Code of Virginia
Title 35.1. Hotels, Restaurants, Summer Camps, and Campgrounds
Chapter 2. Regulations

§ 35.1-14.2. Donations of food to charitable organizations

A. Any restaurant, licensed by the Department of Health pursuant to this title and any processor, distributor, wholesaler or retailer of food, including, but not limited to, a grocery, convenience, or other store selling food or food products, may donate unserved excess foods to any charity organization that is exempt from taxation under 26 U.S.C. § 501(c) (3), and to political subdivisions for distribution to needy persons. Charitable organizations engaged in food distribution programs for needy persons shall notify the local political subdivision of their programs. Upon the notification of such food distribution programs by such charitable organizations, the local political subdivision shall provide a list of such charitable organizations within its jurisdiction to those restaurants and other food suppliers who request such information. Organizations engaged in such food distribution programs shall be exempt from civil liability as provided in § 3.2-5144 for the donors of the food.

B. Charitable organizations engaged in food distribution programs for needy persons shall be deemed exempt from state and local regulations and local ordinances that govern food service and preparation. In addition to accepting donations of food as provided in subsection A, such organizations may accept food prepared by their employees or volunteers in private homes or in facilities not otherwise licensed as provided in this chapter.

For the purposes of this subsection, "charitable organizations" shall include nonprofit homeless shelters and hunger prevention programs.

C. The Board may issue advisory standards for the safe preparation, handling, protection, and preservation of food by the organizations exempted in subsection B.

1990, c. 755; 1998, c. 641;2007, cc. 404, 545.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.