**A** **BILL**

TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, BY ADDING SECTION 44‑1‑149 TO PROHIBIT THE RESALE OF FOOD THAT HAS BEEN SERVED OR SOLD TO AND POSSESSED BY A CONSUMER.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 1, Title 44 of the 1976 Code is amended by adding:

“Section 44‑1‑149. Food that has been sold or served to and possessed by a consumer that is returned by the consumer is considered adulterated and may not be offered for resale as food for human consumption. Containers of food that do not require time and temperature controls and that are not considered potentially hazardous may be re‑served or sold if the food is in an unopened original package and is maintained in sound condition.”

SECTION 2. This act takes effect upon approval by the Governor.

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