

# 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="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> will 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
	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.gov">www.ksrevenue.gov</a>	Microdistilleries should consult the <a href="#">Microdistillery License</a> webpage for information and application forms or <a href="#">apply online</a> . Additional information specific to microdistilleries can be found in the <a href="#">Handbook for Microdistilleries</a> . 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) 296-5551 for more information.	Prior to construction

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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.*