

HB 1663 CFPM Exemption Implementation Procedures



Effective July 1, 2019, pursuant to [HB 1663](#) of the 2019 General Assembly Session the Virginia Department of Health shall exempt any food establishment operated by (1) a nonprofit civic service organization, (2) a volunteer fire department, or (3) a volunteer emergency medical services agency from the requirement to employ a certified food protection manager (CFPM). Section 12VAC5-421-55 of the Food Regulations requires, in part, at least one employee with supervisory and management responsibility and the authority to direct and control food preparation and service be a certified food protection manager.

The following procedures provide guidance to local health districts (LHD) regarding application of the new legislation.

☞ Local health districts with a local ordinance, which requires a CFPM, should contact their local city or county attorney for guidance. ☞

Definitions

Civic Organization

“Civic organization” means any local service club, veterans post, fraternal society or association, volunteer fire or rescue group, or local civic league or association of 10 or more persons not organized for profit but operated exclusively for educational or charitable purposes as defined in this section, including the promotion of community welfare, and the net earnings of which are devoted exclusively to charitable, educational, recreational, or social welfare purposes.

As defined in Title 57-48 of the Code of Virginia.

What’s New After July 1, 2019....

Initial Application and Renewal

When *permit applicants or permit holders* declare an exemption to the CFPM requirement pursuant to HB1663, LHD staff shall...

Request proof of exemption to the CFPM requirement. Applicants may prove exemption by submitting one of the following:

1. Nonprofit civic service organization
 - i. A copy of a 501(c)3 determination letter
2. Volunteer fire department or a volunteer emergency medical services agency
 - i. Proof of membership with a local, state or national volunteer medical or fire rescue organization as applicable;
 - ii. A copy of a 501(c)3 determination letter, or
3. Any other documentation demonstrating the applicant operates as an entity listed in HB1663. For example, documents demonstrating registration with the Virginia Department of Agriculture and Consumer Services as a charitable or civic organization.