

SOUTH DAKOTA

Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





MANUFACTURER/PROCESSOR

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Food Processor		Split Authority ²			Split Authority ¹
Food Repacked		Split Authority			Split Authority ¹
Food Salvager		Split Authority			Split Authority ¹
Bottled Water				Authority	
Ice				Authority	
Dietary Supplements		N ³			N ³
Warehouse					Authority ¹
Food Banks					Split Authority ¹
Seafood		N ⁴			N ⁴
Food Transport					
Beer/Wine					
Distilled Spirits					

COMMENTS:

¹ Sioux Falls City only.

² Defer most Processors to FDA. Only inspect small intra-state processors or at the request of the processor.

³ Defer to FDA.

⁴ No seafood facilities.



DAIRY

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Grade-A Plant	Authority				
Raw Milk	Authority				
Cheese	Authority				
Yogurt	Authority				
Cream/Sour Cream	Authority				
Butter	Authority				
Ice Cream	Authority				
Milk Pooling	Authority				
COMMENTS:					





MEAT/POULTRY

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Meat			Authority		
Poultry			*		
Rabbit					
Other Non-Amenable Species			Authority		
Custom Slaughter			Authority		
Livestock Inspection			Authority		
Pet Food – Raw	Authority				
Pet Food – Processed	Authority				
Egg Inspection/Grading	Authority				
COMMENTS: * Defer to USDA FSIS.					





ANIMAL FEED

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Feed	Authority				
Medicated Feed	Authority				
BSE Inspections	Authority				
Rendering Plant			Authority		
Grain	Authority				
COMMENTS:					





RETAIL FOOD

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA DEPARTMENT OF EDUCATION	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Restaurant		Split Authority			Split Authority ¹
Food Service		Split Authority			Split Authority ¹
Grocery Store		Split Authority			Split Authority ¹
Market		Split Authority			Split Authority ¹
Convenience Stores		Split Authority			Split Authority ¹
Public/Private Schools			Authority		
Correctional Facilities		Split Authority ²			Split Authority ¹
Hospitals		Authority			
Long-Term Care		Authority			
Nursing Homes		Authority			
Other Institutions		Split Authority			Split Authority ¹
Vending Machines					
Mobile Food Facilities		Split Authority			Split Authority ¹
Caterers		Split Authority			Split Authority ¹
Home Based Processors		Split Authority			Split Authority ¹

Retail Food list continued on next page.

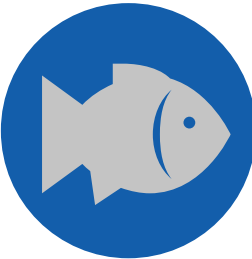


RETAIL FOOD (continued)

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Temporary Food Facilities		Split Authority			Split Authority ¹
Water Vending Machines					
Ice Vending Machines					
Farm Stands		Split Authority			Split Authority ¹
Farmers Markets		Split Authority			Split Authority ¹
Live Poultry Markets		N ³			N ³
Food Pantry					Authority ¹

COMMENTS:
¹ Sioux Falls City only.
² On request.
³ Not regulated.

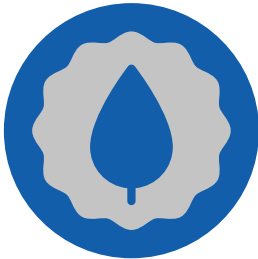




SHELLFISH/AQUACULTURE

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Shellfish Growing Areas	*	*			
Shellfish Post Harvest Handling					
Shellfish Depuration					
Shellfish Patrol					
Biotoxin Monitoring					
Aquaculture	Authority				
COMMENTS: * No program.					





ORGANIC FOODS

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Organic Production					
Organic Food Handling					
Organic Food Processing					
COMMENTS: No state program.					





PRODUCE

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Farms	Authority				
Packing Sheds	Authority				
Repackers	Authority				
Terminal Markets	N/A				
COMMENTS:					





ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Embargo/Quarantine	Authority	Authority			Authority*
Seizure	Authority	Authority			Authority*
Condemnation & Destruction	Authority	Authority			Authority*
Voluntary Condemnation & Destruction	Authority	Authority			Authority*
Stop Sale Orders	Authority	Authority			Authority*
Health Advisories	Authority	Authority		Authority	Authority*
Administrative Penalties				Authority	
Criminal Penalties	Authority	Authority			Authority*
Civil Penalties		Authority		Authority	Authority*

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

FACILITY TYPE	SOUTH DAKOTA STATE DEPARTMENT OF AGRICULTURE	SOUTH DAKOTA DEPARTMENT OF HEALTH	SOUTH DAKOTA ANIMAL INDUSTRY BOARD	SOUTH DAKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES	LOCAL AGENCIES
Injunction	Authority	Authority		Authority	Authority*
Warning Letters	Authority	Authority	Authority	Authority	Authority*
License Suspension	Authority	Authority	Authority		Authority*
License Revocation	Authority	Authority	Authority		Authority*
Hearings	Authority	Authority	Authority		Authority*
Closure		Authority	Authority		Authority*
Mandatory Recall					
Inspection Warrant	Authority	Authority			Authority*
COMMENTS: * Sioux Falls only.					

