Business Guide to Food Inspection Jurisdiction by New York State Agency

<table>
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<th>Agency</th>
<th>NYS Ag and Markets Division of Food Inspections</th>
<th>NYS Ag &amp; Markets Division of Milk Control</th>
<th>NYS Department of Environmental Conservation</th>
<th>Local health departments</th>
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<td>Licensing requirement</td>
<td>Requires Article 20-C to operate</td>
<td>Requires Milk Dealer License, Part 2 Permit and Inspection Program, Frozen Desserts License, or application to install dairy equipment as needed</td>
<td>Requires various permits</td>
<td>Requires health permit and inspection</td>
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**Business Type**

- 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 (*not farm licensed/based*)
- cream filling manufacturing
- convenience food manufacturing
- raw farm products *(eggs, produce, etc.)*
- hops processing and pelleting
- retail food stores where food is being cooked, re/heated, fried, grilled, etc:
  - 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 P arterialization (HPP) facilities
- establishments repackaging food products from bulk

- 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)*

**EXEMPTIONS:**

**NOTE:** The following processing facilities are exempt from 20-C Licensing *(see 1 NYCRR: 276.4 for further details)*

They must however adhere to good manufacturing practices (GMPs):

- 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)*

For more information on food safety, please visit [www.agriculture.ny.gov](http://www.agriculture.ny.gov)

Questions or schedule an inspection:

Call your local Ag & Markets office.

*Note: NYS Ag & Markets inspects raw farm products. No license is required for raw agricultural/farm products*

- restaurants
  - 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
  - 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

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