

DIVISION OF HOTELS AND RESTAURANTS

Guide to Public Food Service Catering Establishments



Catering

The Division of Hotels and Restaurants classifies caterers as any public food service establishment where food or drink is prepared for service elsewhere in response to an agreed upon contract, function, or event (see Section 509.013, Florida Statutes). Catering operations must be licensed by the Division.

Catering does not include those establishments licensed by the Florida Department of Health. The Division licenses catering operations at establishments currently licensed by the Florida Department of Agriculture and Consumer Services, unless they exclusively prepare or serve only traditional bakery goods such as cakes, pastries, bagels or confections.

Licensing

Catering operations must meet all applicable standards of a public food service establishment as provided in rule. All food storage and food preparation operations must be conducted in an approved, licensed food service establishment. No food operations can be conducted in a private residence.

To apply for a license, you must obtain and complete an application. All Division applications are available at the Division's web site <https://www.myfloridalicense.com/intentions2.asp?SID> or from the **Customer Contact Center** at 850.487.1395. Be sure to provide all requested information. Mail the completed license application along with the fee to:

Division of Hotels and Restaurants
2601 Blair Stone Road
Tallahassee, Florida 32399-0783

The Web site has a [fee calculator](#) to assist you in determining the appropriate fee. Please make checks or money orders payable to the Division of Hotels and Restaurants.

Any licensed public food service establishment may provide catering services without holding a separate catering license from the Division to conduct catering operations.

If an independent caterer shares the premises of an establishment licensed by the Division of Hotels and Restaurants, the caterer must obtain a separate license. The caterer is considered an operator of a public food service establishment and is subject to all applicable requirements of law and rule.

If a caterer shares a commercial kitchen permitted by the Department of Health, that department also regulates the caterer with the exception of Culinary Education Programs.

If a caterer shares a commercial kitchen licensed by the Department of Agriculture and Consumer Services, the Division of Hotels and Restaurants will license and regulate the caterer.

Personal Chefs – individuals contracted to prepare and serve food at a private party or for a single household utilizing privately owned, onsite equipment and who do not prepare or store food before or after the event. Personal chefs do not fall under the Division's regulation.

Mobile Food Dispensing Vehicles (MFDV)– vehicle-mounted public food service establishments that are self-propelled or otherwise moveable from place to place. These units must be separately licensed and meet the minimum specifications as required in section 61C-4.0161, Florida Ad-



ministrative Code (F.A.C.). An MFDV can travel from place to place and sell or serve food to anyone, unlike vehicles used only to transport catered food to a contracted service location.

Plan review is required if a caterer constructs or uses a space that is:

- Newly built;
- Converted from another use;
- Remodeled; or
- Re-opened after being closed at least one year.

Plan Review is not required if a caterer uses a space that is:

- A commercial kitchen already licensed by the Division (a licensing inspection is still required)

Guidelines for Preparing Food Service Plans

If a plan review is required, submit an application, fee, plans, and supporting documents to the appropriate DBPR office. Complete information concerning plan review is available on the Division's Web site at <http://www.myfloridalicense.com/DBPR/hotels-restaurants/>. The completed plan review packet lists all of the required information including:

- The intended menu
- Proposed building layout

- Arrangement of equipment
- Construction finishes for work areas
- Proof of connection to approved water and sewer services.

Plans should be drawn to scale.

Filing Plans

Plans are reviewed in the order of acceptance on a first come, first served basis. The plan reviewer will make every effort to process each plan as efficiently and expeditiously as possible and will inform the applicant or designated representative within 30 days as to the status of the review.

<p>Apply for a license Online https://www.myfloridalicense.com/datamart/loginFLDBPR.do</p>
<p>Licensing Guides http://www.myfloridalicense.com/DBPR/hotels-restaurants/licensing/licensing-guides/</p>
<p>Hotels & Restaurant's Licensing Page http://www.myfloridalicense.com/DBPR/hotels-restaurants/licensing/</p>
<p>Plan Review Page http://www.myfloridalicense.com/DBPR/hotels-restaurants/licensing/plan-review/</p>
<p>Email Plan Review: DHR.PlanReview@MyFloridalicense.com</p>
<p>Email H&R: DHR.Info@myfloridalicense.com</p>

FREQUENTLY ASKED QUESTIONS

Q: Can I run a catering business out of my home?

A: No. Florida law prohibits conducting food establishment operations in a private home, a room used as living or sleeping quarters, or an area directly opening into a room used as living or sleeping quarters.

Q: Do I need a catering license if I run my business from a restaurant my friend owns?

A: Yes. Separate, independent caterers using the equipment or premises of a licensed establishment are deemed operators (as defined by section 509.013, Florida Statutes) of such public food service establishment and subject to all applicable requirements of law and rule.

Q: Will I need to go through a plan review if I use the facilities of an establishment licensed by the Department of Agriculture and Consumer Services?

A: Yes. Since the establishment is not licensed by the Department of Business and Professional Regulation, a plan review is required.

Q: Can I use my catering vehicle to drive around and sell food to the public?

A: No. Any vehicle operating in this manner must be licensed as a Mobile Food Dispensing Vehicle.

OTHER RESOURCES:

Department of Agriculture and Consumer Services

<http://www.freshfromflorida.com/>

Department of Health

<http://www.floridahealth.gov/environmental-health/food-safety-and-sanitation/index.html>

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This document will require Adobe Acrobat Reader which you may download for free at <http://www.adobe.com>



If you have any questions concerning catering and public food service establishments, contact

Division of Hotels and Restaurants
2601 Blair Stone Road
Tallahassee FL 32399-1011

Customer Contact Center at 850.487.1395
<http://www.myfloridalicense.com/DBPR/hotels-restaurants/>