



In recent years, the food service industry has been experimenting with different business models, such as shared commercial kitchens or businesses that “pop-up” at different locations and offer food service on a limited basis. Except in rare cases, a license from the Health Department is required. Here are some frequently asked questions (FAQs) about how Vermont’s food safety laws and regulations apply to these situations.

If I want to prepare food occasionally in a shared kitchen space that is already licensed, do I need my own license?

Yes. Licenses are not transferable. This means that each individual food operator using a kitchen space must be separately licensed.

All operators that prepare and serve food to the public, other than on an occasional basis, must have a current food license issued by the Health Department. “Occasional” means not more than one day per month.

What type of food license do I apply for if I’m operating in a shared kitchen?

A commercial caterer license is needed if you prepare and sell food for takeout. A food processor license is needed if you are producing manufactured foods. Contact the Food & Lodging Program if you’re not sure which license you need.

I’m planning pop-up events at several different locations. Do I need a separate license for each one?

No. If you have a commercial caterer license, it allows you to prepare and serve food from the kitchen at which you are licensed as well as provide food service at events. Long-term operation at a separate establishment will require an additional license.

Do I have to get inspected if I’m operating in a kitchen that has already been inspected?

Yes. You need to pass an opening inspection in the space where you are preparing food even if the same kitchen has already been inspected for another operator. Note that public health inspectors are allowed by law to inspect licensed food service establishments at all reasonable times.

Can I serve alcohol as an occasional pop-up operation?

The Department of Liquor and Lottery issues licenses for selling beer, wine or liquor. Find out more at www.liquorcontrol.vermont.gov, or call 802-828-2345 with questions about serving alcohol.

What do I need to know if I'm hosting pop-ups at my licensed restaurant or allowing other businesses to use my commercial kitchen commissary-style?

Each individual operator using the kitchen must be separately licensed to operate. You should consider establishing procedures for other operators about who is responsible for cleaning, maintenance, pest control, etc., so the kitchen is not in violation of the Health Regulations for Food Service Establishments.

Resources

[Department of Health License Application](#)

[Health Regulations for Food Service Establishments](#)

Find this information sheet online:

