

# PETS & OTHER ANIMALS FREQUENTLY ASKED QUESTIONS

REGULATION 61-25: RETAIL FOOD ESTABLISHMENTS



South Carolina  
**DEPARTMENT OF  
AGRICULTURE**

## ARE PETS OR COMFORT ANIMALS ALLOWED IN RESTAURANTS AND GROCERY STORES?

While pets and comfort animals are welcome in many retail stores, they are restricted by food safety regulations from being inside restaurants, grocery stores, and other places where people buy, prepare, or eat food. These restrictions apply to any place that displays a SCDA “Grade” sticker on the door. The only exception is if the animal is considered a service animal, as defined in the Americans with Disabilities Act. Service animals are required to be allowed to go anywhere their owner goes including into restaurants and grocery stores.

## WHAT IS A “SERVICE ANIMAL”?

A service animal, as defined in the Americans with Disabilities Act, is a dog or under a special ADA provision, a miniature horse, that is individually trained to do work or perform tasks for the benefit of an individual with a disability. They are not a pet and are a specially trained working animal. Service animals are not required to be licensed, wear identification, or be certified. But they are required to be either under a harness, a leash, or the direct control of the individual. For additional information, please see the U.S. Department of Justice’s website on ADA requirements at [ada.gov/topics/service-animals](https://www.ada.gov/topics/service-animals).

## CAN I TAKE A PET OR ANY COMFORT ANIMAL INTO A STORE THAT HAS A LARGE PET SUPPLY SECTION BUT ALSO HAS A GROCERY OR DELI SECTION ON THE OTHER SIDE OF THE STORE?

No. Food safety regulations restrict them from being inside the building since the food preparation and food sales areas are not separated from the pet supply section by doors or walls. Service animals are allowed in all customer areas.

## DOES SOUTH CAROLINA ALLOW “PET FRIENDLY” DINING?

Yes. Outdoor dining areas can be designated as “pet friendly” by a retail food establishment as long as they comply with the food safety guidance in *Chapter 9-3, Outdoor Pet Dining, Regulation 61-25, Retail Food*

*Establishments*. Retail food establishments, including operations such as a “cat café,” may also apply for a variance to allow for indoor pet friendly dining areas. To be approved, the establishment must provide a plan that details how they will protect food from contamination by the animals and receive approval of the plan from the Department.

## CAN ANY ANIMALS BE IN A FOOD PREPARATION AREA?

No. Even service animals are restricted from food preparation areas. Only patrol dogs, accompanying an officer or security guard, may pass through a food preparation area during times when food is not being prepared.

## HOW DO I REPORT A PET IN A RETAIL FOOD ESTABLISHMENT OR A “FAKE” SERVICE DOG?

If you observe a pet or non-service animal in a retail food establishment, you should report it to the manager or the person in charge of food safety for that establishment. It is up to the establishment’s operator to address the situation while it is occurring.

If you feel that someone is falsely representing an animal as a service animal, the Department of Justice operates a toll-free ADA Information Line to provide information and materials to the public about the requirements of the ADA. ADA Specialists, who assist callers in understanding how the ADA applies to their situation, are available on Monday, Tuesday, Wednesday, and Friday from 9:30 am until 12:00 pm and again from 3:00 pm until 5:30 pm (Eastern Time) and on Thursday from 2:30 pm until 5:30 pm (Eastern Time). Calls are confidential. To get answers to technical questions, obtain general ADA information, order free ADA materials, or ask about filing a complaint, please call 800-514-0301 (voice); 800-514-0383 (TTY).

