

Retail Food Establishment Exemption Certification Form

A **Retail Food Establishment** is an operation that sells food directly to the end-consumer for on- or off-premises consumption. Examples of retail food establishments include, but are not limited to, convenience stores, supermarkets, and grocery stores. Pursuant to the Code of Virginia § 3.2-5100, it is unlawful to operate as a retail food establishment until a permit has been issued by the VDACS Food Safety Program, unless EXEMPT from a permit pursuant to § 3.2-5130(C)(6).

THE EXEMPTION ONLY APPLIES TO RETAIL FOOD ESTABLISHMENTS THAT MEET ALL OF THE FOLLOWING CRITERIA. THE EXEMPTION DOES NOT APPLY TO FOOD MANUFACTURERS OR FOOD STORAGE WAREHOUSES.

- a) Do not prepare or serve food (*including beverage service such as coffee or fountain drinks*);
- b) Sell only food or beverages that are sealed in packaging by the manufacturer and have been officially inspected in the manufacturing process;
- c) Do not sell infant formulas;
- d) Do not sell salvaged foods; and
- e) Certify to the Virginia Department of Agriculture and Consumer Services that they meet the provisions of this exemption.

Exemption Certification Form Instructions

- 1) Review the retail food establishment exemption criteria outlined above prior to completing the certification form.
- 2) Complete all requested information on the Retail Food Establishment Certification Form.
- 3) Submit your completed certification form to the VDACS Food Safety Program by email at foodsafety@vdacs.virginia.gov.
 - The Food Safety Program will review your certification form and contact you regarding next steps.
 - Questions about your form may be directed to foodsafety@vdacs.virginia.gov.
- 4) You will receive written notification after your certification form has been reviewed.
 - If your certification form is approved, you will be marked exempt from the retail food establishment permit and annual inspection fee requirements. You will NOT receive a retail food establishment permit or an invoice for the \$40 annual inspection fee.
 - If your certification form is denied, or your operations change such that your retail food establishment no longer meets the exemption criteria, you must complete and submit a [Permit Application for a Retail Food Establishment](#).

Exempt retail food establishments must still comply with the [Virginia Food and Drink Law](#) and the [Retail Food Establishment Regulations](#). The Department may inspect any retail food establishment if a consumer complaint is received, an investigation is warranted, or to verify compliance with the exemption.

Retail Food Establishment Exemption Certification Form

Establishment Name:				
Water Supply:	Public Private			
Sewage Disposal:	Public Private			
Establishment Phone Number:				
Establishment Email Address:				
Establishment Physical Address:				
City/County (<i>list the locality that assesses the real estate tax for the physical address</i>):				
Establishment Mailing Address:				
Establishment Ownership Name:				
Ownership Type:	Corporation	Individual	LLC	Partnership
Virginia State Corporation Commission Business Entity ID:				
Ownership Billing Address:				
Names, Titles, and Contact Information for Persons Comprising the Ownership (<i>attach list if necessary</i>)				
Full Name	Title	Phone Number	Email Address	
Zoning/Building Department Approval Obtained:		Yes		No

I certify that my retail food establishment meets all the exemption criteria for operating without a retail food establishment permit pursuant to Code of Virginia § 3.2-5130(C)(6). I understand it is my responsibility to contact the Virginia Department of Agriculture and Consumer Services Food Safety Program if my operations change such that my establishment no longer qualifies for this exemption.

Signature	Printed Name	Date