

The Commissary

If you are a caterer, baker, restaurant, or food truck owner, you must submit the following permits and documents to operate as a legal business in Monroe County and within The Commissary. This type of food operation will be regulated by the Monroe County Health Department.

A digital version with hyperlinks and additional resources can be found on our website www.rochestercommissary.org.

1. [Apply for an EIN Notice or Articles of Organization](#)

Decide your legal structure, or what kind of business you will be: a [sole proprietorship](#), partnership, LLC, or [corporation](#).

2. [Apply for your Sales Tax Certificate/Certificate of Authority](#)

Wholesale businesses that do not collect sales tax are still required to register for a Certificate of Authority in order to issue and accept most exemption certificates.

3. File your business name with Monroe County.

The County Clerk accepts and files certificates of persons conducting business under an assumed business name, commonly referred to as [DBA \(Doing Business As\)](#) filings. Cost is \$34.

4. Provide a Certificate of Insurance (General Liability + Product Liability)

All businesses producing in The Commissary must provide a certificate of insurance covering themselves and their business for 1 million per occurrence and 2 million in aggregate for both general and product. Check out the [Food Liability Insurance Program \(FLIP\)](#). Annual policies start at \$299.

5. Employer Obligations

- a. Any individual that is not an owner of the business and that is participating in production is viewed as an employee of the business.
- b. If you have employees, you are required to provide [workers' compensation](#) insurance to protect injured workers. [Check out the New York State Insurance Fund](#). Annual policies start at \$600.
- c. You are also required to provide employees with [unemployment insurance coverage](#) and disability insurance.
- d. If you do not have employees, [this certificate](#) attests that a business is not required to carry these permits.

6. [Food Worker Certification](#)

A Certified Food Worker is required to be present at all operating times for food service establishments, including temporary food stands. Operating times are defined as any time when

food preparation is being performed and is not limited to the establishment's operating hours. Costs vary depending on courses taken and the required exam. Call the Health Department for more details specific to your operation.

7. Apply to the Department of Health for a Short Term Incubator Kitchen Permit.

This permit will be available soon. Members can apply for a 90 day, \$75 permit and renew as needed, or apply for a year long, more expensive permit.

8. [Develop your scheduled process with Cornell.](#)

A scheduled process is a detailed procedure for a single product that includes formulation, critical control points, processing steps, and storage, distribution, selling conditions/restrictions. [Required Analyses of Various Types of Products](#) will be necessary for both the Dept. of Health and Ag & Markets depending on individual member needs. Cost varies.

Please contact the department issuing the relevant permit with any questions.

4/25/17