



# Home Kitchen used for Retail Food Sales 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 home kitchen used for retail food sales. 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 home kitchen used for retail food sales 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> . Call (785) 368-8222 for more information.	Prior to starting
	Department of Agriculture — Food Safety and Lodging <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	No license is required to make and sell certain types of lower risk foods. To make higher risk foods for sale directly to the consumer or to wholesale for further distribution, complete a <a href="#">Food Establishment License</a> or <a href="#">Food Processing or Storage License</a> . Review the <a href="#">Food Sales at Farmers' Markets</a> webpage for additional information. To learn more about <a href="#">starting a food business</a> , 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
	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
	U.S. Food and Drug Administration (FDA) <a href="http://www.fda.gov">www.fda.gov</a>	If food from a home kitchen for retail sales is being sold across state lines, it is 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> .	Biannual
	K-State Research and Extension <a href="http://www.ksre.ks.edu">www.ksre.ks.edu</a>	More information about food safety for foods produced under the direct-to-consumer exemption is available from the <a href="#">K-State Research and Extension Bookstore</a> .	

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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.*