



Microbrewery 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 microbrewery. 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 microbrewery 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.	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
	Office of the State Fire Marshal (OSFM) www.firemarshal.ks.gov prevention@ks.gov	The Office of the State Fire Marshal will approve the building for Life Safety Compliance with a group A assembly occupancy having a combined occupant load in excess of 2,000 persons. To determine all requirements, call 785-296-3401 and ask for the Prevention Division.	Prior to starting
	U.S. Food and Drug Administration (FDA) www.fda.gov	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. Log in and create an account to register a food facility .	Prior to starting
	Department of Agriculture — Food Safety and Lodging www.agriculture.ks.gov	A Food Service Establishment License is required for sales to the end consumer. If the microbrewery offers beer for further distribution, a Food Processing or Storage License is required. For more information, 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	Annual service
	Department of Agriculture — Dairy and Feed Safety www.agriculture.ks.gov	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 here . For more information, visit the KDA Dairy and Feed Safety Program 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) www.ttb.gov	Microbreweries should complete the TTB Brewer's Notice . Complete the Alcohol Dealer Registration prior to application with the Kansas Department of Revenue, Alcoholic Beverage Control. Consult the TTB website for more information and requirements, or to apply online .	Prior to opening, July 1 if change in business
	Kansas Department of Revenue — Alcoholic Beverage Control (ABC) www.ksrevenue.gov	Microbreweries should consult the Microbrewery License webpage for information and application forms or apply online . Additional information specific to microbreweries can be found in the Handbook for Microbreweries . For more information, contact Alcoholic Beverage Control at 785-296-7015.	Prior to opening Biannual renewal
	Department of Health and Environment — Bureau of Waste Management www.kdheks.gov	Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must register with the Kansas Department of Health and Environment (KDHE), and facilities greater than one-half acre must obtain a permit . An application for approval must be obtained to apply organic waste to land. For more information, review the KDHE Solid Waste webpage or call 785-296-2751.	Prior to composting or land application
	Department of Health and Environment — Bureau of Water, Industrial Program Section www.kdheks.gov	An NPDES Industrial Stormwater Permit 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. For more information, call 785-296-4347. An NPDES Construction Stormwater Permit 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.