



# Microdistillery 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 microdistillery. 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 microdistillery in Kansas.

✓	Department	Description	Renewal
	Office of the Secretary of State <a href="http://www.kssos.org">www.kssos.org</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.org">www.ksrevenue.org</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="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.	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
	Department of Agriculture — Food Safety and Lodging <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	Complete the <a href="#">Food Processing or Storage License</a> . 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
	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 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

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	U.S. Department of the Treasury — Alcohol and Tobacco Tax and Trade Bureau (TTB) <a href="http://www.ttb.gov">www.ttb.gov</a>	Microdistilleries should complete the <a href="#">Application for Basic Permit</a> . Complete the <a href="#">Alcohol Dealer Registration</a> prior to 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.org">www.ksrevenue.org</a>	Microdistilleries should consult the <a href="#">Microdistillery License</a> webpage for information and application forms or <a href="#">apply online</a> . Review the <a href="#">Handbook for Microdistilleries</a> and <a href="#">Microdistillery Activities and Applicable Taxes</a> flowchart for microdistillery-specific information. For more information, <a href="#">contact ABC</a> at (785) 296-7015.	Prior to opening,  Biannual renewal
	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 Water, Industrial Program Section <a href="http://www.kdheks.gov">www.kdheks.gov</a>	<a href="#">NPDES Industrial Stormwater Permit</a> is required for the operation of the facility and must be obtained prior to the start of operation. In lieu of this permit, the operator can obtain a ‘No Exposure Waiver,’ found in the NPDES Industrial Stormwater Permit, if waiver requirements are met. Call (785) 296-4347 for more information.  <a href="#">NPDES Construction Stormwater Permit</a> is required only if one or more acres are disturbed during construction. The permit is required prior to the start of soil disturbing activities (construction). For more information, call (785) 296-5549.  Any on-site water pollution control system will have to be permitted. The permit has to be issued prior to the start of construction. If wastewater will be directed to a municipal wastewater collection and treatment system for treatment and disposal, approval for use of the municipal system, along with any permits, needs to be secured from the municipality. Call (785) 296-5549 for more information.	Prior to construction

Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502  
Phone: (785) 564-6700  
Email: [ksag@ks.gov](mailto: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.*



# Helpful Business Development Resources

The following listed resources are provided as a service to Kansas businesses. These resources will assist business owners in obtaining useful tools for starting a Kansas business, marketing agricultural products and developing a skilled workforce, among others.

## Kansas Department of Agriculture

<p>Agribusiness Development, Domestic &amp; International</p> <p><a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a></p>	<p>The agribusiness development team works to grow the Kansas agriculture industry and economy by connecting people, working through regulatory requirements, as well as navigating support and incentive options for Kansas agribusinesses. The team handles both domestic and international business-related activities. For domestic questions, contact Russell Plaschka, Agribusiness Development and Workforce Program Manager, at <a href="mailto:Russell.Plaschka@ks.gov">Russell.Plaschka@ks.gov</a> or (785) 564-7466. If your business has questions on importing or exporting, contact Suzanne Ryan-Numrich, International Trade Director, at <a href="mailto:Suzanne.Numrich@ks.gov">Suzanne.Numrich@ks.gov</a> or (785) 564-6704.</p>
<p>From the Land of Kansas Program</p> <p><a href="http://www.fromthelandofkansas.com">www.fromthelandofkansas.com</a></p>	<p>The <i>From the Land of Kansas</i><sup>™</sup> trademark program's goal is to help businesses that grow, produce, process or manufacture products in Kansas. In addition, the program works with and supports restaurants using Kansas products and retailers selling Kansas products and ingredients. The trademark program helps members promote their Kansas products and provides members with a variety of business development tips and opportunities, including marketing assistance. In addition, the state trademark provides a consistent way to identify Kansas agriculture-based products.</p> <p><a href="#">Register</a> your business for membership with <i>From the Land of Kansas</i>. For more information, contact Janelle Dobbins, <i>From the Land of Kansas</i> Marketing Manager, at <a href="mailto:Janelle.Dobbins@ks.gov">Janelle.Dobbins@ks.gov</a> or call (785) 564-6759.</p>
<p>Agricultural Workforce Development</p> <p><a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a></p>	<p>KDA's Workforce Development can connect you with secondary and post-secondary resources to find skilled employees and/or assist in developing a training program to fit your needs. For more information, contact Russell Plaschka, Agribusiness Development and Workforce Program Manager, at <a href="mailto:Russell.Plaschka@ks.gov">Russell.Plaschka@ks.gov</a> or (785) 564-7466.</p>

## Kansas Department of Commerce

<p>KANSASWORKS</p> <p><a href="http://www.kansasworks.com">www.kansasworks.com</a></p>	<p>KANSASWORKS is a free, web-based resource connecting employers with skilled employees and training providers. Call (877) 509-6757 for more information on how to utilize the KANSASWORKS services for filling your employment needs.</p>
<p>Rural Opportunity Zones</p> <p><a href="http://www.kansascommerce.gov">www.kansascommerce.gov</a></p>	<p>The <a href="#">Rural Opportunity Zone</a> program is a state program authorizing financial incentives to new full-time residents in Kansas. The two types of assistance include Kansas income tax waivers for up to five years and/or student loan repayments up to \$15,000. For more information, please contact the Kansas Department of Commerce at (785) 296-3481.</p>

## Other Resources

<p>Network Kansas</p> <p><a href="http://www.networkkansas.com">www.networkkansas.com</a></p>	<p>Network Kansas works with new and existing businesses to provide a central portal that connects entrepreneurs and small business owners with expertise, education and economic resources. The KSeship mobile application, available in <a href="#">iOS</a> or <a href="#">android</a>, is designed to provide simplified access to resources through connections, classes and capital resources. Call 877-521-8600 for more details.</p>
<p>Kansas Small Business Development Center (KSBDC)</p> <p><a href="http://www.kansassbdc.net">www.kansassbdc.net</a></p>	<p>The Kansas Small Business Development Center is a network of service centers located throughout Kansas offering business consulting to small businesses. Call 800-452-6727 for more information.</p>

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## Other Resources Continued

<p>Kansas Business Center</p> <p><a href="http://www.kansas.gov/businesscenter">www.kansas.gov/businesscenter</a></p>	<p>The Kansas Business Center is a resource for information, filings and personal assistance to start or maintain a Kansas business. Call (877) 521-8600 for more details.</p>
<p>K-State Research and Extension</p> <p><a href="http://www.ksre.ks.edu">www.ksre.ks.edu</a></p>	<p>K-State Research and Extension is a statewide network of educators sharing unbiased, research-based information and expertise on issues important to Kansas. It has established local, state, regional, national and international partnerships. It is dedicated to a safe, sustainable, competitive food and fiber system and to strong, healthy communities, families and youth through integrated research, analysis and education. For more information, please call (785) 532-5820.</p>
<p>K-State Research and Extension, Kansas Value Added Foods Lab and K-State Food Science Institute, Meat Science Facility</p>	<p>The <a href="#">Kansas Value Added Foods Lab</a> offers food-related businesses, processors and entrepreneurs technical assistance and product development expertise. For the full list of services and prices, refer to the <a href="#">Fees and Information</a> webpage. For more information, call (785) 532-1668 or email <a href="mailto:kvafll@ksu.edu">kvafll@ksu.edu</a>.</p> <p>The <a href="#">Meat Science Facility</a> provides meat processors and entrepreneurs an opportunity to use a state-of-the-art meat science research and teaching complex. Laboratories include the Meat Lab, the Sensory Lab, the Color Lab, the Meat Chemistry Lab and the Post-Processing Pasteurization Lab. For more information, call (785) 532-1279.</p>
<p>USDA Rural Development</p> <p><a href="http://www.rd.usda.gov">www.rd.usda.gov</a></p>	<p>USDA's Rural Development program offers loans, grants and loan guarantees to support services such as housing, economic development, health care, first responder services and equipment, water, electric and communications infrastructure.</p>
<p>USDA New Farmers</p> <p><a href="http://newfarmers.usda.gov">newfarmers.usda.gov</a></p>	<p>USDA's New Farmers program assists farmers in finding resources customized to their specific type of farm. Subcategories are focused on young and beginning farmers, women in agriculture, youth and veterans.</p>

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