

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 AND HUMAN SERVICES	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 AND HUMAN SERVICES	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 AND HUMAN SERVICES	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 AND HUMAN SERVICES	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 AND HUMAN SERVICES	LOCAL AGENCIES
Restaurant			Authority*
Food Service			Authority*
Grocery Store			Authority*
Market			Authority*
Convenience Stores			Authority*
Public/Private Schools			Authority*
Correctional Facilities			Authority*
Hospitals			Authority*
Long-Term Care			Authority*
Nursing Homes			Authority*
Other Institutions			Authority*
Vending Machines			Authority*
Mobile Food Facilities			Authority*
Caterers			Authority*

Retail Food list continued on next page.



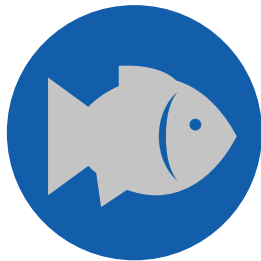


RETAIL FOOD (continued)

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN SERVICES	LOCAL AGENCIES
Home Based Processors	Authority		
Temporary Food Facilities			Authority*
Water Vending Machines			Authority*
Ice Vending Machines			Authority*
Farm Stands	Authority		
Farmers Markets	Authority		
Live Poultry Markets	Authority		
Food Pantry			Authority*

COMMENTS:
* Delegated authority from the West Virginia Department of Health and Human Services.

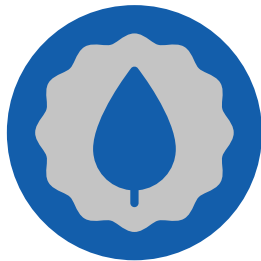




SHELLFISH/AQUACULTURE

FACILITY TYPE	WEST VIRGINIA DEPARTMENT OF AGRICULTURE	WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN SERVICES	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 AND HUMAN SERVICES	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 AND HUMAN SERVICES	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 AND HUMAN SERVICES	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		
Criminal Penalties	Authority		
Civil Penalties	Authority		

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

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

