Kansas
Department of Agriculture

STARTING A SMALL FOOD BUSINESS

SE Kansas Regional Farmers' Market
Vendors Workshop

Pittsburg | March 29, 2014

POP QUIZ

- Q. What ingredient/s of potato salad require refrigeration?
- A. Potatoes, eggs.

WHY DO WE HAVE FOOD SAFETY REQUIREMENTS?

- 2011 CDC Estimates
  - 48 Million FBI cases per year in the U.S.
  - 128,000 hospitalizations caused by FBI per year in the U.S.
  - 3,000 deaths caused by FBI per year in the U.S.
- 2012 Cost Estimate (Journal of Food Protection)
  - $77 billion

THE REAL IMPACT OF FOODBORNE ILLNESS

- Kyle 2003-2006
  - Died from E. coli O157:H7 at age 2 and a 1/2
  - Spinach

- Shirley 1936-2008
  - Died from Salmonella at age 73
  - Peanut butter
- Michael 2004
  - Died from Listeria monocytogenes
  - Infected through the placenta
  - Emergency C-section at 30 weeks
  - Lettuce

Source: Stopfoodborneillness.org

THE REAL IMPACT OF FOODBORNE ILLNESS

“Lauren Beth, age six years, ten months and ten days, died in my arms while on a life support system at San Diego's, highly respected, Children's Hospital, three days after Christmas on December 28th, 1992. Although at the time we did not know Lauren's true killer, we would soon come to the brutal reality of E. coli O157:H7.

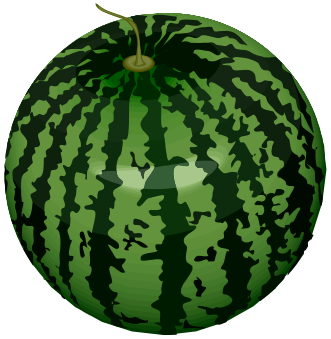
For those of you not familiar with the carnage that E. coli O157:H7 can provide. It is an experience that none of us are prepared to endure, much less observe! Her struggle was valiant, but brutal. After excruciating pain, all of her main organs falling victim to this deadly toxin that is E. coli O157:H7. Three heart attacks, the first of which I was left helpless to witness. Her brain waves were no longer active. Her body was tormented and beaten. Her kidneys, liver and heart were ravaged. Lauren fell into a coma and was taken from my arms forever.” – Roni (Lauren’s Mother)

Source: Stopfoodborneillness.org

HOME BASED BUSINESSES

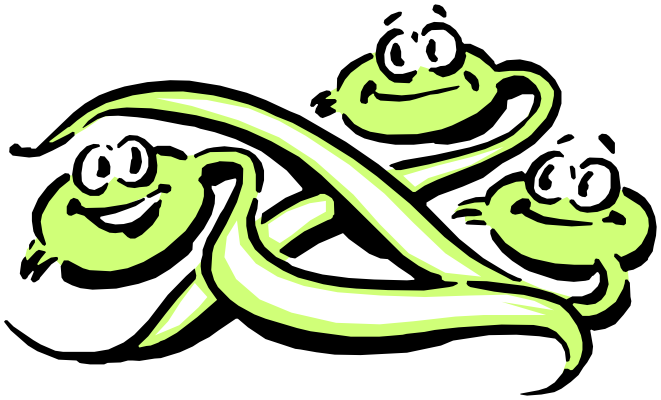
- What types of foods can be prepared in a home kitchen and then sold without a license?
  - Foods that do not require temperature control for safety or specialized processing
    - Baked goods*, candy, jelly*, etc.
      - *not all are exempt
    - Fresh, uncut produce
    - Others-may have to ask
  - Sold only to the end consumer

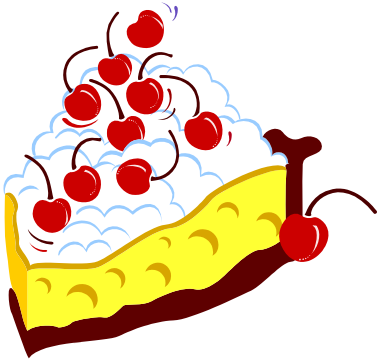
Kansas Department of Agriculture

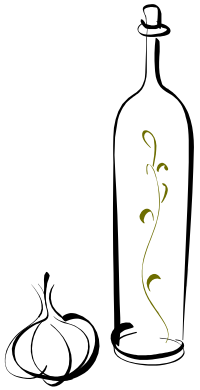


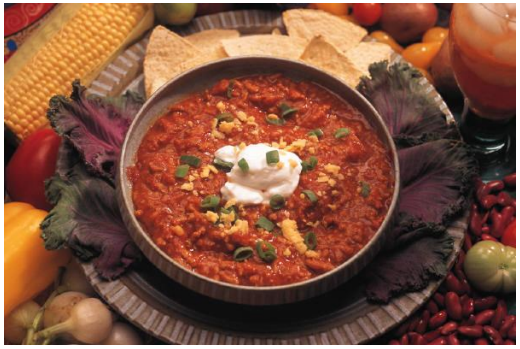
HOME BASED BUSINESSES

- What types of foods cannot be prepared in a home kitchen and then sold?
  - Foods that require temperature control for safety (PHF/TCS) or specialized processing
    - Cream pies, cheesecakes, salsas, BBQ sauce, cut produce, meats, sprouts, pickles, canned vegetables, etc.
  - Cannot be sold to end consumer or to another person for resale









PRODUCT ASSESSMENT

- Process Authority can determine if product/formulation is:
  - Low Water Activity Food (Direct-to-consumer exempt)
  - Acid Food (Direct-to-consumer exempt)
  - Formulated Acid Food (Direct-to-consumer exempt)
  - Acidified Food (License required)
  - Low-Acid Food (License required)

WHEN IS A LICENSE REQUIRED?

- When the product requires temperature control for safety (PHF/TCS) or specialized processing
- When the product is being wholesaled (further distribution)
- When the product is being sold in a licensed food establishment
  - Grocery
  - Convenience
  - Specialty Store
  - Bakery

HONEY

- KSA 65-656(w) “Food processing plant” does not include any operation or individual beekeeper that produces and distributes honey to other business entities if the producer does not process the honey beyond extraction from the comb.
- KSA 65-689(d)(4) A Food Establishment license shall not be required by: A person who produces food for distribution directly to the end consumer, if such food does not require time and temperature control for safety or specialized processing, as determined by the secretary.

THE FINE PRINT

Even though you may not be required to be licensed, your operation will need to follow requirements of Kansas Food Laws.

LAWS AND REGULATIONS

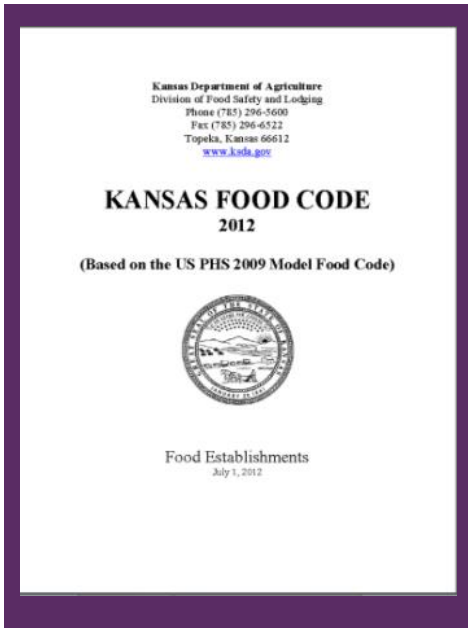
- Kansas Food, Drug & Cosmetic Act
  - Updated in 2012
- Kansas Meat & Poultry Inspection Act
  - Primarily for wholesalers
- Kansas Egg Law
  - Small flocks exemption-direct to consumer
- Kansas Dairy Law

LAWS AND REGULATIONS

- 2012 Kansas Food Code
- 21 Code of Federal Regulations (CFR)
  - Wholesale non-meat and non-poultry items
- 9 CFR
  - Wholesale meat and poultry Items

LAWS AND REGULATIONS

- All of the laws and regulations can be found on the Kansas Department of Agriculture website
  - agriculture.ks.gov


Kansas Department of Agriculture
Division of Food Safety and Lodging
Phone (785) 296-5600
Fax (785) 296-6522
Topeka, Kansas 66612
www.ksda.gov

KANSAS FOOD CODE
2012

(Based on the US PHS 2009 Model Food Code)

Food Establishments
July 1, 2012

KANSAS STATUTES ANNOTATED
Division of Food Safety & Lodging
Chapter 65.--PUBLIC HEALTH
Article 6.--FOOD, DRUGS AND COSMETICS

LICENSES

- How do I get a license?
  - Submit plans for your business prior to construction or remodel
  - Submit completed application and fees for your business
  - Pass a licensing inspection
    - Facilities
    - Equipment
    - Operations

FACILITIES

- What is the goal?
- To keep food safe and extra stuff out.

FACILITIES

- Grounds
  - Must be constructed and maintained so food is not contaminated
    - Create a clear perimeter-eliminate weeds, standing water, junk from immediate vicinity
    - Adequate drainage
      - Eliminate standing water
      - Don’t walk in puddles

FACILITIES

- Constructed, sized, and designed properly to allow for sanitary operation
- Floors, walls and ceilings-smooth, durable, impermeable and easily cleanable
- Separated from living quarters by walls and a solid, self closing door
- Adequate lighting
  - shatter-proof or shielded bulbs
- Protection from pests
  - screened openings

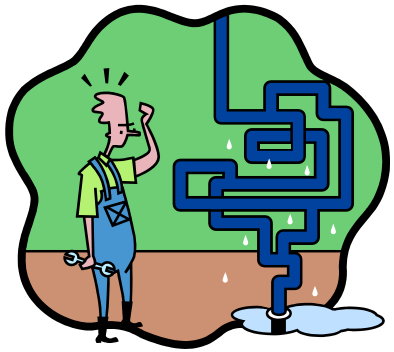
FACILITIES

- Maintained in a sanitary condition and in good repair
- Floor drains (if needed)
- Toilet Rooms
  - Self closing doors
  - May not open directly into processing areas
  - Maintained sanitary and in good repair
- Ventilation (if needed)

FACILITIES

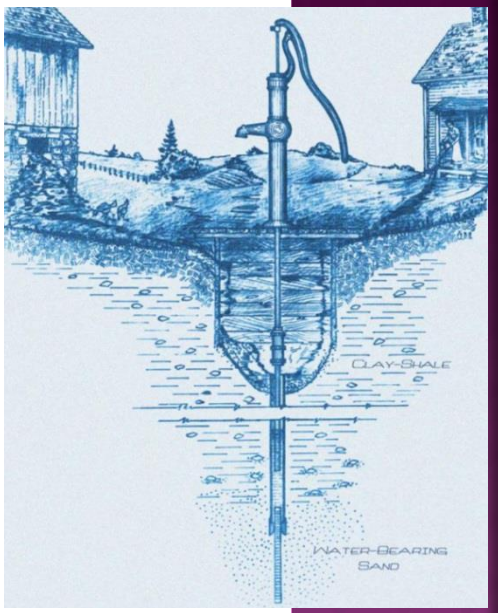
- Chemical Storage
  - Separate from food and food contact surfaces

PLUMBING



- What is the goal?
- To keep food safe and extra stuff out.

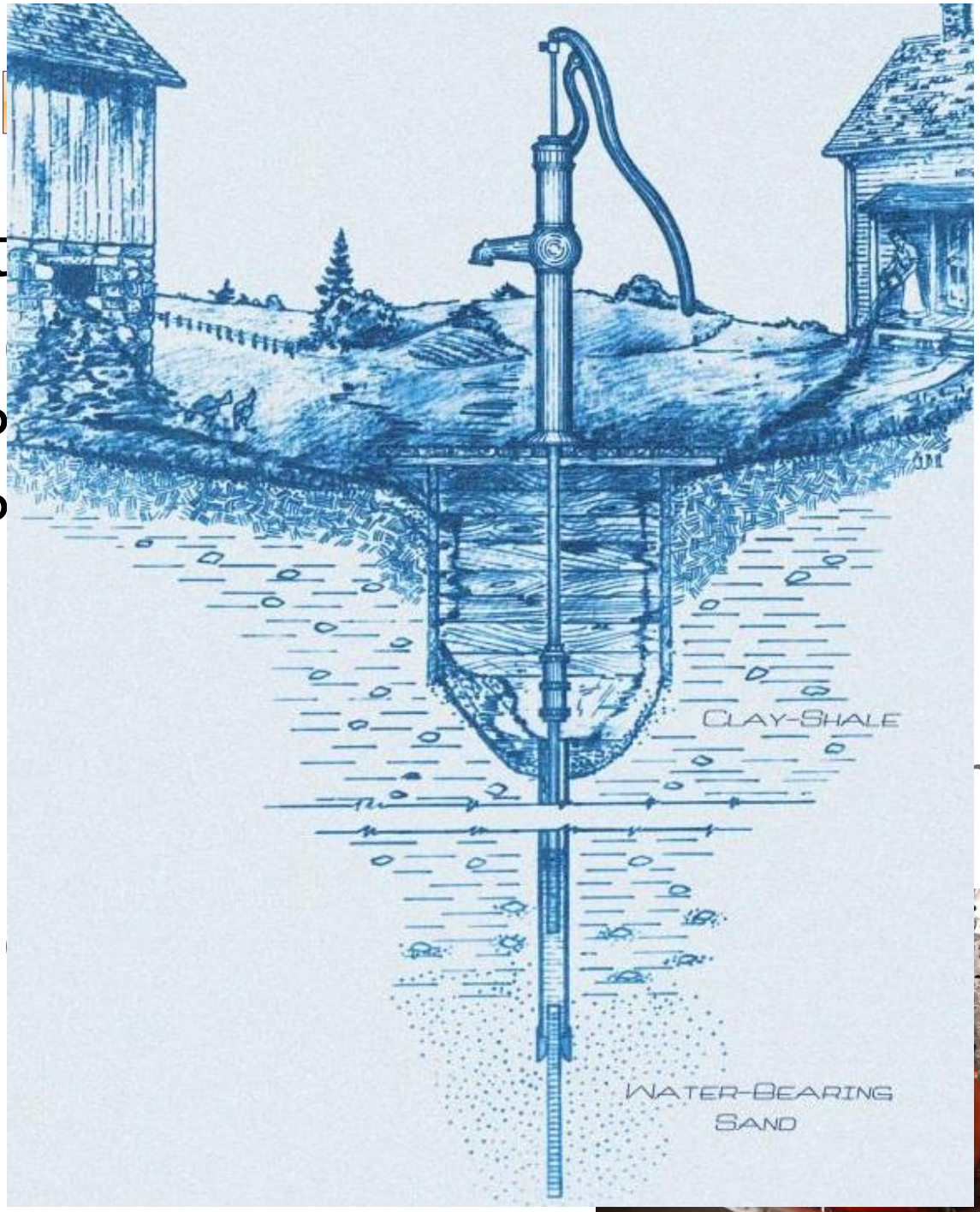
PLUMBING



- Water Supply
  - Adequate source
    - Public water systems
    - Private water systems
      - Must test annually for nitrates, coliforms
      - Well completion or spring house must be adequately constructed
  - Adequate quantity
  - Suitable temperature
  - Suitable pressure

PLU

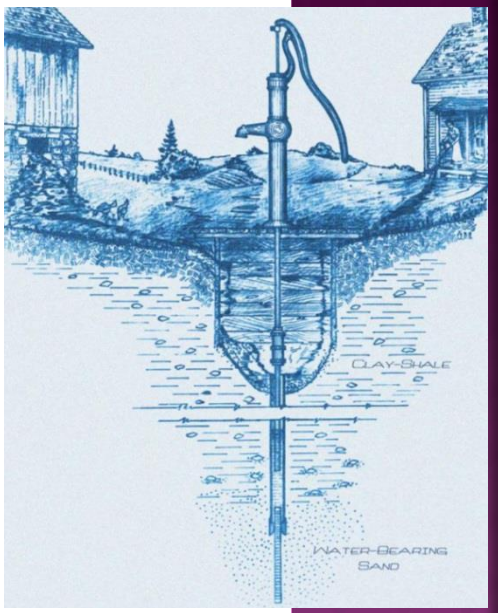
- Wat
  - Ad
    - P
    - P
      -
      -
  - Ad
  - Su
  - Su



nust

Kansas Department of Agriculture

PLUMBING

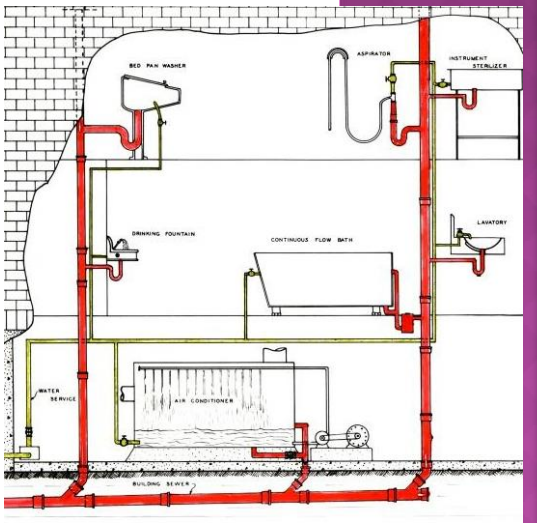


- Water Supply
  - Adequate source
    - Public water systems
    - Private water systems
      - Must test annually for nitrates, coliforms
      - Well completion or spring house must be adequately constructed
  - Adequate quantity
  - Suitable temperature
  - Suitable pressure

Kansas Department of Agriculture

PLUMBING

- Sewage
  - Adequate system
    - Public sewer system
    - Private sewer system
      - Must be inspected by sewer authority and approved for proposed use
  - Must not contaminate food
- Backflow prevention
  - Supply lines
  - Drain lines



EQUIPMENT

- What is the goal?
- To keep food safe and extra stuff out.

EQUIPMENT

- Hand washing stations
  - Hot water
  - Soap
  - Drying devices (paper towels are best)
  - Trash receptacle (if paper towels are used)
  - Instructional signs
  - Located in processing area and in, or adjacent to, toilet room

EQUIPMENT

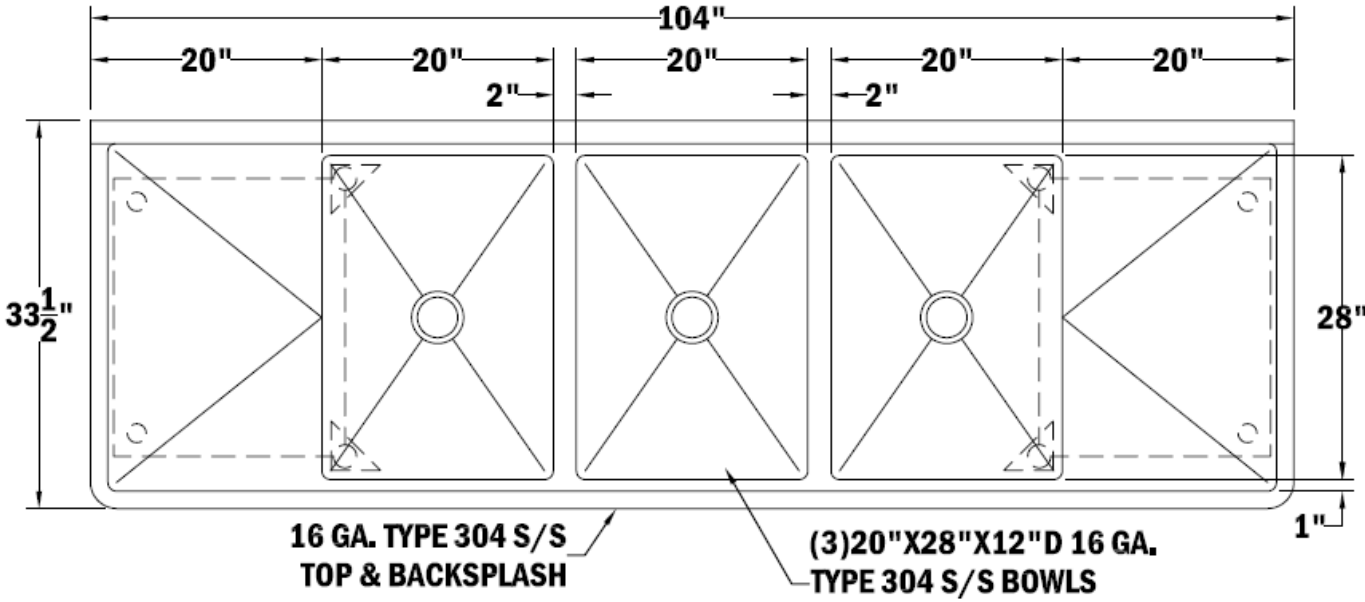
- Prep Sink
  - Indirect drain connection

EQUIPMENT

- Refrigeration
  - 41° F or less
  - Maintain frozen foods frozen
  - Temperature measuring device
  - Capacity/recovery

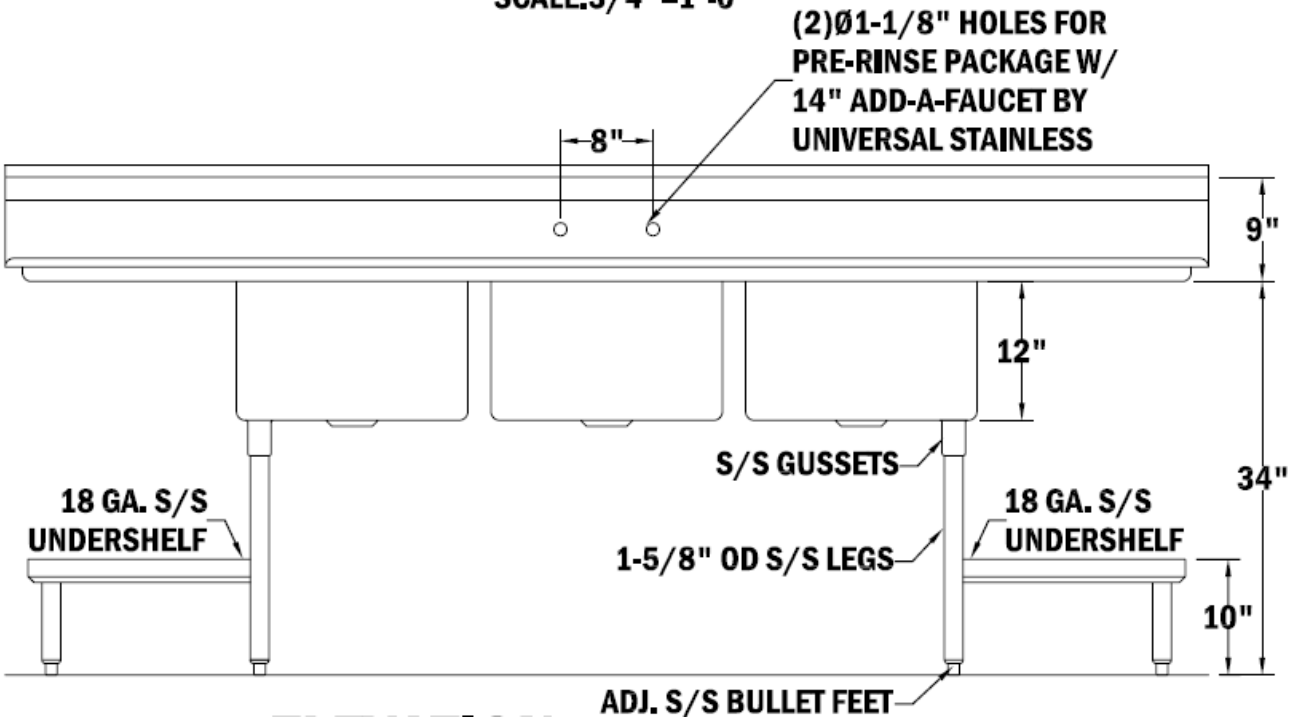
EQ

- W
  - D



PLAN VIEW

SCALE:3/4"=1'-0"



Kansas Department of Agriculture

EQUIPMENT

- Food contact surfaces
  - Corrosion resistant
  - Non-toxic
  - Durable
  - Smooth
  - Easily cleanable

EQUIPMENT

- Mop Sink
  - Disposal of cleaning wastes

OPERATIONS

- What is the goal?
- To keep food safe and extra stuff out.

OPERATIONS

- Must protect food from contamination
- Sanitation for food contact surfaces
  - Cleaned as needed
  - Sanitized after cleaning
  - Any safe, effective method may be used
    - Three compartment sink is simplest
- There are many, many process specific requirements

SANITIZED

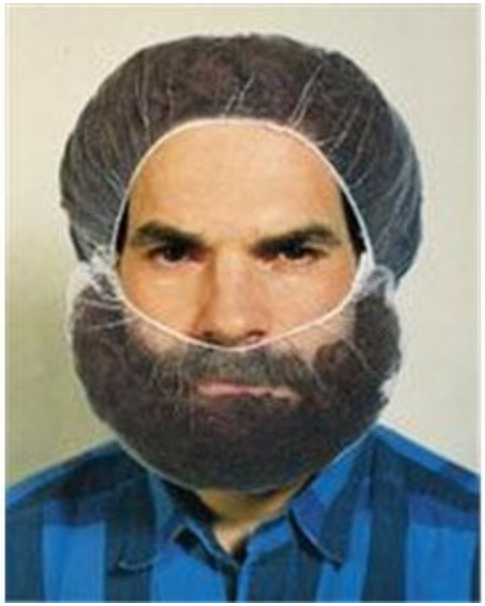
- What does sanitized mean?
- 5 log reduction in pathogens
- What does 5 log reduction mean?
- 99.999% less!
- Ivory is only 2 logs pure!

OPERATIONS

- Pests must be excluded from the facility

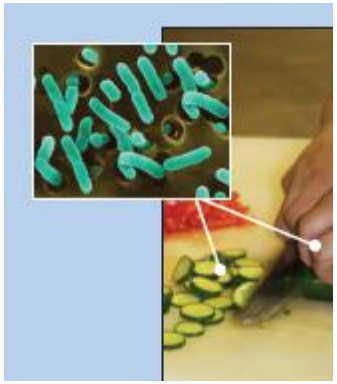
EMPLOYEES

- What is the goal?
- To keep food safe and extra stuff out.



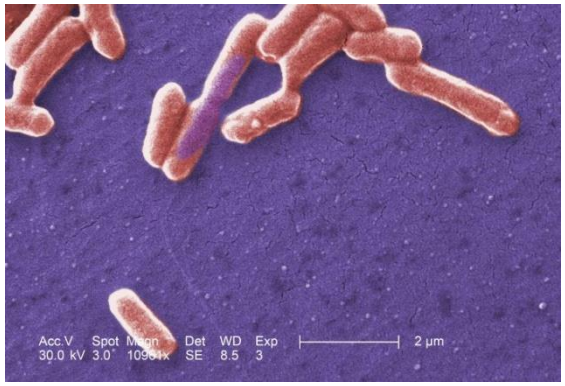
EMPLOYEES

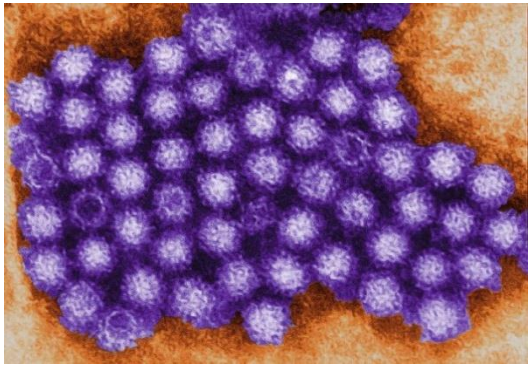
- Proper Hygiene
  - Illness policy
  - Handwashing
  - No Bare Hand Contact
  - Clean clothes



EMPLOYEES

- Exculsions of ill employees
  - Vomiting
  - Diarrhea
  - Jaundice
  - Diagnosis:
    - Hepatitis A
    - S. Typhi or Typhoid fever
  - For HSPs also exclude:
    - Sore throat w/ fever
    - Diagnosed w/ Big 5



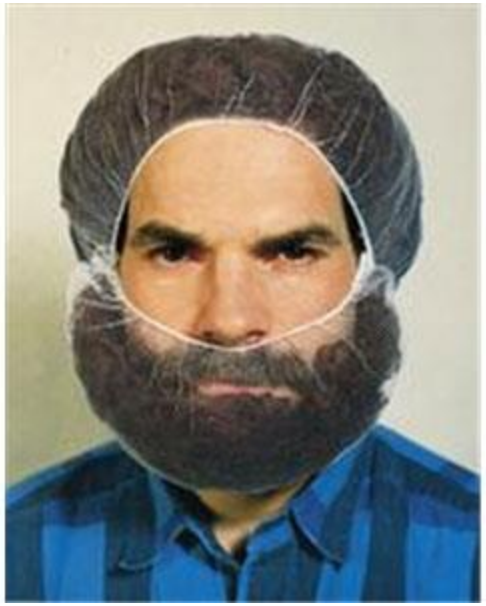


EMPLOYEES

- Restrictions of ill employees
  - Fever
  - Sore Throat w/Fever*
  - Uncovered, Infected Wound (cut, lesion or boil)
  - No symptoms but diagnosed w/ Shigella, EHEC E. coli, Norovirus*
- *Highly Susceptible Populations (HSPs)
  - Also restrict Employees when exposed to Big 5

FOOD DEFENSE

- Protecting food from intentional contamination
- Examples
  - 1984 Rajneeshe Cult in Oregon
  - 2009 Mi Ranchito in Kansas
- Often disgruntled employee



Employees are the FIRST Line of Food Defense

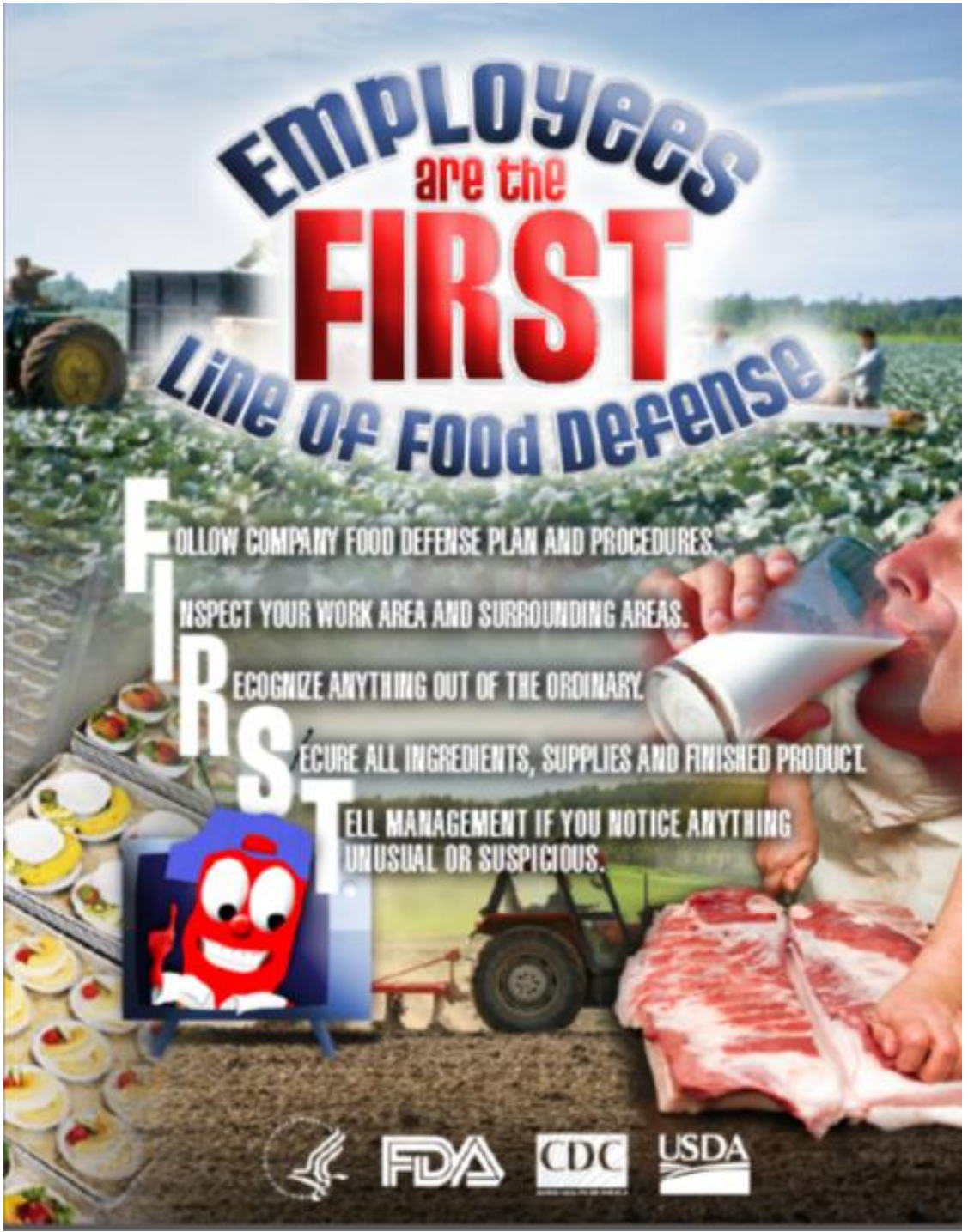
Follow company food defense plan and procedures.

Inspect your work area and surrounding areas.

Recognize anything out of the ordinary.

Secure all ingredients, supplies, and finished product.

Tell management if you notice anything unusual or suspicious.


Employees are the FIRST Line of Food Defense
FOLLOW COMPANY FOOD DEFENSE PLAN AND PROCEDURES.
INSPECT YOUR WORK AREA AND SURROUNDING AREAS.
RECOGNIZE ANYTHING OUT OF THE ORDINARY.
SECURE ALL INGREDIENTS, SUPPLIES AND FINISHED PRODUCT.
TELL MANAGEMENT IF YOU NOTICE ANYTHING UNUSUAL OR SUSPICIOUS.
FDA
CDC
USDA

In today's world it is important to be ALERT to protect your business.

A How do you **ASSURE** that the supplies and ingredients you use are from safe and secure sources?

L How do you **LOOK** after the security of the products and ingredients in your facility?

E What do you know about your **EMPLOYEES** and people coming in and out of your facility?

R Could you provide **REPORTS** about the security of your products while under your control?

T What do you do and who do you notify if you have a **THREAT** or issue at your facility, including suspicious behavior?

LICENSES AT A HOME

- How can I become licensed at my home?
  - Separate kitchen
  - Proper equipment for processes being used
  - Proper storage areas
  - Proper labeling for packaged products

OPTIONS

- Incubator Kitchens
  - Each operator must be licensed to operate at that location

LABELING

- Common Name
- Contents
- Ingredients by Weight
- Name, Street Address, City, State, and Zip Code of Manufacturer
- Major Food Allergens
  - milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, soybeans
- Nutrition Information (if required)
  - Health or Nutrient claims


Nutrition Facts

SHOW AND TELL

SHOW AND TELL

SHOW AND TELL

SHOW AND TELL

Kansas
Department of Agriculture

SHOW AND TELL

SHOW AND TELL

SHOW AND TELL

SHOW AND TELL

SHOW AND TELL

Kansas Department of Agriculture

SHOW AND TELL

Kansas
Department of Agriculture

SHOW AND TELL

MAYBE THERE IS NO PROFIT IN EACH INDIVIDUAL JAR…

- But we'll make it up in volume
  - Lucy Ricardo

Kansas
Department of Agriculture

POP QUIZ

Kansas Food Rules

QUESTION #1

- What foods are allowed to be sold directly to the end consumer without a license?

- A. Fresh, Uncut Produce
- B. Honey and Nuts
- C. Non-Potentially Hazardous Baked Goods
- D. All of the Above

QUESTION #1

- What foods are allowed to be sold directly to the end consumer without a license?

- A. Fresh, Uncut Produce
- B. Honey and Nuts
- C. Non-Potentially Hazardous Baked Goods
- **D. All of the Above**

QUESTION #2

- What foods are not allowed to be sold without a license?

- A. Home Canned Food
- B. Tamales
- C. Burritos
- D. Milk
- E. All of the Above

QUESTION #2

- What foods are <u>not</u> allowed to be sold without a license?

- A. Home Canned Food
- B. Tamales
- C. Burritos
- D. Milk
- **E. All of the Above**
  - *** With the exception of canned Jams and Jellies**

QUESTION #3

- All packaged foods offered for sale must have a label.

- True
- False

QUESTION #3

- All packaged foods offered for sale must have a label.

- **True**
- False

QUESTION #4

- What information is required on a food label?

- A. Producers name and address
- B. List of ingredients
- C. Net Weight
- D. Name of Product
- E. Major Food Allergens in the product
- F. All of the Above

QUESTION #4

- What information is required on a food label?

- A. Producers name and address
- B. List of ingredients
- C. Net Weight
- D. Name of Product
- E. Major Food Allergens in the product
- **F. All of the Above**

QUESTION #5

- Ready-to-eat, potentially hazardous foods (time/temperature control for safety) can be sold from a home.

- True
- False

QUESTION #5

- Ready-to-eat, potentially hazardous foods (time/temperature control for safety) can be sold from a home.

- **True**
- False
- A person selling ready-to-eat, potentially hazardous foods (time/temperature control for safety) will need to be licensed by KDA before selling.

QUESTION #6

- How many people in the United States suffer from a Foodborne Illness each year?

- A. 4.8 Million
- B. 480,000
- C. 48 Million
- D. 48,000

QUESTION #6

- How many people in the United States suffer from a Foodborne Illness each year?

- A. 4.8 Million
- B. 480,000
- **C. 48 Million**
- D. 48,000

QUESTION #7

- If you are not required to be licensed by KDA, you are still required to follow food safety laws.

- True
- True

QUESTION #7

- If you are not required to be licensed by KDA, you are still required to follow food safety laws.

- **True**
- **True**

QUESTION #8

- If you have any questions about a food business, please contact KDA at?

- A. (785) 296-5600 (Phone)
- B. agriculture.ks.gov
- C. fsl@kda.ks.gov
- D. (785) 296-6522 (Fax)
- E. 109 SW 9th St., Topeka, KS 66612
- F. Any of the Above

QUESTION #8

- If you have any questions about a food business, please contact KDA at?

- A. (785) 296-5600 (Phone)
- B. agriculture.ks.gov
- C. fsl@kda.ks.gov
- D. (785) 296-6522 (Fax)
- E. 109 SW 9th St., Topeka, KS 66612
- **F. Any of the Above**

HANDOUTS

- 5 Keys to Food Safety
- Handwashing stickers
- Cooking temperatures
- Daily inspection checklist

HOME BASED BUSINESSES

- Questions???

CONTACT

- Kansas Department of Agriculture
  - Website
    - agriculture.ks.gov
  - Email
    - fsl@kda.ks.gov
  - Phone
    - (785) 296-5600
  - Fax
    - (785) 296-6522