



Commercial Incubator Kitchen Licensing Guide

The Kansas Department of Agriculture (KDA) is devoted to the total support of agriculture in Kansas. While we must fulfill our statutory obligations, the department is dedicated to providing support and assistance to make Kansas farms, ranches and agribusinesses successful and help them grow if that is their desire. We also encourage more farms, ranches and other agriculture businesses to expand in or relocate to Kansas. This checklist will help guide you through various resources and requirements for opening and operating a typical Kansas commercial incubator kitchen. In addition to license requirements by KDA, other Kansas agencies, as well as local or federal government agencies, may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations and guidelines. This guide is designed to assist you as you work to build and operate a successful commercial incubator kitchen in Kansas.

✓	Department	Description	Renewal
	Office of the Secretary of State https://sos.ks.gov/	Complete the appropriate business entity filings and forms required by the Kansas Secretary of State. Call (785) 296-4564 for more information.	Prior to starting
	Department of Revenue www.ksrevenue.gov	Visit the Department of Revenue website to find important business tax information . Call (785) 368-8222 for more information.	Prior to starting
	Office of the State Fire Marshal (OSFM) prevention@ks.gov www.firemarshal.ks.gov	The Office of the State Fire Marshal will approve the building for Life Safety Compliance. To determine all requirements, call (785) 296-3401 and ask for the Prevention Division. Located at any community college, area vocational school, vocational- technical school, technical college, or any institution under the governance of the state board of regents	Prior to starting
	U.S. Food and Drug Administration (FDA) www.fda.gov	The commercial incubator kitchen will not need to register with the Food and Drug Administration (FDA). Each unique business that uses the facility and that distributes, manufactures, processes, packs or holds food for consumption by humans or animals may be required to register with the FDA. Detailed information about who should register can be found at the FDA website .	Biannual
	Department of Agriculture — Food Safety and Lodging www.agriculture.ks.gov	The commercial incubator kitchen is not required to have a license. Each unique business that uses the facility must have its own Food Establishment License or Food Processing or Storage License . For more information, contact the Food Safety and Lodging Program at (785) 564-6767 or KDA.FSL@ks.gov .	
	Department of Agriculture — Weights and Measures www.agriculture.ks.gov	No license is needed from Weights and Measures. Any business with a weighing or measuring device (e.g. scales, fertilizer meters, oil meters, measuring tapes, electric car chargers, taxi meters, etc.) must hire a licensed service company to inspect and test devices once annually, and any time additional maintenance, repairs, adjustments and calibrations are made throughout the year if the devices are used to determine the cost of any transaction. Examples include scales at grocery stores, yogurt shops, restaurants, hardware stores, nurseries, seed dealers, etc. Examples of meters include meters used at a car service center to add oil to your engine, fertilizer meters at agronomy centers, water meters in grocery stores for sale of bottled water, etc. For more information, visit the Weights and Measures Program website or call (785) 564-6681.	Annual service

Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
Phone: (785) 564-6700
Email: ksag@ks.gov
Website: <http://agriculture.ks.gov>

This guide is for informational purposes only. It is not intended to be an exhaustive list of requirements for operating a Kansas agribusiness entity. Please contact the appropriate agencies or organizations for specific requirements applicable to your business.