



# Grocery and Retail Stores 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 grocery or retail store. 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 grocery or retail store in Kansas.

✓	Department	Description	Renewal
	Office of the Secretary of State <a href="http://sos.ks.gov">sos.ks.gov</a>	Complete the appropriate business entity <a href="#">Licenses and Permits</a> required by the Kansas Secretary of State.	Prior to starting
	Department of Revenue — Division of Taxation <a href="http://www.ksrevenue.gov">www.ksrevenue.gov</a>	<p>Visit the Kansas Department of Revenue website to find important <a href="#">business tax information</a> (sales tax, withholding tax, etc.) and to review pertinent information about cigarettes, tobacco products and consumable material.</p> <p>A Retail Dealer Cigarette/E-Cigarette license is required for any business selling cigarettes and/or e-cigarettes over the counter. The license fee is \$25 for each location and is renewed every two calendar years. Complete form <a href="#">CG-109, Application for Cigarette License</a> or <a href="#">CR-16, Kansas Business Tax Application</a>, if applying for multiple tax types.</p> <p>Tobacco retailers are not licensed at this time. Tobacco distributor licenses are \$25 per calendar year.</p> <p>A tax is imposed upon the privilege of selling or dealing in consumable material which are ingredients that goes into electronic cigarettes. Each distributor of consumable material must apply for a certificate of registration. Complete form <a href="#">EC-1, Application for Consumable Material Tax Registration</a>. Monthly reports must be submitted online with the applicable tax payment.</p> <p>All cigarette/e-cigarette, tobacco, and consumable material retailers must register to collect Kansas Retailer's Sales Tax.</p> <p>Contact Cigarette/Tobacco at 785-368-8222 (option 5, then option 4 then option 1) or email <a href="mailto:kdor_cigtob@ks.gov">kdor_cigtob@ks.gov</a></p>	<p>Prior to starting</p> <p>Biannual renewal on even years</p> <p>Yearly</p>
	Center for Engagement and Community Development <a href="http://www.ruralgrocery.org">www.ruralgrocery.org</a>	<a href="#">Kansas Rural Grocery Store Initiative</a> partners with organizations to create new models for rural business development and sustainability among grocery stores in rural communities. Contact 785-532-6868 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>	Complete the <a href="#">Food Establishment License</a> . Specialized processing, like vacuum packaging, requires a <a href="#">variance approval</a> . The <a href="#">Plan Review</a> guide is available to assist in planning a new facility. For more information, contact the <a href="#">KDA Food Safety and Lodging Program</a> at 785-564-6767 or <a href="mailto:KDA.FSL@ks.gov">KDA.FSL@ks.gov</a> .	<p>Prior to starting</p> <p>Annual renewal March 31</p>
	U.S. Department of Agriculture — Food and Nutrition Service <a href="http://www.fns.usda.gov">www.fns.usda.gov</a>	<a href="#">Apply online</a> to accept Supplemental Nutrition Assistance Program (SNAP) benefits at your store or call 877-823-4369.	Reauthorize every 5 years

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	Department of Agriculture — Weights and Measures  <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	<p>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.) including businesses with stationary retail fuel meters (e.g., retail gas pumps, retail motor-fuel dispensers) must hire a <a href="#">licensed service company</a> to place the device in service with the Kansas Department of Agriculture before the device may be used in commercial transactions. The business 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. The Kansas Department of Agriculture will inspect and test stationary retail fuel meters every 18 months.</p> <p>Examples include scales at grocery stores, restaurants, hardware stores, nurseries, seed dealers, etc. Examples of meters include meters used 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 <a href="#">KDA Weights and Measures Program</a> webpage or call 785-564-6681.</p>	Annual service
	Department of Agriculture — Pesticides and Fertilizers  <a href="http://www.agriculture.ks.gov">www.agriculture.ks.gov</a>	<p>Any retail business (including grocery stores, convenience stores and hardware stores) or person who sells a pesticide to another person for application must complete the <a href="#">Pesticide Dealer Registration</a>.</p> <p>For more information, visit the <a href="#">KDA Pesticide and Fertilizer Program</a> webpage or call 785-564-6688.</p>	Prior to July 1
	Kansas Department of Revenue — Alcoholic Beverage Control (ABC)  <a href="http://www.ksrevenue.gov">www.ksrevenue.gov</a>	<p>Kansas law restricts the sale of alcohol in grocery stores to Cereal Malt Beverages (CMB) that are 3.2% alcohol by weight or less and beer that is 6% alcohol by volume or less. <a href="#">CMB licenses</a> are issued by the local governing authority, the city or county, not by the Alcoholic Beverage Control. The city or county also collects the \$25 State CMB Stamp fee and affixes it to your license. Information and application forms can be found on the <a href="#">ABC website</a> or you may contact ABC at 785-296-7015.</p>	Prior to opening
	U.S. Department of the Treasury — Alcohol and Tobacco Tax and Trade Bureau (TTB)  <a href="http://www.ttb.gov">www.ttb.gov</a>	<p>Retail beverage alcohol dealers are required under federal law to complete the <a href="#">Alcohol Dealer Registration</a>. Consult the <a href="#">TTB website</a> for more information or to <a href="#">apply online</a>.</p>	Prior to opening
	Kansas State Board of Pharmacy  <a href="http://www.pharmacy.ks.gov">www.pharmacy.ks.gov</a>	<p>Certain applications and forms are necessary to complete for sales on nonprescription and prescription drugs. Review the full list of <a href="#">applications and forms</a> or contact <a href="mailto:pharmacy@ks.gov">pharmacy@ks.gov</a>, Statutes and Regulations: <a href="#">Webpage</a>, Facility and Business applications: <a href="#">Forms</a>, FAQ for licensing: <a href="#">FAQ</a></p>	Varies
	Kansas Lottery  <a href="http://www.kslottery.com">www.kslottery.com</a>	<p>If selling lottery tickets, complete the <a href="#">Kansas Lottery Application</a>. For more information, view the <a href="#">Kansas Lottery</a> webpage or call 800-322-5688.</p>	Prior to selling tickets
	Kansas Department of Health and Environment — Bureau of Air  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	<p><a href="#">Gasoline dispensing facilities</a> are subject to a 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.</p>	Life of facility
	Office of the State Fire Marshal  <a href="http://www.firemarshal.ks.gov">www.firemarshal.ks.gov</a>  <a href="mailto:prevention@ks.gov">prevention@ks.gov</a>	<p>Review the <a href="#">forms for aboveground storage tanks</a> and complete the appropriate forms. For more information, contact 785-296-3401.</p> <p>ONLY applies to aboveground tanks.</p>	Prior to starting



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✓	Department	Description	Renewal
	Department of Health and Environment — Bureau of Environmental Remediation, Storage Tank Section  <a href="http://www.kdheks.gov">www.kdheks.gov</a>	For stores selling fuel there are multiple steps required for 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.	August 1
	U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS), Perishable Agricultural Commodities Act Division  <a href="http://www.ams.usda.gov">www.ams.usda.gov</a>	Any person who buys or sells more than 2,000 pounds of fresh or frozen fruits and vegetables in any given day is required to be licensed under the Perishable Agricultural Commodities Act (PACA). Wholesalers, processors, grocery wholesalers and foodservice firms fit into this category. Additionally, any entity selling at retail is subject to a PACA license once the invoice costs of fresh and frozen fruits and vegetable purchases exceed \$230,000 in a calendar year. For additional information, visit the AMS <a href="#">Perishable Agricultural Commodities Act</a> website or call 800-495-7222.	Prior to opening

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 Phone: 785-564-6700    Email: [ksag@ks.gov](mailto:ksag@ks.gov)    Website: [www.agriculture.ks.gov](http://www.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.*