

**FOOD SAFETY**  
**State and Federal Standards and Regulations**

*Virgin Islands*

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The National Association of State  
Departments of Agriculture (NASDA)  
1156 15<sup>th</sup> Street, N.W.  
Suite 1020  
Washington, D.C. 20005-1704  
(202)296-9680  
FAX: (202)296-9686  
nasda@patriot.net

National Center for Agricultural Law Research  
and Information  
U of A School of Law - 147 Waterman Hall  
University of Arkansas, Fayetteville, AR 72701  
(501) 575-7646  
FAX: (501) 575-5830

## VIRGIN ISLANDS

The Virgin Islands control food safety through regulations prescribed by the Commissioner of Health and approved by the Governor. The Department of Health of entrusted with general authority to provide for acceptable standards for the food industry.<sup>2763</sup> However, the regulation of food safety issues regarding seafood falls upon the Commissioner of the Department of Conservation.<sup>2764</sup>

### **Meats**

The inspection and slaughter of livestock and poultry must be conducted according to regulations promulgated by the Commissioner of Health.<sup>2765</sup> The regulations require that all persons handling meat products submit to routine medical examinations annually and be certified as free from any communicable disease.<sup>2766</sup> The Commissioner also proscribes regulations regarding the standards for both inspection of live animals, and for inspection of meats or meat products stored, transported, offered for sale or sold in the Virgin Islands. During transportation, all meat and meat products must be protected from contamination including that from insects, rodents, vermin or dust.<sup>2767</sup>

Sanitary conditions must be maintained in all premises where meat is either sold, prepared or handled for public consumption. Enforcement of the sanitary conditions is affected by making the establishments subject to inspection at any time. Violations are punished either by

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<sup>2763</sup> V.I. CODE. ANN. tit.3, § 418 (1995).

<sup>2764</sup> tit.12 §303.

<sup>2765</sup> tit.19 § 502.

<sup>2766</sup> § 503.

<sup>2767</sup> § 504.

monetary fine or by withdrawing the license or closing the establishment until it is properly cleaned.<sup>2768</sup>

### **Milk and Milk Products**

The sale of adulterated or mislabeled milk or milk products is prohibited. This prohibition also applies to imported milk. When the Commissioner feels that an emergency situation is caused due to the adulteration or mislabeling of milk, he may temporarily suspend its sale. However, the milk producer or distributor has an immediate right of appeal.<sup>2769</sup>

All milk and milk products are defined specifically by statute. Milk and milk products are considered adulterated when they do not conform to their given definitions. Adding water, or any other foreign substance, renders milk and milk products adulterated. Further, if cream has been removed from milk, it must be labeled as skimmed milk.<sup>2770</sup>

Labeling is also required on all containers in which milk is offered for sale specifying whether locally produced milk is raw or pasteurized.<sup>2771</sup>

No one is allowed to produce, sell or offer for sale, any milk or milk products without first receiving a permit from the Commissioner of Health. Permits must be posted conspicuously. However, imported milk and milk products are not required to be sold under a permit, but approval for the sale must be obtained from the Commissioner.<sup>2772</sup> The regulations are enforced by making all establishments subject to inspection at any reasonable time. Samples

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<sup>2768</sup> § 506.

<sup>2769</sup> § 542.

<sup>2770</sup> § 541.

<sup>2771</sup> § 543.

<sup>2772</sup> §§ 545- 546.

may be taken and examined as often at the Commissioner requires and the proprietors of the subject establishments must make the names of their suppliers available to the Commissioner upon request.<sup>2773</sup>

Dairy cows must be examined for disease at least once every two years. Any reactors to tests performed must be disposed of in accordance with requirements of the United States Department of Agriculture.<sup>2774</sup> Furthermore the sanitary conditions of all dairies, dairy equipment and containers and the actual udders of the cows are regulated to prevent contamination of milk and mild products.<sup>2775</sup> Specific regulations are also in place regarding the handling of milk after milking, the health of employees handling milk and the dipping of milk from one container to another.<sup>2776</sup> Violations are punished by revocation of permit, monetary fine or imprisonment.<sup>2777</sup>

### **Other Regulations**

No adulterated or misbranded mix, frozen dessert or soft drink may be frozen, sold, offered or exposed for sale or be possessed with the intention of selling. Those products are deemed adulterated and/or misbranded if they contain any unwholesome substance.<sup>2778</sup>

No one may manufacture, bottle, sell, offer for sale, or have in possession with intent to sell, or for the purpose of selling any drinking water that is impure, polluted or the use of which

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<sup>2773</sup> § 544.

<sup>2774</sup> § 547.

<sup>2775</sup> §§ 548-551.

<sup>2776</sup> §§ 552-554.

<sup>2777</sup> §§ 555-556.

<sup>2778</sup> § 501.

may be injurious or detrimental to the public health. Permit forfeiture or monetary fine are imposed for violations.<sup>2779</sup>

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<sup>2779</sup> § 507.