

Shared Kitchen Document – Phyllis Black

Over the last several years the blossoming trend is for small business entrepreneurs to utilize shared kitchens/incubator, kitchens/shared use commercial kitchen facilities to produce a variety of food items. Shared kitchens range from a business operating from a restaurant during the restaurants off hours, to individuals renting space in churches, bakeries, retail stores (that rent their kitchens out and then sell the products made in their retail outlet). The primary concern for all regulators is how do we ensure that proper food safety practices are being followed?

The concerns regarding the development of this guidance document include but are not limited to:

Initially the types of products being made cookies/breads for sale at a farmers' market. Now within NYS the tide is changing and there is more of a desire to manufacture beverages (smoothies, fruit juices), empanadas, crab dip, jerkies, catering & commissary operations. The diversity of these products may require individual businesses to have inspections by the USDA & FDA, and/or local health depts. The question then arises will our federal partners regulate the individual operators or the shared kitchen, or the individual operators & the shared kitchen?

When are the operators utilizing the space? Should the operator of the shared kitchen facility maintain a log of the dates & times when individuals are utilizing the facility? Should these time sheets should be maintained in the firm and produced upon request by a regulatory agency

In NYS we have noticed that the operators do the correct thing initially in obtaining the space to operate in, apply for the required license and arrange for the preliminary inspection. But when the inspectors return for the statutory inspection, they are told by the shared kitchens that these individuals have never returned to their facility to manufacture their products. Yet their products are found in retail stores throughout NYS.

Where are the ingredients and finished products being stored? Does the shared kitchen offer storage for the clients? Will the individual have to acquire a separate storage facility and may be required to obtain an inspection and permit for that facility?

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Labeling of the product individual businesses seem resistant to using the address of the shared kitchen facility as the manufacturers address and would just prefer to utilize an internet address/e-mail address. Will this be acceptable?

Roxanne Hill & I are working to formulate a guidance document for Shared Kitchens and our ultimate goal is to incorporate any regulations/guidelines utilized in various states in order to do so. Presently we are referencing the AFDO Guidelines, Rules & Regulations from Chicago and guidance from NYSDAM. We would like to be able to reference regulations/rules from as many states as possible in order to formulate both a comprehensive and usable document.

Upon formulating the initial guidance we will distribute it to the Food Committee for review and comments.

Phyllis Black