

WHAT SERVICES REQUIRE A STATE OF FLORIDA LICENSE?

PUBLIC FOOD SERVICE ESTABLISHMENTS

A public food service establishment is a building, vehicle, place or structure open to the public where food is prepared, served, or sold for consumption at or near the establishment or as take out, or is prepared and delivered to a different location for consumption.

The Department of Business and Professional Regulation (DBPR), the Department of Health and the Department of Agriculture and Consumer Services regulate different parts of the retail food service industry. DBPR's Division of Hotels and Restaurants handles public food service establishments that prepare and serve food to the public including restaurants, mobile food dispensing vehicles, theme park food services and temporary food service event vendors.

The Department of Health and the Department of Agriculture and Consumer Services also regulate food services. The Department of Health handles drink-only bars and institutions that serve a limited population including nursing homes, hospitals, schools, correction and detention facilities, adult day care centers, church kitchens, and civic and fraternal organizations. The Department of Agriculture and Consumer Services handles wholesalers and food retailers including grocery and convenience stores, food manufacturing or processing plants, food warehouses, bakeries, and fish and meat markets.

These items are offered as examples of services for which you do or do not need a public food service license. The list is not all inclusive. If you have specific questions, please contact the department at 850.487.1395 or review the rules for public food service establishments at www.myfloridalicense.com. You should also check with the Department of Health and the Department of Agriculture and Consumer Services to learn if a permit is required for activities that do not require a DBPR license. You should also check with your county or city to learn whether a local business tax receipt is required. Please visit our Unlicensed Activity page to learn more about how you can help us combat Unlicensed Activity.

Needs a DBPR License	Does <u>not</u> need a DBPR License
Any establishment preparing and serving food to the public such as a restaurant, fast food service, café, sandwich shop, bar or lounge, or food service in a mall, food court, or flea market.	Any food establishment regulated by the Department of Agriculture and Consumer Services or the Department of Health, including specific types of food service listed below.
Ice cream store serving scooped ice cream.	Ice cream store serving only packaged ice cream.
Snack bar at a bowling alley, arcade, or office building.	Donut shop, bagel shop, or candy store.
Country club or yacht club serving food.	Civic organizations such as Little League and fraternal organizations such as the VFW.
"Take and Bake" food service where customers assemble and package a meal to be cooked at home.	Preparing or serving only beverages, ice, popcorn or prepackaged foods.
Food service in a public lodging	Food service in a school dormitory, child

establishment, including bed and breakfast inns and continental breakfast in a hotel or motel.	care facility, migrant labor camp or culinary school.
Food service in a public venue such as a zoo, aquarium, sports stadium or arena, theme park or entertainment complex.	Potluck dinner held in a community clubhouse by residents for residents and resident's guests only.
Test kitchen open to the public – even if by special invitation only.	Test kitchens open only for employee use and not open to the general public.
Selling or serving hot dogs or other unpackaged food from a cart or vehicle, including trucks, cars, and boats.	Vehicle selling or serving only packaged food such as an ice cream truck or lunch truck.
Selling or serving food for take out or delivery.	Delivering food ordered from a food service establishment.
Catering a public event, a private party or a private function.	Personal chef who is hired to prepare and serve food in a private home and does no pre-preparation, brings in no equipment and leaves any leftover food.
Selling or serving barbeque or other food along the roadside.	Roadside vegetable stand or boiled peanut vendor.
Selling or serving food on a dinner cruise, river cruise, "cruise to nowhere," or gambling excursion ship.	Selling or serving food on a common carrier such as cruise ship, train, or airplane.
Selling or serving food at a temporary event such as a fair, carnival, sporting event, or farmer's market.	Selling or serving food at a temporary event such as a fair, carnival, sporting event, or farmer's market if: offering only packaged food/drink, or limited to popcorn, ice or drinks; the event is located on church or school property; or the vendor is a civic, fraternal or religious non-profit organization.
Vending machine stocked with foods such as sandwiches, ice cream, and milk	Vending machine stocked with only foods such as chips, candy bars, or canned drinks. Vending machine located in a facility regulated under 381.0072, F.S., regardless of the type of food or drinks stocked.
Theater serving food such as pizza, hamburgers, or French fries.	Theater serving traditional theater food such as hot dogs, nachos, pretzels, packaged candy, popcorn or drinks.