

**Regulation 61-25**  
**Retail Food Establishment**  
**Chapter 9**

**9-11 RETAIL FOOD ESTABLISHMENT – SOUTH CAROLINA FARMER’S MARKETS, SEASONAL SERIES, AND REMOTE SERVICE**

This standard shall apply to the service of food and the requirements of food vendors participating in SC Farmers Markets, Seasonal Series, Remote Service Operations, or other events as approved by the Department.

**(A) Definitions.**

(1) **Community-based farmers market** means a market sponsored by a community or governmental organization either having been Certified by the South Carolina Department of Agriculture as a SC Certified Farmer’s Market or a farmers market that meets the definition of the Farmers Market Coalition which states, “A farmers market operates multiple times per year and is organized for the purpose of facilitating personal connections that create mutual benefits for local farmers, shoppers, and communities and implements rule or guidelines of operation that ensure that the farmers market consists principally of farms selling directly to the public products that the farms have produced.”

(2) **Seasonal series** means a regularly occurring event sponsored by a community or governmental organization for promoting local business, culture, or other local specialties.

(3) **Remote service operation** means a permitted retail food establishment providing food to individual consumers at an indoor location by food employees of the retail establishment who maintain control of the food service.

**(B) General.**

(1) Retail food establishments at a seasonal series or community-based farmers market or remote service site shall comply with all applicable sections of this regulation except as outlined in this standard.

(2) The Department may prohibit the distribution of certain time/temperature control for safety foods and may modify specific requirements for physical facilities when, in the opinion of the Department, no health hazard will result.

(3) Permitted retail food establishments may be authorized by the Department to cook and serve food to the public at community farmers markets and/or seasonal series only two (2) days per week during one continuous period of time not to exceed six (6) hours.

(4) Community-based farmers market and seasonal series shall designate the days of the week food vendors are allowed to operate.

(5) Roadside produce stands, and flea markets are not defined as community-based farmers markets or seasonal series, and this standard shall not apply to those locations.

**(C) Employees.**

- (1) Retail food establishment employees shall not contact exposed, ready-to-eat-food with their bare hands and shall use suitable utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing utensils.
- (2) Personal clothing and belongings shall be stored in a designated place away from food preparation, food service, dry storage areas, utensils and single-use article storage, and utensil washing areas.

**(D) Food.**

- (1) Preparation of bulk food, including washing, slicing, peeling, and cutting, shall occur at the permitted retail food establishment.
- (2) All food items shall be protected from contamination during transportation, storage, cooking, display, and service.
- (3) All food vendors shall prepare, hold, and serve food according to all applicable sections of Chapter 3, *Food*.
- (4) Time/temperature for safety foods that have been cooked or are in hot holding at any point during the daily operating hours shall be discarded at the end of the day.
- (5) Condiments shall be protected from contamination by being kept in dispensers that are designed to provide protection or offered in individual packages.
- (6) Ice shall be obtained from an approved source, in closed single-service bags or approved covered containers and shall be protected from contamination.
- (7) Ice used as a coolant for foods shall not be used for edible ice.
- (8) Each retail food establishment shall have at least one temperature measuring device for checking temperatures of food that meets the following requirements:
  - (a) Able to be calibrated; and
  - (b) Appropriate for the food density being checked.
- (9) Food shall be kept covered except during times of continuous serving or display.
- (10) Covers or lids shall not be removed other than for monitoring, stirring, or adding additional ingredients.

**(E) Construction.**

- (1) Food preparation areas shall be provided with overhead protection and have adequate barriers (e.g., tables or equipment) to prevent the access to the area by the public.
- (2) Equipment and utensils shall arrive clean, ready to use, and in sufficient quantities to conduct the activity.

(3) Equipment and utensils shall only be cleaned at the permitted retail food establishment.

(4) Only single-service articles shall be provided for use by the consumer.

**(F) Handwashing Sinks.**

(1) Each food vendor shall have at least one (1) handwashing facility located at the individual vendor location that may be either:

- (a) A portable hand sink that provides water under pressure or
- (b) A container of water with a spigot and catch bucket.

(2) All handwashing facilities must have adequate water dispensing storage capacity to meet the demand for handwashing. The wastewater storage capacity must be larger than the water storage container.

(3) Handwashing facilities must include soap and disposable towels.

(4) Gloves and/or hand sanitizers shall not be allowed as a substitute for handwashing facilities.

**(G) Water System.**

(1) Drinking water hoses shall be made from food grade materials and shall be a different color from hoses used for sewage.

(2) Drinking water hoses shall be capped or covered when not in use and shall be stored separately from sewage hoses.

(3) When attached to a drinking water system, the hose shall be equipped with an approved backflow prevention device.

**(H) Sewage Retention and Refuse Removal.**

(1) Sewage that is not directly discharged into an approved sewage system shall be kept in closed containers adequate in number and capacity to prevent spillage and must be discharged into an approved sewage disposal system as often as needed.

(2) All sewage lines shall be connected to sewage tanks with watertight seals.

(3) Used cooking oil shall be disposed of in an approved manner.

(4) Adequate toilet facilities shall be provided.

(5) Adequate trash cans, as deemed necessary by the Department, shall be provided to support the retail food establishment.

**(I) Specific Exemptions.**

Seasonal series or community-based farmers markets that provide foods pursuant to 8-301.12(A)(11),(12),(19) and (20) are exempt from authorization based on the requirements of this standard.

**(J) Authorization.**

- (1) No retail food establishment, or mobile food unit may serve time/temperature control for safety foods at a seasonal series or community-based farmers market unless the sponsoring entity obtains authorization from the Department. Pre-approval is not required for remote service operations.
- (2) The sponsoring entity of a seasonal series or community-based farmers market shall appoint an Event Coordinator as a point of contact.
- (3) Any sponsoring entity that operates or proposes to operate a seasonal series or community-based farmers market where time/temperature control for safety foods will be served by retail food establishments shall apply for authorization from the Department. The following information shall be submitted:
  - (a) The Event Coordinator name and contact information.
  - (b) The one day of the week and hours of operation for food service; and
  - (c) A list of retail food establishments, with contact information, that will operate at the event.
- (4) Each retail food establishment at a seasonal series or community-based farmers market shall be authorized by the Department prior to serving food to the public at the event.
- (5) The Department may require a sponsoring entity or a retail food establishment to submit information sufficient to determine if the definition and requirements of this standard or regulation are met. This information may include, but is not limited to, information defining the community group, governmental organization, SC Certified Farmer's Market certification, association to Farmers Market Coalition, event schedule(s), hours of food vendor operations, vendor list and foods specific to those vendors, and vendor contact information.
- (6) When the Department determines that a sponsoring entity or a retail food establishment has violated applicable provisions of this standard or regulation, the Department may issue a written notice directing any or all retail food establishment vendors to cease operations until the violations are corrected as determined by the Department.

# Proper Cooking and Reheating Temperatures

will ensure that Time/Temperature Control for Safety (TCS) Foods are thoroughly cooked to reduce the risk of foodborne illnesses.



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## Cooking



Fruits or vegetables for hot holding

**135°F**



Cuts of raw beef, pork, and lamb, eggs for immediate service, fish, and other aquatic life

**145°F**



Ground tenderized meats, and eggs not prepared to order

**155°F**



Raw poultry and stuffed foods

**165°F**

## Reheating



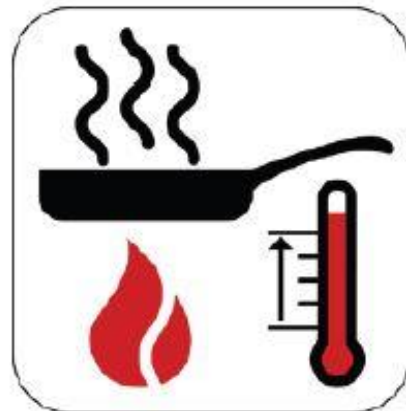
TCS food that is cooked, cooled and reheated for hot holding

**165°F within 2 hours**



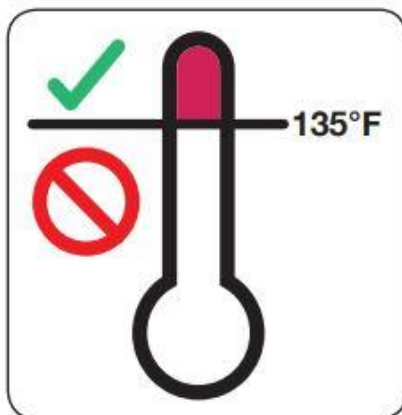
TCS food that is cooked, cooled and reheated for immediate service

**Any temperature**

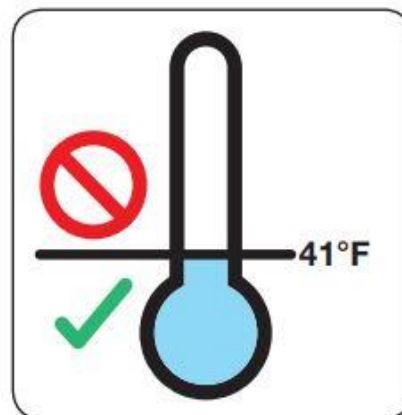


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## Remember!



Hot foods must be maintained at or above 135°F.



Cold foods must be maintained at or below 41°F.

# Retail Food Establishments: No Bare-Hand Contact

Regulation 61-25: Retail Food Establishments



[www.scdhec.gov/food](http://www.scdhec.gov/food)

## Five Key Risk Factors

*repeatedly identified in foodborne illness outbreaks:*

1. Improper Holding Temps
2. Inadequate Cooking
3. Contaminated Equipment
4. Food from Unsafe Sources
5. Poor Personal Hygiene

Item 5 is addressed on this sheet.

## Regulation 61-25

Citation 3-301.11

In general, Food Employees may not contact exposed, ready-to-eat food with their bare hands and shall use suitable utensils, such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment. Exceptions to this requirement are cited in 3-301.11.

## Public Health Reasons

People can spread disease quickly with limited exposure and cause infections in others. Therefore, handwashing alone is not an effective means of preventing the transmission of pathogens.

Illness can spread in retail food establishments when food employee hands touch ready-to-eat food.



**Regulation 61-25 does not allow bare-hand contact with ready-to-eat food.**

Ready-to-eat food is food that does not require additional preparation prior to consumption. This includes raw, washed, and cut fruits and vegetables as well as foods that require no additional cooking such as sandwiches, salads, and breads.

Suitable utensils must be used when handling ready-to-eat foods.

**Suitable Means of Handling Ready-to-Eat Foods Include Using:**

- » Single-use gloves
- » Tongs
- » Forks and other serving utensils
- » Spatulas
- » Deli tissue



**Guidelines for Single-use Gloves:**

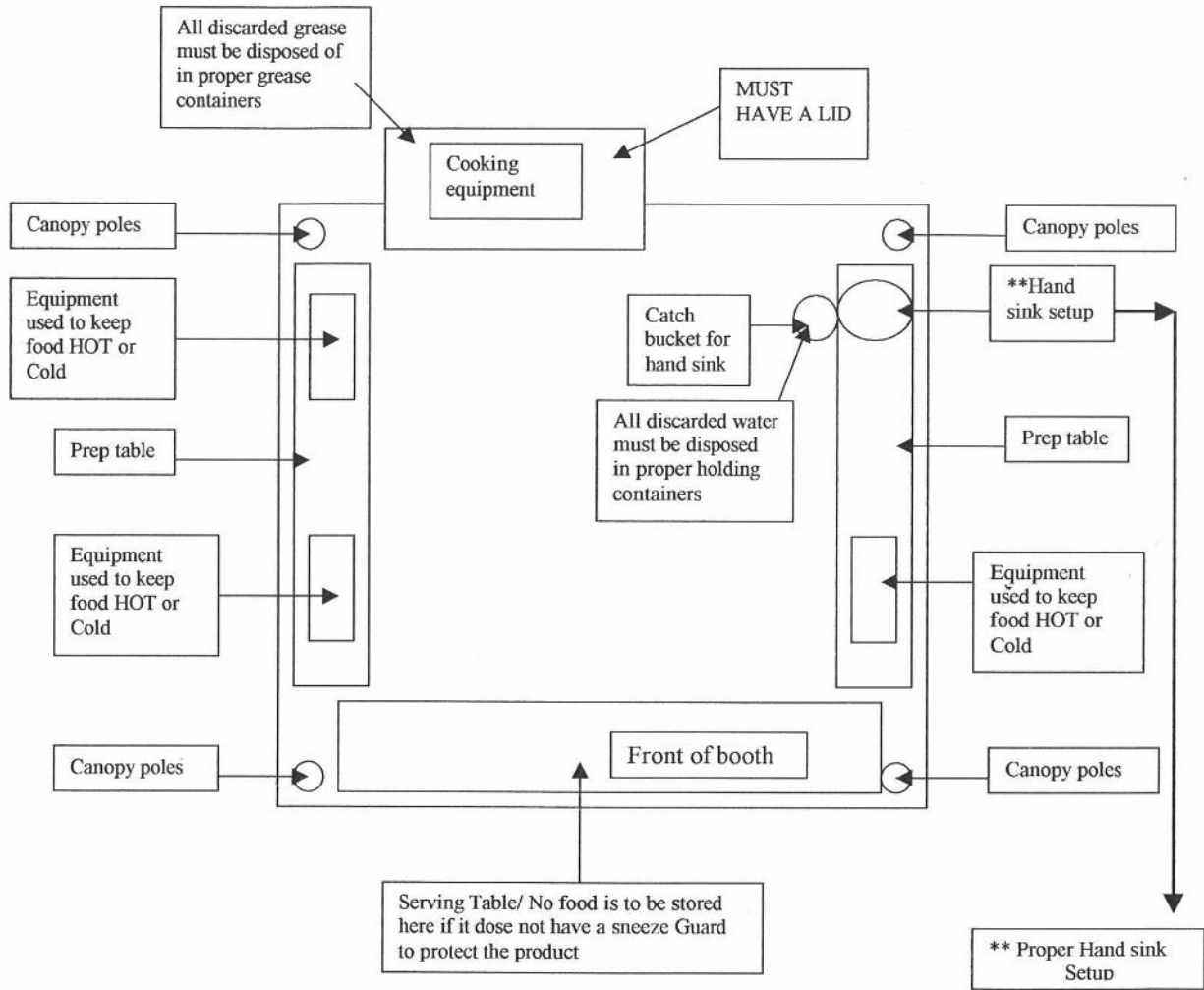
- » Always wash your hands before putting gloves on and when changing to a new pair.
- » You should change gloves:
  - As soon as they become soiled or torn;
  - Before beginning a different task;
  - After handling raw meat, fish, or poultry; and
  - Before handling ready-to-eat food.



**Gloves and other barriers do not replace handwashing.**

For additional guidance see, proper [Glove Use fact sheet](#).

# Example of a Basic Special Event set up.



All food is to be served from the front of the booth not from the sides

