



# COMMONWEALTH of VIRGINIA

## Department of Agriculture and Consumer Services

PO Box 1163, Richmond, Virginia 23218

[www.vdacs.virginia.gov](http://www.vdacs.virginia.gov)

*Jewel H. Bronaugh, Ph.D.*  
Commissioner

### Starting a Food Processing Business in Virginia

#### General Information

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

- VDACS Application - Food Processing Operation
- Virginia Food Laws
- 21 CFR 110 Current Good Manufacturing Practices
- 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](mailto: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 businesses. 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

## Application for a Food Processing Operation

|                             |        |  |                            |
|-----------------------------|--------|--|----------------------------|
| Date of Application:        |        | County in which commercial kitchen is located: |                            |
| Business Name:              |        |  |                            |
| Business Mailing Address:   |        |  |                            |
| Owner Name:                 |        |  |                            |
| Phone:                      |        |  |                            |
| Email Address:              |        |  |                            |
| Commercial Kitchen Name:    |        |  |                            |
| Commercial Kitchen Address: |        |  |                            |
| Water Supply:               | Public | Private  | Type (drilled, bored, etc) |
| Sewage Disposal:            | Public | Private  |                            |

### Checklist of Required Information

|  |  |
|--|--|
|  | Documentation of commercial kitchen approval to operate a food business on the property              |
|  | Diagram of food processing and storage areas   |
|  | If private water supply is used, a copy of water test results showing Coliform bacteria are "Absent" |
|  | 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   |
|  | If making acidified foods, copy of letter from Process Authority letter                              |
|  | If making acidified foods, copy of Better Process Control School certificate of completion           |

# Application Instructions

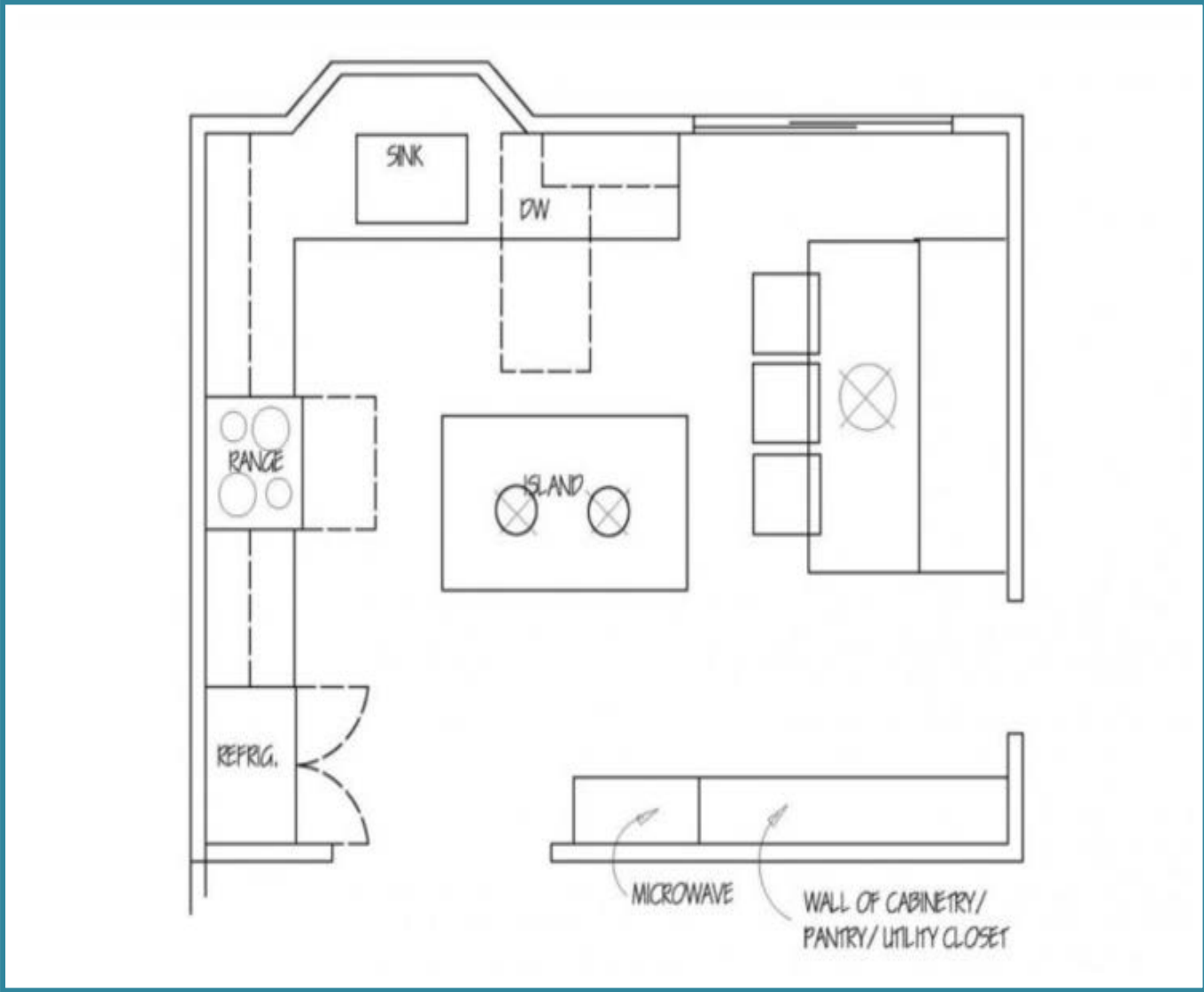
1. Review the How To document for completing this application and preparing for your inspection.
2. Complete page 1, providing all of the requested basic business/owner information.
3. Provide written documentation that you have approval from the commercial kitchen you will be using. Any verifiable documentation 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. See example on Page 5.
5. If the commercial kitchen is 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. Provide a list of all products you plan to make, as well as the planned method and place of distribution.
7. Provide a list of all of the ingredients you will be using, and the source of those ingredients.
8. 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. See Page 7 example.
9. 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 on page 8 and 9. More guidance on labeling is available from [FDA](#).
10. Acidified Foods Only: If your proposal involves acidified foods (pickled products, salsa, pumpkin/sweet potato butter, barbecue sauces, chow-chow, relishes, hot pepper jelly, hot sauces, etc.), or products containing garlic in oil, your process must be evaluated by a competent processing authority and a copy of the evaluation letter furnished with your application. A list of process authorities is available at this [website](#). Virginia Tech also provides this service. Joell Eifert is the Director of the Food Innovations Program and can be reached at 540-231-2483 or [joell.eifert@vt.edu](mailto:joell.eifert@vt.edu). In addition, acidified food processors must successfully complete Better Process Control School and provide a copy of the certificate. You may send inquiries to the Food Innovations Program for course offerings.
11. Submit applications to the VDACS Food Safety Program. An incomplete application will cause delay in it being processed.  
By email (preferred): [foodsafety@vdacs.virginia.gov](mailto:foodsafety@vdacs.virginia.gov)  
By mail: 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 contact you to schedule your initial 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.

# Commercial Kitchen Approval

Include your commercial 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.



# Food Processing and Storage Area Diagram

Include your diagram 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:

### 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

The following are labeling components 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, 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 a commercial 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**

Serving Size 1 cup (228g)  
Servings Per Container 2

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**Amount Per Serving**

**Calories 260**      **Calories from Fat 120**

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% Daily Value\*

**Total Fat 13g**

Saturated Fat 5g

Trans Fat 2g

**Cholesterol 30mg**

**Sodium 660mg**

**Total Carbohydrate 31mg**

Dietary Fiber 0g

Sugars 5g

**Protein 5g**

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Vitamin A 4%      •      Vitamin C 2%

Calcium 15%      •      Iron 4%

\* Percent Daily Values are based on a 2,000 calorie diet. Your Daily Values may be higher or lower depending on your calorie needs:

|                    | Calories: | 2,000   | 2,500   |
|--------------------|-----------|---------|---------|
| Total Fat          | Less than | 65g     | 80g     |
| Sat Fat            | Less than | 20g     | 25g     |
| Cholesterol        | Less than | 300mg   | 300mg   |
| Sodium             | Less than | 2,400mg | 2,400mg |
| Total Carbohydrate |           | 300g    | 375g    |
| Dietary Fiber      |           | 25g     | 30g     |

Annotations:

- Helvetica Regular 8 point with 1 point of leading
- Franklin Gothic Heavy or Helvetica Black, flush left & flush right, no smaller than 13 point
- 3 point rule
- 7 point rule
- 1/4 point rule centered between nutrients (2 points leading above and 2 points below)
- 6 point Helvetica Black
- 8 point Helvetica Regular with 4 points of leading
- All labels enclosed by 1/2 point box rule within 3 points of text measure
- 1/4 point rule
- 8 point Helvetica Regular, 4 points of leading with 10 point bullets
- Type below vitamins and minerals (footnotes) is 6 point with 1 point of leading

This image was taken from FDA’s Food Labeling Guide. For more information on nutrition labeling, visit their website [here](#).

# Product List and Planned Distribution

| <b>Products submitted for review</b>   | <b>Planned distribution</b>                                     |
|--|---|
| <i>Example: Chocolate Chip Cookies</i> | <i>Example: Farmer's Market, local grocery stores, internet</i> |
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## Ingredient List and Source

| Ingredient Name                   | Ingredient Source                           |
|-----------------------------------|---|
| <i>Example: All-purpose flour</i> | <i>Example: Walmart, Food Lion, Wegmans</i> |
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# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

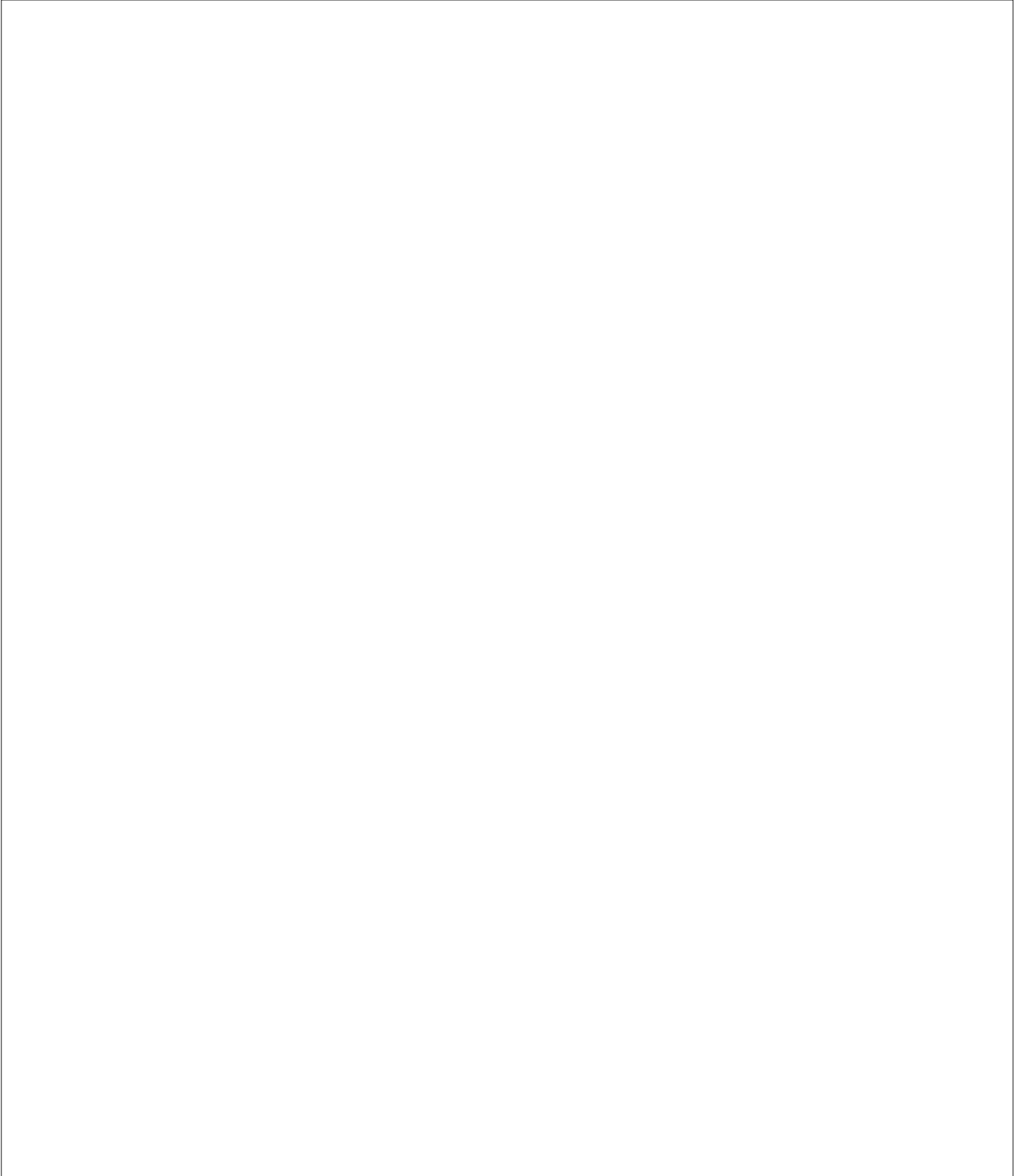
## Recipe

**Ingredients:**

**Step-By-Step Instructions:**

# Product Label

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

A large, empty rectangular box with a thin black border, intended for pasting a product label. The box occupies most of the page area below the instruction text.

# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

## Recipe

**Ingredients:**

**Step-By-Step Instructions:**

# Product Label

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

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for the user to paste a copy of their product label into.

# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

## Recipe

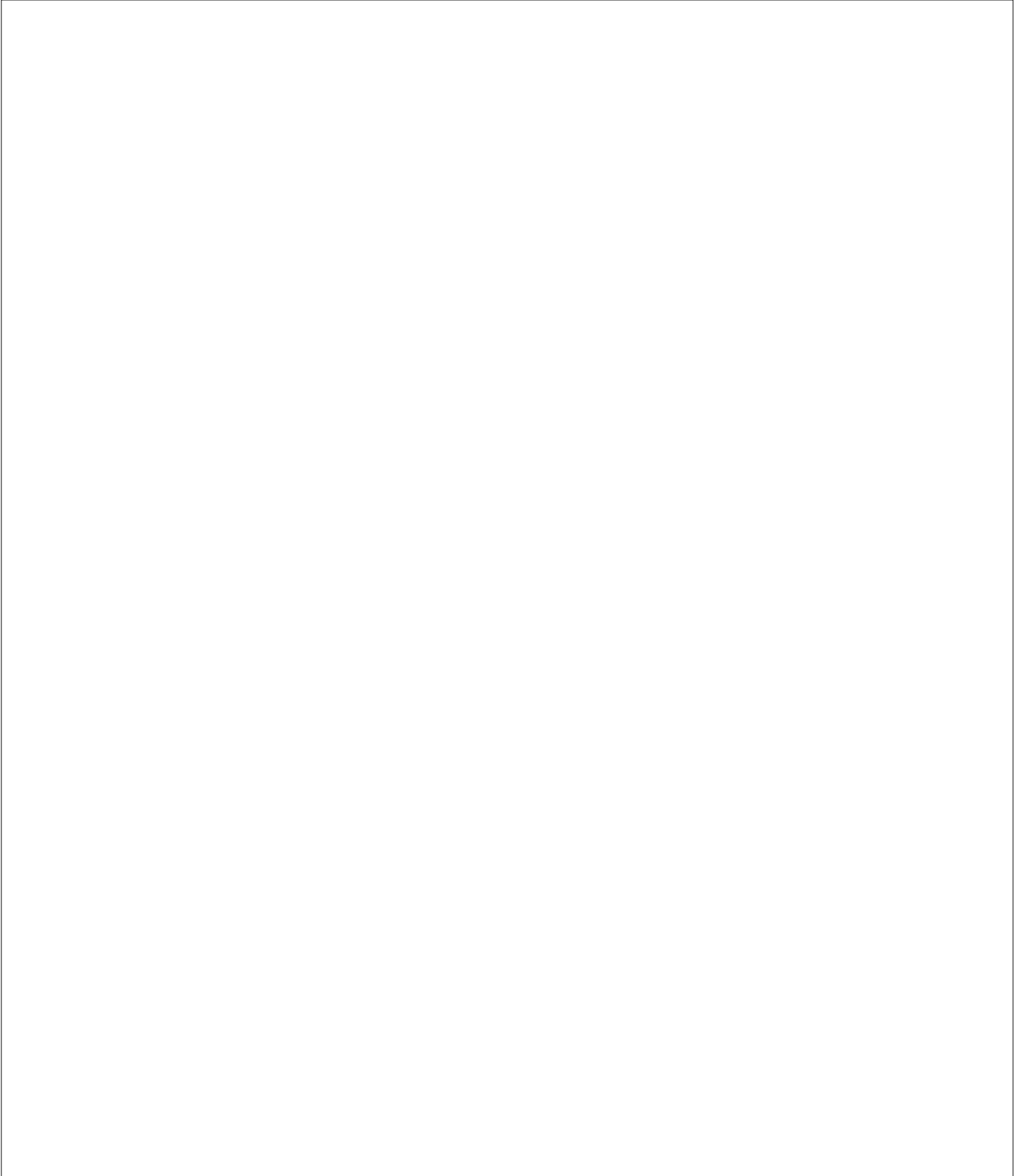
**Ingredients:**

**Step-By-Step Instructions:**



# Product Label

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

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for the user to paste a copy of their product label into this space.

# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

## Recipe

**Ingredients:**

**Step-By-Step Instructions:**

# Product Label

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

A large, empty rectangular box with a thin black border, occupying most of the page. It is intended for the user to paste a copy of their product label into this space.

# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

## Recipe

**Ingredients:**

**Step-By-Step Instructions:**

# Product Label

Attach copies of your labels here or on a separate sheet

# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

## Recipe

**Ingredients:**

**Step-By-Step Instructions:**

# Product Label

Attach copies of your labels here or on a separate sheet

# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

## Recipe

**Ingredients:**

**Step-By-Step Instructions:**



# Product Label

Attach copies of your labels here or on a separate sheet

# Product Information Sheet

Business Name:

Date:

Product Name:

Trade Secret:

## Recipe

**Ingredients:**

**Step-By-Step Instructions:**

# Product Label

Attach copies of your labels here or on a separate sheet