



Frequently Asked Questions: Food Service Facilities

1. Do I need a Food Service Facility License?

Per COMAR 10.15.03:

“Food service facility” means:

- i) A place where food or drink is prepared for sale or service on the premises or elsewhere; or
- (ii) An operation where food is served to or provided for the public with or without charge.

If your business or event falls into either of these definitions, you **do** need a Food Service Facility License.

2. How much does a Food Service Facility License cost?

High Priority Facility: \$300 per year

Moderate Priority Facility: \$300 per year

Low Priority Facility: \$175 per year

Temporary Food License: \$100 per event for up to 30 days

3. How often will my Food Service Facility be inspected by the Health Department?

High Priority Facility: 3x per year

Moderate Priority Facility: 2x per year

Low Priority Facility: 1x every two years

Temporary Food Facility: during the event, or a minimum of once a season

4. When does my Food Service Facility License expire?

All permanently licensed Food Service Facilities expire the last day of February.

Temporary Facilities expirations are based on the end date of the event.

5. I operate a Bed and Breakfast. Do I need a Food Service Facility License?

“Bed and breakfast” means a lodging or rooming house as defined in Public Safety Article, §9-201, Annotated Code of Maryland, that has eight rooms or fewer for rent.

They may serve a “continental” breakfast to their renters without requiring a license. Serving “hot” meals to renters requires a license from the Health Department.

6. I make baked goods and sell them. Do I need a Food Service Facility License?

Your baked good business may be considered a cottage food business, which does not require a Food Service Facility License.

A cottage food business (or a home-based business) is defined in the [Code of Maryland Regulations \(COMAR\) 10.15.03](#) as a business that

- a) produces or packages cottage food products in a residential kitchen;
- and** b) has annual revenues from the sale of cottage food products in an amount not exceeding \$50,000*.

A cottage food product is a non-potentially hazardous food that is sold in Maryland directly to a consumer from a residence, at a farmers market, at a public event, by personal delivery, or by mail delivery; or directly to a retail food store.

Cottage foods cannot be offered for sale through interstate commerce and may only be sold within Maryland. Please visit online at

<https://health.maryland.gov/phpa/OEHFP/OFPCHS/Pages/Cottagefoods.aspx> for more information.

Sale of any food products outside of these guidelines would require a Food Service Facility License.

Contact the Somerset County Health Department with questions.