



COMMONWEALTH of VIRGINIA

Department of Agriculture and Consumer Services

PO Box 1163, Richmond, Virginia 23218

www.vdacs.virginia.gov

Jewel H. Bronaugh, Ph.D.

Commissioner

Starting a Home Food Processing Business in Virginia

General Information

Thank you for your inquiry regarding starting a home food manufacturing business in Virginia. The following documents are enclosed/attached, or are available at the VDACS website for you:

- VDACS Application - Home Food Processing Operation
- Virginia Food Laws
- 21 CFR 117 Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Foods
- How To document for completing this application and preparing for your inspection
- Other information pertaining to your food business

If, after reviewing the application and other materials, you have any questions, please contact the VDACS Food Safety Program at 804-786-3520 or foodsafety@vdacs.virginia.gov.

Please be advised that section 3.2-5130 of the Virginia Food Law requires that your kitchen/food processing and storage areas be inspected prior to starting your food operation. An inspection of your operation will not be conducted until all of the necessary information requested in the application has been reviewed by the VDACS Food Safety Program office. You will be notified when this has been completed.

Also, there is a \$40.00 fee for operating a food processing business. You will not be required to pay this fee at the time of your initial inspection; however, you will receive a bill during our next billing cycle. If you have questions about this inspection fee, you may visit this [page](#).

Sincerely,

A handwritten signature in cursive script that reads "Pamela Miles".

Pamela Miles
Program Supervisor
Food Safety Program
Office of Dairy & Foods
Virginia Department of Agriculture & Consumer Services

-Equal Opportunity Employer-

Application for a Home Food Processing Operation

Date of Application:		County in which business is located:	
Business Name:			
Owner Name:			
Phone:		Email Address:	
Business Address:			
Mailing Address:			
Water Supply:	Public	Private	Type (drilled, bored, etc.)
Sewage Disposal:	Public	Private	Type (septic tank, etc.)
Pets in the home:	Yes	No	
Number of employees, including owner:			
Hours of operation:			

Checklist of Required Information

	Documentation of zoning approval to operate a food business on the property
	Diagram of food processing, equipment washing, and food storage areas and handwashing facility
	Copy of water test results showing Coliform bacteria are "absent" from private source water
	Documentation that the private sewage disposal system is adequate for intended use
	Documentation of employee training
	Written explanation of how contamination with personal belongings will be prevented
	Written procedures for preventing allergen cross-contact
	List of all products submitted for review with planned method and place of distribution
	List of all ingredients used in your business, with the source of each
	Product information sheet for each product
	Copy of label for each product

Application Instructions

1. Review the [How To document](#) for completing this application and preparing for your inspection.
2. Complete page 1, providing all of the requested basic business/owner information.
 - Note about pets: If you marked “Yes”, areas where food is prepared, or stored, where packaging material is stored and where equipment is cleaned and stored must be completely enclosed/separated from the rest of the home in order to be considered for home based food manufacturing. Pets must be excluded from these areas at all times. For example, food processing and storage areas must be fitted with a solid hinged door(s) that can be latched/closed shut. Placing pets in closed rooms in other areas of the home or installing "baby gates" will not satisfy this requirement.
 - Note on hours of operation: inspections are unannounced and unscheduled. Provide a list of the weekdays and times that operation would normally occur. The inspector will visit for inspection during these hours.
3. Provide written documentation that you have approval from your local zoning office to operate a home food processing business on your property. Any verifiable documentation from the zoning office is acceptable, such as email correspondence, official letter or other.
4. Provide a diagram of the food processing and storage areas.
5. If you are using a private water supply (e.g. well), you must provide evidence that the water is free of harmful bacteria. A copy of lab results showing that Coliform bacteria were “absent” in a sample of your well water is required. The water test results must be recent (less than six months old). The testing laboratory that you use must be certified by the Virginia Safe Drinking Water Program. A list of labs that are certified for water testing can be found at this link: [Virginia Safe Drinking Water Certified Laboratories](#)
6. If private sewage disposal is used, obtain documentation from an Alternative Onsite Soil Evaluator (AOSE), Professional Engineer (PE) or Virginia Department of Health that your system is adequate for the intended use of your business. Please see <https://drive.google.com/open?id=1nIVtqik9hDqAfzsaJX8J35dnknIG3SvI&usp=sharing> for additional information and to locate a service provider. NOTE: All service providers must be properly licensed through the Department of Professional and Occupational Regulation (DPOR).
7. Provide a list of all products you plan to make, as well as the planned distribution.
8. Provide a list of all of the ingredients you will be using, and the source of those ingredients.
9. Complete a Product Information Sheet for each product you plan to make. Mark “Trade Secret” if your formulation is confidential. We will not share your recipe, but you must provide it.
10. Provide a copy of the label for each product (mock labels are acceptable if actual labels have not yet been made). Incomplete labels will cause your application to be returned to you. See instructions contained within this application. More guidance on labeling is available from FDA: <https://www.fda.gov/media/81606/download>.
11. Submit applications to the VDACS Food Safety Program. An incomplete application will cause delay in it being processed. Hand-written applications will not be accepted.
By email (preferred): foodsafety@vdacs.virginia.gov
By mail: ATTN: Food Safety PO Box 1163 Richmond, VA 23218
By fax: 804-371-7792

12. Once your application is submitted, it will be reviewed, and you will be contacted by the reviewer if there are any questions. When the application review is complete, a Food Safety Specialist will conduct your inspection.
13. If you do not provide a response to the reviewer's comments within four months, your application will be discarded. A new application will need to be submitted if you wish to continue.

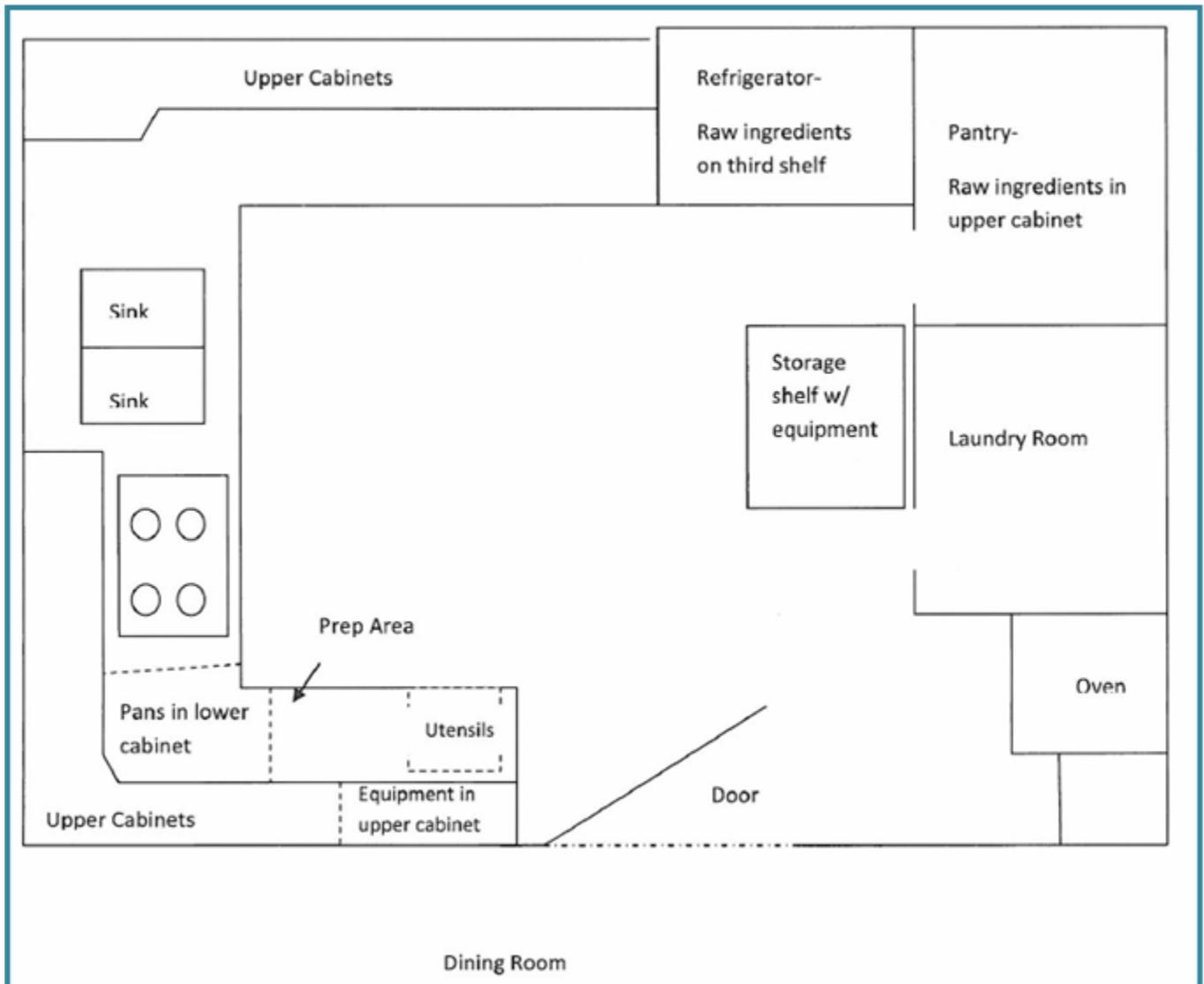
As an alternative to completing this application and receiving an inspection, you may choose to instead operate a food business under the exemption in section § 3.2-5130 of the Code of Virginia. You can read more about it here: <http://www.vdacs.virginia.gov/pdf/farmers-mkt-faq.pdf>

Zoning Approval

Include your zoning approval here or on a separate sheet.

Example: diagram of food processing and storage areas

The diagram may be drawn using computer software or drawn by hand. If there are pets in the home, make it clear in the diagram how the food processing and storage area are inaccessible to pets at all times.



Food Processing and Storage Area Diagram

Include your diagram here or on a separate sheet.

Employee Training and Records

As a food manufacturer, you and any employees of your business must be trained, and you must provide documentation of said training, in addition to keeping a record of this training. An adequate and complete training course would include topics on employee health and hygiene, proper food storage and cooking temperatures, cleaning food contact surfaces, allergen awareness/control and any other topics specifically applicable to your particular food processing operation.

List of available trainings (this list is not all-inclusive):

- **360training.com, Inc.**
Learn2Serve Food Protection Manager Certification Program:
 - Website link: <https://www.360training.com/course/ansi-food-safety-manager-principles-training-and-exam>
 - (877) 881-2235
- **AboveTraining/StateFoodSafety.com**
Certified Food Protection Manager (CFPM) Exam:
 - Website link: <https://www.statefoodsafety.com/food-safety-manager-certification#/>
 - (801) 494-1416
- **National Registry of Food Safety Professionals**
Food Manager Certification
 - Website link: <https://www.nrfsp.com/exam-center/training-options/>
 - (800) 446-0257
- **National Restaurant Association**
ServSafe Food Protection Manager Certification Program
 - <https://www.servsafe.com/ServSafe-Manager>
 - (800) 424-5156
- **The Always Food Safe Company, LLC**
Food Protection Manager Certification
 - <https://alwaysfoodsafecom.com/food-protection-manager>
 - 844-312-2011
- **Institute for Food Safety at Cornell University**
Good Manufacturing Practices Part 117 Online Course
 - <https://instituteforfoodsafety.cornell.edu/trainings/good-manufacturing-practices-registration/>

Example template:

Employee Training Record				
Grannie's Cookies 111 Happy Ln Anytown, VA 22554				
Employee Name	Course Name	Location	Date Completed	Trainer Signature

Employee Training and Records

Include a copy of your training record and documentation here or on a separate sheet.

Preventing Contamination from Personal Belongings

The regulation states that clothing or other personal belongings cannot be stored in areas where food is exposed or where equipment or utensils are washed. You need to ensure that you can meet this requirement in your home kitchen. Personal belongings are any items that are not used in the manufacturing of your foods that will be offered for sale to the public. In addition, the regulation also states that eating food, chewing gum, drinking beverages or using tobacco cannot occur in areas where food is exposed or where equipment or utensils are washed. This means that during the hours that your home is used as a food manufacturing facility, all areas must have first been cleaned and sanitized and all personal belongings must be removed from the countertop, tables, etc. where food will be manufactured. Compliance with these requirements will be verified by the inspector.

Provide your written explanation describing how you will comply here or on a separate sheet.

Preventing Allergen Cross-Contact

The eight major allergens in the U.S. are: milk, wheat, eggs, peanuts, tree nuts, soybeans, fish, and crustacean shellfish. Preventing accidental inclusion of allergens into products that should not contain them is critical to the safety of your food products. Cross-contact occurs when an allergen from one food (walnuts, for example) is transferred to another food that does not contain the allergen (strawberry jam, for instance). You should conduct a food allergen ingredient analysis. If your analysis identifies food allergens that will (or may be) in your products, you must have controls in place that prevent allergen cross-contact that includes all the products you manufacture for sale. When you operate in a space that is also used for personal use, you must also consider foods that you store, prepare and consume for personal use. Including a statement on your product label such as “may contain [peanuts], [tree nuts], [fish]...” is not an adequate control for preventing cross-contact.

The following resources may help you in developing a plan:

- <https://www.foodsafetymagazine.com/magazine-archive1/december-2003january-2004/writing-and-implementing-an-allergen-control-plan/>
- <https://farrp.unl.edu/3fcc9e7c-9430-4988-99a0-96248e5a28f7.pdf>
- <https://www.fda.gov/media/129670/download>

Provide your written plan for preventing allergen cross-contact here or on a separate sheet.

Example: Product Information Sheet

Product Information Sheet

Business Name: Grannie's Cookies, 111 Happy Ln, Anytown, VA 22554

Date: 1-1-2017

Product Name: Chocolate Chip Cookies

Trade Secret: X

Recipe

Ingredients:

3 ½ cup all-purpose flour
2 cup semi-sweet chocolate chips 8 tablespoons butter
1 cup chopped walnuts
¾ cup granulated sugar
¾ cup brown sugar 2 whole eggs
½ teaspoon baking soda
½ teaspoon salt
½ teaspoon vanilla

Step-By-Step Instructions:

1. Wash and sanitize utensils and preparation area.
2. Assemble ingredients and equipment.
3. Preheat oven to 375°F.
4. Combine flour, baking soda, and salt in small bowl.
5. Beat butter, granulated sugar, brown sugar, and vanilla in large mixer bowl.
6. Add eggs one at a time to butter/sugar mixture, beating well after each addition.
7. Gradually beat in flour mixture.
8. Stir in chocolate morsels and nuts.
9. Drop by rounded tablespoons onto greased baking sheet.
10. Bake at 375°F for 9-11 minutes or until golden brown.
11. Let cool for 2 minutes, then remove to wire racks to cool completely.
12. After cookies have cooled, place in packages.

Basic Labeling Requirements

PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY. These labeling components are required for all packaged foods. Failure to provide labels in the format described below will cause your application to be returned.

Product Name:

- Must be on the front panel
- Must be an accurate description of the product
- Must be in bold print
- Must be the largest type on the panel

Net Weight:

- Must be on the front panel
- Must be stated in both standard and metric units
- Must be in bold print
- Must be located on the bottom of the panel

Ingredients Statement: Must appear on the same panel as the name and address of your business. It must be on the front panel or the panel directly to the right of the front panel. Ingredients must be listed in order of heaviest to least heavy. Ingredients like chocolate chips, for example, have multiple ingredients in themselves, and these sub-ingredients must be listed in parentheses next to the main ingredient. When one of the 8 major food allergens is an ingredient or sub-ingredient, it must be identified by name, either within the ingredient statement OR in a separate statement directly below the ingredient statement. This is called a “contains statement” and must follow the format shown below. The only words that may be used to identify the allergens are the following: Milk, Wheat, Eggs, Peanuts, Tree Nuts (name the specific type of nut), Soybeans, Fish (name the specific species of fish), and Crustacean Shellfish (name the specific species of crustacean).

Allergens* listed in ingredient statement:

Ingredients: all-purpose flour (bleached **wheat** flour, malted barley flour, niacin, iron, thiamin mononitrate, riboflavin, folic acid), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, **soy** lecithin, vanillin, natural flavor), butter (cream (**milk**), salt), **walnuts**, granulated sugar, brown sugar (molasses), **eggs**, sodium bicarbonate, vanilla extract (vanilla bean extractives in water, alcohol), salt.

*Text does not need to appear in red.

Allergens* listed in contains statement:

Ingredients: all-purpose flour (bleached wheat flour, malted barley flour, niacin, iron, thiamin mononitrate, riboflavin, folic acid), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, soy lecithin, vanillin, natural flavor), butter (cream (milk), salt), walnuts, granulated sugar, brown sugar (molasses), eggs, sodium bicarbonate, vanilla extract (vanilla bean extractives in water, alcohol), salt. **Contains: wheat, soy, milk, walnuts, eggs**

OR

Name and Address of Manufacturer, Distributor, or Packer: Must appear on the same panel as the ingredient statement. It must be on the front panel or the panel directly to the right of the front panel. The address of the business must be listed in full—street name, city, state and zip. A PO Box, telephone number, email address, website address or other cannot substitute.

EXAMPLE LABEL

CHOCOLATE CHIP COOKIES

Ingredients: all-purpose flour (bleached wheat flour, malted barley flour, niacin, iron, thiamin mononitrate, riboflavin, folic acid), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, soy lecithin, vanillin, natural flavor), butter (cream, salt), walnuts, granulated sugar, brown sugar (molasses), eggs, sodium bicarbonate, vanilla extract (vanilla bean extractives in water, alcohol), salt. Contains: wheat, soy, milk, walnuts, eggs

Grannie’s Cookies, 111 Happy Ln, Anytown, VA 22554

Net wt. 10 oz (283 g)

Nutrition Labeling Exemption for Small Businesses

Since you are applying to make food from your home kitchen, you are most likely not required to have a nutrition facts panel on your label. In order to qualify as a small business that is exempt from including a nutrition facts panel, you must have less than 10 full-time employees and sell less than 10,000 units of product in one year. Also, you may not have claims on the label if a nutrition facts panel is not present. Examples of claims can include: “low fat”, “no added sugar”, “healthy”, “high in fiber” etc. In addition, your product would have to meet the definition of these claims.

If you voluntarily include a nutrition facts panel, even though you are not required to have one, it must be correct and include all the required formatting and components. Below is a graphic showing what the Standard Format looks like. All components are required. If you are interested in including a nutrition facts panel, Virginia Tech can create a panel, although you may choose to look elsewhere for this service.

Nutrition Facts

8 servings per container

Serving size 2/3 cup (55g)

Amount per serving

Calories 230

% Daily Value*

Total Fat 8g	10%
Saturated Fat 1g	5%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 160mg	7%
Total Carbohydrate 37g	13%
Dietary Fiber 4g	14%
Total Sugars 12g	
Includes 10g Added Sugars	20%
Protein 3g	

Vit. D 2mcg 10% • Calcium 260mg 20%

Iron 8mg 45% • Potas. 235mg 6%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Annotations:

- Nutrition Facts:** Bold, no smaller than all other point sizes except numerical value for "Calories"
- 8 servings per container:** No smaller than 10 pt with 1 pt of leading
- Serving size 2/3 cup (55g):** Bold, no smaller than 10 pt¹
- Amount per serving:** Bold, no smaller than 6 pt
- Calories 230:** Bold, no smaller than 22 pt
- % Daily Value*:** Bold, no smaller than 6 pt
- Total Fat 8g 10%:** No smaller than 8 pt with 4 pt of leading²
- Saturated Fat 1g 5%:** No smaller than 8 pt with 4 pt of leading³
- Cholesterol 0mg 0%:** Bold, no smaller than 8 pt with 4 pt of leading³
- Sodium 160mg 7%:** ¼ pt rule centered between nutrients (2 pt leading above and below)
- Total Carbohydrate 37g 13%:** Bold, no smaller than 8 pt⁴
- Dietary Fiber 4g 14%:** Bold, no smaller than 8 pt with 4 pt of leading and 8 pt bullets⁵
- Total Sugars 12g:** All labels enclosed by ½ point box rule within 3 point of text measure
- Includes 10g Added Sugars 20%:** Shortened rule above Added Sugars declaration
- Protein 3g:** 7 pt rule
- Vitamins and Minerals:** No smaller than 6 pt with 1 pt of leading

This image was taken from FDA guidance. For more information on nutrition labeling visit their website here: <https://www.fda.gov/media/81606/download>

Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

Recipe

Ingredients:

Step-by-Step Instructions (Process Flow):

[Click here for additional Product Information Sheets in Microsoft Word](#)

Product Label

Include a copy of your label here or on a separate sheet.