

WEST VIRGINIA

Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





MANUFACTURER/PROCESSOR

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Food Processor		Authority		
Food Repacked		Authority		
Food Salvager		Authority		
Bottled Water		Authority		
Ice		Authority		
Dietary Supplements		Authority		
Warehouse	Authority			
Food Banks	Authority			
Seafood	Authority			
Food Transport		Authority		
Beer/Wine		Authority		
Distilled Spirits		Authority		
COMMENTS:				





DAIRY

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Grade-A Plant	Authority			
Raw Milk	Authority			
Cheese	Authority			
Yogurt	Authority			
Cream/Sour Cream	Authority			
Butter	Authority			
Ice Cream	Authority			
Milk Pooling	Authority			
COMMENTS:				





MEAT/POULTRY

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Meat	Authority			
Poultry	Authority			
Rabbit	Authority			
Other Non-Amenable Species	Authority			
Custom Slaughter	Authority			
Livestock Inspection	Authority			
Pet Food – Raw	Authority			
Pet Food – Processed	Authority			
Egg Inspection/Grading	Authority			
COMMENTS:				





ANIMAL FEED

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Feed	Authority			
Medicated Feed	Authority			
BSE Inspections	Authority*			
Rendering Plant	Authority			
Grain	Authority			

COMMENTS:
* No routine inspections but has enforcement authority.





RETAIL FOOD

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Restaurant				Authority ¹
Food Service				Authority ¹
Grocery Store				Authority ¹
Market				Authority ¹
Convenience Stores				Authority ¹
Public/Private Schools				Authority ¹
Correctional Facilities				Authority ¹
Hospitals			Authority	Authority ²
Long-Term Care			Authority	Authority ²
Nursing Homes			Authority	Authority ²
Other Institutions				Authority ¹
Vending Machines				Authority ¹
Mobile Food Facilities				Authority ¹
Caterers				Authority ¹

Retail Food list continued on next page.

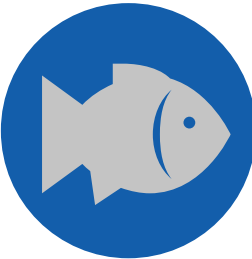




RETAIL FOOD (continued)

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Home Based Processors	Authority			
Temporary Food Facilities				Authority ¹
Water Vending Machines				Authority ¹
Ice Vending Machines				Authority ¹
Farm Stands	Authority			
Farmers Markets	Authority			
Live Poultry Markets	Authority			
Food Pantry				Authority ¹
COMMENTS: ¹ Delegated authority from the West Virginia Department of Health ² Delegated authority from the West Virginia Department of Health Facilities				

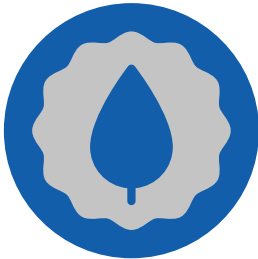




SHELLFISH/AQUACULTURE

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Shellfish Growing Areas	Authority			
Shellfish Post Harvest Handling	Authority			
Shellfish Depuration	Authority			
Shellfish Patrol	Authority			
Biotoxin Monitoring	Authority			
Aquaculture	Authority			
COMMENTS:				





ORGANIC FOODS

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Organic Production	Authority			
Organic Food Handling	Authority			
Organic Food Processing	Authority			
COMMENTS:				





PRODUCE

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Farms	Authority			
Packing Sheds	Authority			
Repackers	Authority			
Terminal Markets	Authority			
COMMENTS:				





ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Embargo/Quarantine	Authority	Authority		Authority
Seizure	Authority	Authority		Authority
Condemnation & Destruction	Authority	Authority		Authority
Voluntary Condemnation & Destruction	Authority	Authority		Authority
Stop Sale Orders	Authority	Authority		Authority
Health Advisories	Authority	Authority		Authority
Administrative Penalties	Authority		Authority	
Criminal Penalties	Authority		Authority	
Civil Penalties	Authority		Authority	

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH	WEST VIRGINIA DEPARTMENT OF HEALTH FACILITIES	LOCAL AGENCIES
Injunction	Authority	Authority	Authority	Authority
Warning Letters	Authority	Authority	Authority	Authority
License Suspension	Authority	Authority	Authority	Authority
License Revocation	Authority	Authority	Authority	Authority
Hearings	Authority	Authority	Authority	Authority
Closure	Authority	Authority		Authority
Mandatory Recall	Authority	Authority		Authority
Inspection Warrant	Authority	Authority		Authority
COMMENTS:				

