

# Food Safety Fact Sheet

## Food Establishment Licenses

The Kansas Department of Agriculture issues two types of licenses to food businesses, Food Establishment and Food Processor. A business may be required to have both licenses, depending on the operation.

### What is the difference between a Food Establishment and a Food Processing Plant?

- **Food Establishment**

The law defines a food establishment as any place in which food is prepared, served or offered for sale or service on the premises or elsewhere. Food Establishments include eating or drinking establishments, fixed or mobile restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, tea rooms, grills, sandwich shops, soda fountains, taverns, private clubs, roadside stands, industrial-feeding establishments, catering kitchens, commissaries and any other private, public or nonprofit organizations routinely serving food, grocery stores, convenience stores, bakeries and locations where food is provided for the public with or without charge. Roadside markets that offer only whole fresh fruits, nuts and vegetables for sale are not considered Food Establishments.

- **Food Processing Plant**

The law defines a Food Processing Plant as a commercial operation that processes or stores food for human consumption and provides food for distribution to other business entities at other locations, including other food processing plants and food establishments. Any operation or individual beekeeper that produces and distributes honey to other business entities is not considered a Food Processing Plant if the producer does not process the honey beyond extraction from the comb.

### How do I get licensed?

- Contact the Kansas Department of Agriculture at (785) 564-6767 to schedule an inspection before you open your business.
- Complete an application for a license. You can

obtain the application by calling the Kansas Department of Agriculture at (785) 564-6767, or by visiting the department's website at: <http://agriculture.ks.gov/divisions-programs/food-safety-lodging/food-safety-egg-lodging-app-forms>

- All facilities must submit a signed application with payment and pass an inspection before opening.
- You must meet all food safety compliance standards before you open.

### Frequently Asked Questions

*Q: Does a caterer have to be licensed if he/she works out of his/her home?*

A: Yes. Caterers must be licensed and must have a kitchen separate from a residential or personal-use kitchen. Personal chefs are not required to have a license if they prepare all food in the home of the client.

*Q: Will I have to renew my license?*

A: Yes. All licenses expire March 31 of each year. You should expect a renewal form around February each year.

*Q: Does it cost money to have a license?*

A: Yes. There is a one-time application fee when you first start your business, as well as a license fee that must be paid annually.

*Q: Will the license fees be prorated if I apply in the middle of the year?*

A: No. The licensing law does not allow for prorating the fees.

*Q: What equipment will I have to have in my establishment?*

A: The equipment you need varies and depends on the type of food establishment you operate. You may be required to have refrigeration, a three-compartment sink or commercial dish machine, hand sinks, and equipment to maintain cold and hot holding. Contact the Kansas Department of Agriculture for more information.