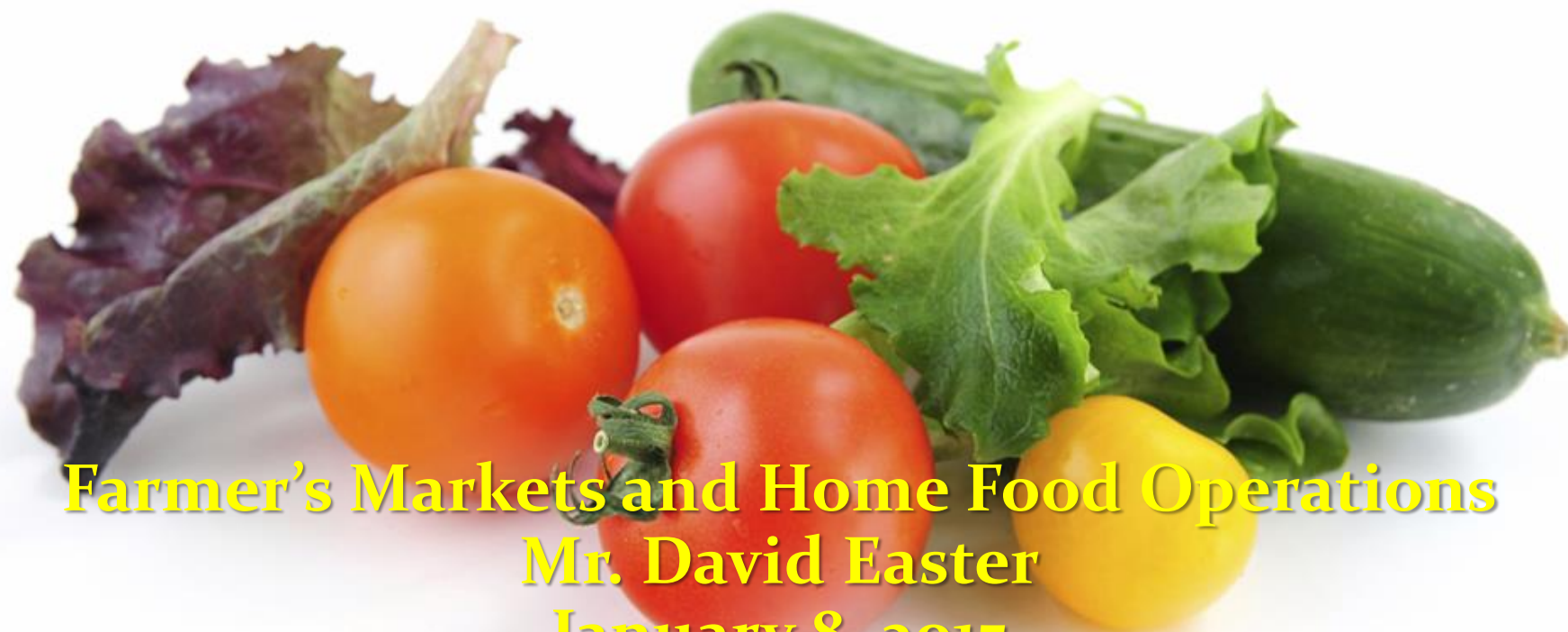




Virginia Department of Agriculture & Consumer Services
Office of Dairy & Foods
Food Safety & Security Program



Farmer's Markets and Home Food Operations
Mr. David Easter
January 8, 2015



Agency Mission Statement

We promote the economic growth and development of Virginia agriculture, encourage environmental stewardship, and provide consumer protection.



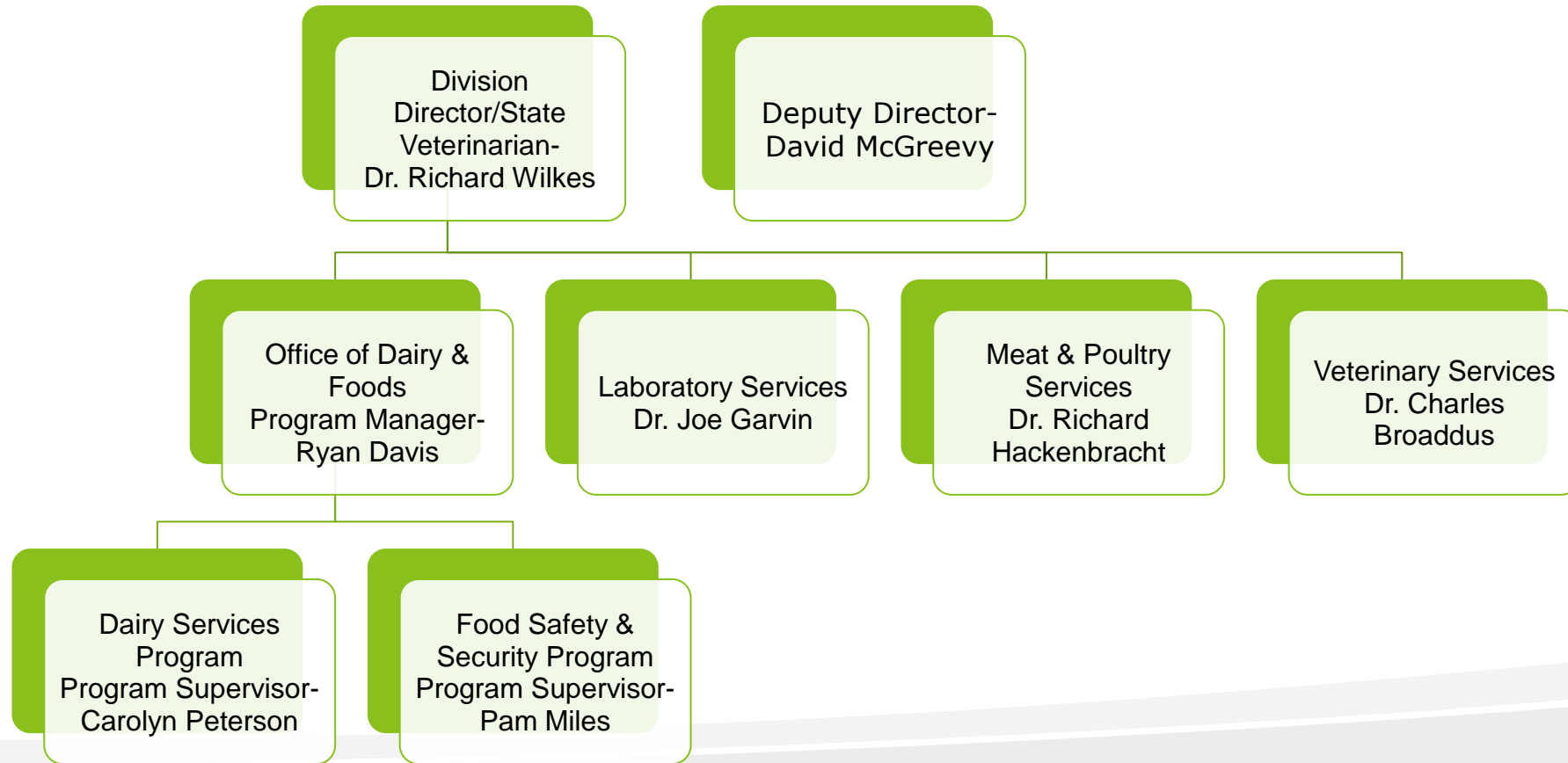


VDACS Strategic Goals

- Goal #1: Enhance opportunities for the growth, profitability and continued viability of the Virginia agriculture industry.
- Goal #2: Ensure a safe and wholesome food supply.
- Goal #3: Provide agricultural and consumer protection services that support economic growth, meet consumer needs and encourage environmental stewardship.
- Goal #4: Enhance Agency services and productivity through new technology, e-government applications, work processes and procedures, and training.
- Goal #5: Provide services which prevent or minimize the impact of emergency agricultural infestations, animal disease outbreaks, foodborne illness outbreaks, and natural and manmade disasters.



Division of Animal & Food Industry Services - Program Offices





Food Safety & Security Program Regional Offices



- One Program Supervisor
- Three Regions/Regional Managers
- Three Field Supervisors
- 23 Food Safety Specialists



Types of Firms We Inspect

- **Retail Food Industry**
 - Supermarkets
 - Convenience Stores & Grocery Stores
 - Bakery Shops
 - Meat Markets
 - Seafood Markets
 - Ethnic Markets
 - Specialty Stores
 - Drug Stores
 - Farmers Markets



Types of Firms We Inspect

- **Processed Foods Industry**

- Home Operations
- Seafood
- Baked goods
- Beverages
- Candy
- Bottled Water
- Spices
- Ethnic Foods
- Ice
- Sandwiches
- Fruit and Vegetable Processors (produce, sprouts, etc.)
- Alcoholic Beverages (i.e. wineries, breweries)
- Other Food Processors (everything but dairy & meat products)



Types of Firms We Inspect

- **Food Warehouses**
 - Multiple Foods Facilities
 - Cold & Frozen Storage Facilities
 - Beverage Facilities
 - Food Salvage Facilities
 - Other Facilities
- Restaurants and food service institutions are inspected by the Virginia Department of Health.



Food Safety and Security Program Accomplishments

(FY 2011 – 2012)

- Conducted 12,966 food safety inspections of 12,316 firms.
- Submitted 1,493 food samples for laboratory analysis.
- Investigated 575 consumer complaints alleging violations of the Virginia Food Laws.
- Issued 121 warning letters, conducted 23 field and 14 administrative hearings, and referred 0 cases to legal officials for prosecution.



Legislative Authority

- Virginia Food Laws (Title 3.2, Chapter 51, Food and Drink)
- Virginia Egg Law
- Virginia Vinegar Law
- Virginia Apple Marking Law



Virginia Food Laws

- No license/permit
- Right of Entry
 - Inspections (unannounced)
 - Sampling
 - Seizure
- Notice and Warning
- Prosecution and Penalties



Adopted Regulations

- Virginia Retail Food Establishment Regulations (Chapter 585)


2010 Edition

- Modified version of the FDA Food Code (2005 Edition with 2007 Supplement)
- The FDA Food Code is a model code and reference document that provides a scientifically sound technical and legal basis for regulating the retail and food service segment of the food industry.
- It is revised and updated every two years based on recommendations from the Conference of Food protection.



Additional Regulations Enforced

- Infant Formula Regulations
- Ground Beef Regulations
- Sausage Regulations



Regulations Enforced- Food Manufacturing

Adopted from the FDA Code of Federal Regulations (21CFR)

- Part 100, General.
- Part 101, Food labeling.
- Part 102, Common or usual name for non-standardized foods.
- Part 104, Nutritional quality guidelines for foods.
- Part 105, Foods for special dietary use.
- Part 109, Unavoidable contaminants in food for human consumption and food packaging material.
- Part 110, Current good manufacturing practice in manufacturing, packing or holding human food.
- Part 111, Current good manufacturing practice for dietary supplements.
- Part 113, Thermally processed low-acid foods packaged in hermetically sealed containers.
- Part 114, Acidified foods.
- Part 120, Juice HACCP
- Part 123, Seafood HACCP
- Part 129, Processing and bottling of bottled drinking water.
- Part 133, Cheeses and related cheese products.



The Five (5) Foodborne Illness Risk Factors

The CDC has identified the top five risk factors that most often are responsible for foodborne illness outbreaks as:

1. Food from Unsafe Sources
2. Inadequate Cooking
3. Improper Holding/Time-Temp abuse
4. Contaminated Equipment
5. Poor Personal Hygiene



How Does the Food Safety Program Assist the Food Industry?

- Review new food business proposals
- Assist in the development of safe food processes
- Evaluate food labels
- Educate food managers on food regulations
- Provide information on food security and assess facilities for potential points of sabotage
- Offer various training opportunities (Peanut Food Safety Workshop)
- Direct food businesses to various marketing services provided by the department (Virginia's Finest, Virginia Grown, Virginia Organic, etc.)

More About Food Processors Including Home Operations





Starting a Food Manufacturing Operation

- VA Food Laws require inspection prior to start of production
- Plan review of facility
- Discuss operations with regional food safety specialist
- Pre-opening consultation
- \$40/year fee
- Some processors may need to meet requirements as outlined in the CFRs (acidified foods, LACF, HACCP plans, etc)



Starting a Food Manufacturing Operation

- The manufacture, processing, storage, distribution, sale of food products intended for human consumption
- Large scale manufacturing plants to small scale buildings and home businesses
- Every situation is unique and subject to various aspects of the CFRs
- Challenges and hurdles (with product/process) may require additional time to verify safety
- Best to consult with our office prior to beginning operation



Types of Home Food Operations

- Exempt Home Food Operations
- Inspected Home Food Operations



Exempt Private Home Food Processors

- Senate Bill 272 was passed and went into effect on July 1, 2008
- Private homes that produce candies, jams and jellies (not low acid or acidified), dried fruits, dry herbs, dry seasonings, dry mixtures, coated and uncoated nuts, vinegars and flavored vinegars, popcorn, popcorn balls, cotton candy, dried pasta, dry baking mixes, roasted coffee, dried tea, cereals, trail mixes, granola, and baked goods that are non PHF
- Items must be sold 1) to an individual for his own consumption and not for resale; 2) sold at the private home or at farmers markets; 3) not offered for sale to used in or offered for consumption in retail food establishments; 4) not offered for sale over the Internet or in interstate commerce; AND 5) labeled with name, physical address, and telephone number of the person preparing the food product, the date food product was processed, and “NOT FOR RESALE- PROCESSED AND PREPARED WITHOUT STATE INSPECTION” shall be placed on the principal display panel.



Exempt Private Home Food Processors

- The exemption states that these types of operations do not have to have an inspection by VDACS prior to operating
- They are also exempt from inspection fee
- However nothing in the exemption diminishes VDACS authority
 - Processors must still follow the Virginia Food Laws and related regulations
 - VDACS can inspect if there is a reason to (i.e. consumer complaint, foodborne illness outbreak, etc)



Exempt Private Home Food Processors

- WE SHOULD NOT SEE THESE TYPE OF EXEMPT ITEMS OFFERED FOR SALE OR USED IN A RESTAURANT
- VDH Regulations state “Food prepared in a private home may not be used or offered for human consumption in a food establishment unless the home kitchen is inspected and approved by the Virginia Department of Agriculture and Consumer Services.”



Exempt Private Home Food Processors – VA

Food Laws § 3.2-5130

- It is unlawful to operate a food manufacturing plant, food storage warehouse, or retail food store until it has been inspected by the Commissioner. This section shall not apply to: Private homes where the resident processes and prepares candies, jams, and jellies not considered to be low-acid or acidified low-acid food products, dried fruits, dry herbs, dry seasonings, dry mixtures, coated and uncoated nuts, vinegars and flavored vinegars, popcorn, popcorn balls, cotton candy, dried pasta, dry baking mixes, roasted coffee, dried tea, cereals, trail mixes, granola, and baked goods that do not require time or temperature control after preparation if such products are: (i) sold to an individual for his own consumption and not for resale; (ii) sold at the private home or at farmers markets; (iii) not offered for sale to be used in or offered for consumption in retail food establishments; (iv) not offered for sale over the Internet or in interstate commerce; and (v) affixed with a label displaying the name, physical address, and telephone number of the person preparing the food product, the date the food product was processed, and the statement "NOT FOR RESALE—PROCESSED AND PREPARED WITHOUT STATE INSPECTION" shall be placed on the principal display panel. Nothing in this subdivision shall create or diminish the authority of the Commissioner under § 3.2-5102;

Exempt Pickles and Acidified Vegetables with pH of 4.6 or lower

Virginia Food Laws § 3.2-5130 A 4. Private homes where the resident processes and prepares pickles and other acidified vegetables that have an equilibrium pH of 4.6 or lower if such products are (i) sold to an individual for his own consumption and not for resale; (ii) sold at the private home or at farmers markets; (iii) not offered for sale to be used in or offered for consumption in retail food establishments; (iv) not offered for sale over the Internet or in interstate commerce; (v) affixed with a label displaying the name, physical address, and telephone number of the person preparing the food product, the date the food product was processed, and the statement “NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION” shall be placed on the principal display panel; and (vi) not exceeding \$3,000 in gross sales in a calendar year.



Exempt Private Home Honey Processors

- Exemption went into effect July 1, 2011 (Virginia Food Laws § 3.2-5130 A 5).
- Private homes that process and prepare honey produced by his own hives
- Resident must sell less than 250 gallons of honey annually
- Resident must not process or sell other food products (except as allowed by subdivisions 3 and 4)
- Product complies with other provisions of this chapter
- Product must be labeled “PROCESSED AND PREPARED WITHOUT STATE INSPECTION. WARNING: Do not Feed Honey to Infants Under One Year Old.”



Exempt Private Home Honey Processors

- The exemption states that these types of operations do not have to have an inspection by VDACS prior to operating
- They are also exempt from inspection fee (\$40/year)
- However nothing in the exemption diminishes VDACS authority
 - Processors must still follow the Virginia Food Laws and related regulations
 - VDACS can inspect if there is a reason to (i.e. consumer complaint, foodborne illness outbreak, etc)



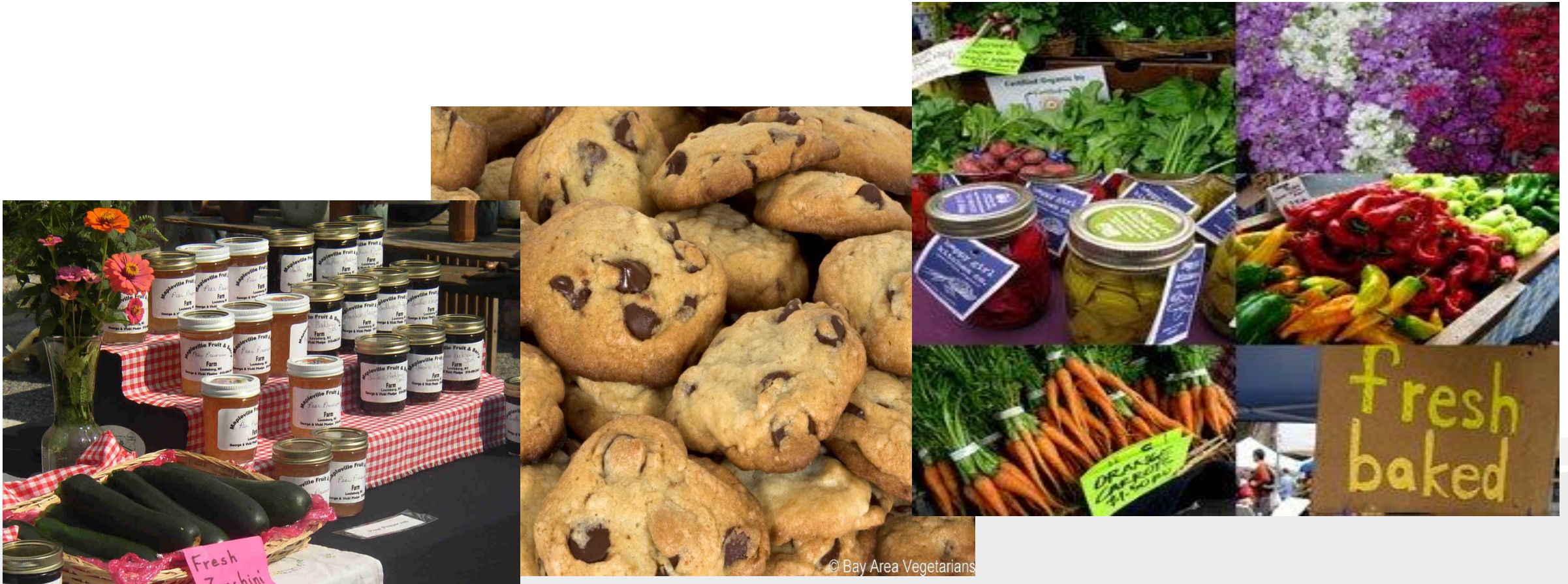
Exempt Private Home Honey Processors – VA Food Laws § 3.2-5130

- No person shall operate a food manufacturing plant, food storage warehouse, or retail food store until it has been inspected by the Commissioner. This section shall not apply to:

Private homes where the resident processes and prepares honey produced by his own hives, if: (i) the resident sells less than 250 gallons of honey annually; (ii) the resident does not process and sell other food products in addition to honey, except as allowed by subdivisions 3 and 4; (iii) the product complies with the other provisions of this chapter; (iv) the product is labeled "PROCESSED AND PREPARED WITHOUT STATE INSPECTION. WARNING: Do Not Feed Honey to Infants Under One Year Old." Nothing in this subdivision shall increase or diminish the authority of the Commissioner under § [3.2-5102](#);

Inspected Home Food Operations

- VDACS has numerous home food operations under inspection (approx. 700+ firms) across the state



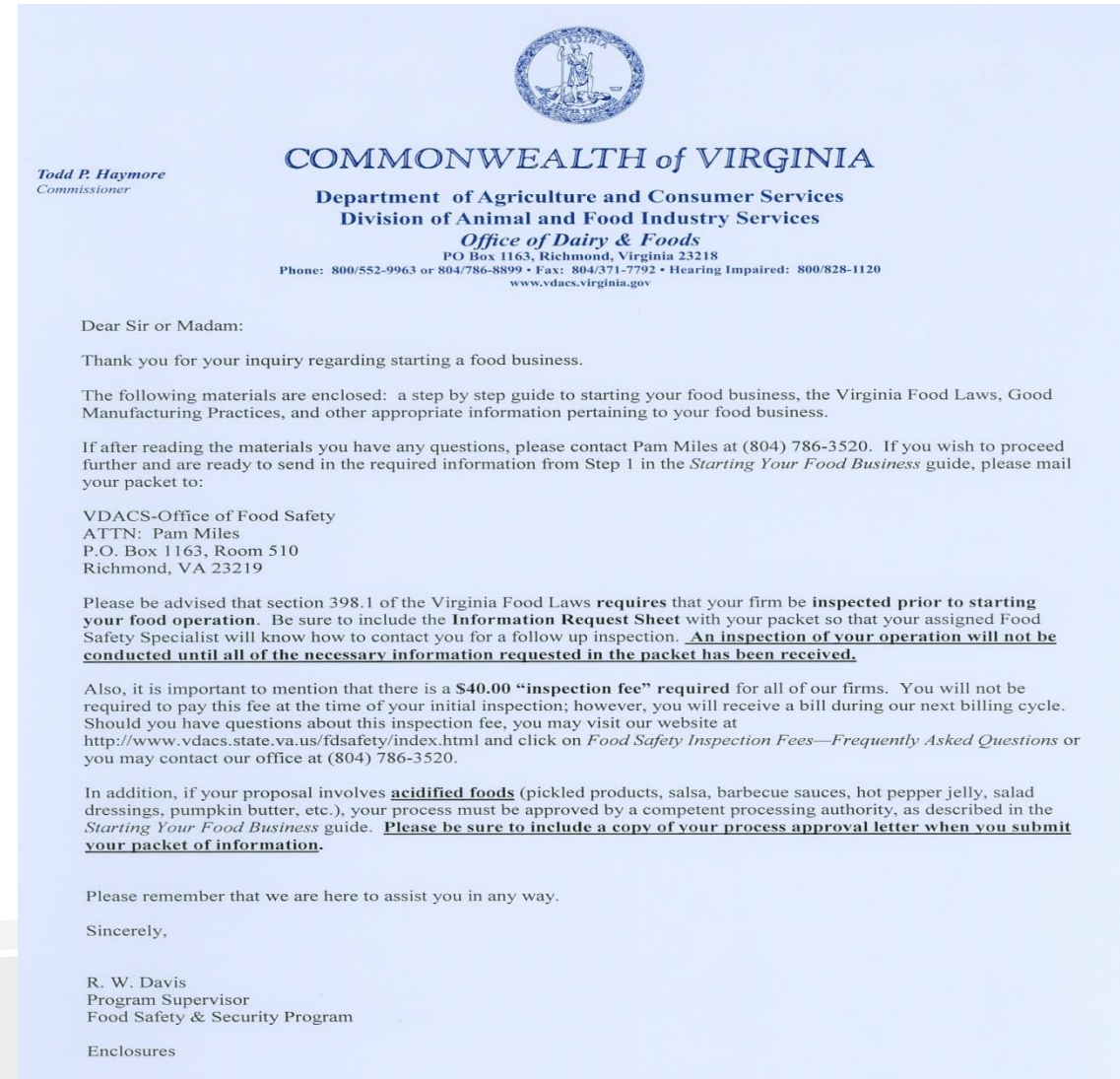


Steps to Starting a Home Food Operation

- Interested parties should call the Regional Office associated with their area or the Richmond Office
- They are sent a Information Request Sheet for a Food Processing Operation
 - “Home Op Packet” for starting a food business
 - Even if the business is not a home-operation they may need to follow some of the same steps

Starting Your Food Business

- Cover of packet
- Provides name and contact information of person responsible for reviewing packets
- Fee information
- List of documents that make up the entire packet



STEP 1





- Place and location of product distribution
- Water Supply
 - If Private must have water tested
- Are there pets in the home?
 - If there are pets, the entire kitchen must be enclosed
 - Virginia Food Laws prohibits animals in any area where food is manufactured or stored

Place and location of product distribution:

Water supply (please check one): Private Public

***If private, the water supply must be tested and the laboratory results must be attached, as outlined in “Step 1 – Water Sample.”**

If you have a private well, what type (bored, drilled, etc.): _____

Sewage disposal (please check one): Private Public

Do you have pets (such as dogs or cats) that live inside 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.**

***Note: Placing pets in closed rooms in other areas of the home will NOT satisfy this requirement.**

Please include this information when completing the diagram of your kitchen, in addition to the other required information, as outlined in “STEP 1 – Diagram.”

The presence of caged pets (such as hamsters, guinea pigs, reptiles, fish, reptiles, and birds) will not require the kitchen to be enclosed/separated from the rest of the home.

STARTING YOUR FOOD BUSINESS

- 
- Diagram of Kitchen
 - Recipes of Products
 - Processing Steps
 - List of Finished Products and how they are stored, transported, displayed
 - Labels
 - Water Sample Results
 - Process Approval Letter for Acidified Foods

The Virginia Department of Agriculture's Food Safety Program is charged with ensuring a safe, wholesome and properly labeled food supply for the citizens of the Commonwealth. The Program discharges this responsibility through conducting periodic unannounced inspections of food processors, food storage warehouses, and food retail stores. The Program monitors the food supply by making these inspections and through the collection of food samples to be analyzed for pesticide residues, mycotoxins, microbiological contamination, filth, standards, and labeling.

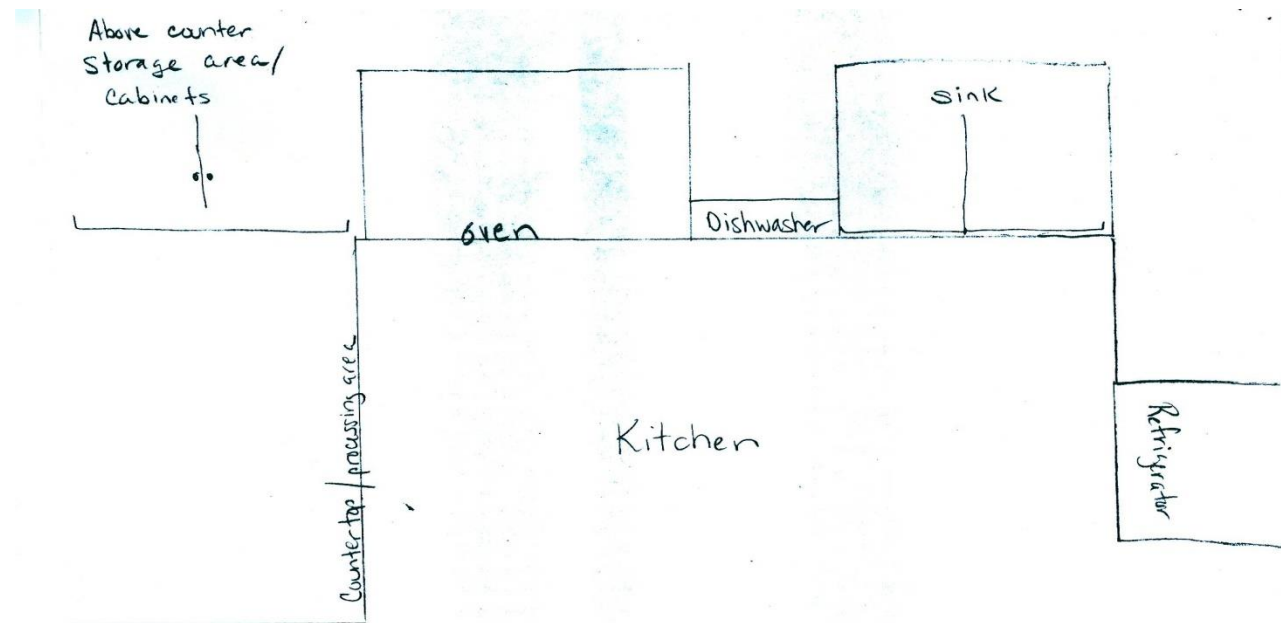
If you wish to begin a food processing operation the following information will need to be supplied to our office or to the inspector for evaluation prior to receiving an inspection.


STEP 1 (Required Information)

1. **Diagram:** A complete diagram of your processing area including location of storage areas, processing equipment, sinks, and location of wells and/or drainfield, if applicable.
2. **Recipe of Your Product:** List the exact measurements of ingredients for each product proposed. Include where the raw material is obtained, i.e., from a supermarket or fresh grown/harvested and indicate the name of the supply source. Please mark this sheet "Trade Secret" if you do not want this information subject to disclosure under the Virginia Freedom of Information Act. See Example 1, for an example of a recipe.
3. **A Process Flow Sheet:** This should be a detailed description of the processing steps in sequential order from raw material to finished product, including cooking times and temperatures. See Example 2.
4. **List of Finished Products:** Include how the finished products are stored, transported and/or displayed (refrigerated or held at room temperature and how packaged) until it reaches the consumer, and where it is to be distributed.
5. **Labels of Your Product:** Please submit samples of your labels. If you have not yet ordered labels, a proposed mock label will suffice. It is recommended that you have your labels reviewed prior to ordering, to avoid financial loss if revision of the labels is required. For net weight requirements, call Weights and Measures at (804) 786-2476. Additional labeling information can be obtained from www.fda.gov. See labeling requirements and Examples 3, 4, & 5.
6. **Water Sample:** A current bacteriological sample analysis of your water indicating potability if you are on a private supply, such as a well. This sample must have been taken no more than one calendar year from the time the application is submitted. If you are on a public (municipal) supply, a sample analysis will not be necessary. You are responsible for finding a private lab to have your water tested. Your test results should be supplied to us with the rest of your information. Please, DO NOT send your water to the office for testing.
7. **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. See example 6 and 7 regarding process approval. **Please be sure to include a copy of your process approval letter when you submit your packet of information.** Also, if your products are deemed acidified, you must complete a FDA approved Better Process Control School and attach a copy of the certification, along with this application.

1. **Diagram:** A complete diagram of your processing area including location of storage areas, processing equipment, sinks, and location of wells and/or drainfield, if applicable.

- Provide a complete diagram of your processing area.
 - It can be hand drawn
 - Computer generated sketch
- Show location of cabinets, refrigerator, sink, etc.
- If you home is on a well and/or private septic system, then provide location of wells and/or drain field





2. **Recipe of Your Product:** List the exact measurements of ingredients for each product proposed. Include where the raw material is obtained, i.e., from a supermarket or fresh grown/harvested and indicate the name of the supply source. Please mark this sheet “Trade Secret” if you do not want this information subject to disclosure under the Virginia Freedom of Information Act. See Example 1.

- Be exact in measurements
- Identify all ingredients being used including spices
 - (ex. 1 tsp. cumin)
- Use of term “Trade Secret” is optional

1A. Trade Secret

Recipe: Toll House Chocolate Chip Cookies

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



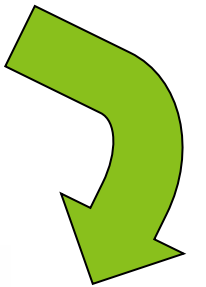
3. **A Process Flow Sheet:** This should be a detailed description of the processing steps in sequential order from raw material to finished product, including cooking times and temperatures. See Example 2.


- Provide a detailed description of the processing steps
- Be as descriptive as possible
- Indicate temperatures and length of cook time
- Indicate method of cooling and storing

2A. Flow Chart of Method of Making Toll House Cookies

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.

4. **List of Finished Products:** Include how the finished products are stored, transported and/or displayed (refrigerated or held at room temperature and how packaged) until it reaches the consumer, and where it is to be distributed.



- 
5. **Labels of Your Product:** Please submit samples of your labels. If you have not yet ordered labels, a proposed mock label will suffice. It is recommended that you have your labels reviewed prior to ordering, to avoid financial loss if revision of the labels is required. For net weight requirements, please call Weights and Measures at (804) 786-2476. Additional labeling information can be obtained from www.fda.gov. See labeling requirements and Examples 3, 4, & 5.

Labeling Requirements:

- Product Name
 - Must be on front panel
 - Must be an accurate description of product
 - Must be in bold print
 - Must be largest type on panel
- Ingredient's List
 - Must include complete list of sub-ingredients for each ingredient in list
 - Must be listed in descending order from most to least used ingredient
 - Minimum font size is 1/16th of an inch
 - Can be included on one label or on separate label with address information
- Address of Manufacturer, Distributor, or Packer
 - Two choices:
 - List full street address on label (Not P.O. Box), but
 - If in local phone directory, then can just use city, state, & zip code
- Net Weight
 - Contact VDACS Weights & Measures (804-786-2476) for Net Weight.
- One example provided

3A. Label for Toll House Chocolate Chip Cookies

TOLL HOUSE 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.


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

Net wt. 10 oz (283 grams)

6. **Water Sample:** A current bacteriological sample analysis of your water indicating potability if you are on a private supply, such as a well. If you are on a public (municipal) supply, a sample analysis will not be necessary. You are responsible for finding a private lab to have your water tested. Your test results should be supplied to us with the rest of your information. Please, **DO NOT** send your water to the office for testing.

- Homes with well water must obtain water sample
- Must get water analysis by certified laboratory
- Look in yellow pages under “Water Analysis”
- Water analysis results need to be submitted with completed packet
- **DO NOT** send your water to our office for testing.





7. **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. See example 6 and 7 regarding process approval. Please be sure to include a copy of your process approval letter when you submit your packet of information. If your products are deemed acidified then you must attend a Better Process School for certification.

- 21 CFR Part 114 defines Acidified Foods as those foods that have had their pH reduced to 4.6 or lower by the addition of acid or acid foods.
- The Acidified Foods Regulations require that a qualified person who has expert knowledge establish the scheduled process for an acidified food.

 **VirginiaTech** Currently provides testing services.

- For more information, contact Joell Eifert @ 540-231-2483 or joell.eifert@vt.edu
- Example 7 of the packet provides information on how to obtain a scheduled process.



Acidified Foods

- Products such as pickles, relish, pepper jelly, salsa, pumpkin/sweet potato butter, etc
 - Low acid foods such as beans, cucumbers, cabbage, artichokes, cauliflower, peppers, etc to which acid has been added
 - $A_w > 0.85$ and pH of 4.6 or below
- These types of products require testing and process approval by a process authority (Virginia Tech, NC State, Cornell, etc)
- Operators must attend a training course (Better Process Control School)
- Operators must keep detailed records
- If dealing in interstate commerce, operator must register the facility with FDA
- Operators must meet all requirements of 21 CFR 114 Acidified Foods



- Product Code to allow record keeping and tracking in case of a recall
- Overview of what the Inspection will entail

8. **Product Code:** A product code should identify the product, production facility, date and year packed, and batch number. Any method of coding that is recognizable by the processor is acceptable. The product code allows record keeping and tracking of products in case of a recall. An explanation of your product coding plan, if one is used, should be provided. A product code plan is required for acidified foods.
9. **Information Request Sheet:** Please submit the Information Request Sheet for a Food Processing Operation along with **TWO COPIES** of the above requested information on 8 ½" x 11" sheets of paper to the Food Office. Include your name, the name of the proposed business, address, daytime phone number and time when you can be reached, in person. The submitted information must be reviewed before an inspection can be scheduled.

****IMPORTANT: TWO COPIES OF THE ABOVE REQUESTED INFORMATION, ALONG WITH THE INFORMATION REQUEST SHEET FOR A FOOD PROCESSING OPERATION, MUST BE SENT IN ON 8 ½" X 11" SHEETS OF PAPER TO THE FOOD OFFICE.**

STEP 2

Provided the requested material has met proper requirements, a Food Safety Specialist will arrange a visit to your establishment and conduct an inspection based on the applicable laws and regulations. The general procedure is as follows:

1. **Overall Sanitation:** Processing, storage, and any adjacent areas will be inspected for general sanitation, including for insects, rodents and pets.
2. **Raw Materials:** The raw materials storage areas will be inspected to ensure that the raw materials are adequately protected from possible contamination. The Food Safety Specialist will also check raw ingredients for wholesomeness. For operation from a home kitchen, it is recommended that separate storage for commercial raw ingredients from domestic or personal use ingredients be provided. Raw ingredients that are capable of supporting the rapid and progressive growth of microorganisms (potentially hazardous foods, such as meats, eggs, dairy products, and seafood) will need to be maintained at an internal temperature of 45°F or below.
3. **Refrigeration:** Domestic use of your home refrigerator along with the added burden of commercial use often overloads the cooling capacity of the unit so that it is unable to render rapid and complete cooling. A separate refrigerator of adequate capacity is often the best solution for the home processor. The refrigerator you use should be equipped with an accurate thermometer for monitoring holding temperatures of food products, and such thermometers may be purchased at most hardware stores.
4. **Utensil/Equipment Storage:** Cleaning and sanitizing your equipment and utensils prior to using them is recommended. In addition, we recommend a separate storage area for those utensils and equipment you plan to use for your home business from those you would use in your personal kitchen.
5. **Processing Control:** The Food Safety Specialist would like to be able to watch you as you process. This would enable him/her to detect places in the process where the safety of the product might be compromised and suggest corrections. The following are some of the general items the Food Safety Specialist will check for while observing your operation: cross contamination; time/temperature abuses of potentially hazardous foods; improper thawing; failure to rapidly cool cooked potentially hazardous foods; failure to properly sanitize equipment and utensils; failure to wear the proper attire; failure to properly process or seal finished product; etc.
6. **Plumbing:** Food manufacturing operations must be properly plumbed with hot and cold water

8. **Product Code:** A product code should identify the product, production facility, date and year packed, and batch number. Any method of coding that is recognizable by the processor is acceptable. The product code allows record keeping and tracking of products in case of a recall. An explanation of your product coding plan, if one is used, should be provided. A product code plan is required for acidified foods.

- A Product Code is recommended for record keeping and tracking of products in case of a recall.
- A Product Code plan is required for Acidified Foods.





Nutritional Labeling Exemptions

- Your business may be exempt from the Nutritional Facts panel on food packages.
- Based on number of employees and number of products sold.
- To meet exemptions businesses:
 - Have fewer than 100 employees (full-time)
 - Products fewer than 100,000 units
- **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.**

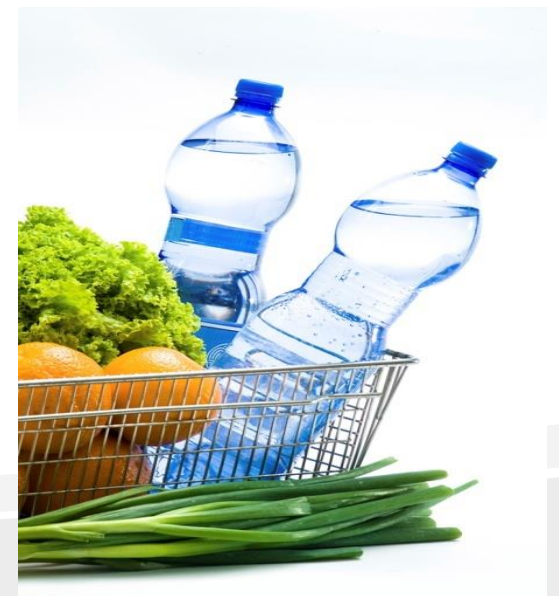


Nutritional Labeling Exemption Continued...

- If any nutrient or health claims are stated on the labels, then the exemption is not applicable.
- Exemption only deals with necessity of having “Nutrition Facts/Supplemental Facts”
- **Exemption has no effect on mandatory labeling previously discussed**
- Submission information for exemption included in packet.

Products that May Not Be Produced in the Private Home Kitchen

- Bottled Water – regulations require a separate bottling area
- Low Acid Canned Foods – operator would have to have a commercial retort installed





Jurisdictional Issues and Home Food Operations

- Anything not under VDACS Food Safety & Security jurisdiction
 - Catering – Referred to VDH
 - Meat Products – Referred to VDACS OMPS (804-786-4569)
- Food Products for Sale at a VDH temporary event
 - For example if someone wishes to sell hot hamburgers at the State Fair but wishes to cook the burgers in their private home kitchen and assemble them there – VDACS would not place this type of operation under inspection as a home food processor
- Many products/processes are looked at on a case by case basis to determine jurisdiction, etc
 - For example if someone wanted to cook a pig at their private home and bring it to a fair – VDACS would consider this catering



Where Can Products Produced in an Inspected Home Kitchen be Sold?

- VDACS allows these products to be sold ANYWHERE!!!!
- From the home (if zoning permits)
- Delivery to the customer's home (if zoning permits)
- Over the internet
- To other retail establishments
- To other wholesale establishments
- Farmers Markets
- Restaurants



Reviewing the Packet

- After the operator has completed the packet, they mail two (2) copies in to the pertinent Regional Office
- The Regional Manager in that office reviews the packet
 - Is the Packet Complete?
 - Is the Product Produced in a Safe Way?
 - Is the Product Stored Correctly (i.e. under refrigeration if necessary)?
 - Are labels accurate?
 - Are pets restricted from entering the food processing and storage areas?
 - Has zoning approved the location as a food processing operation?



The Next Step

- If the packet is approved, it is sent out to the inspector in the associated territory
- Inspector contacts the operator to set up an inspection of their home kitchen
- Inspector reviews regulations and provides guidance to the operator prior to the inspection
- Inspector may take a sample of the food product the firm is producing
 - May be tested for filth, pH/water activity, etc

STEP 2





Coming into Compliance

STEP 2

Provided the requested material has met proper requirements, a Food Safety Specialist will arrange a visit to your establishment and conduct an inspection based on the applicable laws and regulations. The general procedure is as follows:

1. **Overall Sanitation:** Processing, storage, and any adjacent areas will be inspected for general sanitation, including for insects, rodents and pets.
2. **Raw Materials:** The raw materials storage areas will be inspected to ensure that the raw materials are adequately protected from possible contamination. The Food Safety Specialist will also check raw ingredients for wholesomeness. For operation from a home kitchen, it is recommended that separate storage for commercial raw ingredients from domestic or personal use ingredients be provided. Raw ingredients that are capable of supporting the rapid and progressive growth of microorganisms (potentially hazardous foods, such as meats, eggs, dairy products, and seafood) will need to be maintained at an internal temperature of 45°F or below.
3. **Refrigeration:** Domestic use of your home refrigerator along with the added burden of commercial use often overloads the cooling capacity of the unit so that it is unable to render rapid and complete cooling. A separate refrigerator of adequate capacity is often the best solution for the home processor. The refrigerator you use should be equipped with an accurate thermometer for monitoring holding temperatures of food products, and such thermometers may be purchased at most hardware stores.
4. **Utensil/Equipment Storage:** Cleaning and sanitizing your equipment and utensils prior to using them is recommended. In addition, we recommend a separate storage area for those utensils and equipment you plan to use for your home business from those you would use in your personal kitchen.
5. **Processing Control:** The Food Safety Specialist would like to be able to watch you as you process. This would enable him/her to detect places in the process where the safety of the product might be compromised and suggest corrections. The following are some of the general items the Food Safety Specialist will check for while observing your operation: cross contamination; time/temperature abuses of potentially hazardous foods; improper thawing; failure to rapidly cool cooked potentially hazardous foods; failure to properly sanitize equipment and utensils; failure to wear the proper attire; failure to properly process or seal finished product; etc.
6. **Plumbing:** Food manufacturing operations must be properly plumbed with hot and cold water under pressure and have adequate facilities for cleaning equipment. For proper sanitization, a 3-compartment sink is recommended, although, a 2-compartment sink can suffice. A conveniently located hand washing sink and a toilet facility of sanitary design is also required.

- After we have received your completed packet, a Food Safety Specialist will arrange a visit to your establishment.
- The Food Safety Specialist for your area will check to ensure that you are meeting the requirements.
- Review the steps in Step 2 before the Food Safety Specialist visits your establishment.



Requirements for Home Food Processing Operations

- Overall sanitation – processing, storage, and adjacent areas inspected for general sanitation, including insects, rodents, pets
- Raw material storage areas – inspected to ensure raw materials protected from possible contamination
 - Recommend separate storage for commercial raw ingredients from personal use ingredients
- Refrigeration – recommend separate refrigerator for commercial items; refrigerator must be equipped with accurate thermometer
- Utensils – recommend separate storage area for commercial equipment



Requirements for Home Food Processing Operations

- Processing Control – if time permits the inspector may watch the operator process to determine places in the process where safety may be compromised
- Plumbing – adequate hot and cold water and facilities for cleaning/sanitizing equipment
 - Regulations state that the operator must be able to adequately clean and sanitize their equipment and food contact surfaces



Changes in Process/ Addition of Products

- Operator is only approved for what is submitted in the original packet
- **If they wish to produce new items or make changes to their process they must submit this information to VDACS for review**



Regulations used for Home Food Operations

- VDACS **DOES NOT** consider private home food operations **RETAIL ESTABLISHMENTS**, therefore they **DO NOT** fall under the VDACS Retail Food Establishment Regulations (i.e. Food Code)
- VDACS considers private home food operations **MANUFACTURERS**, therefore we apply the applicable regulation (i.e. 21 CFR 110 Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food; 21 CFR 101 Food Labeling; 21 CFR 114 Acidified Foods; 21 CFR 136 Bakery Products, etc)
- Use the Virginia Food Laws

Intro to Farmer's Markets

HOME OPERATIONS

- Receive home inspection prior to operation



FOOD SERVICE VENDOR

- VDACS inspects these at govt. run Farmer's Markets, not at private farmer's markets





Home Operation Vs. Food Vendor

(Home Operations Packet)

- Starting Your Food Business
- CFR 110
- Possibly CFR 114
- Sanitizing Brochure
- Temperature Brochure

(Food Service

Vendor Application Packet)

- Food Service Application
- Retail Regulations
- Sanitizing Brochure
- Temperature Brochure



Food Service Vendors at Farmer's Markets

- Who inspects what?
 - VDACS inspects Food Service Vendors at government run Farmer's Markets.
 - HD inspects Food Service Vendors at privately owned Farmer's Markets
 - Responsibility of firm to inquire with FM
- Must submit an application before operating at the Farmer's Market.

Application



Farmer's Market Food Service Vendor Application (print or type)

Please provide the following information requested below and return the completed application to the Food Safety and Security Program, Virginia Department of Agriculture, 102 Governor Street, 3rd Floor, Richmond, VA 23219.

Farmers Market Name: _____

Farmers Market Address: _____

DATE(S) OF OPERATION: _____

Organization or Individual Name: _____

Organization Representative: _____

Address: _____

Telephone Number(s): (W) _____ (H) _____ (C) _____

Type of food facility: _____
(Booth, Tent, Trailer, Kitchen, Beverage Wagon)


If using a Va. Dept. of Health permitted mobile food unit, please submit a copy of that permit with this application.

Please indicate the source of the following to be provided for operation of the food facility:

Water: _____ Garbage Disposal: _____

Solid Waste Disposal: _____ Liquid Waste Disposal: _____

- Must complete new form for each government run Farmer's Market you plan to attend.
- Important:
 - Must indicate all potable water sources
 - Must indicate disposal methods (garbage, solid waste, & liquid)
- Submission location for the Northern VA and portions of the Richmond area is the VDACS Richmond office.




Food Service Vendor/Cooking Demonstration Requirements

SELF INSPECTION FORM

√	ITEM	AREA OF CONCERN
	1	Food source: approved, in sound condition, no spoilage.
	2	<i>Potentially hazardous foods kept at proper temperature during transportation, storage preparation, cooking display and service</i>
	3	Food protected from contamination: wrapped, sneeze guards / shields, 6"+ off the ground. Food protected from insects, rodents, birds, and animals.
	4	<i>Facilities provided to maintain product temperatures (refrigerator, freezer, drained coolers 2 w/ice, etc.). Cold 45°F or below – Hot: 140°F or above.</i>
	5	Internal potentially hazardous food cooking temperatures shall be no less than the following: Cooking poultry-165°F; Cooking ground beef and ground pork-155°F; Cooking pork-145°F; Reheating a PHF-rapidly to 165°F.
	6	Thermometers provided: dial probe or digital thermometer for taking product temp, indicating thermometers for refrigeration units.
	7	<i>Ice storage adequate, 6"+ off the ground, self-draining with catch basin, scoop stored in ice with handle extended.</i>
	8	Good employee hygiene, proper hand washing, proper use of gloves, no illnesses, etc.
	9	<i>Proper hair restraints, clean clothing, no artificial nails, no jewelry.</i>
	10	Equipment cleaned thoroughly prior to arriving at the farmers market, kept clean, stored properly.
	11	<i>Proper facilities to wash, rinse, and sanitize equipment and utensils. MUST HAVE HOT WATER. Wash basins should be large enough to accommodate the biggest item to be washed.</i>
	12	Sanitizer with appropriate test strips, i.e. chlorine bleach and chlorine test strips.
	13	<i>Single service items stored and dispensed in plastic sleeve, utensils dispensed with handles up.</i>
	14	Potable water source: Hot and cold water provided: food grade hoses used.
	15	<i>Approved and adequate disposal of sewage and all waste water.</i>
	16	Hand washing facilities: Hot or tempered water, soap, paper towels, catch basin, wastebasket.
	17	<i>Adequate collection and disposal of grease and garbage.</i>
	18	Overhead protection (tent, pavilion, etc.) and groundcover when on gravel, soil or grass. Lighting adequately shielded.
	19	<i>Public access to cook area, storage area and service area completely restricted.</i>
	20	Wiping cloths: clean, stored in a sanitizing solution, use restricted to employees only. Alternative to wiping cloths: paper towels and a spray bottle of sanitizing solution.
	21	<i>Toxic items labeled and stored separately from food and single service items. No pesticides stored or used on site.</i>

- Use the Self Inspection Form to ensure that you are in compliance.
- If you have any questions, feel free to contact our offices at 804-786-3520.



Food Service Vendor/Cooking Demonstration Requirements

- Floor must be of a suitable construction that controls dust, dirt and other similar contaminants.
 - If graded to drain, a floor may be concrete, machine-laid asphalt, or dirt or gravel if it is covered with mats, removable platforms, duckboards, or other suitable approved materials that are effectively treated to control dust and mud.
- Overhead protection for each temporary food establishment must be provided.
 - Examples of acceptable overhead protection are tent, canopy, awning, table-type umbrella, or a permanent structure.
 - The presence of overhead protection such as a tent or canopy does not preclude circumstances in which protection of individual food containers is also required, such as placement of food near a ware washing operation (potential splash contamination.)



Food Service Vendor/Cooking Demonstration Requirements


- All food contact surfaces used in an outdoor cooking operation shall be designed, constructed, and maintained in accordance with applicable laws and regulations. Surfaces shall be smooth, easily cleaned, free of rust, dents or pitting, and durable under normal outdoor use conditions.
- A properly plumbed three compartment sink with hot and cold running water or three containers of adequate size shall be provided for washing, rinsing, and sanitizing food contact surfaces of utensils and equipment. Adequate quantities of hot wash water (should be at least 110 F), liquid detergent, and sanitizer must be provided onsite for equipment and utensil washing.



Food Service Vendor/Cooking Demonstration Requirements

Plumbing / Water / Sewer (Wastewater) Facilities

- Potable water must be provided for all temporary food service facilities. Water and sewer may be permanently plumbed or supplied via portable tanks.
- Handwash facilities must be conveniently located in all food processing and preparation areas. Hot or tempered water must be provided for handwashing. An insulated water cooler or electric coffee/tea urn with a spigot is the preferred method if a mobile hot water sink is not available.
- Suitable containers must be provided for the collection of both solid and liquid waste.
- Toilet facilities for employees must be convenient and easily accessible.



Food Service Vendor/Cooking Demonstration Requirements

Food Storage and Display

- Open or uncovered containers of food are not allowed -- except working containers.
 - Foods may remain uncovered during preparation, cooking, and serving for short periods of time if circumstances permit.
- All food shall be protected from customer handling, coughing, sneezing, or other contamination by wrapping, the use of food shields, or other effective barriers.
- Condiments must be dispensed in single-service type packaging, in pump style containers, or in protected squeeze bottles, shakers, or similar dispensers which minimize contamination of food items by food workers, patrons, vermin, environmental conditions, or other sources.



Food Service Vendor/Cooking Demonstration Requirements

- Hot foods should be held at 135°F or above. A continuous heat source such as electric or gas is preferred, however the use of sterno, wood, or charcoal is acceptable if consistent temperatures are achieved and/or maintained.
- Cold foods should be held at 41°F or below. Ice or electrical/gas powered equipment may be used provided acceptable temperatures are achieved.



Temperature Control of Foods

- **Hot Holding:** 135°F or higher.
- **Cold Holding:** 41°F or below.
- Use a probe type thermometer to check internal temperatures of potentially hazardous hot and cold food items
- Keep display thermometers in coolers
- Ice or electrical/gas powered equipment may be used provided acceptable temperatures are achieved. **ICE SHOULD BE DRAINED FREQUENTLY**
 - Recommended to bring an extra cooler full of just ice
 - Provide pictures or empty containers/cartons on cooler so your customers know what you are offering for sale
 - Provide samples **THAT WILL BE THROWN AWAY AT THE END OF THE DAY** (Should be labeled “Sample only – Not for sale”)



Ice

- Ice or electrical/gas powered equipment may be used provided acceptable temperatures are achieved. ICE SHOULD BE DRAINED FREQUENTLY
 - Recommended to bring an extra cooler full of just ice
 - Provide pictures or empty containers/cartons on cooler so your customers know what you are offering for sale
 - Provide samples THAT WILL BE THROWN AWAY AT THE END OF THE DAY (Should be labeled “Sample only – Not for sale”)



Dry Ice

- Never store dry ice in an airtight container (as dry ice melts from a solid directly into a gas, the gas will build up in the container until it bursts)
- Do not touch dry ice with your skin
- To dispose of dry ice, place in a well ventilated container outside



Coolers





Transporting Food to the Market

- When transporting pre-prepared samples, protect from contamination and maintain temperature control of potentially hazardous foods
- Do a test run
 - Example: It takes you 2 hours to drive to the market, the market is 4 hours long, and it takes 2 hours to get home
 - Make sure your cold PHF stay below 41 degrees F for the entire 8 hours!



Food Protection

- Food protected from customer handling, coughing, sneezing, or other contamination by wrapping, the use of sneeze guards, or other effective barriers
- Preparation of samples must be done using smooth, cleanable surfaces (i.e. tables) that are protected from customer traffic
- Slicing must be done on cutting boards. **Avoid such practices as using vehicle tailgates and pocket knives.**
- Display food samples on disposable plates or trays, unless approved warewashing facilities are provided on-site or unless clean sanitized display trays are brought to the site from a licensed food establishment.

Overhead Protection

- Booths which offer food samples must be covered with a canopy or other type of overhead protection unless the food items offered are pre-packaged.



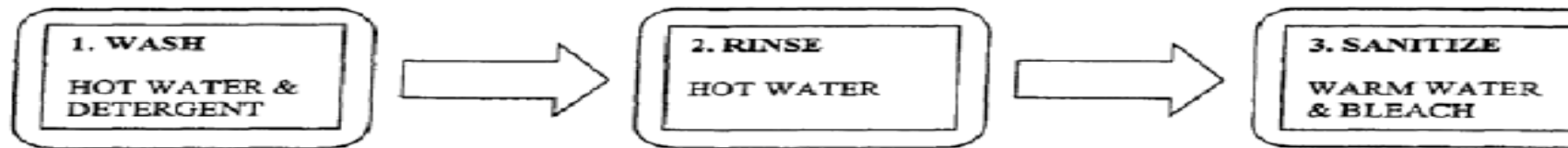
Storage of Food Products

- Stored at least 24 inches off floor for this market
- Store produce in clean, sanitized bins, etc.



Food Service Vendor Requirements

COOKWARE WASHING PROCEDURE



After washing, rinsing, and sanitizing, items may be air dried or wiped dry with disposable towels and should then be stored in a clean place.

Provide appropriate sanitizer test strips and use them to monitor the concentration of the sanitizing solution. *(If using bleach, maintain the chlorine concentration between 50 and 100 parts per million; this is approximately 1 capful of bleach per 1 gallon water.)*

Unscented chlorine bleach may be used to sanitize kitchenware. Other acceptable sanitizers include quaternary ammonia and iodine. *All sanitizers require test strips.*

All waste water must be disposed of properly, to either a sanitary sewer or a drainfield.



Wash, Rinse, Sanitize

Proper Set-Up





Wash, Rinse, and Sanitize continued

- Three basins that are large enough for immersion of the utensils, a potable hot water supply, and an adequate disposal method for the wastewater
- Equipment and utensils must be cleaned and sanitized at least every two hours.



Wash and Rinse

- Use the first tub to wash utensils
- Use warm soapy water and wash how you would normally wash your dishes
- Use the second tub to rinse utensils
- Immerse in clean, warm water to remove soap



Sanitize

- Approved sanitizer must be provided for sanitizing food contact surfaces
- Sanitizers must be used at appropriate strengths as specified by manufacturer
- Soak clean, rinsed items in sanitizing solution for at least 15 seconds and then AIR DRY
- An approved test kit to measure sanitizer concentrations must be available and used.

Sanitizer and Test Strips





Personal Hygiene

- Avoid bare-hand contact with RTE foods
 - Use deli paper, spatulas, tongs, dispensing equipment, or gloves
- Practice good personal hygiene
 - Clean outer garments, effective hair restraints, no smoking, eating, or drinking

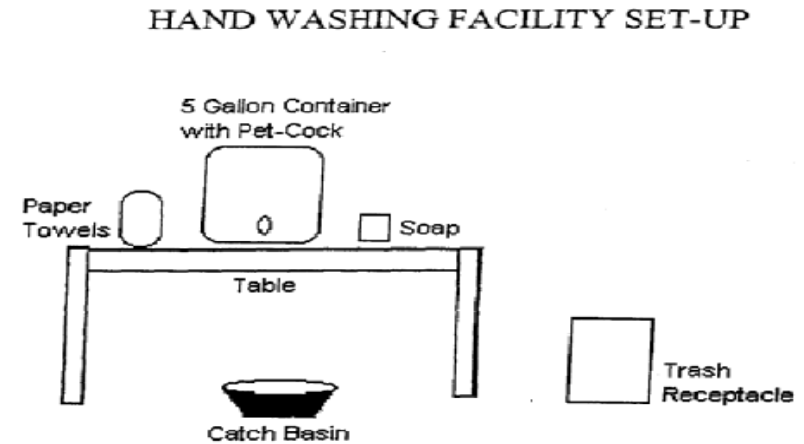


Personal Hygiene continued

- Wash hands frequently
 - After touching bare human body parts, using the toilet room, handling animals, coughing/sneezing, using a handkerchief, using tobacco, eating/drinking, handling soiled equipment/utensils, as often as necessary to prevent cross-contamination, when switching between raw and ready-to-eat food, and after engaging in other activities that contaminate the hands.

Food Service Vendor/Cooking Demonstration Requirements

- Washing hands is the best way to prevent contamination!
- Items for hand washing station:
 - Igloo cooler can be used to hold tepid water
 - Roll of paper towels
 - Soap (in pump or bar)
 - Basin or container to catch the water used during hand washing
 - Receptacle for used paper towels
- Water spigots of the push-button type will not be allowed.

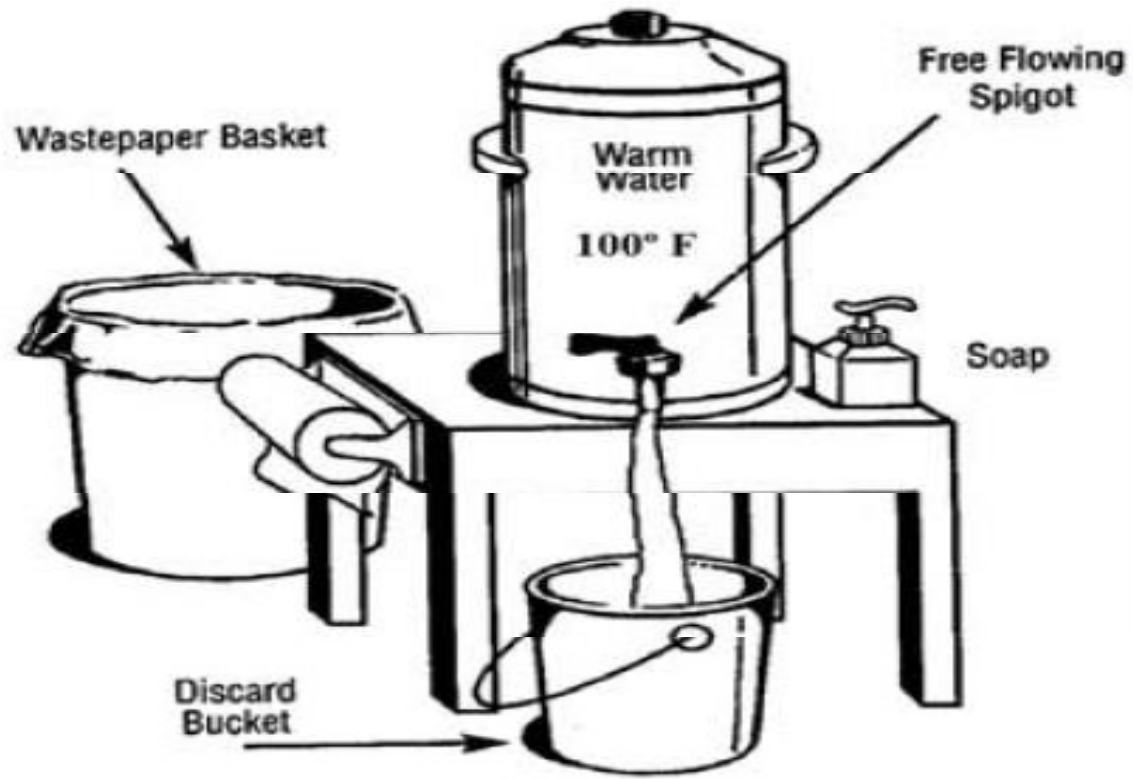


The most common cause of contamination during food preparation and serving is unclean hands. For this reason, hand washing facilities are a must. Facilities must be designed to provide unaided, easy hand washing under a continuous flow of running water. Water spigots of the push-button type will not be allowed.

THE HOW-TO'S OF HANDWASHING

1. Wet hands.
2. Apply soap.
3. Briskly rub hands for twenty (20) seconds.
4. Scrub fingertips and between fingers.
5. Scrub forearm to just below elbow.
6. Rinse forearms and hands.
7. Dry hands and forearms with a disposable paper towel.
8. Turn off water with paper towel.
9. Discard paper towel.

Handwashing Set-Up





Timely Handwashing



- Before beginning work
- After the restroom
- After blowing or touching nose
- After handling raw meats and eggs
- After eating, drinking and smoking
- After any other potential hand soiling activity (clearing dishes from tables, mopping floors, etc.)



The Proper Handwashing Procedure

1. Wet hands with running water as hot as you can comfortably stand (at least 100°F)
2. Apply soap
3. Vigorously scrub hands and arms for at least twenty (20) seconds
4. Clean under fingernails and between fingers
5. Rinse thoroughly under running water
6. Dry hands and arms with a single-use paper towel or warm-air hand dryer

Hygienic Hand Practices

Proper Handwashing Procedure



- 1 Wet hands with running water as hot as you can comfortably stand (at least 100°F/38°C).



- 2 Apply soap.



- 3 Vigorously scrub hands and arms for at least twenty seconds.



- 4 Clean under fingernails and between fingers.



- 5 Rinse thoroughly under running water.



- 6 Dry hands and arms with a single-use paper towel or warm-air hand dryer.



Processed Food Sampling

- Bakery items, jams, jellies, etc
- Best practice - prepare samples at an approved, licensed facility prior to arriving at the market.
 - Cut baked goods into pieces at licensed bakery, place them on a tray, insert a toothpick in each piece, and keep the tray covered with plastic wrap.
- Temperature control must be maintained on items needing refrigeration after opening.



Processed Food Sampling Continued

- Next best practice - bring several clean, sanitized knives and cutting boards in protective plastic containers or food storage bags, wrapped in plastic wrap, etc.
- Use clean equipment to cut product, taking care to store in-use items so they are protected from contamination.
- Replace soiled knives, cutting boards, etc. with clean items every two hours.
- Use single service items whenever possible. Take soiled items with you at the end of the day.



Safe Sampling of Meats

- Cooked meat samples need to be cooked to the following temperatures prior to offering to public:
 - Ground beef product: 155 degrees F for 15 seconds
 - Non-ground beef product: 145 degrees F for 15 seconds
 - Chicken product: 165 degrees F for 15 seconds
 - Lamb, goat product: 145 degrees F for 15 seconds
 - Pork product: 145 degrees F for 15 seconds

Safe Sampling of Meats

- Ensure meat is from an approved source
- Avoid cross contamination of raw onto cooked products by using separate utensil for raw and cooked.
- Wear gloves when handling ready-to-eat food
- Use clean equipment to prepare the meats; wash, rinse, and sanitize food contact surfaces at the market
- Use either temperature control or time control for the cooked meats
 - 41 degrees F or below or 135 degrees F or above OR
 - Ensure that meat samples are not out of temperature control for longer than 4 hours
- Use toothpicks to avoid multiple people touching the same sample
- Have trash can or trash bag for disposing of used toothpicks

Gluten free

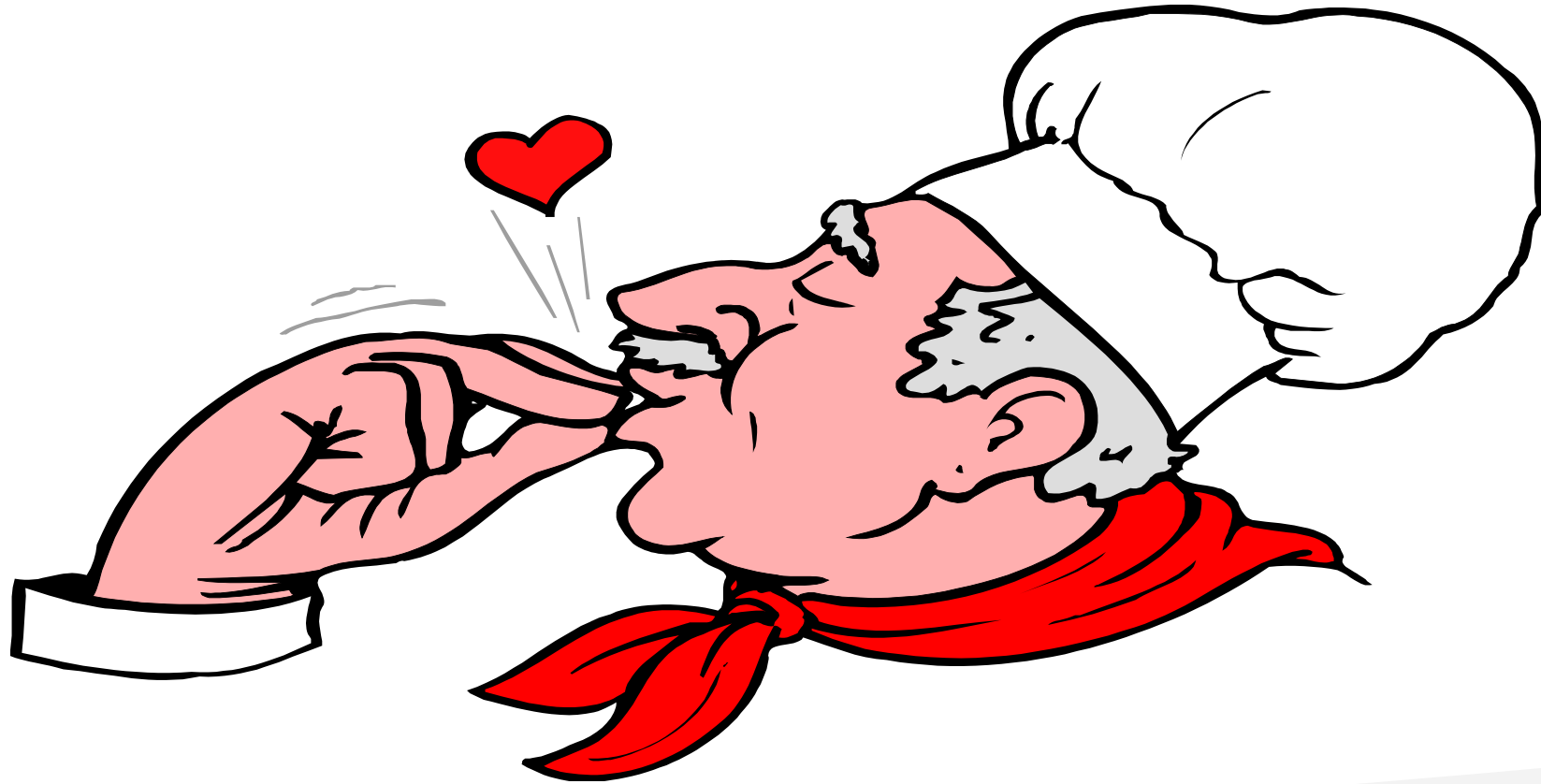
-VDACS recommends that the Farmer's Market vendors follow the requirements as listed by FDA for Gluten free products and labeling of those products.

-VDACS recommends for gluten free processor to develop a risk control plan that includes separation of all gluten containing products/ ingredients from gluten free products/ingredients and a sanitation control plan to prevent cross contamination. There are several test kits that might be used to confirm the sanitation plan is effective, for example

Neogen Corp. http://www.neogen.com/FoodSafety/FS_FA_Index.html.

-If gluten free claim is used, processor must ensure unavoidable gluten in a food is less than 20 ppm

REMEMBER IT IS UP TO YOU TO PROVIDE SAFE,
WHOLESOME FOOD TO THE PUBLIC!!!



Contact Information

VDACS General Website www.vdacs.virginia.gov

Richmond Central Office (804) 786-3520

Tidewater Regional Office(757) 363-3909

Roanoke Regional Office(540) 562-3641

Questions?

