



South Carolina
DEPARTMENT OF AGRICULTURE
RETAIL FOOD SAFETY DEPARTMENT
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agriculture.sc.gov

NEW SHRIMP DISCLAIMER LAW

RETAIL FOOD ESTABLISHMENTS—FOOD SAFETY

WHAT IS THE “SHRIMP LAW” SC CODE § 39-25-175 (FOREIGN IMPORTED SHRIMP DISCLAIMERS) AND HOW DOES IT IMPACT MY RETAIL FOOD ESTABLISHMENT?

WHO IS IMPACTED BY THIS LAW?

The Shrimp Law is SC Code § 39-25-175 (H*4248) is a new law that requires any retail food establishment that sells ready-to-eat shrimp (prepared/cooked) to provide a specific disclaimer to customers. This would include restaurants, mobile food units, cafeterias, or seafood retailers that steam or cook shrimp to have a disclaimer.

Note: This law does not apply to retail food establishments that only sell raw shrimp.

WHAT DOES THE DISCLAIMER DO?

It provides notice to the consumer of the origins of the shrimp, and that that shrimp served by the establishment may be foreign imported shrimp as defined by South Carolina law. There are two different possibilities: was it caught and landed in the waters of a state or waters of the United States, which is considered by the law to be “domestic”; or has it been imported into the United States and is “foreign”.



WHEN IS THE DISCLAIMER REQUIRED?

A disclaimer is only required when you serve foreign shrimp. There are two different disclaimers, and which one applies to you depends on your business practices.

WHICH DISCLAIMER DO I USE?

If you use **both** domestic and foreign imported shrimp (usually done when domestic is not available), then your disclaimer must state on the menu if you have one and, displayed on a sign, visible to the public, at your main entrance:

“Some items served at this establishment may contain foreign imported shrimp. Ask for more information.”

If you **only** use foreign (imported) shrimp and do not serve domestic shrimp, then your disclaimer on your menu and on a sign visible to the public at your main entrance will state:

“Some items served at this establishment contain foreign imported shrimp. Ask for more information.”

If you serve domestic shrimp only and do not serve foreign imported shrimp, no disclaimer is required. If you begin serving foreign imported shrimp, the applicable disclaimer must be displayed.

HOW DO I KNOW WHETHER MY SHRIMP IS DOMESTIC OR FOREIGN IMPORTED?

Retail food service establishments should verify the source of their shrimp through supplier invoices, bill of lading, product packaging, or other records provided by their supplier. SCDA will need to see these records and verify origin of all shrimp during the inspection. If you are unsure whether the shrimp you purchase is foreign imported or domestic, contact your supplier before serving it.

HOW DO I MEET THESE REQUIREMENTS?

If you have a menu, you will need to add the above disclaimer by October 28, 2026. It should be legible and similar in font size to any other disclaimers you have on the menu. There is no specific location on the menu stated in the law, so where you put it is up to you, as long as it is there. Until you have new menus printed, a temporary sticker or menu insert will be acceptable.

Regardless of whether you have a menu, you must have a sign at the main entrance by October 28, 2026, or in the case of a mobile unit visible from the serving window. This sign can be in a frame and on either a wall at the entrance or on your entrance door. It must be large enough and visible (in plain view of the customer) that the sign can be read by people with normal vision.

HOW WILL THIS BE ENFORCED?

SCDA has been tasked with the enforcement of the law. This will become part of your unannounced routine inspections or an inspection conducted in response to a complaint.

Two things will occur: first, it may be marked on the inspection as a violation of Regulation 61-25, Retail Food Establishments, 3-601.12 Honestly Presented (A) “Food

shall be offered for human consumption in a way that does not mislead or misinform the consumer”, which is a core violation and requires a follow up inspection at the next routine inspection. Secondly, it will be marked as a violation of **SC Code § 39-25-175**, and as per the law, you will be issued a warning and given three (3) days to comply with the law so a follow-up inspection will be conducted in three (3) days for this item. Should you fail to have the correct disclaimer at that follow up, it will be referred to our enforcement section, and you will be fined \$100 up to \$5,000. If you continue to be out of compliance, then the violation may result in additional fines of \$100 up to \$5,000 for every day it is observed as well as a possible downgrade for violation of 3-601.12 or the usual fines for a consecutive core violation.

WHEN DO I HAVE TO HAVE THE DISCLAIMER DISPLAYED?

The law takes effect on October 28, 2026. Beginning on that date, SCDA inspectors will verify compliance with the disclaimer requirements during routine inspections and complaint investigations. If a required disclaimer is not displayed, inspectors may verify whether the establishment serves foreign imported shrimp to determine whether the establishment is subject to the disclaimer requirement.

