

THE FARM RESTAURANT ACT

Empowering Farms to Prepare, Serve, and Sell the Food They Grow

The Problem

Behind air, water, and sleep, food is the fourth most important thing we need for our existence. At first thought, it seems obvious that a small farm should be able to legally prepare, serve, and sell the very food it grows.

Consider this: under federal law, adopted by Virginia at Virginia Code § 3.2-5400, a farm can already raise, slaughter, and process up to 1,000 chickens a year — no permit, no inspection — so long as the birds were raised there and sold in-state. Real, substantial food production Virginia already trusts a farm to handle alone. But serve a plate with that same chicken, or a carrot even, to a guest at a farm dinner, and a completely different, much heavier set of rules applies — built for a restaurant, not a farm.

Laws already exist that seem to support this in intention, like Virginia's own agritourism act. And today, preparing and serving the food that you grow can be achieved — through exploiting various loopholes and piecing things together from several different permits and workarounds, the way Celeste Farms has had to. What's missing is a clear, affordable, standalone path that doesn't depend on piecing anything together at all. That's what the Farm Restaurant Act aims to do.

If humans can accomplish what we have — splitting the atom, mapping the human genome, putting a man in outer space, curing diseases once thought incurable, building artificial intelligence — I have faith that we can accomplish sorting out how to regulate preparing, serving, and eating food on the same soil from which it grew, without it ever having to leave that land.

Why This Exists

Farming alone rarely pays for itself anymore — it's a labor of love. Agritourism — inviting people onto the land, sharing a meal made from what you grow, letting them experience the farm itself — is one of the few ways a small farm can actually earn enough to keep going.

But Virginia's food safety rules were built for restaurants on commercial property, not farms on agricultural land. Right now, a farm serving its own food gets treated just like a standard restaurant — same certificate of occupancy, same commercial-scale expectations. A farm dinner in a barn is not the same thing as a restaurant on Main Street. I have a firm understanding of this, as the founder of both Celeste Farms and Goatocado, a restaurant in Richmond, VA. This is the specific gap this bill closes, without touching a single actual food safety requirement.

The Intent Behind All of This

This bill does not ask Virginia to invent a new idea. It asks the General Assembly to apply a principle it has already accepted — for farm wineries, breweries, and distilleries — to food. A farm can already grow grapes and serve wine under a proportionate framework. A farm should be able to grow vegetables, raise animals, and serve a meal the same way. Virginia's agritourism act already says a working farm is not a commercial property, and that visitors accept that when they walk onto the land. This bill applies that same idea to food: a clear, affordable, standalone path a small farm can lean into to keep its doors open.

What the Bill Actually Creates — Two Simple Paths

Farm TFE Permit

This is for a farm hosting a handful of dinners, weddings, or gatherings a year.

- One annual permit — no need to apply separately for every event.
- No certificate of occupancy required just to serve food.
- Fee tied to the same \$40 standard every other temporary food permit in Virginia already pays — not a special new fee.
- Compliance checked mostly through a peer network of other farmers, not routine government paperwork — modeled on how Certified Naturally Grown already works nationwide.
- Portable toilets, an unpaved parking area, string lighting, a gravel driveway — all explicitly acceptable, because that's what a working farm actually looks like.

Farm Restaurant Permit

This is for a farm ready to serve food as an ongoing, permanent part of its business.

- More oversight than the TFE tier — real inspection, on a schedule matched to the actual risk, not a one-time check.
- Fee tied to the same standard restaurant permit fee every other restaurant already pays — not a special new fee.
- Still never held to the exact same standard as a commercial restaurant — proportionate to what a farm actually is.

Both tiers require that most of what's served — 51 percent by weight, checked once a year — actually comes from your farm or a neighboring farm you're sourcing from directly. That's what keeps this about real farming, not a loophole for anyone calling themselves a farm.

Accountability, Both Ways

This bill doesn't just make things easier for farms — it makes the process itself accountable, on both sides. A local health district has 45 days to decide a Farm TFE application, or 60 days for a Farm Restaurant application. If they don't act in time, the permit is automatically approved. Any denial has to point to the specific written rule it's based on — a denial that doesn't cite anything is void. And if a farm disagrees with a decision, there's now a real appeal to the State Health Commissioner, not just a lawsuit as the only option. This came directly out of what Celeste Farms went through — the goal is a process no farm should ever have to navigate the way we did.

What This Means for You, Practically

Hosting a handful of dinners a year: an annual permit, a peer farmer's visit once a year to confirm sourcing, 72 hours' notice before each event, a certified food handler present — no certificate of occupancy, no paved parking lot, no commercial kitchen buildout required.

Building toward serving food as a regular part of your business: more oversight, but still calibrated to a farm, not a standard restaurant — a clear, known path instead of guessing what a health inspector will demand next.

Beyond the Legislation

Changing the law is not the only path we're building. Celeste Farms is also developing affordable solutions any farm could use directly, regardless of when this bill passes: a Conex kitchen — a shipping container converted into a real, working commercial kitchen, built as a replicable low-cost model — and a website designed around agritourism, to help farms navigate this same terrain.

How You Can Show Support

This proposal is going in front of the Governor, several state senators, the Farm Bureau, and the Secretary of Agriculture, with the goal of introducing it in the 2027 General Assembly session.

If you're a farmer, tell us whether this framework fits how your farm operates. If you're a political leader, county or state, who believes small farms should be able to serve what they grow, we want to hear from you. If you simply care about small farms and want to support agritourism, your voice matters just as much. Please use the form below to add your support and share any comments.

Prepared by Ian Newell, Celeste Farms, in support of the proposed Farm Restaurant Act.
Ian@Celestefarms.com