

New York State Department of Agriculture and Markets
Article 20 C –
Frequently Asked Q & A Regarding Farm Breweries, Farm Wineries and Farm Distilleries.

1. Do I need an Article 20 C Food Processing license if I operate a Farm Brewery, Farm Winery or Farm Distillery?
Establishments designated by the State Liquor Authority as a “Farm Brewery, Farm Winery or Farm Distillery,” and are only producing alcoholic beverages, are exempt from licensing under Article 20 C. These facilities still receive sanitary inspections conducted by New York State Department of Agriculture and Markets food inspectors under the Good Manufacturing Practices (GMPs).
Any other food processing activities conducted would require an Article 20 C license.
2. What types of processing would require an Article 20 C Food Processing license?
Basically, any other form of food processing (i.e. slicing and packing cheese, the sale and distribution of fruit juices, preparing sandwiches, freezing and selling ice, etc.) would require a 20 C license.
3. Does my Article 20 C license cover me producing/processing food off-site at a tasting event?
No. The Article 20 C Food Processing license is valid at the address listed on the license only. It is not transferable. If any food preparation is to occur off-site, a Temporary Food Permit would be required from the local Department of Health.
4. May I offer samples of my product and/or cheese and crackers without an Article 20 C Food Processing license?
Yes. An Article 20 C Food Processing license is not required for offering samples (no commercial sale). However, adequate sanitary facilities and proper supervision must be available for sampling any types of food products. Note: sampling of alcoholic beverages may require an additional permit from the State Liquor Authority.
5. Does my Article 20 C Food Processing license allow me to offer catering and/or banquet services from my establishment?
No. This type of food preparation falls under the jurisdiction of the local Department of Health. A temporary food service permit may be necessary.
6. What are the requirements necessary to obtain an Article 20 C Food Processing license?
To be licensed under Article 20 C, an establishment must be of sound construction with tight fitting doors and windows. The building must have hot and cold plumbed water. There must be a 3 bay sink available in the establishment for washing all food contact surfaces; a hand wash sink must be convenient to all food workers. Floors, walls, and ceiling must be made of easily cleanable materials.
7. Does the fact that a Farm Brewery, Farm Winery or Farm Distillery; being exempt from the Article 20 C licensing requirement have any bearing on the private water testing requirements of the facility?
No. A Farm Brewery, Farm Winery or a Farm Distillery must have their private water tested quarterly for potability (e.coli, coliform), annually for nitrates and a onetime test for nitrites. The same testing is required for an Article 20 C food processor/manufacturer.