

Are people allowed to operate without the proper licenses and/or permits?

- The Kansas food safety law requires proper licensing but does have several exemptions from food safety licensing. One exemption is for what are commonly called Cottage Foods. The full list of exemptions is in KSA 65-689(d). The Food Safety law is available at this link: https://agriculture.ks.gov/docs/default-source/statutes-foodsafety-lodging/foodsafetyandlodging.pdf?sfvrsn=166423ad_18

What are the rules or regulations for people selling food under a license exemption?

- Any food sold or distributed in Kansas must be safe and honestly presented. For license exempt sales, general sanitation and hygiene requirements must be followed such as:
 - Not allowing employees with diarrhea, vomiting, jaundice, or other foodborne illness symptoms or illnesses to work with food.
 - Proper handwashing.
 - No bare-hand contact with ready-to-eat food.
 - Proper washing, rinsing, sanitizing, and air-drying utensils and other food contact surfaces. Protecting food from dust, pests, chemicals, and other environmental contamination.
- A great resource is the K-State publication Food Handling for Exempt Food Vendors available at the link in chat <https://bookstore.ksre.ksu.edu/pubs/MF3472.pdf>

Requirements to ship food out of Kansas to other states.

- There are different requirements based on the kind of food, the type of packaging, and the customer. It's best to contact us to ask about a specific situation. This is a question that we are looking at making a handout for.

What do you consider major infractions compared to minor infractions? How are inspections scored?

- Violations of the Kansas Food Code are grouped into the three risk categories, which come from the U.S. FDA Model Food Code. Priority items are directly linked to controlling foodborne illness risk factors. Priority Foundation items directly support controlling Priority items. Core items relate to general sanitation, facility design and maintenance issues, and similar items. We don't score the inspections but evaluate the specific conditions found to decide if a follow-up inspection and further compliance activities are required.

Are food handler cards required in Kansas?

- Kansas does not require a food handler card for food employees. The only city in Kansas that requires a card is Leavenworth. We strongly encourage all food

establishments to have at least one Certified Food Protection Manager working anytime food preparation is happening. A list of accredited providers is available at this link: <https://anabpd.ansi.org/Accreditation/credentialing/personnel-certification/food-protection-manager/AlldirectoryListing?menuID=8&prgID=8&statusID=4>

What are the best chemicals that others are using? What is acceptable? Dishwasher needs to be at what temp all the time?

- Chlorine and Quaternary Ammonium (Quat) are the most frequently used chemicals for sanitizing food contact surfaces. Remember to always use the appropriate test strips to verify the proper concentration. If your warewashing machine uses hot water for sanitization, it must be 180F at the manifold to get items to 160F at the “plate level.”

If we have a food establishment license to prepare foods in a commercial kitchen, can foods be preserved by canning or freezing?

- Freezing would be your easiest method of preserving foods. If you would like to can foods, you would need to have an approved variance and supporting food safety plan before canning. You can also find the recording of our November webinar about Special Processes at Retail for more information.

How do you properly store cold brew, iced coffee, etc.?

- There are many formulations for cold brew products, and some may be Temperature Control for Safety food, meaning they require time and temperature control for safety. Products sealed in cans or bottled with reduced oxygen, like nitrogen flushed containers, require special controls. We can answer questions about specific products. You can email us at the address in the chat KDA.FSL@ks.gov or by calling 785-564-6764. Product quality may degrade quickly if not refrigerated, however. Another resource is the National Coffee Association’s Cold Brew Toolkit <https://www.ncausa.org/Industry-Resources/Cold-Brew>

Should we reuse the leftover food?

- Leftovers that have not been served may be used if they are held safely. The foods must be properly held, cooled, stored, and reheated. Foods that require refrigeration for safety may only be held up to 7 days (Day 1 is the prep day) unless frozen.

Are pickles considered a high-risk food product?

- Commercially made pickles are not considered a high-risk food product because they are very acidic and produced under special process controls. However, making

pickles is considered a specialized process because of the risk of botulism. We can have an inspector visit with anyone who wants to make pickles for commercial use, such as direct-to-consumer sales, use in restaurants, or business-to-business sales.

Safety requirements for packaging meats in Kansas for retail sale.

- The requirements are generally the same for any food products. Packaged raw meat or poultry products must have the Safe Handling Instructions on the label, which is an additional requirement for those products. Business-to-business sales of meat and poultry products generally require Meat and Poultry inspection. Contact us if you have questions about specific situations.

Are cheeses subject to datemarking and only allowed to be kept for 7 days after the packages are opened?

- Soft cheeses are required to be date marked and may not be held longer than 7 days once opened. Opening day counts as day 1. Examples include: cream cheese, brie, goat cheese, cottage cheese, etc.
- Hard or semi-soft cheeses are exempt from date marking but still require refrigeration for safety. Examples include, Cheddar, Gruyere, Romano, Swiss, Gouda, Asiago, Provolone, etc.
- If you have questions about a specific cheese, please reach out to your local inspector or the Manhattan office.

Uncooked rice noodles soaking in water — what are the requirements?

- Once water is added to the rice noodle, it becomes a TCS food; that is a food that will require time and temperature for safety. You may reference our Focus on Food Safety booklet for all time and temperature requirements.
https://agriculture.ks.gov/docs/default-source/fsl--handouts/focus-on-food-safety-booklet.pdf?sfvrsn=ac8ea4c1_18

Can a homeless shelter accept donated deer meat?

- Donations of wild-harvested deer are allowed in Kansas if the deer is:
 - Taken legally and properly field dressed.
 - Processed at an appropriate processing facility.
 - Donated to a hunger organization and distributed to food-insecure end consumers in the processor's original, sealed package along with notice that the venison was not processed under inspection.
- The notice must be provided to the end consumer either on the product label or as additional labeling.

- Products must be maintained at proper temperatures throughout the distribution chain.
- Appropriate facilities are a state-inspected meat or poultry facility, a federally inspected meat or poultry facility, a food processing plant with prior written approval from KDA, or a food establishment with a variance to allow wild game processing.

Are the most failed inspections on restaurants?

- We do not fail inspections; all inspections are opportunities for improvement. We are here to assist you in providing safe food for your customers.

How is pet treat regulation different from pet food and chews?

- Pet food/treats that provide nutrition and are intended for use as animal food are required to be registered in the State of Kansas prior to registration.
- Chews and bones, flavor-coated or unflavored, shall be exempt from registration and labeling requirements in the State of Kansas, unless the product labeling makes any claim that the product is intended for use as animal food, or that the product provides nutritional value to the animal. Examples of chews are as follows: chews, bones, toys made of animal skin, hide, wood, or man-made material, hooves, ears, animal bones, ligaments, snouts, and pizzles. Please see our Monthly Webinar on Pet Treats located on our website. <https://agriculture.ks.gov/divisions-programs/food-safety-lodging/food-protection-task-force>

Do you need a license to sell pet food wholesale?

- This will depend on what you are selling. If you are selling your own products, you would be required to hold a license with KDA and pay appropriate fees. If you sell someone else's feed products you most likely would not be required to hold a license with KDA. Contact our Feed and Dairy program for more details. <https://agriculture.ks.gov/divisions-programs/dairy-inspection/feed-safety>

OSHA videos/Blood borne pathogens videos to watch in small grocery stores.

- OSHA requirements are outside of KDA's jurisdiction. We recommend a web search for "OSHA bloodborne pathogen requirements."

Convenience Stores or other Food Establishments wanting to accept Food Stamps/EBT cards. What foods can we sell?

- You may sell any foods you would like, as long as you have the proper capacity and Kansas food safety requirements are met. For more information on accepting Food Stamps/EBT cards, please reach out to the USDA. EBT Customer Service for Businesses 877-823-4369 or www.fns.usda.gov/snap

Do you have anything to do with detox and treatment centers?

Detox and treatment centers are outside of KDA's jurisdiction. We recommend contacting the Kansas Department of Health and Environment for specific food safety requirements for facilities they regulate. A directory is available at this link:

<https://www.kdhe.ks.gov/449/Health-Facilities-Program> General food safety concepts still apply, of course, and recordings of any of our monthly webinars this past year cover many of those concepts.