

Business Guide to Food Inspection Jurisdiction by New York State Agency

Agency	New York Agriculture and Markets (AGM) Division of Food Safety and Inspection	AGM Division of Milk Control and Dairy Services	New York 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: AGM 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 AGM 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: 3/2025</p>