

Farm Winery 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 farm winery. 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 farm winery 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
	U.S. Department of the Treasury — Alcohol and Tobacco Tax and Trade Bureau (TTB) www.ttb.gov	Wineries should complete the Application for Basic Permit for the production or blending of wine and the Alcohol Dealer Registration prior to the 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	Farm wineries should consult the Farm Winery License webpage for information and application forms or to apply online . Additional information specific to farm wineries can be found in the Handbook for Farm Wineries . For more information, contact Alcoholic Beverage Control at 785-296-7015.	Prior to opening Biannual renewal
	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
	Department of Agriculture — Food Safety and Lodging www.agriculture.ks.gov	A Food Establishment License may be required depending on what items in addition to wine are produced, offered and/or sold. A Food Processing or Storage License is required if alcoholic beverages are processed beyond what is allowed by the Alcoholic Beverage Control Farm Winery License. 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

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	Department of Agriculture — Weights and Measures www.agriculture.ks.gov	<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.) 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.</p> <p>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.</p>	Annual service
	Department of Health and Environment — Bureau of Environmental Remediation, Storage Tank Section www.kdheks.gov	<p>Entities operating their own fuel tanks may be required to register with the Kansas Department of Health and Environment (KDHE). Review information about aboveground storage tanks (AST) and underground storage tanks (UST). Review the KDHE Storage Tank Section website for further information, or call 785-296-1678 for permitting information.</p> <p>The Kansas Small Business Environmental Assistance Program (SBEAP) has AST program highlights and registration requirements in addition to assistance with UST inventory control.</p>	<p>Prior to installing tanks</p> <p>Annual renewal August 1</p>
	Department of Health and Environment — Bureau of Water, Public Water Supply Section and Geology & Well Technology Unit www.kdheks.gov	<p>If the facility will not utilize a municipal public water supply or rural water supply as the source of drinking water and the facility will serve 25 people or more per day, 60 or more days per year, it will be considered a public water supply subject to state/federal drinking water requirements. Contact the KDHE Public Water Supply Section at 785-296-5514.</p> <p>Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells serving public water supplies. For more information, contact the KDHE Geology & Well Technology Unit at 785-296-7265.</p>	Prior to construction
	Department of Health and Environment — Bureau of Water, Industrial Programs Unit www.kdhe.ks.gov	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). Submit permit requests online at https://keims.kdhe.ks.gov/nsuite , or email Chris.Seeds@ks.gov for assistance. For more information, visit the KDHE Industrial Programs website.	Prior to construction
	Department of Health and Environment — Bureau of Water, Municipal Permitting & Engineering Unit www.kdheks.gov www.kdhe.ks.gov/LEPP	If the facility will employ an on-site wastewater treatment system for human wastewater rather than utilize a municipal sanitary sewer for handling and disposal of sewage from the facility, contact the KDHE Municipal Permitting & Engineering Unit at 785-296-5528 for domestic wastewater permitting requirements.	Prior to construction
	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



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	Department of Health and Environment — Bureau of Air www.kdheks.gov	Gasoline dispensing facilities are subject to federal air regulation. A guidance document is available to assist in determining regulatory requirements. Refer to the Standard Construction Permit/Approval for Gasoline Dispensing Facilities if applicable. For more information, review the KDHE Bureau of Air website or call 785-296-6024.	Prior to dispensing fuel

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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.