Who Are We?

- Regulatory agency with multiple regulatory functions
- Food Bureau - Regulate various human food industries and lodging businesses
  - Food establishments (restaurants, grocery stores, c-stores)
  - Food processing plants
  - Food storage warehouses
  - Hotels, motels
  - Consumable Hemp Products (Registrations)
- Regulate social and charitable gambling operations (i.e. Bingo, Raffles, Games of Chance)
What Do We Do?
- License and regulate food service and retail food establishments
- License and regulate food processing plants/food storage warehouses
- License and regulate lodging establishments
- Registration of individuals/businesses selling Consumable Hemp Products
- IA DIA Food Bureau – Statewide inspection of food plants/food storage warehouses
- IA DIA Food Bureau – Retail inspections in 63 of Iowa’s 99 counties
  - Remaining counties/territories are contracted to local entities
Food Licenses Categories

- Two general categories
  - Retail Establishments – sales of prepared foods direct to household consumers
  - Food Processing Plant/Food Storage Warehouse – sales of foods to other businesses (i.e. Wholesale)

- License Type Determination Criteria
  - Predominance of sales generally determines license type
    - Greater than 50% of annual gross sales direct to consumer = Retail Establishment
    - Greater than 50% of annual gross sales to other businesses = Food Processing
    - Low Acid Canned Foods (LACF) or Acidified Foods – Requires Food Processing Plant License
When Do I Need A License?

- Do you meet the definition of a “Food Establishment”?
  - Generally includes preparation, storage, packaging, serving, and/or vending of food requiring temperature control for safety

- Do you meet the definition of a “Food Processing Plant”?
  - Manufacture, packages, labels, stores foods for human consumption
  - Distribution/sales is not directly to consumer

8. “Food establishment” means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption and includes a food service operation in a salvage or distressed food operation, school, summer camp, residential service substance abuse treatment facility, halfway house substance abuse treatment facility, correctional facility operated by the department of corrections, or the state training school.

9. “Food processing plant” means a commercial operation that manufactures, packages, labels, or stores food for human consumption and does not provide food directly to a consumer. “Food processing plant” does not include any of the following:
   a. A premises covered by a class “A” beer permit as provided in chapter 123.
   b. A premises of a residence in which honey is stored; prepared; packaged, including by placement in a container; labeled; or from which honey is distributed.
   c. A premises covered by a class “A” wine permit or a class “B” wine permit as provided in chapter 123.
Are There Exceptions to When a License is Required?

Yes – exceptions may apply in the following cases:

- **Non-time/temperature controlled foods** prepared in a private residence and sold directly to household consumer from a private residence or farmer’s market
  - Restrictions include:
    - Must be picked-up at private residence
    - No mail delivery/shipping
    - No delivery to purchaser
- Not for profit groups (see Iowa Code Chapter 137F and IA Admin. Rule 481-30 for further clarification when this applies)
- Produce stand or facility selling only whole, uncut fresh fruits and vegetables or other Raw Agricultural Commodities (RAC)
- Direct consumer sales – An establishment offering only **prepackaged foods** not time/temperature control for safety
Exceptions Continued

- Premise covered by a class A beer permit
- Premise covered by a class A or B wine permit
- Premise exclusively manufacturing distilled spirits
- Premise of residence in which honey is stored, prepared, packaged, labeled, or distributed
- Premise exclusively engaged in manufacturing milk and milk products under IDALS inspection and permitting ([Dairy Products Control](#))
- Premise exclusively engaged in processing of meat and poultry and covered under IDALS inspection and permitting ([Meat & Poultry Inspection Bureau](#))
- Premise exclusively engaged in production of shell eggs and has an egg handler’s license through IDALS. ([Commercial Feed & Fertilizer Bureau](#))
Retail Type Licenses

- Food Service – Places which prepare food for consumption on-site or subject to Iowa sales tax (i.e. Restaurant)
- Retail Food Establishment – sells to customers food, food products, intended for preparation or consumption off the premise (i.e. Grocery Store)
- Mobile Food Trucks, Trailers, and Push Carts
- Temporary Food Stands
- Farmer’s Market Food Stands
- Micro Markets
- Vending Machines
- Home Bakery
Food Processing License

- 1 license type
- Covers both those facilities which manufacture, repackage, label, and/or store human foods.
- Licensing is not dependent upon whether the food or food ingredient requires temperature control for safety
Regulations Pertinent to Retail Establishments

Retail License Types

- 2017 FDA Model Food Code and Supplement
- Iowa Code, Chapter 137F
- Iowa Administrative Code, Chapter 481-30
- Iowa Administrative Code, Chapter 481-31
Regulations Pertinent to Food Plants/Warehouses

- Iowa Code, Chapter 137F
- Iowa Administrative Rule, Chapter 481-30
- Iowa Administrative Rule, Chapter 481-31
- Title 21 Code of Federal Regulations (CFR) – Food and Drugs
  - Part 117 – Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food
  - Part 101 – Food Labeling
  - Part 113 – Thermally Processed Low-Acid Foods in Hermetically Sealed Containers
  - Part 114 – Acidified Foods
  - Part 150 – Fruit Butters, Jellies, Preserves, and Related Products
Helpful Web Links

- Iowa Department of Inspections & Appeals
  - Food Establishments & Hotels – Licenses

- Iowa Food Protection Task Force (Resources for multiple DIA Food Bureau license types)
  - Resources Page

- Iowa Department of Agriculture & Land Stewardship (IDALS)
  - Dairy Products Control
  - Meat & Poultry Inspection Bureau
  - Commercial Feed & Fertilizer Bureau (Egg Program)

- U.S. Food & Drug Administration (FDA)
  - FDA Home Page
  - FDA Food Page
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