



Commercial Incubator Kitchen 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 commercial incubator kitchen. 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 commercial incubator kitchen 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 www.firemarshal.ks.gov prevention@ks.gov	The Office of the State Fire Marshal will approve the building for Life Safety Compliance. To determine all requirements, call 785-296-3401 and ask for the Prevention Division. Location could be at any community college, area vocational school, vocational-technical school, technical college, or any institution under the governance of the Kansas Board of Regents.	Prior to starting
	U.S. Food and Drug Administration (FDA) www.fda.gov	The commercial incubator kitchen will not need to register with the Food and Drug Administration. Each unique business that uses the facility and that distributes, manufactures, processes, packs or holds food for consumption by humans or animals may be required to register with the FDA. Detailed information about who should register can be found at the FDA website .	Biannual
	Department of Agriculture — Food Safety and Lodging www.agriculture.ks.gov	The commercial incubator kitchen is not required to have a license. Each unique business that uses the facility must have its own Food Establishment License or Food Processing or Storage License . For more information, contact the KDA Food Safety and Lodging Program at 785-564-6767 or KDA.FSL@ks.gov .	
	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

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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.