WEST VIRGINIA CODE: §19-35-5

§19-35-5. Potentially hazardous foods.

(a) Notwithstanding any provision of §16-1-1 *et seq*. of this code or any rules or regulations to the contrary, the department shall regulate potentially hazardous foods sold at farmers markets.

(b) A vendor of potentially hazardous foods shall apply for and obtain a farmers market vendor permit as required by §19-35-3a of this code.

(c) A home, farm, community, or commercial kitchen may be used by a potentially hazardous foods vendor, as determined by the department.

(d) The department shall establish by legislative rule the requirements for obtaining a vendor permit for potentially hazardous foods, including acidified foods, and other categories identified and defined by the department.

(e) All potentially hazardous foods sold at farmers markets shall be labeled in compliance with the department’s labeling standards and provide information about its content and sources.

WV Legislature