Application for a Home Food Processing Operation

(See Instructions on Page 2, and General Information on Page 9)

VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Date of Application: _____ County in which business is located: _____

Business Name:	
Owner Name:	First Name / Middle Name or Initial / Last Name
Phone:	Home Phone / Work Phone / Cell Phone
Email Address:	
Preferred Contact:	☐ Phone (☐ Home ☐ Work ☐ Cell) ☐ Email
Business Address:	Street: City: State/Zip:
Mailing Address: (If different from business address)	Street: City: State/Zip:
Water Supply:	☐ Public ☐ Private; name type (drilled, bored, etc):
Sewage Disposal:	☐ Public ☐ Private
Pets in the home?	☐ Yes ☐ No **If "Yes", the food processing area, including any areas where ingredients and finished products are stored, must be completely enclosed/separated from the rest of the home in order to be approved for home based food production. For example, food processing and storage areas must be fitted with a hinged door(s) that can be latched/closed shut. Placing pets in closed rooms in other areas of the home will NOT satisfy this requirement. The presence of caged pets (such as hamsters, guinea pigs, reptiles, fish, and birds) will not require the kitchen to be enclosed/separated from the rest of the home.**

Checklist of Required Information

(see instructions on Page 2)

Included?	Required Items
Yes ☐ No ☐	Basic information (business name, owner name, addresses, contact information, etc.)
Yes ☐ No ☐	Documentation of zoning approval to operate a food business on the property
Yes ☐ No ☐	Diagram of food processing and storage areas (See diagram example on Page)
Yes ☐ No ☐	If private water supply is used (e.g. a private well), a copy of lab water test results showing Coliform bacteria are "Absent" (not required if the business uses a public water supply)
Yes ☐ No ☐	Product Information Sheet for **each** product
Yes ☐ No ☐	List of All Products Submitted for Review with Planned Method and Place of Distribution
Yes ☐ No ☐	List of All Ingredients used in your business, with the source of each
Yes ☐ No ☐	Copies of labels or mock labels are included for each product
Yes ☐ No ☐	Copy of letter from Process Authority **(required for acidified foods only)**
Yes ☐ No ☐	Copy of Better Process Control School certificate of completion **(required for acidified foods)**

Application Instructions

1. Complete page 1 providing all of the requested basic business/owner information.
2. Provide written documentation that you have approval from your city/county zoning office to operate a home food processing business on your property. (Any verifiable documentation from the zoning office is acceptable).
3. Provide a diagram of the food processing and storage areas. See Example 1 (page 3).
4. If you will be using a private water supply (e.g. well), you must provide evidence that the water is safe from 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
5. Complete a Product Information Sheet for each product you plan to make. See Example 2 (page 4). Blank product information sheets are included with this application (last pages of the application).
6. Provide a list of all products you plan to make, as well as the planned method and place of distribution (use page 7 of this application). Methods of distribution include: Retail or Wholesale. Places of distribution include: from the Private Home; at Farmers Markets; Internet Sales; in Stores (grocery, convenience, etc); Other (describe other places). If the food is an acidified food, or an acid food, mark the appropriate box (leave the boxes unmarked if the food is not acidified or acid).
7. Provide a list of all of the ingredients you will be using, with the source of those ingredients.
8. Provide a copy of the label for each product (mock labels are acceptable, if actual labels have not yet been made). See Example 3 on page 5 for label example and basic labeling information. More guidance on labeling is available from your regional VDACS Food Safety Office, and from www.fda.gov.
9. **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 reviewed and approved by a competent processing authority, for safety purposes, and a copy of the approval letter furnished with your application. A list of process approval sources is available upon request from the Office of Food Safety. Virginia Tech also provides this service. The contact person is Joell Eifert, who can be reached at 540/231-8697. **Please be sure to include a copy of your process approval letter when you submit your packet of information.** **Note:** If your products are deemed acidified then you must attend a Better Process Control School for certification, and provide us with a copy of the certificate of completion.
10. Use the checklist at the bottom of page 1 to ensure your submitted application is complete, and that all required information is submitted with your application.
11. **Submit your application, with all of the required documents, to the VDACS Food Safety Office that is located in the region in which your business is located. If you are unsure about which of the three regions you are located, you may contact any of the offices for clarification. Applications may be submitted by regular mail, or by email (contact information is below). Email is recommended if you have that capability.**
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 is approved, a Food Safety Specialist will contact you to set a date and time for your initial kitchen inspection.

Northern VA (NOVA) Region Office

VDACS – Office of Food Safety
PO Box 1163, Suite 345
Richmond, VA 23218
Emma.Lofton@vdacs.virginia.gov
Phone: 804-786-3520
Fax: 804-371-7792

Southwest Region Office

VDACS – Office of Food Safety
2943-E Peters Creek Road
Roanoke, VA 24019
Lisa.Ramsey@vdacs.virginia.gov
Phone: 540-562-3641
Fax: 540-562-3649

Tidewater Region Office

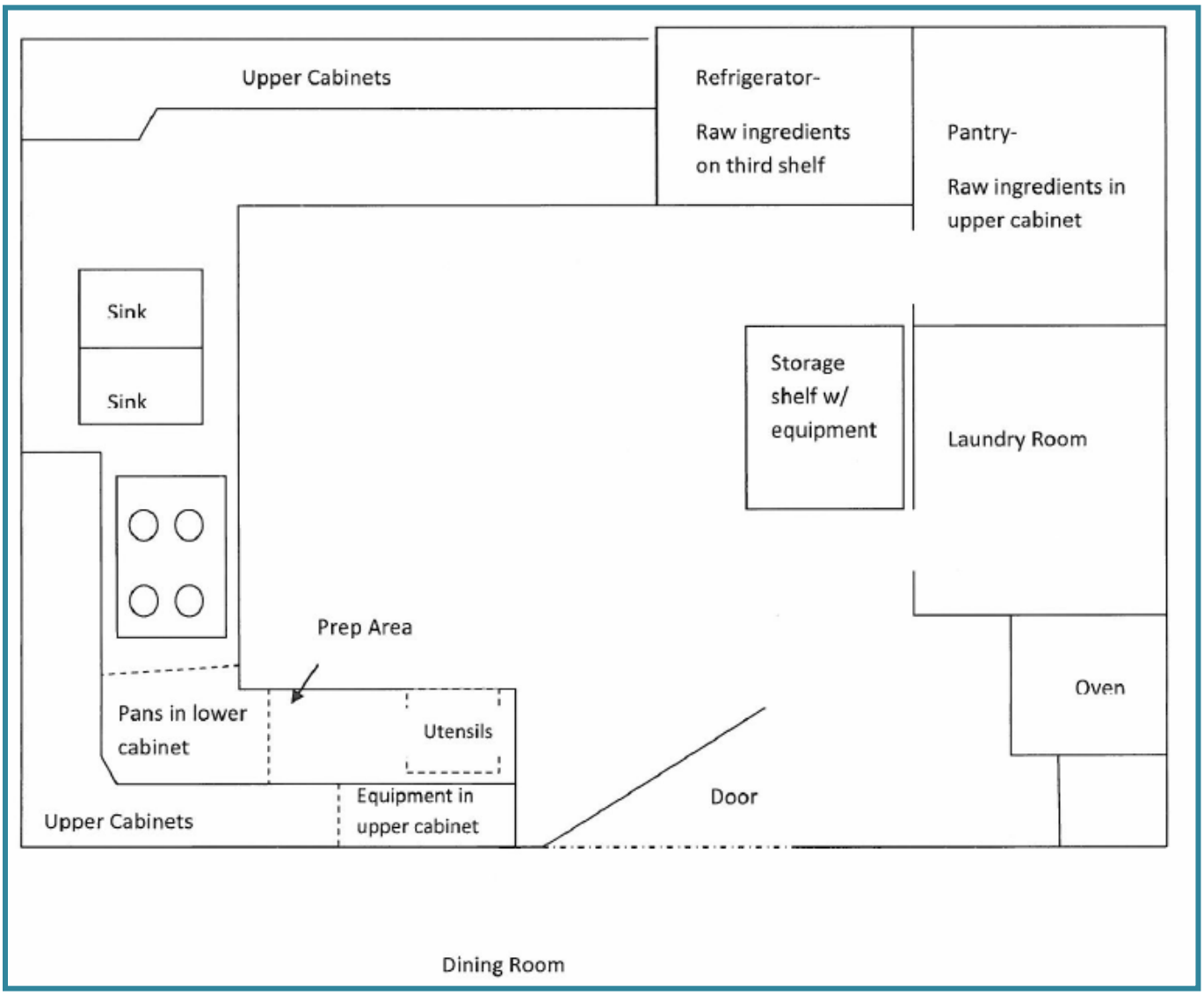
VDACS – Office of Food Safety
5700 Thurston Ave, Suite 104
Virginia Beach, VA 23455
Annie.McCullough@vdacs.virginia.gov
Phone: 757-363-3840
Fax: 757-363-3838

EXAMPLE 1

Diagram of food processing and storage areas.

(The diagram may be drawn using computer software, or drawn by hand.)

Note: If there are pets in the home, make it clear in the diagram how the food processing and storage areas are inaccessible to the pets at all times.



EXAMPLE 2

Product Information Sheet Trade Secret ☒

Business Name: Grannie's Cookies
Product Name: Toll House Chocolate Chip Cookies

Product Recipe:

2 ¼ c. all purpose flour 1 tsp. Baking soda 1 tsp. Salt 1 c. shortening ¾ c. granulated sugar ¾ c. brown sugar 1 tsp. Natural vanilla 2 eggs 2 c. semi-sweet chocolate morsels 1 c. chopped nuts	(additional ingredients can be listed in this space)

Process Flow:

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.

Text of Label Ingredients List (with ingredients listed in descending order by weight, and all sub-ingredients listed)

Bleached, enriched wheat flour (bleached wheat flour, malted barley flour, niacin, iron, thiamin mononitrate, riboflavin, folic acid), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, milkfat, soy lecithin-an emulsifer, natural and artificial flavor), pecans, vegetable shortening (partially hydrogenated soybean and cottonseed oils, mono and diglycerides), sugar, brown sugar (sugar, cane molasses), eggs, sodium bicarbonate, salt, vanilla.
Contains: Wheat, Milk, Pecans, Eggs

IMPORTANT: Ingredients **MUST** be broken down to the smallest sub-ingredients as shown in the Sample Label Information above. And, when an **ALLERGEN** is included in an ingredient, the common key allergen word must be included on the label in the ingredient statement or in the allergen contains statement. The key allergen words for the eight common allergens are: **Milk, Wheat, Eggs, Peanuts, Tree Nuts (name the specific type of nut), Soybeans, Fish, and Crustacean Shellfish.**

EXAMPLE 3

Label for Toll House Chocolate Chip Cookies

CHOCOLATE CHIP COOKIES

Ingredients: Bleached, enriched wheat flour (bleached wheat flour, malted barley flour, niacin, iron, thiamin mononitrate, riboflavin, folic acid), semi-sweet chocolate chips (sugar, chocolate, cocoa butter, milkfat, soy lecithin-an emulsifer, natural and artificial flavor), pecans, vegetable shortening (partially hydrogenated soybean and cottonseed oils, mono and diglycerides), sugar, brown sugar (sugar, cane molasses), eggs, sodium bicarbonate, salt, vanilla. **Contains: Wheat, Milk, Pecans, Eggs**

Grannie's Cookies, 111 Happy Lane, Anytown, VA 22554

Net wt. 10 oz (283 grams)

Basic Labeling Requirements

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:
Product weight must be stated in *both* standard and metric units. Please contact Weights and Measures for questions about net weight quantity requirements at (804) 786-2476.

Ingredients Statement: Can be on the front panel if desired. If you choose not to place the statement on the front panel, then it must be on the panel or display area **directly to the right** of the front panel. In extreme instances where this space is not available or where it is not feasible to place the information to the right (i.e. the package is extremely thin, with little or no side panel), you may place the information directly to the right of the unavailable panel.

Ingredients must be listed in descending order of predominance by weight (most first and least last). Ingredients **MUST** be broken down to the smallest sub-ingredients as shown in the Label Example above. And, when an **ALLERGEN** is included in an ingredient, the common key allergen word must be included on the label in the ingredient statement or in an allergen "contains statement". The key allergen words for the eight common allergens are: **Milk, Wheat, Eggs, Peanuts, Tree Nuts (name the specific type of nut), Soybeans, Fish, and Crustacean Shellfish.** Minimum size for ingredients is 1/16 of an inch in height. There is no maximum size limit.

Name and Address of Manufacturer, Distributor, or Packer: Can be on the front panel, if desired. If you choose not to place the statement on the front panel, then it must be on the panel or display area directly to the right of the panel. In extreme instances where this space is not available or where it is not feasible to place the information to the right (i.e. the package is extremely thin with little or no side panel), you may place the information directly to the right of the unavailable panel. Minimum size for manufacturer name and address is 1/16 of an inch. There is no maximum size limit. Manufacturer name and address must be placed together (they must not be separated).

Nutritional Labeling Information: Can be on the front panel, if desired. If the vendor elects not to place the information on the front panel, then it must be on the panel or display area directly to the right of the front panel. In extreme instances where this space is not available or where it is not feasible to place the information to the right (i.e. the package is extremely thin with little or no side panel), you may place the information directly to the right of the unavailable panel. **See the section on "Nutritional Labeling Exemptions for Small Businesses" to determine if the product qualifies for an exemption from this labeling.**

Nutritional Labeling Exemptions for Small Businesses

Section 403(q) of the Federal Food, Drug and Cosmetic Act requires that packaged foods and dietary supplements bear nutrition labeling unless they qualify for an exemption. 21 CFR 101.9(j)(1) and 21 CFR 101.9(j)(18) for foods and 21 CFR 101.36(h) for dietary supplements outlines the requirements to qualify for the exemption. A business may be exempt from the requirement of including a "Nutrition Facts" panel on its food packages and "Supplement Facts" panel on its dietary supplement packages.

The exemption under 21 CFR 101.9(j)(1) applies to retailers with annual gross sales of less than $500,000, or with annual gross sales of food to consumers of less than $50,000. The exemption under 21 CFR 101.9(j)(18) and 21 CFR 101.36(h) is based on the number of employees and number of product units sold. The exemption applies to businesses with fewer than 100 employees and products fewer than 100,000 units. The number of employees is based on the average number of full time equivalent employees. No exemption may be taken if a company has more than the number of employees listed regardless of number of units produced. **If a company has less than 10 employees and products less than 10,000 units sold, there is no need to file for an exemption.**

A "product" is a food with the same brand name and statement of identity.

A "unit" is a package or, if unpacked, the form in which the product is offered for sale.

"Company" includes domestic and international affiliates.

If any nutrient content claim (e.g., "low fat") or health claim is made, the small business exemption is not applicable. Also, this exemption deals only with the necessity of having the "Nutrition Facts/Supplement Facts" panel, and has **no effect on the mandatory labeling information** (i.e., statement of identity, quantity of contents, ingredient statement, name and address of responsible firm).

The firm claiming the exemption must file a notice with the Food and Drug Administration **annually**. A suggested form to use to claim the exemption may be obtained from the following sources:

- Online submission or hard copy application at the center's website *http://www.cfsan.fda.gov/~dms/sbelform.html.*
- Email your request for an application to *Sbusines@cfsan.fda.gov* or *Small.Business.Notification@cfsan.fda.gov*
- Call or fax in your request for an application at (301) 436-2375 or fax at (301) 436-2639.

You can also submit your firm's small business exemption notification by fax, email or postal mail.
The address to mail your notification:

Center for Food Safety and Applied Nutrition
Food and Drug Administration
HFS--810
5100 Paint Branch Parkway
College Park, Maryland 20740-3835

*****If FDA does not hear from you, they will no longer list your firm as a small business with products that are exempt from mandatory nutrition labeling.*****

Product List and Planned Distribution
(See Instructions, item 6, on Page 2)

Products Submitted for Review	Planned Method and Place of Distribution	Mark if Applicable
Chow Chow Relish **(Example)**	Retail sale at Farmers Markets, Wholesale to local Convenience Store, internet sales	☒ Acidified ☐ Acid food
		☐ Acidified ☐ Acid Food
		☐ Acidified ☐ Acid Food
		☐ Acidified ☐ Acid Food
		☐ Acidified ☐ Acid Food
		☐ Acidified ☐ Acid Food
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		☐ Acidified ☐ Acid Food
		☐ Acidified ☐ Acid Food

All Ingredients Used in the Business and the Ingredients Sources (List Each Ingredient Once)
(See instructions, item 7, page 2)

All Purpose Flour **(Example)**	Walmart, Food Lion, or other commercial grocery store

COMMONWEALTH of VIRGINIA
Department of Agriculture and Consumer Services
Division of Animal and Food Industry Services
Office of Dairy & Foods
Food Safety & Security Program

Starting a Home Food Processing Business in Virginia

General Information

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

- VDACS Application - Home Food Processing
- Virginia Food Laws
- Good Manufacturing Practices (21 CFR 110)
- Other information pertaining to your food business

If after reviewing the application and other materials you have any questions, please contact your Regional VDACS Food Safety & Security office.

Northern Virginia Regional Office: 804-786-3520
Southwest Regional Office: 540-562-3641
Tidewater Regional Office: 757-363-3840

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 received, reviewed, and approved by the VDACS Food Safety & Security program office.**

Also, there is a **$40.00 inspection fee** for Home 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 our website at http://www.vdacs.state.va.us/fdsafety/index.html and click on *Food Safety Inspection Fees—Frequently Asked Questions.*

Product Information Sheet

Business Name: Date:

Product Name:

Trade Secret ☐

Product Recipe:

Process Flow:

Text of Label Ingredients List (with ingredients listed in descending order by weight; if an ingredient contains sub-ingredients, list all of them in parenthesis after that ingredient):

Product Information Sheet

Business Name: Date:

Product Name:

Trade Secret ☐

Product Recipe:

Process Flow:

Text of Label Ingredients List (with ingredients listed in descending order by weight; if an ingredient contains sub-ingredients, list all of them in parenthesis after that ingredient):

Product Information Sheet

Business Name: Date:

Product Name:

Trade Secret ☐

Product Recipe:

Process Flow:

Text of Label Ingredients List (with ingredients listed in descending order by weight; if an ingredient contains sub-ingredients, list all of them in parenthesis after that ingredient):

Product Information Sheet

Business Name: Date:

Product Name:

Trade Secret ☐

Product Recipe:

Process Flow:

Text of Label Ingredients List (with ingredients listed in descending order by weight; if an ingredient contains sub-ingredients, list all of them in parenthesis after that ingredient):