

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 28.—Food Safety

4-28-5. Fees; food processing plant.

Each food processing plant shall be licensed by the secretary.

(a) Each person operating or intending to operate a food processing plant shall submit an application on a form supplied by the department with one of the following pairs of application fees and license fees based on the size and type of the plant, as applicable:

(1) For each food processing plant that only stores food, one of the following fees:

(A) Less than 1,000 square feet: \$150 application fee and \$160 license fee;

(B) 1,000 square feet through 5,000 square feet: \$200 application fee and \$175 license fee;

(C) 5,001 square feet through 10,000 square feet: \$250 application fee and \$250 license fee;

(D) 10,001 square feet through 50,000 square feet: \$300 application fee and \$300 license fee; or

(E) more than 50,000 square feet: \$350 application fee and \$350 license fee; and

(2) for each food processing plant not specified in paragraph (a)(1), one of the following fees:

(A) Less than 1,000 square feet: \$150 application fee and \$175 license fee;

(B) 1,000 square feet through 5,000 square feet: \$200 application fee and \$200 license fee;

(C) 5,001 square feet through 10,000 square feet: \$250 application fee and \$275 license fee;

(D) 10,001 square feet through 50,000 square feet: \$300 application fee and \$325 license fee; or

(E) more than 50,000 square feet: \$350 application fee and \$400 license fee.

(b) For the purpose of this regulation, a facility that only stores food shall include any premises, establishment, building, room, area, facility, or place where food is stored, kept, or held for distribution, whether or not the food is temperature-controlled.

(c) For the purpose of this regulation, "food processing plant" shall not include either of the following:

(1) A facility in which fresh fruits and vegetables are harvested and washed, if the fruits and vegetables are not otherwise processed at the facility; or

(2) a storage facility used solely for the storage of grain or other raw agricultural commodities.

(d) Each license issued shall expire on March 31 each year.

(e) Each license shall require annual renewal by the licensee's submission of an online application for renewal available on the department's web site and the payment of the applicable license fee specified in subsection (a).

(Authorized by and implementing K.S.A. 2017 Supp. 65-688; effective Feb. 18, 2005; amended Dec. 5, 2008; amended Feb. 8, 2013; amended June 15, 2018.)

***** Authenticated Kansas Administrative Regulation *****