

FOOD PRODUCTS *IN WYOMING*: SHELF STABLE FOODS

If you want to produce shelf-stable food products for sale beyond Wyoming Food Freed Act (WFFA) marketplaces, more steps are involved. The following sections give a brief overview and point to further resources.



Extension

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LICENSING, REGISTRATION, AND INSPECTION OF YOUR MANUFACTURING FACILITY

Your facility must go through the **WDA Manufactured Food Facility Plan Review** process to become licensed and inspected.

In addition to the completed form, your plan review packet should also include a floor plan of the facility including layout of equipment and mechanical systems, and specifications on equipment showing NSF or equivalent approval.

When working with a co-packer or using a shared commercial, inspected kitchen, you are still required to submit a WDA Manufactured Food Facility Plan Review in addition to completing a **WDA Commissary Agreement** annually. The WDA licensing process may also include product and process specific requirements, including but not limited to product testing results and a **Process Authority Letter**.

An overview of requirements for a Manufactured Food Facility is available from the WDA here.



**FDA FOOD SAFETY
MODERNIZATION ACT**

FOOD SAFETY PLAN:

Depending on your facility size, products, and processes, you may be required to develop a written food safety plan that meets the requirements of the **Food Safety Modernization Act**, which outlines:

- hazard analysis
- preventive controls
- monitoring procedures, and
- recall plans.

With a few exceptions, all food facilities that manufacture, process, pack, or hold food for consumption in the United States must register with the FDA.

You may be exempt from this registration process if the facility is a farm, home kitchen, retail food establishment, or a non-profit food establishment. There is no cost to this registration. Registration must be renewed every other year on even-numbered years, or information updated within 60 days of any changes.

SHARED COMMERCIAL KITCHENS

As production grows, many businesses expand capacity by renting shared commercial kitchens or hiring a co-packer instead of building their own facility. Shared kitchens allow you to produce the product yourself in a licensed environment without the expense of construction.

VS.

CO-PACKERS

Co-packers manufacture and package the product on your behalf using your formula and brand. Co-packers already operate licensed facilities and often employ their own food safety specialists and process authorities, which can simplify compliance and accelerate scaling.

A DETAILED GUIDE TO REGISTRATION CAN BE
FOUND ON THE FDA'S WEBSITE



**YOU MUST MAINTAIN YOUR SAFETY PLANS,
REGISTRATION, AND RECORDS ON AN ONGOING BASIS.**

References:

Ingham, B. Canned or Bottled Foods: Working with a Processing Authority. University of Wisconsin - Madison. 2024.

LaBorde, L. Acidified and Low-Acid Food Regulatory Requirements. PennState Extension. 2025.
Wyoming Department of Agriculture Consumer Health Services. Food Safety Modernization Act (FSMA) Guide. 2019.

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SCAN HERE TO READ MORE DETAILS
ABOUT WHAT'S ALLOWED UNDER
THE WYOMING FOOD FREEDOM ACT.

DETERMINING THE SAFETY OF FOOD PRODUCTS AND PROCESSES

RECIPE DEVELOPMENT:

The process begins by clearly defining the product, recipe, and intended storage conditions. Most shelf-stable foods are naturally high in acid or have a water activity below 0.85 to prevent the growth of dangerous microorganisms.

For a guide on how to safely adapt tested, research-based recipes, refer to the following extension publication:

Play it Safe! Safe Changes and Substitutions to Tested Canning Recipes.



Recipe Validation through Process Authority: You may need to work with a Process Authority to define the safety of your product and process. They may provide lab testing to confirm your product pH and water activity levels, and determine the protocols that must be followed, depending on whether your food product is naturally acidic, acidified, or low-acid. The Association of Food and Drug Officials maintains a directory of Food Processing Authorities. Once the review process is complete, the Processing Authority can issue you a Scheduled Process. All producers of Acidified Foods and Low-Acid Canned Foods must file each process and product with the FDA..

! Acidify salsas/jams to pH ≤ 4.6 and target aw < 0.85 in baked goods.



FOOD SAFETY PLANS:

In addition to following your Scheduled Process, your facility may be required to have a food safety plan in place. Large businesses must submit a full **Food Safety Modernization Act (FSMA)** safety plan developed by someone certified as a Preventative Control Qualified Individual (PCQI). If your sales of human food average below \$500,000 a year, or \$1 million a year with a majority being direct sales to end users, your facility is qualified to submit an attestation to the FDA every 2 years, stating that the facility identifies hazards and is implementing preventative controls, or is complying with applicable state, local, or other non-federal food safety laws.

More details on your facility's requirements for food safety plans and the requirements of the FSMA can be found at the Wyoming Department of Agriculture's FSMA Guidance Document.



The **Wyoming Small Business Development Center (SBDC)** collaborates with the **UW Extension** and other resources to offer no-cost advising for business planning, financial projections and more!

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