

# Farm Winery 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 farm winery. 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 farm winery in Kansas.

✓	Department	Description	Renewal
	Office of the Secretary of State <a href="https://sos.ks.gov/">https://sos.ks.gov/</a>	Complete the appropriate business entity <a href="#">filings and forms</a> required by the Kansas Secretary of State. Call (785) 296-4564 for more information.	Prior to starting
	Department of Revenue <a href="http://www.ksrevenue.gov">www.ksrevenue.gov</a>	Visit the Department of Revenue website to find important <a href="#">business tax information</a> , including liquor enforcement tax information. Call (785) 368-8222 for more information.	Prior to starting
	Office of the State Fire Marshal (OSFM) <a href="mailto:prevention@ks.gov">prevention@ks.gov</a> <a href="http://www.firemarshal.ks.gov">www.firemarshal.ks.gov</a>	The <a href="#">Office of the State Fire Marshal</a> may need to approve the building for Life Safety Compliance. To determine all requirements, call (785) 296-3401 and ask for the Prevention Division. With a group A assembly occupancy having a combined occupant load in excess of 2,000 persons.	Prior to starting
	U.S. Food and Drug Administration (FDA) <a href="http://www.fda.gov">www.fda.gov</a>	Owners, operators or agents in charge of domestic or foreign facilities that distribute, manufacture, process, pack or hold food for consumption, including alcoholic beverages, in the United States are required to register the facility with the Food and Drug Administration (FDA). Log in and create an account to <a href="#">register a food facility</a> .	Prior to starting
	U.S. Department of the Treasury — Alcohol and Tobacco Tax and Trade Bureau (TTB) <a href="http://www.ttb.gov">www.ttb.gov</a>	Wineries should complete the <a href="#">Application for Basic Permit</a> for the production or blending of wine and the <a href="#">Alcohol Dealer Registration</a> prior to the application with the Kansas Department of Revenue, Alcoholic Beverage Control. Consult the <a href="#">TTB website</a> for more information and requirements or to <a href="#">apply online</a> .	Prior to opening, July 1 if change in business
	Kansas Department of Revenue — Alcoholic Beverage Control (ABC) <a href="http://www.ksrevenue.gov">www.ksrevenue.gov</a>	Farm wineries should consult the <a href="#">Farm Winery License</a> webpage for information and application forms or to <a href="#">apply online</a> . Additional information specific to farm wineries can be found in the <a href="#">Handbook for Farm Wineries</a> . For more information, <a href="#">contact ABC</a> at (785) 296-7015.	Prior to opening,  Biannual renewal
	Department of Agriculture — Dairy and Feed Safety <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	The sale of commercial feed in Kansas requires a commercial license for each manufacturing facility located in the state. An exemption exists for distillers wet grains consisting of more than 60% water. Review the applicable program documents <a href="#">here</a> . For more information, visit the <a href="#">Dairy and Feed Safety Program</a> webpage or call (785) 564-6685.	Prior to the sale of feed
	Department of Agriculture — Food Safety and Lodging <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	A <a href="#">Food Establishment License</a> may be required depending on what items in addition to wine are produced, offered and/or sold. A <a href="#">Food Processing or Storage License</a> is required if alcoholic beverages are processed beyond what is allowed by the Alcoholic Beverage Control Farm Winery License. For more information, contact the <a href="#">Food Safety and Lodging Program</a> at (785) 564-6767 or <a href="mailto:KDA.FSL@ks.gov">KDA.FSL@ks.gov</a> .	Prior to opening,  Annual renewal March 31

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	Department of Agriculture — Weights and Measures  <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	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 <a href="#">licensed service company</a> 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 <a href="#">Weights and Measures Program</a> webpage or call (785) 564-6681.	Annual service
	Department of Health and Environment — Bureau of Environmental Remediation, Storage Tank Section  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	Entities operating their own fuel tanks may be required to register with the Kansas Department of Health and Environment (KDHE). Review information about aboveground storage tanks (AST) and underground storage tanks (UST). Review the <a href="#">KDHE Storage Tank Section</a> website for further information, or call (785) 296-1678 for permitting information. The <a href="#">Kansas Small Business Environmental Assistance Program</a> (SBEAP) has AST program highlights and registration requirements in addition to assistance with UST inventory control.	Prior to installing tanks,  Annual renewal August 1
	Department of Health and Environment — Bureau of Water, Public Water Supply and Geology & Well Technology Section  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	If the facility will not utilize a municipal public water supply or rural water supply as the source of drinking water and the facility will serve 25 people or more per day, 60 or more days per year, it will be considered a public water supply subject to state/federal drinking water requirements. Contact the <a href="#">KDHE Public Water Supply Section</a> at (785) 296-5514.  Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells serving public water supplies. For more information, contact the <a href="#">KDHE Geology &amp; Well Technology Section</a> at (785) 296-3565.	Prior to construction
	Department of Health and Environment — Bureau of Water, Municipal Program Section  <a href="http://www.kdheks.gov">www.kdheks.gov</a> <a href="http://kslepp.org">kslepp.org</a>	If the facility will employ an on-site wastewater treatment system for human wastewater rather than utilize a municipal sanitary sewer for handling and disposal of sewage from the facility, contact the <a href="#">KDHE Municipal Program Section</a> at (785) 296-5527 for construction and permitting requirements.	Prior to construction
	Department of Health and Environment — Bureau of Waste Management  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must <a href="#">register</a> with KDHE and facilities greater than one-half acre must obtain a <a href="#">permit</a> . An <a href="#">application for approval</a> must be obtained to apply organic waste to land. For more information, review the <a href="#">KDHE Solid Waste</a> webpage or call (785) 296-2751.	Prior to composting or land application
	Department of Health and Environment — Bureau of Air  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	<a href="#">Gasoline dispensing facilities</a> are subject to federal air regulation. A <a href="#">guidance document</a> is available to assist in determining regulatory requirements. Refer to the <a href="#">Standard Construction Permit/Approval for Gasoline Dispensing Facilities</a> if applicable. For more information, review the <a href="#">KDHE Bureau of Air</a> website or call (785) 296-6024.	Prior to dispensing fuel

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*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.*