



Public Health
Prevent. Promote. Protect.

Transylvania County
Department of Public Health

15A NCAC 18A .2674 LIMITED FOOD ESTABLISHMENTS

Limited food establishments shall comply with all the requirements in Rules .2650 through .2662 of this Section, except in lieu of rules .2654(2), .2659(a) and (b), Rule .2655 (5-204.11(b) of the Food Code), and .2658 (Sections 8-201.11 and 8-201.12 of the Food Code) the following shall apply:

- (1) The permit for a limited food establishment shall be posted in a conspicuous place where it can be readily seen by the public at all times. Permits for limited food establishments shall expire on December 31 of each year. A new permit from the regulatory authority shall be obtained before the limited food establishment shall be allowed to operate each year. Transitional permits shall not be issued.
- (2) The permit application shall be submitted to the local health department at least 30 days prior to construction or commencing operation. The permit application shall include a proposal for review and approval that includes a menu, plans, and specifications for the proposed limited food establishment, and location and dates of operation.
- (3) Limited food establishments shall not prepare any potentially hazardous food (time/temperature control for safety food) prior to the day of sale.
- (4) Potentially hazardous food (time/temperature control for safety food) that has been heated at the limited food establishment and remains at the end of the day shall not be served or placed in refrigeration to be used another day.
- (5) All meats, poultry, and fish shall be purchased in a pre-portioned and ready-to-cook form.
- (6) Equipment in the limited food establishment that is not certified or classified for sanitation by an ANSI-accredited certificate program that is in good repair and operating properly may be used. At least a two-compartment sink shall be provided. The sink shall be of sufficient size to submerge, wash, rinse, and sanitize utensils and shall have splashback protection. At least one drainboard, table, or counter space shall be provided for air-drying.
- (7) Only single-service articles shall be used.
- (8) Limited food establishments may prepare food in accordance with Rule .2669(b) of this Section.

2669 (b): For outdoor cooking, overhead protection shall be provided such that all food, utensils, and equipment are protected. When bulk foods such as roasts, shoulders, and briskets are cooked, cooking equipment with attached lids, such as smokers, roasters, and other cooking devices, provide sufficient cover for the food being cooked. Food in individual servings such as hot dogs, hamburgers, and meat kabobs shall have additional overhead cover.
- (9) Floors, walls, and ceilings of limited food establishments shall meet the requirements of this Section, except those limited food establishments preparing food in accordance with Rule .2669(b) of this Section. Limited food establishments shall use dustless methods of floor cleaning and all, except emergency floor cleaning, shall be done during those periods when the least amount of food and drink is exposed, such as after closing, or between meals.
- (10) All areas in which food is handled, prepared, or in which utensils are washed, shall be provided with artificial lighting that complies with Section 6-202.11 of the Food Code as amended by Rule .2656 of this Section.

6-202.11:(A) Except as specified in ¶ (B) of this section, light bulbs shall be shielded, coated, or otherwise shatter-resistant in areas where there is exposed FOOD; clean EQUIPMENT, UTENSILS, and LINENS; or unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES.

(B) Shielded, coated, or otherwise shatter-resistant bulbs need not be used in areas used only for storing FOOD in unopened packages, if:

 - (1) The integrity of the packages cannot be affected by broken glass falling onto them; and*
 - (2) The packages are capable of being cleaned of debris from broken bulbs before the packages are opened.*

(C) An infrared or other heat lamp shall be protected against breakage by a shield surrounding and extending beyond the bulb so that only the face of the bulb is exposed.
- (11) A handwashing sink shall be provided in food service areas for use by employees only.
- (12) Toilet facilities shall be provided for use by employees. Public toilet facilities provided on the grounds of the facility where the associated amateur athletic event is taking place are acceptable. Toilet facilities for the public are not required.

History Note: Authority G.S. 130A-248; S.L. 2011-394, Section 15(a); Eff. September 1, 2012.

MAJOR CHANGES EFFECTIVE 9-1-2012:

- Limited Food Service Establishments will now be required to post a sanitation grade.
- **BARE HAND CONTACT WITH READY-TO-EAT FOODS (RTE)**—Food handlers will not be allowed to touch RTE foods with their bare hands to prevent contamination of food that is not cooked or food that will not be cooked again before serving. The use of utensils such as deli tissue, spatulas, tongs, single-use gloves, or dispensing equipment will be required.
- **MANAGER AND OPERATOR FOOD SAFETY KNOWLEDGE** The person in charge (PIC) must demonstrate to the regulatory authority his or her food safety knowledge by passing a test that is part of an accredited food safety training program to become a certified food protection manager:
 - On-line course training will be accepted.
 - Exams must be proctored and a passing score must be achieved to become certified.
 - Certification through an accredited program must be renewed every five years.
 - ServSafe
 - National Registry of Food Safety Professionals
 - Prometric
 - Effective January 1, 2014.
 - A PIC with training must be onsite at time of inspection and must have an approved certificate onsite.
- **PERSONAL HYGIENE:**
 - Food handlers must not wear fingernail polish or artificial nails when working with exposed food unless single-use gloves are worn.
 - Food handlers may not wear jewelry on their arms and hands except for a plain ring, such as a wedding band during food preparation.
 - Food handlers must only eat, drink or use tobacco products in designated areas to prevent the contamination of exposed food, clean equipment, utensils and linens, and other items needing protection
 - Food service employees must report to the manager or owner when they are sick with an illness that is transmitted through food.
 - Food service employees must inform the PIC if they experience the following symptoms:
 - Vomiting
 - Diarrhea
 - Jaundice
 - Sore throat with fever
 - An infected lesion or infection on the hands, wrists, or exposed areas of the arm
 - Food service employees must inform the PIC if they have been diagnosed by a health practitioner with any of the following illnesses:
 - *Norovirus*
 - *Hepatitis A*
 - *Shigella*
 - Shiga toxin-producing *E. coli*
 - *Salmonella typhi*
 - Any food service employee must inform the PIC if he or she has been exposed to, or is the suspected source of a confirmed outbreak of the following:
 - *Norovirus* within the past 48 hours of exposure
 - Shiga Toxin-Producing *E. coli* within the past 3 days
 - *Salmonella* within the past 14 days
 - *Hepatitis A* within the past 30 days
 - The manager shall make sure that a food service employee who reports to work sick with any of the above symptoms or who has been exposed or diagnosed with any of the above illnesses shall be excluded or restricted from work.
- **COLD HOLDING** will be required to maintain a temperature of 41°F or below as of 1/1/2019.

Electronic copies of all regulations and informational materials are available at the following website:
<http://health.transylvaniacounty.org/Environmental%20Health/ehmain.htm> . Or, go to
www.transylvaniacounty.org and choose “Departments”, “Environmental Health”.

Employee Health Policy Agreement

Reporting: Symptoms of Illness

I agree to report to the manager when I have:

1. Diarrhea
2. Vomiting
3. Jaundice (yellowing of the skin and/or eyes)
4. Sore throat with fever
5. Infected cuts or wounds, or lesions containing pus on the hand, wrist, an exposed body part (such as boils and infected wounds, however small).

Reporting: Diagnosed Illnesses

I agree to report to the manager when I have:

1. Norovirus
2. Salmonella Typhi (typhoid fever)
3. Shigella spp. infection
4. E. coli infection (Escherichia coli O157:H7 or other EHEC/STEC infection)
5. Hepatitis A

Note: The manager must report to the Health Department when an employee has one of these illnesses.

Reporting: Exposure of Illness

I agree to report to the manager when I have been exposed to any of the illnesses listed above through:

1. An outbreak of Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or Hepatitis A.
2. A household member with Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or hepatitis A.
3. A household member attending or working in a setting with an outbreak of Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or Hepatitis A.

Exclusion and Restriction from Work

If you have any of the symptoms or illnesses listed above, you may be excluded* or restricted** from work.

*If you are excluded from work you are not allowed to come to work.

**If you are restricted from work you are allowed to come to work, but your duties may be limited.

Returning to Work

If you are excluded from work for having diarrhea and/or vomiting, you will not be able to return to work until more than 24 hours have passed since your last symptoms of diarrhea and/or vomiting.

If you are excluded from work for exhibiting symptoms of a sore throat with fever or for having jaundice (yellowing of the skin and/or eyes), Norovirus, Salmonella Typhii (typhoid fever), Shigella spp. infection, E. coli infection, and/or Hepatitis A, you will not be able to return to work until Health Department approval is granted.

Agreement

I understand that I must:

1. Report when I have or have been exposed to any of the symptoms or illnesses listed above; and
2. Comply with work restrictions and/or exclusions that are given to me.

I understand that if I do not comply with this agreement, it may put my job at risk.

Food Employee Name (please print) _____

Signature of Employee _____ Date _____

Manager (Person-in-Charge) Name (please print) _____

Signature of Manager (Person-in-Charge) _____ Date _____