



DEPARTMENT OF THE NAVY
COMMANDER, FLEET ACTIVITIES YOKOSUKA
PSC 473 BOX 1
FPO AP 96349

CFAYTINST 5300.5F
N00J
18 Feb 2025

COMFLEACT YOKOSUKA INSTRUCTION 5300.5F

From: Commander, Fleet Activities Yokosuka

Subj: COMMERCIAL ACTIVITIES AND PRIVATE EMPLOYMENT IN MILITARY
FAMILY HOUSING OR ONBOARD FLEET ACTIVITIES YOKOSUKA

Ref: (a) COMNAVFORJAPANINST 11101.12T
(b) SECNAVINST 1740.2F
(c) USFJINST 36-1001
(d) DoD Directive 5500.07 of 15 May 2024
(e) DoD Instruction 4525.09 CH-3 of 23 October 2024
(f) CFAYINST 5300.4F
(g) TB MED 530/Navy Manual of Preventive Medicine P-5010-1

Encl: (1) Navy and Marine Corps Public Health Center, Cottage Food Fact Sheet
(2) Request to Conduct Commercial Activities or Private Employment from Military
Family Housing or onboard Fleet Activities Yokosuka

1. Purpose. To issue policies and procedures for U.S. military personnel, civilian personnel and their family members to engage in commercial activities and private employment in assigned Commander, Fleet Activities (FLEACT) Yokosuka Military Family Housing (MFH) or onboard FLEACT Yokosuka. This instruction is a complete revision and should be read in its entirety.

2. Cancellation. CFAYINST 5300.5E.

3. Applicability. This instruction applies to all U.S. military personnel, civilian personnel and their family members under the area coordination control of Commander, FLEACT Yokosuka (including Yokosuka, Ikego).

4. Policy. Commercial activity and private employment must be conducted in compliance with references (a) through (g). Pursuant to references (a) through (g), Commander, FLEACT Yokosuka has absolute discretion to approve or disapprove requests to conduct commercial activities conducted by SOFA personnel. The following non-exclusive considerations will be carefully analyzed when making such a determination:

a. Japanese government licensing requirements, state or federal licensing requirements, potential U.S. Government liability, the Status of Forces Agreement (SOFA), Japanese business practices and prospective advertising practices.

b. Requests to conduct commercial activities or private employment, if approved, will be for one year from the date of the approval letter. Future requests will be evaluated following the same criteria in this instruction. Applicants are encouraged to submit requests no later than one month prior to the expiration of their current approval letter.

c. No activity will be authorized or permitted to continue at the expense of the installation's safety, reputation or good order and discipline.

d. FLEACT Yokosuka Housing Service Center (HSC) may allow occupants to make minor modifications to assigned Commander, FLEACT Yokosuka MFH at the occupant's personal expense. Any request to perform these modifications should be made through the FLEACT Yokosuka HSC. An approval to conduct commercial activities or private employment is not an approval to modify FLEACT Yokosuka MFH.

e. Commander, FLEACT Yokosuka may deny any request for activities that specifically compete with goods or services provided by the Navy Exchange (NEX) Japan District or FLEACT Yokosuka Morale, Welfare and Recreation (MWR).

f. Commercial retail and service activities customarily operated out of a commercial location will not be permitted in FLEACT Yokosuka MFH. Examples of services not permitted are auto repair or upholstery shops, electronics repair shops, and the production for sale of items such as ceramics.

g. Land Transportation Office (LTO) runs require compliance with motor vehicle insurance regulations. A copy of the proper liability insurance must be submitted with an application to conduct this form of private employment.

h. Applicants must provide copies of their current State or Federal licenses when applying to conduct commercial activity or private employment for services which require licensing (i.e., salon or beauty services, certified public accountants, etc.). Applicants are responsible for ensuring that current copies of their licenses are maintained at FLEACT Yokosuka. Expiration of State or Federal licenses will result in the termination of authorization to conduct commercial activities or private employment.

i. Food Sales: Only cottage food, food that is produced in a private home that does not require time or temperature control for food safety (see enclosure (1)), will be approved, and ONLY after U.S. Navy Medicine Readiness Training Command (USNMRTC) Yokosuka Preventative Medicine has reviewed and approved the proposed sales.

4. Procedures

a. Applicants must submit enclosure (2) via their sponsor's chain of command or, if civilian, the civilian's employer. If the request is approved by the sponsor's chain of command or employer, it will be routed by the applicant via the FLEACT Yokosuka HSC and Navy

Exchange (NEX), Japan District and/or FLEACT Yokosuka MWR (depending on the product or service) to the FLEACT Yokosuka Office of the Staff Judge Advocate (SJA) for review.

b. When appropriate, applicants may be required to forward their request via the NMRTC Yokosuka Preventive Medicine Department for endorsement. Once the application has been properly reviewed and endorsed, final approval authority rests with Commander, FLEACT Yokosuka. Endorsements are considered but are not dispositive as to the final approval determination.

c. Prior to completing their endorsement, NMRTC Yokosuka personnel will conduct an inspection of FLEACT Yokosuka MFH to ensure it meets all applicable health standards warranted by the type of commercial activity or private employment requested. Normally, a negative endorsement by NMRTC Yokosuka or FLEACT Yokosuka HSC will result in disapproval by Commander, FLEACT Yokosuka.

5. Restrictions. The following restrictions apply to approve commercial activities and private employment:

a. External alteration of FLEACT Yokosuka MFH is prohibited, to include posting signs of any type on trees, mailboxes, street signs, utility poles, fences, buildings, bus shelters, or common area windows.

b. External advertising is prohibited, with the exception of advertising in the base newspaper, My CFAY Weekly online newsletter.

c. Personnel granted approval must comply with the provisions of reference (d), which prohibits sales to subordinates and the use of the applicant's or sponsor's rank to influence others to use the applicant's services.

d. Per reference (e), individuals authorized to use the Military Postal System in Japan are not permitted to use the service for resale in the course of conducting a private business or enterprise. Additionally, authorized individuals are not permitted to act as intermediaries.

e. Resale of vehicles onboard the installation is governed by reference (f). This policy does not prohibit the resale of personal vehicles as a matter of convenience, such as permanent change of station transfer or expiration of Japanese insurance.

f. Services shall be limited exclusively to SOFA personnel. Failure to limit services to SOFA personnel may subject the applicant to taxes, fees, or prosecution under Japanese law as well as termination of any authorization to conduct commercial activities or private employment.

6. Personnel teaching English or other languages in a private capacity in their assigned FLEACT Yokosuka MFH or onboard FLEACT Yokosuka are required to submit an application per this instruction. Personnel are prohibited from using their MFH to teach English or other

languages, including cooking classes, as part of their employment by a language school, cooking school or any other commercial establishment.

7. Personnel teaching languages are required to comply with appropriate instructions regarding guests onboard FLEACT Yokosuka and are prohibited from allowing students to stay overnight in their assigned MFH, or onboard FLEACT Yokosuka while receiving compensation from a school or the student.

8. Personnel teaching English or other languages, including cooking classes, who are employed by a language school, must submit a request per CFAYINST 5300.3F. Personnel who fail to apply and receive permission prior to engaging in this activity will be considered to be in violation of this instruction.

9. Violations. This instruction is punitive in nature. Individuals who violate this instruction will be subject to punishment under the Uniform Code of Military Justice and/or administrative action, including removal from FLEACT Yokosuka MFH.

10. Records Management. Records created as a result of this instruction, regardless of media or format, must be managed per SECNAV Manual 5210.1 of September 2019.

11. Review and Effective Date. Per OPNAVINST 5215.17A, the FLEACT Yokosuka N00J will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with federal, DoD, SECNAV, and Navy policy and statutory authority using OPNAV 5215/40. The instruction will automatically expire ten years after effective date unless reissued or cancelled prior to the 10-year anniversary date, or an extension has been granted.



J. A. HOPKINS

Distribution:
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NAVY AND MARINE CORPS PUBLIC HEALTH CENTER, COTTAGE FOOD FACT SHEET



Cottage Foods

Background

Cottage Foods are non-potentially hazardous foods produced in a private home or residence that do not require time/temperature control for food safety (TCS).

Examples of Cottage Foods are:

- Baked goods, without cream, custard, or meat fillings
- Candy, such as brittle and toffee
- Dried fruit
- Dried pasta
- Fruit pies, fruit empanadas and fruit tamales
- Granola, cereals, and trail mixes



Image from Food Safety News, www.foodsafetynews.com

Discussion

NAVMED P 5010 chapter 1, Tri-Service Food Code (TSFC) article 8-301.12 contains the following information and guidance regarding cottage food operations.

Home businesses operating in government housing involving food production and sale are not subject to public health inspection as a food establishment under the TSFC. However, there are specific requirements governing production and sale of cottage foods.

Cottage foods produced in nongovernment housing are regulated by the State or local Health Department. Cottage food operations occurring in privatized government housing are expected to meet the regulatory requirements specified by the State or local Health Department in addition to the contents of this provision.

A home business operating in government housing or privatized government housing shall register as a Cottage Food Operator through the Regulatory Authority for review and approval of proposed cottage foods prior to initiating the sale of such foods. Cottage food operation in government housing does not require a person-in-charge (PIC) nor preoperational or recurring sanitation inspections but a plan review and preoperational approval is required.



Image from www.cottagefoodhomebakery.com

Responsibilities of the Preventive Medicine Authority (PMA)

Cottage Food operations do not receive periodic sanitation inspections, but the regulatory authority (PMA) should provide guidance to assist the Cottage Food operator minimize potential food safety hazards. A review of the Cottage Food operator's



NAVY AND MARINE CORPS FORCE HEALTH PROTECTION COMMAND
IMPROVING READINESS THROUGH PUBLIC HEALTH ACTION

Cottage Foods January 2022 application will identify high-risk foods and practices and identify ingredients that are known major food allergens.



Image from www.thebalancesmb.com

Cottage Foods Requirements

Cottage foods may not be sold in a food establishment or retail store operating on a military installation.

Home-prepared foods, except home-canned foods, wild game and other meats, and dairy products from unapproved sources, may be authorized in support of special events such as organizational cookouts, bake sales, unit or chapel suppers, farmers markets, and similar events. Operators should consult with the PMA for questions.

Preoperational inspection and approval is not required for a home business in which food is prepared and sold to consumers outside of

the installation and is operating under State or local Health Department guidelines for cottage foods.

Cottage Food Operator Shall:

- Produce the Cottage Food in the kitchen or residence that was stated in the registration packet and is identified on the food label.
- Maintain a copy of each Cottage Food recipe and provide a copy to the PMA upon request.
- Be the original processor of the food. The food may not be repackaged from another producer.
- Package or wrap the food using clean food containers or food-grade foils or plastic wrap.

Place a label on the packaged food to indicate:

- The name, address, and phone number of the Cottage Food producer.
- Ingredients that are known food allergens: milk, eggs, fish, crustacean, shellfish, tree nuts, wheat, peanuts and soybeans or a food ingredient that contains a protein derived from a food with an allergen.
- A consumer notice that specifies, "This food was produced in a home kitchen not subject to public health inspection."

For more information, resources, and tools on food safety:

Learn more: [NMCFHPC Program Policy & Support – Food Sanitation and Safety](#)

Learn more: [How to Start a Food Business](#)

REQUEST TO CONDUCT COMMERCIAL ACTIVITIES OR
PRIVATE EMPLOYMENT FROM MILITARY FAMILY HOUSING OR
ONBOARD FLEET ACTIVITIES YOKOSUKA

Date _____

From: _____ (Applicant)
To: Commander, Fleet Activities Yokosuka (Attn: SJA)
Via: (1) _____ (Applicant's Sponsor's
Commanding Officer or Employer)
(2) Commander, Fleet Activities Yokosuka Housing
Welcome Center
(3) Director, Navy Exchange Japan District
(4) Director, Morale, Welfare and Recreation

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Ref: (a) CFAYINST 5300.5F
(b) COMNAVFORJAPANINST 11101.12T

1. Pursuant to references (a) and (b), I request permission to use my assigned Military Family Housing (MFH) located at (please include physical and Postal Service Center (PSC) address and phone number): _____

for the following commercial activity or private employment (be specific as to services to be provided or goods to be sold): _____

2. Although, I do not live in MFH, I intend to conduct private employment or commercial activity onboard Fleet Activities (FLEACT) Yokosuka in the following manner (be specific as to services to be provided, goods to be sold and where this activity will take place): _____

3. I anticipate the need for the following structural alterations to my quarters: _____

4. I intend to advertise my home, or on-base enterprise in the following manner (posters/flyers are not authorized): _____

Subj: REQUEST TO CONDUCT COMMERCIAL ACTIVITIES OR PRIVATE
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5. My contact information is as follows (complete address, phone
number, and email and sponsor's rate/rank, name and command): _____

6. By my initials below, I certify and acknowledge the following
limitations regarding commercial activities and private employment:

a. _____ The U.S. Government will not be liable for claims of
loss if property or goods used for my commercial activity or private
employment are damaged or destroyed by fire, flood, natural disaster,
etc. I understand that prior to an approval of my request, I must
agree to obtain the appropriate insurance or indemnity agreement to
release the Government from any liability to any third person,
including purchasers or those who may provide me with property for
resale.

b. _____ The solicitation of my or my sponsor's subordinates
is prohibited. Any use of my or my sponsor's rank, grade, or position
to further my commercial activity or private employment is prohibited.

c. _____ I understand I can receive catalogues and samples
through my military post office address; however, the Military Postal
System cannot be used for my commercial activity or private employment
to obtain items intended for resale either directly or indirectly.

d. _____ The resale of merchandise obtained from the Navy
Exchange (NEX) Morale, Welfare and Recreation (MWR) outlets or other
U.S. Government agencies is prohibited.

e. _____ The sale of merchandise and/or services available
through the NEX or FLEACT Yokosuka MWR is prohibited.

f. _____ Acting as an agent on behalf of a Japanese vendor or
allowing a Japanese vendor to enter my assigned MFH to sell their
merchandise is prohibited.

g. _____ Any approved internal alterations to my assigned
MFH will be at my personal expense. Any external alterations are
prohibited. Any additional utility costs associated with my
commercial activity or private employment may be collected by FLEACT
Yokosuka.

h. _____ Any advertising external to my assigned MFH to
include signs or displays is prohibited, except for advertising in the
base newspaper, the Seahawk.

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i. _____ Any activities which may create significant health or safety concerns, likely to damage my or other MFH, disturb public tranquility or damage the reputation of Commander, FLEACT Yokosuka are prohibited.

j. _____ Personnel who teach languages are required to comply with the appropriate instructions regarding guests onboard FLEACT Yokosuka. Language students may not stay overnight onboard FLEACT Yokosuka.

k. _____ Personnel are prohibited from using their MFH to teach English or other languages, including cooking classes, as part of their employment by a language school, cooking school or any other commercial establishment.

l. _____ Personnel are responsible for ensuring that current copies of their applicable State and Federal licenses are maintained at FLEACT Yokosuka. Expiration of State or Federal licenses will result in the termination of authorization to conduct commercial activities or private employment.

m. _____ Personnel are prohibited from hiring non-SOFA employees.

n. Personnel who are approved to sell cottage food must update NMRTC Yokosuka Preventative Medicine of any changes to their food or food preparation immediately.

Applicant's Signature

FIRST ENDORSEMENT

5300
SER
Date: _____

From: _____ (Applicant's Sponsor's
Commanding Officer or Employer)
To: Commander, Fleet Activities Yokosuka (Attn: SJA)
Via: (1) Commander, Fleet Activities Yokosuka Housing Office
(2) Director, Naval Exchange Japan District
(3) Director, Morale, Welfare and Recreation

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1. Forwarded, recommending approval/disapproval (circle one).

Signature of Commanding Officer
or Employer (or "by direction")