements specific to this issue. As you know, requirements for handwashing sinks for food workers are included in the retail food regulations referenced above. However, regulatory requirements associated with the state plumbing board also apply. Please see a copy of an opinion from the Massachusetts Division of Professional Licensure, Board of State Examiners of Plumbers and Gas Fitters making clear that all restrooms in food establishments must have hot water supplied to all plumbing fixtures. Please feel free to provide a copy to your licensed food establishments should there be any lack of clarity on this issue.

Thank you for your assistance and your continued efforts to protect public health of our Commonwealth residents.

Sincerely,

A handwritten signature in blue ink that reads "Suzanne K. Condon".

Suzanne K. Condon, Associate Commissioner
Director, Bureau of Environmental Health



DEVAL L. PATRICK
GOVERNOR

GREGORY BIALECKI
SECRETARY OF HOUSING
AND ECONOMIC DEVELOPMENT

Commonwealth of Massachusetts
Division of Professional Licensure
Board of State Examiners of Plumbers and Gas Fitters
1000 Washington Street • Boston • Massachusetts • 02118

BARBARA ANTHONY
UNDERSECRETARY OF OFFICE
OF CONSUMER AFFAIRS AND
BUSINESS REGULATION

MARK R. KMETZ
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

December 9, 2014

Bureau of Environmental Health
250 Washington Street
Boston, MA 02108-4619
Attn: Suzanne Condon – Associate Commissioner

Hi Suzanne,

Sorry for the confusion my last correspondence created.

With regards to the question about providing hot water, the Board of Examiners of Plumbers and Gas Fitters would require retail food establishments to make hot water available for patrons and customers for rest room use. This requirement is based on the following:

248 CMR 10.02 (3) Principle No. 3 – Hot Water Required. Hot water must be supplied to all plumbing fixtures which normally need or require hot water for their proper use and function.

248 CMR 10.14 (8) Hot Water Supply System.

(a) In residences and buildings intended for continuous occupancy, hot water shall be supplied to all plumbing fixtures and equipment used for bathing, washing, culinary purpose, cleansing, laundry, or building maintenance.

If you have any questions, or if I may be of any further assistance, please do not hesitate to contact me.

Sincerely,

Wayne E. Thomas
Executive Director
Board of State Examiners of Plumbers & Gas Fitters

