MICROENTERPRISE HOME KITCHEN OPERATION (MEHKO)
QUESTIONS?

Please use the Q&A function.
MEHKO LAWS

AB 626
• Effective January 1, 2019
• Allows MEHKOs if a county authorizes the service by ordinance or resolution
• “Opt-in” authorization automatically opts in all cities and unincorporated areas of the County

AB 377
• Cleanup bill for AB 626
• Effective immediately on October 7, 2019
• MEHKOS now allowed
WHAT IS A MICROENTERPRISE HOME KITCHEN OPERATION (MEHKO)?

Restricted Food service owned and operated by a resident in their private, primary home residence.
DEFINITION OF A “PRIVATE HOME”

• A residential building, including a house, apartment, or other owned or leased space, where individuals reside.

• Must be conducted within the primary residence.
  • Second homes, vacation homes, boats or motor homes DO NOT qualify.
MEHKKO OVERVIEW

Three main components:

• **Hygiene**: Training and worker health
• **Food Handling**: Storage, preparation, water and waste
• **Business Practices**:  
  o Meal limits  
  o Delivery and onsite consumption  
  o Advertisement, and internet intermediaries
KEY MEHKO REQUIREMENTS

• Must be operated by a resident in their primary, private home residence.
• Food must be prepared, cooked, and served on the same day.
• **Direct service only**: Food may only be sold directly to customers for on-site dining, delivery, or take out.
• **Renters** – owner/landlord notification needed
• Maximum - 30 meals per day and 60 meals per week.
• Maximum - $50,000 per year in gross sales.
• Maximum - one full-time employee (in addition to family or household member).
TRAINING REQUIREMENTS

• The permit holder must successfully pass an approved and accredited food safety manager course.

• Any individual, other than the operator/permit holder, who is involved with the preparation, storage, or service of food in the MEHKO must obtain a food handler card from one of the accredited providers.
MEHKOS ARE **NOT ALLOWED TO:**

- Prepare or store food outside of the home kitchen.
- Display signs or advertise on site.
- Cater off-site.
- Slaughter or butcher animals.
- Serve raw oysters
- Wholesale food to other businesses.
- Ship food in the mail or through other carriers.
- Operate or service a food truck or cart (a Mobile Food Facility).
- Use a third-party service to deliver food (Doordash, Grubhub, etc.).
- Serve alcohol, or allow customers to bring their own without an ABC license.
- Make dairy products (yogurt, cheese, ice cream) without a State dairy license (CDFA)
- have live animals in the kitchen during food service and preparation.
FOOD PREPARATION LIMITATIONS:

MEHKOS cannot prepare foods that require a Hazardous Analysis Critical Control Point Plan (HACCP), such as:

• Smoke food as a method of food preservation.
• Cure food.
• Use food additives or add components such as vinegar as a method of food preservation.
• Package potentially hazardous food using a Reduced-Oxygen Packaging method.
HOW IS A MEHKO REGULATED?

• MEHKOs are considered food facilities under the California Retail Food Code (CalCode Section 114367 et seq.)

• **Environmental Health Services** regulates food facilities in San Mateo County using the California Retail Food Code and County Ordinance

• These regulations provide standards and guidance for MEHKOs and penalties for non-compliance.
MEHKO operators must maintain the following documents onsite for review upon request:

- Standard Operating Procedures (SOP) – that include a written menu and hours of operation
- Valid Environmental Health Services (EHS) permit displayed onsite when the MEHKO is in operation.
- Most recent EHS inspection report.
- Records of all receipts/transactions from MEHKO sales.
A MEHKO shall be considered a residence for all purposes of the State Uniform Building Standards Code and local building and fire codes.

The use of a residence for the purpose of MEHKO shall not constitute a change of occupancy.

For zoning purposes, a city, county, shall not impose any restriction on a MEHKO in a residential dwelling.
COMPLAINTS AND NUISANCES

• Local enforcement agencies may investigate and enforce regulations if violations of a nuisance ordinance occurs (e.g., odors, traffic, parking, excessive noise, etc.)

• A MEHKO may not post signage or other outdoor display advertising the MEHKO (residential nuisance)

• Environmental Health Services can conduct inspections in response to complaints or suspected outbreaks of foodborne illness.
PERMITTING PROCESS

Permit/service payment fees waived as part of 2-year pilot program!

Submit the following documents to San Mateo County Environmental Health Services*:

• Permit Application
• Property management/landlord notification form (if renting).
• SOP (Standard Operation Procedures) form
  • A designated staff member may contact you within 4-5 business days, SOPs may take up to 20 working days for approval.
  • An initial site inspection will be required prior operating or being approved.
  • Missing documents and other information required or requested by this department may delay the permitting process.

*Check with the local city for any additional requirements.
MEHKO BENEFITS

- Increase in home kitchen food safety oversight and education.
- Regulatory pathway to compliance.
- Increase in opportunities for micro-entrepreneurs.
- Increase in economic and food security for communities.
RESOURCES

Visit Smchealth.org/microkitchen for:

- Frequently Asked Questions (FAQs)
- Infographics
- Recorded webinar and training
- Forms
  - Permit Application
  - Standard Operating Procedures (SOP) Form
  - Owner/Landlord Notification Form
ENVIRONMENTAL HEALTH SERVICES

smchealth.org/microkitchen
envhealth@smcgov.org
650-372-6200
QUESTIONS?

Please use the Q&A function.
A permitted mini restaurant that operates in a residential kitchen.

**MEHKO APPLICATION STEPS:**

1. **CONTACT** Environmental Health Services at (650) 372-6200 or visit sanmateohealth.org/mircokitchen.
2. **SUBMIT A MEHKO APPLICATION** with the applicable fee and an INSPECTION will be SCHEDULED within 5 business days.
3. **Upon approval of documents and an inspection**, food handler permit is granted.
4. **Prepare, cook and deliver food on the same day**.
5. **Be a RESIDENT of the HOME and responsible for the operation**.
6. **Get INTERMEDIATE FOOD SERVICE APPROVED by the Consumer Department of Public Health**.

**MICRO ENTERPRISE HOME KITCHEN OPERATIONS (MEHKO)**

- Micro-enterprise kitchen operations are required to:
  - Operate to 30 MEALS PER DAY and 60 MEALS PER WEEK with a $50,000 annual sales cap.
  - Operate 24/7.

- Food handlers must pass an approved food safety exam.

- Micro-enterprise kitchens may operate in residential dwellings.