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Wineries that serve the following food items in their tasting rooms will be under the jurisdiction of The Virginia Department of Agriculture and Consumer Services:

- Individually wrapped commercially prepared food items from an approved source such as sandwiches, summer sausages, etc. served directly to the consumer in the original unopened wrapping
- Food items that do not require temperature control for safety such as vegetable trays, crackers, breads, etc. obtained from an approved source. With the exception of tomatoes, which should remain intact, these food items may be sliced or cut onsite.
- Cheese slices, cubes, wheels, etc. from approved sources.

Any expansion of served food items beyond the above examples may fall under the Virginia Department of Health as a restaurant.