



South Carolina  
**DEPARTMENT OF AGRICULTURE**  
**RETAIL FOOD SAFETY & COMPLIANCE DEPARTMENT**  
350 Ballard Court, West Columbia, SC 29172

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Hugh E. Weathers, Commissioner

## NOTICE OF APPEAL PROCEDURE

1. This decision of the South Carolina Department of Agriculture (Department) becomes the final agency decision 15 calendar days after notice of the decision has been mailed or otherwise sent to the applicant, permittee, licensee and affected persons who have requested in writing to be notified, unless a written request for final review accompanied by a filing fee in the amount of \$100 is filed with the Department by the applicant, permittee, licensee, or affected person.
2. An applicant, permittee, licensee, or affected person who wishes to appeal this decision must file a timely written request for final review with the Department at the following address or by email to [RetailEnforcement@scda.sc.gov](mailto:RetailEnforcement@scda.sc.gov). A filing fee in the amount of \$100 made payable to South Carolina Department of Agriculture must also be received by the Department within the time allowed for filing a request for final review. However, if a request for final review is filed by email to [RetailEnforcement@scda.sc.gov](mailto:RetailEnforcement@scda.sc.gov), the filing fee may be mailed to the Department if the envelope is postmarked within the time allowed for filing a request for final review.

South Carolina Department of Agriculture  
Attn: Final Agency Review  
350 Ballard Court  
West Columbia, South Carolina 29172

3. In order to be timely, a request for final review must be received by the Department within 15 calendar days after notice of the decision has been mailed or otherwise sent to persons entitled to receive notice. If the 15th day occurs on a weekend or State holiday, the request is due to be received by the Department on the next working day. The request for final review must be received by the Department by 5:00 p.m. on the date it is due. A request for final review will be returned to the requestor if the filing fee is not received on time as described above.
4. The request for final review should include the following:
  - a. the grounds on which the Department's decision is challenged and the specific changes sought in the decision;
  - b. a statement of any significant issues or factors the Department should consider in deciding whether to conduct a final review conference; and
  - c. a copy of the Department's decision for which review is requested.
5. If a timely request for final review is filed with the Department, the Department will provide additional information regarding procedures. If the Department declines in writing to schedule a final review conference, the Department's prior decision becomes the final agency decision and an applicant, permittee, licensee, or affected person may request a contested case hearing before the Administrative Law Court within 30 calendar days after notice is mailed that the Department declined to hold a final review conference.

**The above information is provided as a courtesy; parties are responsible for complying with all applicable legal requirements.**