

Business Guide to Food Inspection Jurisdiction by New York State Agency

Agency	NYS Ag and Markets Division of Food Inspections	NYS Ag & Markets Division of Milk Control	NYS Department of Environmental Conservation	Local health departments
Licensing requirement	Requires Article 20-C to operate	Requires Milk Dealer License, Part 2 Permit and Inspection Program, Frozen Desserts License, or application to install dairy equipment as needed	Requires various permits	Requires health permit and inspection
Business Type	<ul style="list-style-type: none"> ▪ candy manufacturing ▪ frozen food manufacturing ▪ fruit and vegetable wholesalers ▪ nut roasting and packaging ▪ spice and condiment manufacturing ▪ drink/juice/apple cider bottling mfg ▪ baby food manufacturing ▪ smoked fish manufacturing ▪ fruit and vegetable processing ▪ canning manufacturing ▪ sugar refineries ▪ ingredient manufacturers and suppliers ▪ wholesale bakeries ▪ wineries, distilleries, breweries and cider mills (<i>not farm licensed/based</i>) ▪ cream filling manufacturing ▪ convenience food manufacturing ▪ raw farm products (eggs, produce, etc.)* ▪ hops processing and pelletizing ▪ retail food stores where food is being cooked, re/heated, fried, grilled, etc: <ul style="list-style-type: none"> ▪ including grocery stores, convenience stores and bodegas ▪ delicatessens with sales >50% in wholesale ▪ On-farm stands where food is being cooked, re/heated, fried, grilled, etc ▪ beer and wine stores where "growlers" are being refilled ▪ ice manufacturers ▪ processed seafood ▪ repackagers/slicing/mincing of fruits/veg/ meat/ cheese/fish, etc ▪ multiple ingredient maple syrup and honey producers/maple syrup/honey repackers ▪ High Pressure Pascalization (HPP) facilities ▪ establishments repackaging food products from bulk 	<ul style="list-style-type: none"> ▪ frozen desserts (wholesale only) ▪ any dairy product ▪ pasteurization process of non-dairy products ▪ milk plant ▪ dairy processor ▪ dairy farms producing >3,000 lbs/month of milk (relevant for Milk Dealers License) <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>* Note: NYS Ag & Markets inspects raw farm products. No license is required for raw agricultural/farm products</p> </div> <div style="background-color: #008080; color: white; padding: 10px; margin-top: 10px;"> <p>EXEMPTIONS: NOTE: The following processing facilities are <u>exempt</u> from 20-C Licensing (see 1 NYCRR: 276.4 for further details) They must however adhere to good manufacturing practices (GMPs)</p> <ul style="list-style-type: none"> • Licensed by State Liquor Authority as Farm Winery, • Licensed by State Liquor Authority as Farm Cidery, • Licensed by State Liquor Authority as Farm Brewery, • Licensed by State Liquor Authority as Farm Distiller, • Honey producers • Maple Syrup processors • Home processors (register only) • Slicing & packaging of cheese at farmer's market • Hops processors (exempt from fee only) </div>	<ul style="list-style-type: none"> ▪ live shellfish and seafood distribution ▪ composting facilities <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>For more information on food safety, please visit www.agriculture.ny.gov</p> <p><u>Questions or schedule an inspection:</u> Call your local Ag & Markets office.</p> </div>	<ul style="list-style-type: none"> ▪ restaurants <ul style="list-style-type: none"> ▪ including pizzerias, fast food, take out, diners, etc. ▪ refreshment stands ▪ soda fountains ▪ carnivals, circuses, exhibitions, fairs, festivals ▪ clubs and organizations sampling ▪ lunch bars, counters and dining rooms ▪ catering kitchens ▪ mobile food establishments ▪ food service establishments <ul style="list-style-type: none"> ▪ Including hospital, church, industrial, etc. ▪ delicatessens with sales > 50% in retail ▪ oyster, clam bars and fish fry ▪ dairy bars ▪ ice cream and frozen dessert stands ▪ vending machines ▪ interstate and intrastate carriers ▪ tea rooms ▪ cafeterias ▪ coffee shops and cafes ▪ retail bakeries <p style="text-align: right; margin-top: 20px;">Revised: 11/2016</p>