

EXEMPTION FROM FOOD SAFETY PERMIT & INSPECTION for RETAILERS SELLING EDIBLE HEMP PRODUCTS

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Pursuant to the Code of Virginia § 3.2-5145.2:1 (B), any person who offers for sale an edible hemp product must first obtain a permit from the Virginia Department of Agriculture and Consumer Services Food Safety Program, unless EXEMPT from a permit pursuant to subdivision C 6 of § 3.2-5130.

THIS EXEMPTION IS LIMITED TO RETAIL ESTABLISHMENTS THAT MEET ALL OF THE FOLLOWING CRITERIA:

- (a) Compliant with Article 5 of the Virginia Food and Drink Law;
- (b) Sell only food or beverages that are sealed in packaging by the manufacturer and come from an approved/inspected source;
- (c) Do not prepare or serve food;
- (d) Do not offer beverage service (i.e. coffee pot, fountain drink machine);
- (e) Do not sell infant formula;
- (f) Do not sell salvaged foods;
- (g) Do not sell unwrapped produce;
- (h) Do not sell store packaged ice;
- (i) Do not offer self-service of unwrapped foods (i.e. donut cases, bulk nuts, pickles);
- (j) Do not sell food or beverages, including edible hemp products, to other businesses for resale (wholesale); and
- (k) Certify to the Virginia Department of Agriculture and Consumer Services that they meet the foregoing criteria.

Please note that firms qualifying for the exemption are still obligated to comply with the Virginia Food and Drink Law and the [Regulations Governing the Manufacturing and Sale of Products that Contain Industrial Hemp Extracts Intended for Human Consumption](#). Nothing in this language shall prevent the Virginia Department of Agriculture and Consumer Services from inspecting any retail establishment if a consumer complaint is received or if an investigation is warranted.

If you believe your establishment qualifies for this exemption, please complete the following certification and return it to our office by email to HempEnforcement@vdacs.virginia.gov

Business Legal Name:
Doing Business As (DBA):
Business Phone Number:
Business Physical Address:
Business Mailing Address:
Business Email Address:

Names, Titles, Phone Numbers, and Email Addresses of Persons Comprising the Legal Ownership

FULL NAME	TITLE	PHONE NUMBER	EMAIL ADDRESS

I certify that my retail establishment meets all the outlined criteria as stated above. I further certify that I understand it is my responsibility to contact the Virginia Department of Agriculture and Consumer Services if any of these exemption criteria change and I no longer qualify for this exemption.

Owner Name(s)

Date