

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, and contextually relevant path a small farm can lean into to keep its doors open. The three tiers that follow are what make this scalable at any size a farm actually operates at, without a real financial barrier to entry standing in the way of getting started.

At the center of every tier is one anchoring requirement: most of what's served — 51 percent by weight — must actually come from your farm or a neighboring farm you're sourcing from directly, checked

through the same peer verification process across all three tiers. That's what keeps this about real farming, not a loophole for anyone calling themselves a farm.

What the Bill Actually Creates — Three Simple Paths

These aren't three separate boxes to choose between — they're a path that grows with your farm. Here's how they compare, side by side:

	Farm Micro-Gathering	Farm TFE	Farm Restaurant
Best for	Small, recurring gatherings — dinner parties, a retreat destination	A handful of dinners, weddings, or events a year	Ongoing, permanent food service
Guest cap	18 per day, across up to 3 meals	150 per occasion	No cap — standard restaurant scale
Notification	None required, once inspected	72 hours before each event	None required, once inspected
Fee	Standard local health inspection fee	Standard TFE permit fee	Standard restaurant permit fee
Facility	Similar to current B&B inspection standards	Meets the standard for current TFE requirements	Meets the standard for current restaurant requirements
Sourcing check	Peer verification, once a year	Peer verification, once a year	Peer verification, once a year
Food handler required	Certified food handler present, every time	Certified food handler present, every time	Certified food handler present, every time
Facility oversight	One-time facility inspection when the permit is first issued	One-time facility inspection when the annual permit is first issued	Inspected at least annually, the same as any other restaurant — more often if risk warrants it

The “Facility oversight” row above describes the routine, baseline inspection schedule for each tier. It doesn't limit VDH's authority to act sooner: at every tier, the health department retains full authority to investigate a specific complaint or suspected violation at any time, regardless of when the facility was last inspected.

How the Three Tiers Scale and Stack Together

You don't have to give one up to move to the next. A farm can operate under the Micro-Gathering Permit as its everyday baseline — small, frequent gatherings, no per-event notification required. When you want to host something bigger, like a wedding or a large seasonal dinner, you pull a Farm TFE permit for that occasion, on top of what you're already doing under Micro-Gathering — you don't lose the lighter path for your everyday activity just because you've added a permit for something bigger.

Only if you want to move beyond occasional events entirely, and serve larger numbers on a genuinely regular, ongoing, walk-in basis — more like a restaurant that's simply open — does Farm Restaurant become the right fit. That's not triggered by one big event; it's triggered by the nature of the operation

shifting from occasional to permanent. And once you do hold a Farm Restaurant Permit, you won't need to separately pull a Farm TFE Permit for a larger one-off event on your own property either — that's simply a catered event, already covered by the Farm Restaurant Permit you hold.

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 30 days to decide a Farm Micro-Gathering application, 45 days for 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.

Protection from Local Zoning Overreach

Beyond VDH, this bill also protects farms from a locality trying to impose commercial zoning, a conditional use permit, or ag-specific requirements that a comparable non-farm food business wouldn't face. That protection is scaled to real, measurable impact, not an arbitrary rule:

- Farm Micro-Gathering: fully protected, no cap. An 18-guest daily cap works out to roughly nine vehicle trips a day — well under half of the 50-trip threshold Virginia already uses to decide when a farm winery needs additional local clearance.
- Farm TFE: fully protected up to 12 public events a year — the same limit Virginia's own ABC law already uses for banquet and special event licenses. Private, invitation-only events don't count toward this.
- Farm Restaurant: fully protected up to 50 vehicle trips a day, the exact same threshold that already applies to farm wineries and breweries today.

Cross one of these thresholds, and a farm doesn't lose its permit — it simply moves to a slightly narrower protection, where a locality would need to show real, substantial impact before requiring anything more. Nothing here is invented from scratch; every number is tied to a standard Virginia already uses somewhere else.

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.

We've also founded the Farm Restaurant Guild, a voluntary community of farms who support each other through this process. Guild members get real mentorship navigating permitting, help filling out the actual paperwork, and a peer verification network modeled on established programs like Certified Naturally Grown — support that goes well beyond what the law alone requires.

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.

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