



COMMONWEALTH of VIRGINIA

Karen Shelton, MD
State Health Commissioner

Department of Health
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November 21, 2025

Dear Child Day Center Operators,

I am writing to you today to share information about food service in establishments that do not hold a Virginia Department of Health (VDH) Food Establishment permit. In the past, VDH published the *Guidelines for Snack Food Service in Care Facilities (Guidelines; 1994)* which outlined categories of foods, beverages, and processes which child day center providers could serve to children without requiring a VDH food permit. The VDH Food Regulations were amended in June 2021, and the *Guidelines* were rescinded as they were no longer in compliance with the VDH definition of a food establishment.

In the absence of a VDH Food Permit, under 12VAC5-421-10 "Definitions-Food Establishment," an establishment may serve commercially prepared, individually packaged non-TCS foods such as individually packaged animal crackers, pretzels, or granola bars. "TCS food" means a food that requires Time/temperature Control for Safety to be held at or below 41°F to limit the growth or formation of disease-causing germs or toxins. Some examples of TCS foods include dairy products, deli meats, and cut melon. Non-TCS foods are shelf-stable and do not require temperature control for safety.

Other options for food service include parents packing ready-to-eat meals which do not require heating or further preparation by staff and receiving individually pre-packaged meals from VDH permitted food establishments that are immediately served to the children after receipt. Ordering foods which require plating or dispensing by staff requires a VDH food permit.

Please visit [Food Safety in Virginia – Environmental Health](#) and click on "Food Service Not Requiring a Permit" for the guidelines for food service not requiring a VDH food permit. Please contact foodsafety@vdh.virginia.gov if we can provide any assistance.

Thank you,

A handwritten signature in blue ink that reads "Olivia K. McCormick".

Olivia McCormick

Director

Division of Food and General Services