

## Frequently Asked Questions Related to Retail Food Stores conducting Food Processing Operations

QUESTION: I want to open a retail food store with a deli requiring a 20C Food Processing License. How do I make my firm ready to open?

ANSWER: *Since there may be local building code requirements, it is advised you follow up with them to address any issues under their jurisdiction. As far as NYS Agriculture and Markets, the store must be primarily grocery sales to fall under our jurisdiction. A store must have the necessary equipment and facilities to conduct the planned operations. In very general terms, the floors, walls and ceiling must be made of smooth and easily cleanable surfaces. Acceptable equipment washing and sanitizing facilities, such as a three-basin sink, must be conveniently located to the food processing area(s). Hand wash sinks must be available in food processing areas as well as in the restroom(s). Hot and cold running water must be readily available at all sinks. The firm must have sufficient work space, refrigeration and storage for the planned operations.*

QUESTION: Should I send you my plans for review?

ANSWER: *A plan review is not required by NYS Department and Markets for retail food stores. Often, the local code enforcement will have jurisdiction to ensure compliance with building requirements. If you have specific questions on your plans, you can contact the local office for Food Safety and Inspection.*

QUESTION: How long does it take to get the license in the mail?

ANSWER: *It varies depending on several factors. We recommend that you apply for your license at least 8 weeks prior to your planned opening date. Additionally, the store must have a satisfactory inspection on file before the license can be issued.*

QUESTION: If I move, is the license transferrable to the new location?

ANSWER: *No, the license is associated with your physical location. If you move the business, you need to apply for a new license and be inspected at the new location. Similarly, if you sell your business, the new owners must apply for the 20C Food Processing License in their company name.*

QUESTION: Does the license cover a limited number or type of food processing operations? What do I need to do if I would like to start conducting additional operations?

ANSWER: *if you have a 20-C food processing license, you are licensed to conduct a range of operations, however, you may be required to obtain Department approval to conduct certain*

*types of food processing operations such as those requiring specialized training (acidified food or foods subject to HACCP regulations) or require additional approvals or variances, such as reduced oxygen packaging (vacuum packing) foods. If you have specific questions, you should call the local office for the Division of Food Safety and Inspection.*

QUESTION: If I've applied for the license, when can I start to operate?

*ANSWER: In order to begin conducting food processing operations, you must be inspected and in substantial compliance (passing inspection) and be properly licensed.*

QUESTION: My firm is a grocery store with a deli. I make more money (more than 50% of my sales) from sandwiches and meal items served from the deli. Do I fill out a NYSDAM license application?

*ANSWER: As described, your firm will be under the jurisdiction of State or Local Department of Health who regulates food service operations. The Department of Agriculture and Markets has jurisdiction over grocery stores.*