



Missouri Department of Health and Senior Services

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
Mike Kehoe
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Technical Bulletin MFP25-01

TO: Local Public Health Agency Administrators, Local Public Health Agency Environmental Health Specialists, Bureau of Environmental Health Services Environmental Health Specialists.

THROUGH: Dusty Johnson, Chief, Bureau of Environmental Health Services 

THROUGH: Mark Jenkerson, Program Operations Manager, Bureau of Environmental Health Services 

FROM: Ainsley Lackey, Manufactured Food Program Manager, Bureau of Environmental Health Services 

SUBJECT: Food Businesses that are both Retail Food Establishments and Wholesalers

DATE: 12/12/2025

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This Technical Bulletin is intended to provide clarification regarding the Manufactured Food Program's current approach to regulating retail food establishments that are also distributing a small amount of food to other businesses. This change in approach is necessary at this time due to federal funding cuts resulting in a reduction in dedicated manufactured food inspectors at the state level.

A key difference between a food processing plant and a food establishment is that the product from a food processing plant is not sold/distributed directly to the end consumer. Sometimes a food business will meet the definition of both a food processing plant and retail food establishment. When this occurs, the retail functions of the establishment will remain subject to Local Public Health Agency (LPHA) inspection under the applicable retail food code, but the establishment may also be inspected by the DHSS Manufactured Food Program. Retailers that also wholesale food are added to Manufactured Food Program's inventory of food processors. However, food businesses that are inspected by an LPHA as a food establishment where less than 25% of their annual sales are to other businesses will be classified as a Low Percentage Wholesaler (LPW). This information will be collected when the establishment completes a Manufactured Food registration form. Businesses that are classified as a LPW will remain in the Manufactured Food Program's inventory but will not be routinely inspected as a food processing plant unless it meets one of the following exceptions:

- The Manufactured Food Program is issued a contract assignment from the FDA to inspect the operation.
- The business is making a product that is in one of the following high-risk categories:
 - Juice
 - Seafood
 - Acidified food
- The business is not currently inspected by the LPHA as a food establishment (e.g. cottage food operation that wants to start wholesaling).

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- The Manufactured Food Program Manager determines it is in the best interest of public health for DHSS to inspect the operation. Reasons for this decision include but are not limited to:
 - Consumer complaint received regarding the wholesale operations.
 - History of non-compliance with requirements in the Food Code or Good Manufacturing Practices (GMPs).
 - LPHA requests assistance.
 - It is believed the operator is underrepresenting the percentage of wholesale business they are engaged in.

Retailer-wholesaler operations that are between 25-50% wholesale will be inspected by the Manufactured Food Program at a reduced frequency. Operations whose primary business (51% or more) is wholesale will be inspected by the Manufactured Food Program under the same rules and frequency as other food manufacturers.

LPHAs will continue to inspect businesses that meet the definition of a food establishment under the Missouri Food Code or local ordinances, even though that business may also be inspected under the Manufactured Food Program. If a retail food establishment is inquiring to wholesale product or is already wholesaling product, the LPHA should direct the operator to submit a completed Manufactured Food Program Registration Form to DHSSFOODSAFETY@HEALTH.MO.GOV. This form can be found on the Manufactured Food Program's webpage in the Additional Resources section: <https://health.mo.gov/safety/foodsafety/industryfoods/manufacturedfoods/>. Alternatively, LPHAs may notify the Manufactured Food Program of Food Establishments that are wholesaling product by sending the basic information (name, address, owner, etc.) about the business to the program at the email address above and a DHSS manufactured food inspector will follow-up with the business.