

# PERMIT EXEMPTIONS

## REGULATION 61-25: RETAIL FOOD ESTABLISHMENTS



South Carolina  
**DEPARTMENT OF  
AGRICULTURE**

There are different situations and types of facilities that are not required to have a SCDA issued permit and do not have to undergo inspections. Most do not require a permit because they do not involve the preparation of Time/Temperature Control for Safety (TCS) food. Below are some examples of foods that may be sold and processes that may occur without a permit. Please see Regulation 61-25, Citation 8-301.12 (A), for additional information.

### BUSINESSES THAT ONLY SERVE

- Popcorn, cotton candy, or candy apples
- Beverages (examples: soft drinks, tea)
- Nachos with cheese product
- Commercially dehydrated pre-packaged pork skins
- Pre-formed or prepared pretzels
- Coffee based beverages served with pasteurized dairy products
- Beverages prepared upon request from commercially prepackaged powdered mix without added TCS ingredients and served in a single service cup
- Commercially pre-packaged, pre-cut frozen fries
- Boiled peanuts or boiled/grilled corn
- Shaved ice products, including those served with pasteurized dairy products
- Funnel cakes, mini-donuts, or similar products prepared using a limited operation\*

### HOME-BASED OPERATIONS

- Prepare only non-TCS food such as cakes, breads, cookies, and candy for direct sale to consumer
- These operations must also comply with Home-based Food Production, SC §44-1-143

### MOTELS & HOTELS

- Must prepare only non-TCS breakfast food or serve only pre-packaged food
- Dispense commercially pre-packaged waffle mix from self-service units\*

### BOARDING HOUSES, HUNT LODGES, AND OUTDOOR-ADVENTURE TOURS

- Must provide room and board or restrict food service to only residents or participants

### BED AND BREAKFASTS

- Must have 10 rental rooms or less and a residential kitchen

### CHURCHES AND CHARITABLE ORGANIZATIONS

- May serve TCS food to members and invited guests
- May sell non-TCS baked goods (cakes, breads, cookies) to members, guests, and the public throughout the year
- Only serve TCS food to the public on premises 12 times a year or less

### SOUP KITCHENS / FOOD BANKS

- Food must be free and for persons in need of assistance

### COOKING SCHOOLS / CLASSES

- Registered students prepare the food and are the exclusive consumers of the prepared food

### PERSONAL CHEFS

- Prepare and serve at private residence to owner, occupants, and guests

### VENDING MACHINES / CONVENIENCE STORES

- Sell only commercially pre-packaged food from a food processing plant

### OTHER OPERATIONS

- Operate out of the individual's dwelling, preparing non-TCS food with a low risk food process such as the following:
  - » Jams, jellies, preserves, and dried fruits
  - » Dry herbs, seasonings, and mixtures
  - » Vinegar and flavored vinegars

*\*Product (batter) must NOT be held out of temperature more than four (4) hours; leftover portions of these products must be discarded at the end of service.*