

# 1996 SESSION

INTRODUCED

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## HOUSE BILL NO. 407

Offered January 17, 1996

*A BILL to amend and reenact § 3.1-562.6 of the Code of Virginia, relating to ice cream manufacturing.*

Patrons—Weatherholtz, Albo, Callahan, Dudley, Forbes, Katzen, Landes, Reid, Ruff, Wardrup, Way and Wilkins; Senator: Hanger

Referred to Committee on Agriculture

### Be it enacted by the General Assembly of Virginia:

#### 1. That § 3.1-562.6 of the Code of Virginia is amended and reenacted as follows:

§ 3.1-562.6. Permits; delegation of enforcement of article to State Health Commissioner for restaurants.

Within thirty days after the adoption of initial regulations by the State Board of Agriculture and Consumer Services, every person, firm or corporation engaged in the manufacture within this Commonwealth of any of the foods covered by this article shall make application to the Commissioner of Agriculture and Consumer Services on a form prescribed by him for a permit to manufacture such foods or any of them.

A separate application shall be made for each establishment where such foods are manufactured or are to be manufactured. The Commissioner may by agreement delegate the enforcement of this article to the State Health Commissioner for restaurants as defined in § 35.1-1. Such agreement shall provide for the combining of the permit required by this article and the license required by § 35.1-18. ~~The fee for the combined permit shall not exceed any fee authorized by law for a restaurant.~~

The Commissioner, upon receipt and approval of such application properly executed, shall issue a permit authorizing the applicant to engage in the manufacture of such foods as are described in the application; ~~provided, ;~~ however, the Commissioner may, after a full hearing, refuse to issue a permit or renew a permit or may suspend or revoke a permit in the case of any establishment which does not meet the requirements of this article or of any regulation adopted for its administration and enforcement. Such permit shall be renewable on July 1 of each year. ~~All applications for permits and renewals thereof shall be accompanied by a payment of a ten-dollar fee.~~

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