

West Virginia Department of Agriculture

Kent A. Leonhardt, Commissioner
Joseph L. Hatton, Deputy Commissioner



PRODUCE SAFETY PROGRAM

2020 Qualified Exemption Affidavit

Note: File this Affidavit form with the West Virginia Department of Agriculture annually

To File Affidavit: Email to produce@wvda.us OR print and mail to: WVDA/Produce Exemption, 1900 Kanawha Blvd, E., Charleston, WV 25305.

Name of Farm: _____

Name of person filing: _____

Phone: _____ Email: _____

Mailing Address: _____

Farm Address: _____

County _____

Qualified Exemption under **all** of the following categories (see worksheet):

- A. Over the previous three years, annual **FOOD** sales must be less than \$500,000 (inflation adjusted). Food is defined as (1) articles used as food or drink by people or animals, (2) chewing gum, (3) articles used as components of any such article.
- B. Over the previous three years, sales to qualified end-users must exceed the value of sales to all other buyers.
- C. More than 50 percent of your annual food sales are to qualified end users. Qualified end-users are restaurants and retail outlets within 275 miles of your farm/facility, or anywhere within West Virginia, as well as direct-to-consumer sales via a farmers' market, farm stand or the internet.

According to the provisions of FDA Produce Rule, the above named farm/filer certifies compliance with requirements for exemption of inspections and regulations under the Food and Drug Administration Produce Safety Rule.

Farms must apply annually to qualify for exemption.

I/we further acknowledge that the Qualified Exemption does not preclude my firm/farm from the following Produce Safety requirements:

- All adulteration and other applicable provisions under the Food, Drug and Cosmetics Act;
- All West Virginia Department of Agriculture Farmers Market regulations

Date of Affidavit preparation/submission: _____

Applicants Signature: _____

Applicants Title: _____ Date: _____