



South Carolina

DEPARTMENT OF AGRICULTURE

CONSUMER PROTECTION DIVISION | FOOD SAFETY DEPARTMENT

123 Ballard Court, West Columbia, SC 29172

Hugh E. Weathers, Commissioner

FOOD SAFETY INFORMATION

1. In order to wholesale most food products to other businesses for resale, you must obtain a **Registration Verification Certificate (RVC)** from SCDA. You must register and get SCDA approval of the process, product, and facility. Foods under the jurisdiction of SCDA Food Safety cannot be manufactured in a domestic kitchen. To apply for the RVC, visit the Online Registration Portal at rvcfacilityregistration.agriculture.sc.gov/Registration. For more information, contact rvcregistration@scda.sc.gov.
2. Most **canned/jarred/bottled foods must be analyzed by a FDA recognized processing authority**. For more information, contact Clemson University Food2Market clemson.edu/extension/food/food2market. **Pickled foods** (chow-chows, some sauces, and pickled vegetables) are **acidified foods** and require Better Process Control School attendance, registration with the FDA, and a scheduled process; including proper and accurate record keeping. All of this is to prevent **Botulism poisoning**, which can and does happen.
3. **Eggs** that are sold at locations other than a grower's residence or farm must be **washed, sanitized, properly labeled, inspected and graded by the grower according to USDA standards and kept at 45° F or below**. The producer must obtain an **Egg License** issued by SCDA. Unlabeled, ungraded, or unsized eggs or eggs off refrigeration are considered adulterated and will be removed from public sale.
4. State and Federal law requires the use of a label that includes **Product Name, Ingredient List, Name and Address of Manufacturer, and Net Contents** on foods sold to the public. All **allergens** must be disclosed in an ingredient list or in a separate **Contains** statement. Products that are not properly labeled are considered misbranded and adulterated and will be removed from public sale.
5. **Wholesale Meat Products that contain more than 3% raw or 2% cooked** poultry, beef, pork or lamb are under jurisdiction of **SC Meat and Poultry (803-788-8747)**.
6. **Wholesale Milk and Dairy Products, Bottled Water, and Soft Drink** products are under the jurisdiction of **SC DHEC Dairy & Manufactured Food (803-896-0640)**.
7. **Seafood and Fish** that are whole and unprocessed are under the jurisdiction of Department of Natural Resources (DNR) **803-734-3886**. SCDA (agriculture.sc.gov) regulates Processed Crustacean Shellfish and Finfish sold wholesale to other businesses for resale. Molluscan Shellfish are regulated by DHEC Shellfish Sanitation (**843-238-4378**). Seafood/fishery products are subject to Seafood HACCP regulation and training may be required.
8. Direct-to-consumer food sales fall under **SC DHEC Food Safety (803-896-0640 / scdhec.gov/food-safety)**.
9. **Animal Feed and Pet Food/Treats (SCDA 803-737-9713) are under the jurisdiction of SCDA Feed Safety (feedregistration@scda.sc.gov)**. Products must be registered with SCDA annually and meet all labeling requirements of the South Carolina Commercial Feed Law, including Protein, Fat, and Fiber content. Animal Feed and Pet Food Registration is \$20 per product.
10. **Raw Agricultural Produce that is cut to harvest** and not further processed falls under the **SCDA Produce Safety Department (803-753-7267)**. The SCDA Produce Safety Department manages the implementation of the FSMA Produce Safety Rule in South Carolina. Some farms will be exempt from the rule and will have to submit a Produce Safety Rule Exemption Application at scproducesafety.com.
11. The **Certified SC program** is a cooperative effort with farmers, processors, wholesalers, retailers and SCDA to brand and promote South Carolina products. For more information, visit certifiedsc.com.
12. The **Home-based Food Production (HBFP) Law**, allows some potentially non-hazardous food products to be produced in a home kitchen. For more information, visit bit.ly/SC_CottageFoodLawGuide.



SOUTH CAROLINA DEPARTMENT OF AGRICULTURE FOOD PROCESSING ESTABLISHMENT QUICK GUIDE



SC Department of Agriculture (SCDA) regulates the **wholesale** of most (non-beef, lamb, poultry, or pork) food products. Registration is required by state law and food products must be prepared in a registered and approved facility. A domestic kitchen is not an acceptable facility.

Your facility **may or may not** be subject to the Food Safety Modernization Act (FSMA) Preventive Controls for Human Food Rule. FSMA requires businesses to have a Preventive Controls Qualified Individual (PCQI) who prepares and implements a written Food Safety Plan. For more information, contact the FDA Technical Assistance Network (TAN).

If you believe that your business may not be subject to the PC rule requirements, you can complete Form FDA 3942a (for Human Food), which is an attestation form for a food facility meeting the definition of a “Qualified Facility.”

BUILDING & INSPECTION REQUIREMENTS

1. All employees must be **properly trained** to perform their assigned duties.
2. Employees must be trained on **food hygiene** and **food safety**.
3. **Records** must be kept of all trainings.
4. **Building/facilities** must be designed and constructed in a way that is **easily cleanable**.
5. **Grounds** must be kept clean by removing litter and waste.
6. **Grass** must be cut so that it does not attract or provide **harborage for pests**.
7. Facilities must be maintained in a **clean and sanitary condition** and kept in **good repair**.
8. Facilities must be **free of pests**. A pest control program and records of pest control treatment are required.
9. **Pesticides** must be used and stored properly as to not contaminate food.
10. **Walls, floors, and ceilings** must be made of solid **cleanable material** and kept in **good repair**.
11. **Drains** must be installed where needed and kept in good repair.
12. Facilities must be **well-lit**. **Light bulbs/fixtures** must be **shatterproof**.
13. **Ventilation** must be adequate to **prevent condensation** and odors.
14. All **openings to the outside** must be adequately **screened** to protect against pests.
15. **Proper hand-washing practices** and sanitary restroom practices must be used.
16. Sinks must have **hot water, suitable pressure, and be adequate** for the operations of the facility.
17. **Hand-washing sinks** and restrooms must have **soap, paper towels, toilet paper, and be convenient** to all employees.
18. At a minimum, **two separate sinks are required**: a hand washing sink and a mop sink or a combination hand and mop sink and a separate utensil sink. A three compartment sink will allow utensils to be washed, rinsed, and sanitized.
19. **Utensils and equipment** must be **cleaned and sanitized frequently** to protect against allergen contact and cross-contamination.
20. **Non-food contact surfaces** must be **cleaned as frequently** as necessary to protect against allergen contact and cross-contamination.

FOOD PROCESSING ESTABLISHMENT QUICK GUIDE

A Registration Verification Certificate (RVC) is required by SC state law to wholesale a food product. You will need to apply for registration. A RVC will be issued after your first compliant inspection. Our Food Safety Officers perform food safety inspections under authority granted by the SC Food and Cosmetic Act section 39-25 and 21 CFR 117 by reference. For more information contact us at rvcregistration@scda.sc.gov or visit agriculture.sc.gov/divisions/consumer-protection/food-safety-compliance/

All food product labels must be in compliance with the **Fair Packaging and Labeling Act** and the **Food Allergen Labeling and Consumer Protection Act**. Labels intended for wholesale use will be reviewed by SCDA at time of registration and prior to use.

Clemson Extension's **Food2Market** program is designed to help food entrepreneurs with food safety regulations that are necessary to prepare food products for sale. Their staff has extensive knowledge in federal and state regulations. The **Food2Market** program can assist food entrepreneurs with training certification and with product testing. For more information, go to Clemson Extension's **Food2Market** website: clemson.edu/extension/food/food2market

1. **Equipment, materials, and ingredients** must be stored properly and safely.
2. **Cold storage units** used to store food must have accurate temperature devices installed.
3. **Cleaning supplies and sanitizing agents** must be safe, adequate, and used properly.
4. **Chemicals** must be identified, held, and stored in a manner that protects against contamination.
5. You must have a safe **water supply**. SCDA will accept the use of either a DHEC approved public water system or well or a private well. If connected to a private well, you must have a Bacterial Analysis performed by an approved lab annually.
6. For **sewage disposal**, you must either be connected to a public sewage disposal system or have an onsite wastewater disposal system (septic system). Onsite disposal systems must have been approved by DHEC and you must provide a copy of your permit or approval of the system to SCDA.
7. **Thermometers, pH meters, metal detectors, and food production instruments and controls** must be calibrated, be adequate in number, and be properly maintained.
8. **Compressed gases** must be approved for food use.
9. **Proper sanitation principles** must be used to prevent allergen contact and/or cross-contamination.
10. **Plant sanitation** must be under the supervision of a competent individual.
11. **Growth of microorganisms, allergen cross-contact, contamination and deterioration of food** must be controlled by cooking, freezing, pasteurizing, pH and/or other controls.
12. **Quality control operations** must be used to ensure that **food and food packaging materials** are suitable for human consumption.
13. Sanitation failures, possible allergen cross-contact, and food contamination must be identified by using **testing procedures** (examples: swabbing of equipment, finished product samples, metal detection).
14. **Raw materials and ingredients** must be inspected, stored, and handled, to ensure they are suitable for food processing.
15. **Raw materials or other ingredients must be thawed** in a manner to prevent them from becoming adulterated.
16. **Human food by-products** for use as animal food must be labeled and stored properly.
17. **Adulterated food** must not be mixed with unadulterated food.



South Carolina
DEPARTMENT OF AGRICULTURE
AGRICULTURE.SC.GOV

LABELING GUIDANCE

Basic Label Requirements of the Fair Packaging and Labeling Act (FPLA), Food Allergen and Consumer Protection Act (FALCPA), and the Nutritional Labeling Act (NLEA).

1. **Statement of Identity (Product Name)** must be in **BOLD** print, and type size *must* be at least ½ size of most prominent print on label. The statement of identity must be placed on **Principal Display Panel** (PDP, front of product) along with the net contents.

Our Favorite Sauce

Statement of identity must be in **bold** and at least ½ size of most prominent print on label. In this example, “Sauce” is the statement of identity.

2. Complete **Ingredients List** in **descending order** of predominance by weight. The ingredient that weighs the most must be listed first and the ingredient that weighs the least last. All sub-ingredients must be expanded. Font size must be at least ⅛ inch (based on lower case letters).

Food Allergen Labeling and Consumer Protection Act — Allergens must be disclosed by name in the ingredient list and/or in a Contains Statement. The “Big 9” allergens identified by FDA are **Wheat, Egg, Soy, Milk, Fin Fish (species), Crustacean Shellfish (species), Peanut, Tree Nut (species), and Sesame**. If a Contains Statement is used, **ALL** allergens contained in product must be listed. The ingredient list and contains statement must be in same font and size. Contains must appear after ingredient list and must begin with capital “C”.

Our Favorite Sauce

Must be at least ⅛” font size based on lower case letters

INGREDIENTS: ENRICHED FLOUR (WHEAT, NIACIN, THIAMINE, RIBOFLAVIN, FOLIC ACID), HIGH FRUCTOSE CORN SYRUP, CORN SYRUP, HONEY, MOLASSES, SOY BEAN OIL, SUGAR, CORN FLOUR, MALT SYRUP, WHEY (MILK), EGG WHITES, PECANS, SOY LECITHIN, CORN FLOUR, YELLOW #5 AND RED #40. CONTAINS WHEAT, SOY, MILK, EGGS, PECANS

A contains statement is not required if all allergens are disclosed in ingredient list.

Compound Ingredients must be expanded to include sub-ingredients. This can be done using parenthesis.

LABELING GUIDANCE

3. **Name and address** of the manufacturer or distributor must appear along with the manufacturer's name & physical address (front or back label). The address must include a street address (if the business name is not in a local phone directory), city or town, state, and zip code. A qualifying phrase like “*manufactured for*” or “*distributed by*” must appear before business name if the company is not the original manufacturer.

Our Favorite Sauce

INGREDIENTS: ENRICHED FLOUR (WHEAT, NIACIN, THIAMINE, RIBOFLAVIN, FOLIC ACID), HIGH FRUCTOSE CORN SYRUP, CORN SYRUP, HONEY, MOLASSES, SOY BEAN OIL, SUGAR, CORN FLOUR, MALT SYRUP, WHEY (MILK), EGG WHITES, PECANS, SOY LECITHIN, CORN FLOUR, YELLOW #5 AND RED #40. CONTAINS WHEAT, SOY, MILK, EGGS, PECANS

Manufactured for New Product Enterprises
22 Sunshine Dr.
Columbia, SC 29555

A qualifying phase is required if you are not the manufacturer.
Ex: “Made for” or “Distributed by”

4. **Net Contents** must be placed in the bottom $\frac{1}{3}$ of the **Principle Display Panel (PDP)** in both **customary** (pound, ounce, fluid ounce, etc.) and **metric** (kilogram, gram, milliliter, etc.) measurements, and must meet minimum font size requirements based on the area of the principle display panel.

How to calculate PDP:

The width × height of the package face or height × circumference × 0.40 for a cylinder container (i.e. bottle, jar, can).

| MINIMUM FONT SIZE (INCHES) | | AREA OF PRINCIPLE DISPLAY PANEL |
|----------------------------|----------------|---------------------------------|
| NET WT | $\frac{1}{16}$ | 5 sq in or less |
| NET WT | $\frac{1}{8}$ | 25 sq in or less |
| NET WT | $\frac{3}{16}$ | 25 – 100 sq in |
| NET WT | $\frac{1}{4}$ | 100 – 400 sq in |

LABELING GUIDANCE

Our Favorite Sauce

INGREDIENTS: ENRICHED FLOUR (WHEAT, NIACIN, THIAMINE, RIBOFLAVIN, FOLIC ACID), HIGH FRUCTOSE CORN SYRUP, CORN SYRUP, HONEY, MOLASSES, SOY BEAN OIL, SUGAR, CORN FLOUR, MALT SYRUP, WHEY (MILK), EGG WHITES, PECANS, SOY LECITHIN, CORN FLOUR, YELLOW #5 AND RED #40. CONTAINS WHEAT, SOY, MILK, EGGS, PECANS

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Columbia, SC 29555

NET WT. 20 OZ (576g)

Net content can also be by volume, ex. 20 FL OZ. (591 ML).

Font size is based on area of Principal Display Panel (not size of label). NET WT. must appear in the bottom $\frac{1}{3}$ of the PDP.

LABEL FORMAT EXAMPLES

2 LABEL FORMAT (FRONT AND BACK)

FRONT LABEL

Our Favorite Sauce

NET WT. 20 OZ (576g)

BACK LABEL

INGREDIENTS: ENRICHED FLOUR (WHEAT, NIACIN, THIAMINE, RIBOFLAVIN, FOLIC ACID), HIGH FRUCTOSE CORN SYRUP, CORN SYRUP, HONEY, MOLASSES, SOY BEAN OIL, SUGAR, CORN FLOUR, MALT SYRUP, WHEY (MILK), EGG WHITES, PECANS, SOY LECITHIN, CORN FLOUR, YELLOW #5 AND RED #40.

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LABEL FORMAT EXAMPLES

SINGLE WRAP AROUND LABEL

| | | |
|--|--|--|
| Other company or product information | <h3>Our Favorite Sauce</h3> <div>Required if firms have 100+ employees and/or sales over 100,000 units in a 12 month period.</div> | <div>NUTRITION FACTS</div> <p>INGREDIENTS: ENRICHED FLOUR (WHEAT, NIACIN, THIAMINE, RIBOFLAVIN, FOLIC ACID), HIGH FRUCTOSE CORN SYRUP, CORN SYRUP, HONEY, MOLASSES, SOY BEAN OIL, SUGAR, CORN FLOUR, MALT SYRUP, WHEY (MILK), EGG WHITES, PECANS, SOY LECITHIN, CORN FLOUR, YELLOW #5 AND RED #40.</p> <p>Manufactured for New Product Enterprises 22 Sunshine Dr. Columbia, SC 29555</p> |
| NET WT. 20 OZ (576g) | | |

- Nutrition Facts Paneling is required unless granted exemption by the FDA.
- Nutrition Facts panel requirements should follow specific Nutrition Labeling and Education Act (NLEA) and 21 CFR 101.9 Requirements.
- A Nutrition Fact panel is required for firms with 100+ employees and/or sales over 100,000 units in a 12 month period. May need to register with FDA.
- On May 20, 2016, the FDA announced the new Nutrition Facts label for packaged foods to reflect new scientific information. Manufacturers were required to use the new label by January 2020.

LABELING FORMAT EXAMPLES

PREVIOUS FORMAT

| Nutrition Facts | | | |
|---|----------------|----------------------|---------|
| Serving Size 2/3 cup (55g) | | | |
| Servings Per Container About 8 | | | |
| Amount Per Serving | | | |
| Calories 230 | | Calories from Fat 72 | |
| | % Daily Value* | | |
| Total Fat | 8g | | 12% |
| Saturated Fat | 1g | | 5% |
| Trans Fat | 0g | | |
| Cholesterol | 0mg | | 0% |
| Sodium | 160mg | | 7% |
| Total Carbohydrate | 37g | | 12% |
| Dietary Fiber | 4g | | 16% |
| Sugars | 1g | | |
| Protein | 3g | | |
| Vitamin A | | | 10% |
| Vitamin C | | | 8% |
| Calcium | | | 20% |
| Iron | | | 45% |
| * Percent Daily Values are based on a 2,000 calorie diet. Your daily value may be higher or lower depending on your calorie needs. | | | |
| | Calories: | 2,000 | 2,500 |
| Total Fat | Less than | 65g | 80g |
| Sat Fat | Less than | 20g | 25g |
| Cholesterol | Less than | 300mg | 300mg |
| Sodium | Less than | 2,400mg | 2,400mg |
| Total Carbohydrate | | 300g | 375g |
| Dietary Fiber | | 25g | 30g |

CURRENT FORMAT

| Nutrition Facts | |
|---|----------------------|
| 1 8 servings per container | |
| Serving size | 2/3 cup (55g) |
| 2 Amount per serving | |
| Calories | 230 |
| | % Daily Value* |
| 3 Total Fat 8g | 10% |
| Saturated Fat 1g | 5% |
| Trans Fat 0g | |
| Cholesterol 0mg | 0% |
| Sodium 160mg | 7% |
| Total Carbohydrate 37g | 13% |
| Dietary Fiber 4g | 14% |
| Total Sugars 12g | |
| 4 Includes 10g Added Sugars | 20% |
| Protein 3g | |
| 5 Vitamin D 2mcg | 10% |
| Calcium 260mg | 20% |
| Iron 8mg | 45% |
| Potassium 235mg | 6% |
| 6 * The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice. | |

Manufacturers were required to use the new label by January 2020, and small businesses had an additional year to comply. During that transition time, both the previous Nutrition Facts label or the new current label were seen on products.

Please submit proof of labels to be reviewed by SCDA **prior to printing** and use for compliance with state and federal labeling laws. Products with labels that are not in compliance with the Food Allergen Labeling Consumer Protection Act (FALCPA) are subject to a stop sale.

The New and Improved Nutrition Facts Label – Key Changes

The U.S. Food and Drug Administration has finalized a new Nutrition Facts label for packaged foods that will make it easier for you to make informed food choices that support a healthy diet. The updated label has a fresh new design and reflects current scientific information, including the link between diet and chronic diseases.

1. Servings

The number of “servings per container” and the “Serving Size” declaration have increased and are now in larger and/or bolder type. Serving sizes have been updated to reflect what people actually eat and drink today. For example, the serving size for ice cream was previously ½ cup and now is ¾ cup.

There are also new requirements for certain size packages, such as those that are between one and two servings or are larger than a single serving but could be consumed in one or multiple sittings.

2. Calories

“Calories” is now larger and bolder.

3. Fats

“Calories from Fat” has been removed because research shows the type of fat consumed is more important than the amount.

4. Added Sugars

“Added Sugars” in grams and as a percent Daily Value (%DV) is now required on the label. “Added Sugars” include sugars that have been added during the processing or packaging of a food. Scientific

Original Label

Nutrition Facts

Serving Size 2/3 cup (55g)
Servings Per Container About 8

Amount Per Serving

Calories 230 Calories from Fat 72

% Daily Value*

Total Fat 8g **12%**

Saturated Fat 1g **5%**

Trans Fat 0g

Cholesterol 0mg **0%**

Sodium 160mg **7%**

Total Carbohydrate 37g **12%**

Dietary Fiber 4g **16%**

Sugars 1g

Protein 3g

Vitamin A 10%

Vitamin C 8%

Calcium 20%

Iron 45%

* Percent Daily Values are based on a 2,000 calorie diet.
Your daily value may be higher or lower depending on your calorie needs.

| | | | |
|--------------------|-----------|---------|---------|
| | Calories: | 2,000 | 2,500 |
| Total Fat | Less than | 65g | 80g |
| Sat Fat | Less than | 20g | 25g |
| Cholesterol | Less than | 300mg | 300mg |
| Sodium | Less than | 2,400mg | 2,400mg |
| Total Carbohydrate | | 300g | 375g |
| Dietary Fiber | | 25g | 30g |

Current Label

Nutrition Facts

1 8 servings per container
Serving size 2/3 cup (55g)

2 **Amount per serving**
Calories **230**

% Daily Value*

3 **Total Fat** 8g **10%**

Saturated Fat 1g **5%**

Trans Fat 0g

Cholesterol 0mg **0%**

Sodium 160mg **7%**

Total Carbohydrate 37g **13%**

Dietary Fiber 4g **14%**

Total Sugars 12g

4 Includes 10g Added Sugars **20%**

Protein 3g

5 Vitamin D 2mcg 10%

Calcium 260mg 20%

Iron 8mg 45%

Potassium 235mg 6%

6 * The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

data shows that it is difficult to meet nutrient needs while staying within calorie limits if you consume more than 10 percent of your total daily calories from added sugar.

5. Nutrients

The lists of nutrients that are required or permitted on the label have been updated. Vitamin D and potassium are now required on the label because Americans do not always get the recommended amounts. Vitamins A and C are no longer required since deficiencies of these vitamins are rare today. The actual amount in grams in addition to the %DV must be listed for vitamin D, calcium, iron, and potassium.

The daily values for nutrients have also been updated based on newer scientific evidence. The daily values are reference amounts of nutrients to consume or not to exceed and are used to calculate the %DV.

6. Footnote

The footnote at the bottom of the label has changed to better explain the meaning of %DV. The %DV helps you understand the nutrition information in the context of a total daily diet.

Manufacturers were required to use the new label by January 2020, and small businesses had an additional year to comply. During that transition time, both the original Nutrition Facts label or the new current label were seen on products.



For more information about the new Nutrition Facts label, visit:

www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm385663.htm

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