

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 (61C-1.002(5)(a)3, FAC). Most catering operations must be licensed by the Division.

## 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.

Any public food service establishment, including mobile food dispensing vehicles (MFDV), licensed by the Division of Hotels and Restaurants can provide catering services without holding a separate catering license from the Division.

If a caterer shares a commercial kitchen permitted by the Florida Department of Health, that department also regulates the caterer.

If an independent caterer shares a commercial kitchen licensed by the Florida Department of Agriculture and Consumer Services, then the Division of Hotels and Restaurants will license and regulate the caterer unless they exclusively prepare or serve only traditional bakery goods such as cakes, pastries, bagels, or confections.

If an independent caterer shares the premises of an establishment currently 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 and is subject to all applicable requirements of law and rule.

## Applying for a Catering License

To apply for a new catering establishment license go to our website and apply online through DBPR's Online Services portal. If sharing an existing licensed kitchen, we recommend a paper application so that the existing licensed establishment can be verified. Mail the paper application to the address listed on the last page of this brochure.

License fees are posted online and resource links, including applications and license guides, are included in the Helpful DBPR Links section of this brochure.

## Personal Chefs

Personal chefs are individuals contracted to prepare and serve food at a private party or for single household utilizing privately owned, onsite equipment. They do not prepare or store food before or after the event. Personal chefs do not bring anything with them or take anything away. Personal chefs do not fall under the Division's regulation.





## When is Plan Review Required?

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, apply online and upload the required documents as part of the online application process. Complete information concerning plan review is available on the Division's website. The required documents for a food service plan review will include the following:

- The intended menu
- Proposed building layout
- Site plan (if applicable)
- Identification of all food service related equipment
- Construction finishes (walls, floors, ceilings and baseboards/cove base) in all food service related areas

*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 as possible and will inform the applicant or designated representative within 30 days as to the status of the review.

## Helpful DBPR Links

### Apply for a License Online

<https://www.myfloridalicense.com/intentions/2.asp?chBoard=true&SID=&boardid=200>

### Apply for a License at a Shared Kitchen Already Licensed by DBPR

[http://www.myfloridalicense.com/dbpr/hr/for/ms/documents/application\\_packet\\_for\\_food\\_service\\_license.pdf](http://www.myfloridalicense.com/dbpr/hr/for/ms/documents/application_packet_for_food_service_license.pdf)

### Licensing Guides

<http://www.myfloridalicense.com/DBPR/hot-els-restaurants/licensing/licensing-guides/>

### Licensing Fees

<http://www.myfloridalicense.com/dbpr/licens-e-fee-calculator/>

### Plan Review

<http://www.myfloridalicense.com/DBPR/hot-els-restaurants/licensing/plan-review/>

### Email Plan Review

[thr.planreview@myfloridalicense.com](mailto:thr.planreview@myfloridalicense.com)

### Email the Division

[thr.info@myfloridalicense.com](mailto:thr.info@myfloridalicense.com)

# 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**

[www.freshfromflorida.com/](http://www.freshfromflorida.com/)

## **Department of Health**

[www.floridahealth.gov/environmental-health/food-safety-and-sanitation/index.html](http://www.floridahealth.gov/environmental-health/food-safety-and-sanitation/index.html)



## **NEED MORE BROCHURES, SIGNS OR CHARTS?**

For more resources you may print and use, visit:  
<http://www.myfloridalicense.com/DBPR/hotels-restaurants/forms-publications/>



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 850.487.1395  
[www.myfloridalicense.com](http://www.myfloridalicense.com)