

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 sos.ks.gov	Complete the appropriate business entity Licenses and Permits 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 Kansas Department of Revenue website to find important business tax information . Call 785-368-8222 for more information.	Prior to starting
	Department of Agriculture — Food Safety and Lodging www.agriculture.ks.gov	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 Food Establishment License or Food Processing or Storage License . Review the Food Sales at Farmers' Markets webpage for additional information. To learn more about starting a food business , contact the KDA Food Safety and Lodging Program at 785-564-6767 or KDA.FSL@ks.gov .	Prior to opening Annual renewal March 31
	Department of Agriculture — Weights and Measures www.agriculture.ks.gov	No license is needed from the KDA Weights and Measures Program. Any business with a weighing or measuring device (e.g., scales, wholesale fuel meters, fertilizer meters, oil meters, grain moisture meters, electric car chargers, milk meters, etc.) must hire a licensed service company to place the device in service with the Kansas Department of Agriculture before the device may be used in commercial transactions. The businesses must hire a licensed service company to inspect and test the commercial 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, restaurants, hardware stores, nurseries, seed dealers, etc. Examples of meters include meters to dispense propane, vehicle mounted meters for fuel delivery, fertilizer meters at agronomy centers, water meters in grocery stores for sale of bottled water, etc. For more information, visit the KDA Weights and Measures Program webpage or call 785-564-6681.	Annual service
	U.S. Food and Drug Administration (FDA) www.fda.gov	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. Log in and create an account to register a food facility .	Biannual
	K-State Research and Extension www.ksre.ks.edu	More information about food safety for foods produced under the direct-to-consumer exemption is available from the K-State Research and Extension Bookstore .	

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.