



South Carolina  
**DEPARTMENT OF AGRICULTURE**  
**PRODUCE SAFETY DEPARTMENT**  
123 Ballard Court, West Columbia, SC 29172

Hugh E. Weathers, Commissioner

# PRODUCE SAFETY RULE EXEMPTION APPLICATION

## REQUIREMENTS FOR BASIC EXEMPTION

***One of the following requirements must be met.***

- A. Only grow produce that is rarely consumed raw, specifically the produce on the following exhaustive list:  
*Asparagus, black beans, great Northern beans, kidney beans, lima beans, navy beans, pinto beans, beets, garden (roots and tops) beets, sugar beets, cashews, sour cherries, chickpeas, cocoa beans, coffee beans, collards, sweet corn, cranberries, dates, dill (seeds and weed), eggplants, figs, ginger, hazelnuts, horseradish, lentils, okra, peanuts, pecans, peppermint, potatoes, pumpkins, mature southern field peas (such as black-eyed peas, cowpeas, crowder peas, purple hull peas, sea island peas, silver peas, and speckled peas), winter squash, sweet potatoes, and water chestnuts.*
- B. Produce grown is used only for personal consumption or produced for consumption on the farm or another farm under the same management.
- C. During the previous 3-year period your average of all produce sales was less than \$25,000 (on a rolling basis) adjusted for inflation using 2011 as the baseline year for calculating the adjustment.

## REQUIREMENTS FOR PROCESSING EXEMPTION

***As required in the rule, other requirements must be met to justify this exemption.***

Produce grown receives commercial processing that adequately reduces the presence of microorganisms of public health significance.

## REQUIREMENTS FOR QUALIFIED EXEMPTION

***Both of the following requirements must be met.***

- A. During the previous 3-year period, annual food\* sales are less than \$500,000 adjusted for inflation, and the amount of sales sold to qualified end-users exceeded the amount sold to all other buyers.

*\*The term "food" means (1) articles used for food or drink for man or other animals, (2) chewing gum, and (3) articles used for components of any such article.*

**AND**

- B. You sell more than 50% of your annual food sales to qualified end-users (*consumer of the food and/or a restaurant or retail food establishment*) located in South Carolina or within the same Indian Reservation or within 275 miles of your farm.

**Farms must apply annually to qualify for exemption.**



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## PRODUCE SAFETY RULE EXEMPTION APPLICATION

Applicant Name \_\_\_\_\_

Farm Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Farm Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Select the type of exemption your operation qualifies for based on the definitions provided on the previous page. (Check one only)

☐ Basic Exemption A    ☐ Basic Exemption B    ☐ Basic Exemption C    ☐ Processing Exemption    ☐ Qualified Exemption

Pursuant to Section 39-26-30 and 39-26-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, Amended May 19, 2017, above named Applicant certifies compliance with requirements for exemption of inspections and regulations required under the Produce Safety Rule. Details of such exemptions are listed on page one of this application.

Applicant's Signature \_\_\_\_\_

Applicant's Title \_\_\_\_\_ Date \_\_\_\_\_

### SEND COMPLETED APPLICATION TO

Brooke Horton

123 Ballard Court, West Columbia, SC 29172 | [bhorton@scda.sc.gov](mailto:bhorton@scda.sc.gov) | 803-351-1244

### FOR SCDA INTERNAL USE ONLY

☐ Paperwork received and in compliance    ☐ Exemption Certificate # \_\_\_\_\_