

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 3.2-5100 of the Code of Virginia, relating to food manufacturers*  
3 *operating in historic buildings.*

4 [S 305]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 3.2-5100 of the Code of Virginia is amended and reenacted as follows:**8 **§ 3.2-5100. Duties of Commissioner.**

9 A. It shall be the duty of the Commissioner to inquire into the dairy and food and drink products,  
10 and the articles that are food or drinks, or the necessary constituents of the food or drinks, that are  
11 manufactured, sold, exposed, or offered for sale in the Commonwealth.

12 B. The Commissioner may procure samples of the dairy and food products covered by this chapter  
13 and may have the samples analyzed.

14 C. The Commissioner shall make a complaint against the manufacturer or vendor of any food or  
15 drink or dairy products that are adulterated, impure, or unwholesome, in contravention of the laws of the  
16 Commonwealth, and furnish all evidence to obtain a conviction of the offense charged. The  
17 Commissioner may make complaint and cause proceedings to be commenced against any person for  
18 enforcement of the laws relative to adulteration, impure, or unwholesome food or drink, and in such  
19 cases he shall not be obliged to furnish security for costs.

20 D. *The Commissioner may develop criteria to determine if food manufacturers that are operating in*  
21 *a building deemed, in consultation with the Director of the Department of Historic Resources, to be*  
22 *historic are producing food products that are low risk of being adulterated. If, pursuant to such criteria,*  
23 *any such manufacturer is producing food products that are deemed to be low risk, the Commissioner*  
24 *may exempt the food manufacturer from specified provisions of this chapter, or regulations adopted*  
25 *thereunder, that pertain to the structure of the building, provided that the Commissioner determines that*  
26 *such exemption is unlikely to result in the preparation for sale, manufacture, packing, storage, sale, or*  
27 *distribution of any food that is adulterated, as defined in § 3.2-5122.*

ENROLLED

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