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**HOUSE BILL NO. 766**

House Amendments in [ ] — January 30, 2004

*A BILL to amend and reenact § 3.1-398.1 of the Code of Virginia, relating to inspections of food stores.*

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Patron Prior to Engrossment—Delegate Hurt

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Referred to Committee on Agriculture, Chesapeake and Natural Resources**Be it enacted by the General Assembly of Virginia:****1. That § 3.1-398.1 of the Code of Virginia is amended and reenacted as follows:**

§ 3.1-398.1. Inspections required to operate food establishment.

No person shall operate a food manufacturing plant, food storage warehouse, or retail food store until it has been inspected by the Commissioner. This section shall not apply to food manufacturing plants operating under a grant of inspection from the Bureau of Meat and Poultry Inspection or a permit from the Bureau of Dairy Services of the Virginia Department of Agriculture and Consumer Services and Grade A fluid milk manufacturing plants and shellfish and crustacea processing plants operating under a permit from the Virginia Department of Health. This section shall also not apply to: (i) any nonprofit organizations holding one-day food sales, or (ii) any [ retail ] establishments that do not prepare or serve food and that sell only food or beverages that are sealed in packaging by the manufacturer.

ENGROSSED

HB766E