



North Carolina Department of Health and Human Services  
Division of Public Health

Pat McCrory  
Governor

Richard O. Brajer  
Secretary

Daniel Staley  
Acting Division Director

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**POSITION STATEMENT:** Raw Eggs in Food Establishments Serving a Highly Susceptible Population

**PURSUANT TO:** North Carolina Food Code Manual, Part 3-8

**SOURCE:** Cindy R. Callahan, REHS  
Head, Food Protection and Facilities Branch

**QUESTION:** Due to the recent egg shortage, how does the North Carolina Food Code Manual address the preparation of raw eggs in food establishments serving a highly susceptible population?

**DISCUSSION AND RATIONALE:**

Due to the recent shortage of pasteurized eggs or egg products, food establishments serving a highly susceptible population (HSP) may be preparing raw eggs rather than pasteurized eggs or egg products. Part 3-8 of the NC Food Code Manual contains the following language:

Paragraph 3-801.11(B) Pasteurized EGGS or EGG PRODUCTS shall be substituted for raw EGGS in the preparation of:

- (1) FOODS such as Caesar salad, hollandaise or Béarnaise sauce, mayonnaise, meringue, EGGnog, ice cream, and EGG-fortified BEVERAGES, and
- (2) Except as specified in Paragraph (F) of this section, recipes in which more than one EGG is broken and the EGGS are combined.

Additionally, Paragraph 3-801.11(F) Subparagraph (B)(2) of the section does not apply if:

- (1) The raw EGGS are combined immediately before cooking for one CONSUMER'S serving at a single meal, cooked as specified under Subparagraph 3-401.11(A)(1), and served immediately, such as an omelet, soufflé, or scrambled EGGS;
- (2) The raw EGGS are combined as an ingredient immediately before baking and the EGGS are thoroughly cooked to a READY-TO-EAT form, such as a cake, muffin, or bread; or
- (3) The preparation of the food is conducted under a HACCP PLAN.

The requirements of the HACCP PLAN are stated in Subparagraph (F)(3)(a)-(e).

**RESPONSE / INTERPRETATION:**

Raw eggs are allowed to be prepared in an HSP establishment; however, the raw eggs must be combined immediately before cooking for one consumer's serving at a single meal. For example, the facility can prepare scrambled eggs for one resident from raw eggs for immediate service provided the raw eggs reach 145°F for 15 seconds per Subparagraph 3-401.11(A)(1). Additionally, the facility cannot prepare scrambled eggs for hot holding on the steam table, for breakfast plating for the residents, unless they use pasteurized eggs or have an approved HACCP Plan.

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Tel 919-707-5854 • Fax 919-845-3972

Location: 5605 Six Forks Road • Raleigh, NC 27609

Mailing Address: 1632 Mail Service Center • Raleigh, NC 27699-1632

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Raw eggs are allowed to be combined as an ingredient immediately before baking. If the raw eggs are used for baking, the eggs must be thoroughly cooked to a ready-to-eat form, such as cake, muffins, or bread. The term “such as” could include other foods. For example, casseroles, quiche, or meatloaf can be prepared provided the products reach the final cook temperature for “pooled” eggs, 155°F for 15 seconds per Subparagraph 3-401.11(A)(2).

Pooling of unpasteurized eggs for service to multiple residents in HSP establishments is prohibited in Subparagraph 3-801.11(B)(2) unless they are operating under an approved HACCP Plan. The local regulatory authority is responsible for the review and approval of the HACCP Plan unless it is a franchised or chain food establishment. Franchised or chain establishments should submit a HACCP Application and HACCP Plan to the HACCP Committee for review. The HACCP Application is attached.

Please contact your Regional Specialist if there are questions or concerns that are not addressed by this document. Some scenarios and questions must be answered on a case by case basis.

**REFERENCES:**

Rules Governing the Food Protection and Sanitation of Food Establishments, 15A NCAC 18A .2600  
North Carolina Food Code Manual  
2009 FDA Food Code  
2013 FDA Food Code Annexes

*NOTE: Position statements are policy documents to clarify how to interpret or enforce a law or rule. They are not enforceable on their own, but are intended to promote uniform interpretation and enforcement of the underlying law or rule.*