



Florida Department of Agriculture and Consumer Services

HEMP FOOD ESTABLISHMENT PERMIT CHECKLIST

Thank you for your interest in the Hemp Food Establishment Permit! The Florida Department of Agriculture and Consumer Services (FDACS) has developed a user-friendly online application and encourages you to apply for a permit by visiting <https://www.fdacs.gov/Business-Services/Food-Establishments/Hemp-Food-Establishment-Permit>.

The steps recommended below will help you quickly and correctly apply for a permit. If you have any questions, please contact the Division of Food Safety helpline at 850-245-5520 or by email at FoodInsp@FDACS.gov.

Applying for a Permit:

- ☐ **Know the rules.** Pursuant to [Section 581.217](#), Florida Statutes (F.S.), and [Rule 5K-4.034](#), Florida Administrative Code (F.A.C.), the Florida Department of Agriculture and Consumer Services' Division of Food Safety is authorized to issue food permits for the manufacturing, processing, packing, holding, preparing or selling of food consisting of or containing hemp extract and CBD at wholesale or retail.

Holding a food permit with the Division of Food Safety does not preclude the necessity for additional permits or registrations with FDACS's other divisions and/or other state agencies for non-food-related activities.

- ☐ **Review the minimum construction standards.** [The Food Establishment Minimum Construction Standards](#) apply to all food establishments regulated by the Florida Department of Agriculture and Consumer Services (FDACS) for preparing, processing, storing or selling food for human consumption. All food establishments are required to have an initial inspection for permitting prior to beginning operation.

- ☐ **Know the permits.** FDACS issues three different types of food establishment permits: retail, wholesale/manufactured, and medical marijuana treatment center edibles.

The Wholesale/Manufactured Food Establishment Permit is issued to bottled water plants, food processing plants, food storage warehouses and other food establishments that manufacture, process, pack, hold or prepare food for sale or distribution to other businesses. This food includes food products consisting of or containing hemp extract, which includes CBD or other cannabinoids. For public (municipal) systems, a copy of the water and sewerage bill or an application for water sewerage (for the location) is required. All food consisting of or containing hemp extract (including CBD and other cannabinoids) must meet the labeling requirements found in [21 CFR 101](#) in addition requirements of [Chapter 500](#), Florida Statutes (F.S.); [Section 581.217\(7\)](#), F.S.; and [Rule 5K-4.034](#), Florida Administrative Code.



Retail Food Establishment Permit is issued to food establishments selling directly to consumers. These food establishments may include supermarkets, grocery stores, convenience stores, coffee shops, bakeries, retail meat markets, retail seafood markets, juice and smoothie bars, ice/water vending machines, food salvage stores, businesses selling prepackaged foods (including foods containing hemp extract, which includes CBD or other cannabinoids), and FDACS-regulated mobile food units selling only prepackaged foods or non-potentially hazardous food items. All food establishments that process, pack, hold or prepare potentially hazardous foods at retail are required to designate a [Certified Food Protection Manager](#). All food establishments must meet the training and process control requirements for the type of product and process they are conducting. Visit our [Retail Food Program](#) and [Special Processes at Retail pages](#) to verify that you have met all the requirements.

Medical Marijuana Treatment Center Edibles Food Establishment Permit is used for medical marijuana edibles produced at a medical marijuana treatment center licensed by the Florida Department of Health. Pursuant to [Section 381.986](#), Florida Statutes (F.S.), FDACS is authorized to issue food permits to medical marijuana treatment centers to manufacture and produce edibles. A list of edibles to be produced at the food establishment must be provided at application. You can begin the process by completing the [Medical Marijuana Treatment Center Application — List of Edibles](#) [pdf 356.9 KB]. An application must be accompanied by the required documentation demonstrating an approved water and sewage (septic) system.

- ☐ **Apply for a new food permit.** Once you have determined that your business meets all requirements, you must apply for a new food permit no more than 14 days prior to your anticipated opening date. Once you submit, our team will start reviewing the application.
- ☐ **Prepare for an inspection.** Once the application and required documentation have been received, a field inspector will make contact within three to five business days to schedule an onsite inspection within two weeks. View our [Food Establishment Inspection Expectations](#) [pdf 135.3 KB] document to know what to expect during your inspection.
- ☐ **Permit fees.** Food Establishment Permit Fees for Hemp Food Establishments are \$650 annually.
- ☐ **Look for communications from FDACS.** If the application is complete and no further information is needed, you will receive an email with your permits. Permits can also be printed through the online portal.
- ☐ **Requirements of other governmental agencies.** Regulations vary among counties and municipalities, and requirements from both may or may not apply to your business. Contact the business license, zoning and building authorities in your area to find out their requirements.

