

KENTUCKY Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





MANUFACTURER/PROCESSOR

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Food Processor		Authority		
Food Repacked		Authority		
Food Salvager		Authority		
Bottled Water		Authority		
Ice		Authority		
Dietary Supplements		N ¹		
Warehouse		Authority		
Food Banks		Authority		
Seafood		Authority		
Food Transport		Authority		
Beer/Wine		N ²		
Distilled Spirits		N ²		

COMMENTS:
¹ Defers to FDA.
² No Food Safety Regulation.





DAIRY

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Grade-A Plant		Authority		
Raw Milk		Authority		
Cheese		Authority		
Yogurt		Authority		
Cream/Sour Cream		Authority		
Butter		Authority		
Ice Cream		Authority		
Milk Pooling		Authority		
COMMENTS:				





MEAT/POULTRY

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Meat	N*			
Poultry	N*			
Rabbit		Authority		
Other Non-Amenable Species		Authority		
Custom Slaughter	N*			
Livestock Inspection	Authority			
Pet Food – Raw			Authority	
Pet Food – Processed			Authority	
Egg Inspection/Grading	Authority			
COMMENTS: * Defers to USDA.				





ANIMAL FEED

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Feed			Authority	
Medicated Feed			Authority	
BSE Inspections			Authority*	
Rendering Plant			Authority	
Grain	Authority			

COMMENTS:
* Enforcement Authority





RETAIL FOOD

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Restaurant				Authority
Food Service				Authority
Grocery Store				Authority
Market				Authority
Convenience Stores				Authority
Public/Private Schools				Authority
Correctional Facilities				Authority
Hospitals				Authority
Long-Term Care				Authority
Nursing Homes				Authority
Other Institutions				Authority
Vending Machines				Authority
Mobile Food Facilities				Authority
Caterers				Authority
Home Based Processors		N ¹		

Retail Food list continued on next page.





RETAIL FOOD (continued)

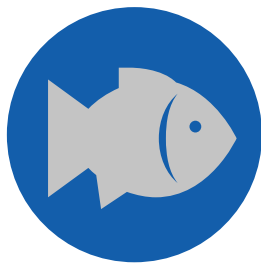
FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Temporary Food Facilities				Authority
Water Vending Machines		Authority		
Ice Vending Machines		Authority		
Farm Stands		Authority		
Farmers Markets		Authority		
Live Poultry Markets		N ²		
Food Pantry		Authority		

COMMENTS:

¹ No routine inspections, but have enforcement authority.

² None in the State.





SHELLFISH/AQUACULTURE

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Shellfish Growing Areas		Authority		
Shellfish Post Harvest Handling		Authority		
Shellfish Depuration		Authority		
Shellfish Patrol		Authority		
Biotoxin Monitoring		Authority		
Aquaculture	Authority			
COMMENTS:				





ORGANIC FOODS

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Organic Production	Authority			
Organic Food Handling	Authority			
Organic Food Processing		Authority		
COMMENTS:				





PRODUCE

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Farms	Authority			
Packing Sheds	Authority			
Repackers	Authority			
Terminal Markets	Authority			
COMMENTS:				





ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Embargo/Quarantine		Authority		
Seizure		Authority	Authority	
Condemnation & Destruction		Authority		
Voluntary Condemnation & Destruction		Authority	Authority	
Stop Sale Orders		Authority	Authority	
Health Advisories		Authority	Authority	
Administrative Penalties		Authority	Authority	
Criminal Penalties		Authority		
Civil Penalties		Authority		
Injunction		Authority	Authority	

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

FACILITY TYPE	KENTUCKY DEPARTMENT OF AGRICULTURE	KENTUCKY DEPARTMENT OF PUBLIC HEALTH – FOOD SAFETY BRANCH	UK DIVISION OF REGULATORY SERVICES	LOCAL AGENCIES
Warning Letters		Authority	Authority	
License Suspension		Authority	Authority	
License Revocation		Authority	Authority	
Hearings		Authority	Authority	
Closure		Authority	Authority	
Mandatory Recall		Authority	Authority	
Inspection Warrant			Authority	
COMMENTS:				

