

WEST VIRGINIA CODE: §19-35-3a

§19-35-3a. Farmers Market Vendor Permits.

- (a) Except as provided in subsection (d) of this section, all vendors at a farmers market selling farm and food products shall apply for a farmers market vendor permit from the department.
- (b) The farmers market vendor permit, once issued, is valid in all counties in this state.
- (c) Notwithstanding any other provisions of code or rule to the contrary, a vendor is not required to obtain a food establishment permit to sell at a farmers market.
- (d) The following vendors are exempt from obtaining a farmers market vendor permit:
- (1) Vendors selling fresh, uncut produce;
 - (2) Vendors selling nonpotentially hazardous foods; and
 - (3) Vendors selling other farm and food products that are identified by the department.
- (e) The department shall establish the conditions and procedures for issuance of farmers market vendor permits. As a condition of obtaining a farmers market vendor permit, a vendor may be required to satisfy additional requirements, including but not limited to, submitting to inspections, and obtaining and maintaining certain additional licenses or certifications.
- (f) All farmers market vendor permits shall be displayed in a conspicuous manner.
- (g) The department may establish penalties for violation of this section by legislative rule, pursuant to the provisions of §29A-3-1 *et seq.* of this code.