

Food Regulations

12 VAC 5-421-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.
(other definitions)

"Food establishment" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption (i) such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; and (ii) that relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

"Food establishment" includes (a) an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location; (b) an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food; and (c) a facility that does not meet the exemption criteria identified in subdivision 6 of this definition or a facility that meets the exemption requirements but chooses to be regulated under these regulations.

"Food establishment" does not include:
(other exemptions)

6. A kitchen in a private home, such as, but not limited to, a family day-care provider or home for adults serving 12 or fewer recipients; or a bed-and-breakfast operation that prepares and offers food only to guests if the home is owner-occupied; the number of available guest bedrooms does not exceed six, breakfast is the only meal offered, the number of guests served does not exceed 18, and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is, by these regulations, exempt from this chapter; or
(other exemptions)

Hotel Regulations

12 VAC 5-431-10. Definitions

(other definitions)

"Bed and breakfast facility" means a residential type establishment that provides two (2) or more rental accommodations and food service on any single day to a maximum of 18 transient guests for a period of five (5) or more days in any calendar year or any residential type of facility providing at least one rental accommodation for transient guests and food service for a total of 30 or more days in any calendar year.