

## Management and Personnel

### **\*1. PIC Present; certification by accredited program; performs duties**

**IN/OUT** At bed and breakfast homes and inns the person in charge (PIC) has three assigned responsibilities – Presence; Demonstration of Knowledge; and Duties. This item is marked OUT of compliance if any **one** of the responsibilities is not met.

**A.** Person in charge is present – This item is marked OUT of compliance if there is no PIC per 2-101.11(A) and (B).

**B.** Demonstration of Knowledge – The PIC has three options for demonstrating knowledge. This item is marked IN compliance if the PIC meets at least one of the options. The three options for demonstration of knowledge allowed by the Food Code are:

1. Certification by an ACCREDITED PROGRAM as specified in 2-102-20.
2. Complying with this Code by having no violations of priority items during the current inspection; or
3. Correct responses to the inspector's questions regarding public health practices and principles applicable to the operation. The inspector should assess this item by asking open-ended questions that would evaluate the PIC's knowledge in each of the areas enumerated in ¶ 2-102.11(C)(1), (4)-(16). Questions can be asked during the initial interview, menu review, or throughout the inspection as appropriate. The Inspector should ask a sufficient number of questions to enable the inspector to make an informed decision concerning the PIC's knowledge of the Code requirements and public health principles as they apply to the operation. The dialogue should be extensive enough to reveal whether or not that person is enabled by a clear understanding of the Code and its public health principles to follow sound food safety practices and to produce foods that are safe, wholesome, unadulterated, and accurately represented.

**C.** Duties of the PIC – This item must be marked IN or OUT of compliance based on the interaction and observation with the PIC and food employee. The inspector needs to determine the systems or controls the PIC has put into practice regarding oversight and/or routine monitoring of the Duties listed in § 2-103.11. This is accomplished by 1) discussion with the PIC, and 2) verified through observation that the systems or controls are actually being implemented. This concept is commonly referred to as Active Managerial Control. This item must be marked OUT of compliance when there is a pattern of non-compliance and obvious failure by the PIC to ensure employees are complying with the duties listed in § 2-103.11. Since marking this item out of compliance requires judgment, it is important that this item not be marked for an isolated incident, but rather for an overall evaluation of the PIC's ability to ensure compliance with the duties described in § 2-103.11.

**N.A.** This item shall be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

#### **Applicable Rule Section:**

.1822 (a\*) Management and Personnel

#### **15A NCAC 18A .1822 MANAGEMENT AND PERSONNEL**

(a) Bed and breakfast homes or bed and breakfast inns shall comply with Parts 2-1 through 2-4 of the Food Code as amended by Rule 15A NCAC 18A .2652, with the following exceptions:

- (1) Food preparation shall not be prohibited in a bed and breakfast home or bed and breakfast inn.
- (2) Nothing shall prohibit family style dining or return to self-service areas such as buffets in a bed and breakfast home or bed and breakfast inn.

#### **Applicable Code Section:**

2-101.11 Assignment\*

2-102.11 (A), (B) and (C)(1), (4)-(16) Demonstration\*

2-103.11 (A)-(P)Person-In-Charge-Duties\*

**\* Applies to bed and breakfast establishments ONLY**

## Employee Health

### **\*2. Management, employee knowledge; responsibilities and reporting**

**IN/OUT** At bed and breakfast homes and inns this item is marked IN compliance when the following criteria are met:

- 1.** The PIC is aware of their responsibility to inform food employees and conditional employees of their responsibility to report certain symptoms or diagnosed diseases to the PIC and for the PIC to report to the RA as specified under Food Code ¶ 2-103.11(O) and ¶¶ 2-201.11 (A), (B), (C), and (E); **and**
  
- 2.** The PIC provides documentation or otherwise satisfactorily demonstrates during the inspection, that all food employees and conditional employees are informed of their responsibility to report to management information about their health and activities as it relates to diseases that are transmissible through food, as specified under ¶ 2-201.11(A). Satisfactory compliance may be documented by completion of Form 1-B, Conditional Employees or Food Employees Reporting Agreement, in Annex 7 of the 2017 Food Code for each employee or other similar State or local form containing the same information; **or**
  
- 3.** In lieu of a written policy, compliance may be demonstrated by:
  - a)** Presenting evidence such as a curriculum and attendance rosters documenting that each employee has completed a training program which includes all the information required on Form 1-B regarding their reporting responsibilities; **or**
  
  - b)** Implementation of an employee health policy which includes a system of employee notification using a combination of training, signs, pocket cards, or other means to convey all of the required information on Form 1-B to all food employees and conditional employees. A signed acknowledgement by the employee should be part of any employee health policy.

The regulatory authority is encouraged to establish a policy of selecting one employee at random during each inspection and requesting the PIC verify, by one of the previously listed methods, that the selected employee has been **informed** of his or her responsibility to report symptoms, exposures, and diagnosed illnesses to management. The PIC is not expected to quote symptoms and diseases from memory but should be able to locate that information on Form 1-B or similar documents used to demonstrate compliance.

Additional information is provided in Annex 3 of the Public Health Reasons for Subpart 2-201, including a number of questions, which may be used as a reference to assist the regulatory authority in determining compliance with this item

**N.A.** This item shall be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

#### **Applicable Rule Section:**

.1822 (a\*) Management and Personnel

#### 15A NCAC 18A .1822 MANAGEMENT AND PERSONNEL

(a) Bed and breakfast homes or bed and breakfast inns shall comply with Parts 2-1 through 2-4 of the Food Code as amended by Rule 15A NCAC 18A .2652

#### **Applicable Code Sections:**

2-102.11(C)(2), (3) and (17) Demonstration\*

2-103.11(O) Person in Charge-Duties\*

2-201.11(A), (B), (C), & (E) Responsibility of Permit Holder, Person in Charge, and Conditional Employees\*

**\* Applies to bed and breakfast establishments ONLY**

### **\*3. Use of reporting, restriction, and exclusion**

**IN/OUT** At bed and breakfast homes and inns compliance status for this item must be based on firsthand observations or information and cannot be based solely on responses from the PIC to questions regarding hypothetical situations or knowledge of the Food Code. This item is marked IN when the following criteria are observed at the time of the inspection:

- There are no ill employees
- There are no employees experiencing symptoms with or without a diagnosis that require reporting, or reason for the PIC to exclude or restrict an employee

This item should be marked OUT of compliance when:

- The inspector observes a working employee with specific reportable symptoms (subparagraph 2-201.11 (A)(1));
- The inspector becomes aware that an employee has reported information about their health and activities as it relates to diseases that are transmissible through food and the PIC has not acted to restrict/exclude an employee as required by the Food Code (§2-201.12 & §2-201.13)
- The inspector becomes aware that the PIC has not notified the Regulatory Authority that an employee is jaundiced or diagnosed with an illness due to a pathogen as specified under subparagraphs 2-201.11 (A)(2)(a)-(f) of the Food Code
- There are food employees working in the food establishment that have been diagnosed with an illness as specified in paragraphs 2-201.11(A)(2-5)

**N.A.** This item shall be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

#### **Applicable Rule Section:**

.1822 (a\*) Management and Personnel

#### 15A NCAC 18A .1822 MANAGEMENT AND PERSONNEL

(a) Bed and breakfast homes or bed and breakfast inns shall comply with Parts 2-1 through 2-4 of the Food Code as amended by Rule 15A NCAC 18A .2652

#### **Applicable Code Sections:**

2-201.11 (D) and (F) Responsibility of Permit Holder, Person in Charge, and Conditional Employees Responsibility of the PIC to Exclude or Restrict\*

2-201.12 Exclusions & Restrictions\*

2-201.13 Removal, Adjustment, or Retention of Exclusions & Restrictions\*

## **Good Hygienic Practices**

### **4. Eating, tasting, drinking, or tobacco use**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections. For example, this item should be marked:

- OUT when lodging establishment employees are observed eating, drinking, or smoking in non-designated areas of the establishment or there is supporting evidence of these activities taking place in non-designated areas of the establishment 2-401.11
- IN when a food employee at a lodging establishment is observed drinking from a closed beverage container subsequently stored on a nonfood-contact surface and separate from exposed food, clean equipment, clean linens, and unwrapped single- service and single-use articles 2-401.11
- OUT when an employee at a bed and breakfast home or inn uses a utensil more than once to taste food that is to be sold or served to guest. 3-301.12

**\* Applies to bed and breakfast establishments ONLY**

**Applicable Rule Sections:**

- .1822 (b) Management and Personnel
- .1823 (b\*) Food

15A NCAC 18A .1822 MANAGEMENT AND PERSONNEL

(b) Lodging establishment employees shall comply with the requirements of Sections ~~2-301.11 (Clean condition—Hands and Arms), 2-301.12 (Cleaning procedure—Hands and Arms), 2-301.14 (When to wash—Hands and Arms), 2-301.15 (Where to wash—Hands and Arms), 2-304.11 (food employees clean outer clothing), 2-401.11 (eating, drinking, using tobacco), 2-401.12 (Discharges from eyes, nose, and mouth), and 2-403.11 (Handling prohibition—Animals)~~<sup>1</sup> of the Food Code as amended by Rule 15A NCAC 18A .2652.

<sup>1</sup>These sections of the Food Code are not applicable to this item

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653

**Applicable Code Sections:**

- 2-401.11 Eating, Drinking, or Using Tobacco
- 3-301.12 Preventing Contamination When Tasting\*

**5. Personal cleanliness, hair restraints; clean outer clothing; no discharge from eyes, nose or mouth**

**IN/OUT** This item must be marked IN or OUT based on direct observations of the personal cleanliness of employees. For example, in all lodging establishments this item should be marked at OUT if:

- employees are observed having persistent coughing, sneezing, runny nose, or watery eyes 2-401.12
- employees are observed with dirty outer clothing that may contaminate FOOD, EQUIPMENT, UTENSILS, LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES 2-304.11
- employees are observed handling animals that may be present (2-403.11) without immediately afterwards engaging in hand hygiene as set forth in item #6

At a bed and breakfast home or a bed and breakfast inn, this item should be marked OUT if:

- food employees are observed with untrimmed and/or rough fingernails that are not easily cleanable 2-302.11
- food employees are observed with polished and/or artificial fingernails without intact gloves 2-302.11
- food employees are observed not wearing effective hair restraints 2-402.11
- food employees are observed wearing jewelry (other than a plain ring such as a wedding band) including medical information jewelry on their arms and hands while preparing food 2-303.11

**Applicable Rule Sections:**

- .1822 (a\*), (b) Management and Personnel

15A NCAC 18A .1822 MANAGEMENT AND PERSONNEL

(a) Bed and breakfast homes or bed and breakfast inns shall comply with Parts 2-1 through 2-4 of the Food Code as amended by Rule 15A NCAC 18A .2652

(b) Lodging establishment employees shall comply with the requirements of Sections ~~2-301.11 (clean condition—hands and arms), 2-301.12 (cleaning procedure—hands and arms), 2-301.14 (when to wash—hands and arms), 2-301.15 (where to wash—hands and arms), 2-304.11 (food employees clean outer clothing), 2-401.11 (eating, drinking, using tobacco),~~ <sup>1</sup>2-401.12 (discharges from eyes, nose, and mouth), and 2-403.11 (handling prohibition—animals) of the Food Code as amended by Rule 15A NCAC 18A .2652.

<sup>1</sup>These sections of the Food Code are not applicable to this item

**\* Applies to bed and breakfast establishments ONLY**

## 15A NCAC 18A .1821 DEFINITIONS

(9) "Employee" means the permit holder, person in charge, food employee, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a lodging establishment.

(13) "Food employee" means an individual working with unpackaged food, food equipment or utensils, or food contact surface.

(20) "Lodging establishment" means all hotels, motels, inns, tourist homes, and other places providing lodging accommodations for pay. Facilities described in G.S. 130A-250 (1) through (5) shall not be regulated as "lodging establishment." For the purposes of this Section, the term "lodging establishment" also includes bed and breakfast homes and bed and breakfast inns.

### **Applicable Code Sections:**

2-302.11 Maintenance-Fingernails\*

2-303.11 Prohibition-Jewelry\*

2-304.11 Clean Condition-Outer Clothing

2-401.12 Discharge from Eyes, Nose and Mouth

2-402.11 Effectiveness-Hair Restraints\*

2-403.11 Handling Prohibition- Animals

## **Preventing Contamination by Hands**

### **6. Hands clean; no bare hand contact with ready to eat foods**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections. For example, this item should be marked IN if:

- employees are observed using proper handwashing techniques at appropriate times and places ~~as set forth in~~ 2-301.12, 2-301.14, 2-301.15
- employees working in laundry or housekeeping are observed to wash their hands (or perform hand hygiene as allowed) using proper techniques at appropriate times and places in between working with soiled items and clean items 2-301.12 (l), 2-301.14, 2-301.15
- at a bed and breakfast home or bed and breakfast inn food employees are observed using suitable utensils or gloves to prevent bare hand (or arm) contact with ready-to-eat foods that are to be sold or served to guest 3-301.11

### **Applicable Rule Sections:**

.1822 (a\*) (b) Management and Personnel

.1823 (b\*) Food

## 15A NCAC 18A .1822 MANAGEMENT AND PERSONNEL

(a) Bed and breakfast homes or bed and breakfast inns shall comply with Parts 2-1 through 2-4 of the Food Code as amended by Rule 15A NCAC 18A .2652.

(b) Lodging establishment employees shall comply with the requirements of Sections 2-301.11 (*clean condition – hands and arms*), 2-301.12 (*cleaning procedure- hands and arms*), 2-301.14 (*when to wash – hands and arms*), 2-301.15 (*where to wash – hands and arms*), ~~2-304.11 (*food employees clean outer clothing*), 2-401.11 (*eating, drinking, using tobacco*),~~

~~2-401.12 (*discharges from eyes, nose, and mouth*), and 2-403.11 (*handling prohibition – animals*)~~<sup>1</sup> of the Food Code as amended by Rule 15A NCAC 18A .2652.

<sup>1</sup>These sections of the Food Code are not applicable to this item

**\* Applies to bed and breakfast establishments ONLY**

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653

**Applicable Code Sections:**

- 2-301.11 Clean Condition-Hands and Arms
- 2-301.12 Cleaning Procedure
- 2-301.14 When to Wash
- 2-301.15 Where to Wash
- 2-301.16 Hand Antiseptics\*
- 3-301.11 Preventing Contamination from Hands\*

**Food Protection**

**\*7. Food obtained from approved sources, received at proper temperature; food in good condition, safe, unadulterated; shellstock identification; parasite destruction**

**IN/OUT** At bed and breakfast homes and inns this item must be marked IN or OUT based on compliance with the applicable rule and code sections. For example, this item should be marked OUT of compliance if:

- an approved food source cannot be determined 3-201.11, through 3-201.17
- food is received and accepted, but an actual food temperature measurement of a TCS food by the regulatory authority at the time of delivery exceeds the temperature specifications for receiving as prescribed by the Code 3-202.11
- the integrity of food packaging has been compromised 3-202.15
- the true appearance, color, or quality of a food has been intentionally altered 3-101.11
- there are no shellstock tags available in an establishment that serves shellstock, shellstock tags are incomplete, there is evidence of commingling of shellstock 3-202.18, 3-203.12
- no records of freezing of fish for parasite destruction are available in an establishment that serves undercooked parasite prone species 3-402.11(Fish exempt from freezing requirements are found in paragraph 3-402.11(B))
- unapproved additives are found on the premises or approved additives are improperly used, such as sulfites being applied to fresh fruits or vegetables 3-202.12
- food intended for the guest is found to have been prepared in an unpermitted private home or residence 3-201.11

**N.A.** This item shall be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

**Applicable Rule Section:**

.1823 (b\*) Food

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653. The rules in this Section shall not prohibit family style service in bed and breakfast homes and bed and breakfast inns, and no additional protection or labeling of food shall be required during display and service in these establishments.

**\* Applies to bed and breakfast establishments ONLY**

**Applicable Code Sections:**

3-101.11 Safe, Unadulterated and Honestly Presented\*

**Sources:**

- 3-201.11 Compliance with Food Law\*
- 3-201.12 Food in a Hermetically Sealed Container\*
- 3-201.13 Fluid Milk and Milk Products\*
- 3-201.14 Fish\*
- 3-201.15 Molluscan Shellfish\*
- 3-201.16 Wild Mushrooms\*
- 3-201.17 Game Animals\*
- 3-202.11 Specifications for Receiving Temperature\*
- 3-202.12 Additives\*
- 3-202.13 Eggs\*

- 3-202.14 Eggs and Milk Products, Pasteurized\*
- 3-202.15 Package Integrity\*
- 3-202.16 Ice\*
- 3-202.17 Shucked Shellfish, Packaging and Identification\*
- 3-202.18 Shellstock Identification\*
- 3-202.19 Shellstock, Condition\*
- 3-202.110 Juice Treated-Commercially Processed\*
- 3-203.11 Molluscan Shellfish, Original Container\*
- 3-203.12 Shellstock, Maintaining Identification\*
- 3-402.11 Parasite Destruction\*
- 3-402.12 Records, Creation and Retention\*

**\*8. Food separated and protected from contamination**

**IN/OUT** At bed and breakfast homes and inns, this item must be marked IN or OUT of compliance based on food being separated and protected from contamination as prescribed by the applicable sections of Chapter 3 of the Food Code. For example, this item should be marked OUT based on direct observations of:

- raw animal foods are not stored and handled to prevent cross contamination as set forth in 3-302.11
- food is not packaged or covered during storage (unless in the process of cooling) - 3-302.11
- food is observed in contact with soiled equipment and utensils as - 3-304.11
- single-use gloves are observed to be used for more than one task – 3-304.15(A)

**N.A.** This item shall be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns

**Applicable Rule Section:**

.1823 (b\*) Food

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653. The rules in this Section shall not prohibit family style service in bed and breakfast homes and bed and breakfast inns, and no additional protection or labeling of food shall be required during display and service in these establishments.

**Applicable Code Sections:**

- 3-302.11 Packaged and Unpackaged Food-Separation, Packaging, and Segregation\*
- 3-304.11 Food Contact with Equipment and Utensils\*
- 3-304.15(A) Gloves, Use Limitation\*
- 3-306.13(A) Consumer Self-Service Operations\*

**9. Food and ice protected from environmental or other sources of contamination; proper dispensing of ice**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections. For example, this item should be marked IN if:

- ice machines used by guests dispense ice without exposing stored ice to guests .1823 (c)
- ice used for room service is stored and handled in a sanitary manner .1823 (c)
- food at a bed and breakfast home or bed and breakfast inn is protected from direct and indirect sources of contamination in the establishment in accordance with the applicable sections of Chapter 3 of the Food Code .1823 (b)

**\* Applies to bed and breakfast establishments ONLY**

**N.A.** This item shall be marked N.A. for Lodging Establishments that are not bed and breakfast homes or inns AND that do not provide ice to their guests

**Applicable Rule Sections:**

.1823 (b\*), (c) Food

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653. The rules in this Section shall not prohibit family style service in bed and breakfast homes and bed and breakfast inns, and no additional protection or labeling of food shall be required during display and service in these establishments.

(c) In lodging establishments, ice used for room service ~~shall be manufactured from a water supply that complies with 15A NCAC .1700, "Rules Governing the Sanitation of Protection of Water Supplies Rules" and 15A NCAC 18C Rules and~~<sup>1</sup> shall be stored and handled in a manner so as to prevent contamination. All ice machines for use by guests shall dispense ice without exposing stored ice to guests.

<sup>1</sup> Applicable under item #22

**Applicable Code Sections:**

3-302.15 Washing Fruits and Vegetables\*

3-202.19 Shellstock, Condition\*

3-303.11 Ice Used as Exterior Coolant, Prohibited as Ingredient\*

3-303.12 Storage or Display of Food in Contact with Water or Ice\*

3-304.13 Linens and Napkins, Use Limitations\*

3-305.11 Food Storage-Preventing Contamination from the Premises\*

3-305.12 Food Storage, Prohibited Areas\*

3-305.14 Food Preparation\*

3-306.11 Food Display-Preventing Contamination by Consumers\*

3-306.12 Condiments, Protection\*

3-306.13(B) and (C) Consumer Self-Service Operations\*

3-307.11 Miscellaneous Sources of Contamination\*

**\*10. Potentially hazardous (time/temperature control for safety) food properly cooked/reheated; consumer advisory**

**IN/OUT** At bed and breakfast homes and inns this item must be marked IN or OUT based on compliance with the applicable rule and code sections. For example, this item should be marked IN when internal temperature measurements of food are observed to:

- reach final internal cooking temperature requirements unless the food is cooked to order and approved consumer advisory is in place 3-401.11, 3-401.12, 3-603.11
- reach the required reheating temperature with-in two hours prior to food being placed in hot holding 3-403.11

**NOTE:** Temperature measurements of food shall be obtained using a calibrated food temperature measuring device. Temperatures IN and OUT of compliance should be recorded in the "Temperature Observations" section of the inspection report.

**N.A.** This item may be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns. This item may also be marked N.A. at bed and breakfast homes and inns where no raw animal foods are cooked AND where no reheating for hot holding is ~~not~~ performed.

**N.O.** This item may be marked N.O. at bed and breakfast homes and inns that cook raw animal foods and/or reheat for hot holding but where these activities were not occurring during the time of the inspection. **NOTE** The inspection should be arranged at an optimum time for measuring at least one cooked item.

**\* Applies to bed and breakfast establishments ONLY**



**Applicable Rule Section:**

.1823 (b\*) Food

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653.

**Applicable Code Sections:**

3-401.11 Raw Animal Foods-Cooking\*

3-401.12 Microwave Cooking \*

3-603.11 Consumer Advisory\*

3-403.11 Reheating for Hot Holding\*

**\*11. Potentially hazardous (time/temperature control for safety) food properly cooled; approved methods used**

**IN/OUT** At bed and breakfast homes and inns this item must be marked IN or OUT based on compliance with the applicable rule and code sections. This item should be marked OUT when:

- it is determined, through temperature measurements, discussions, and/or record review, that a cooled TCS food did not meet the critical limits set forth in the Code 3-501.14 & 3-501.15
- it is determined, though cooling calculations based on two temperature measurements, that the cooling critical limits will not be met with methods observed being used to cool food during the time of the inspection 3-501.14 & 3-501.15

**NOTE:** Temperature measurements of food shall be obtained using a calibrated food temperature measuring device. Temperatures IN and OUT of compliance should be recorded in the "Temperature Observations" section of the inspection report.

**N.A.** This item may be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns. This item may also be marked N.A. at bed and breakfast homes and inns where, based on menu review, the establishment does not do any of the following:

- receive raw eggs, shellstock, or milk above 41°F as allowed by LAW.
- prepare TCS food from ingredients at ambient temperature that are subsequently returned to refrigerated storage
- cool cooked TCS food

**N.O.** This item may be marked N.O. at bed and breakfast homes and inns that occasionally cool TCS food but where these activities were not occurring during the time of the inspection.

**Applicable Rule Section:**

.1823 (b\*) Food

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653

**Applicable Code Sections:**

3-501.14 Cooling\*

3-501.15 Cooling Methods\*

**\* Applies to bed and breakfast establishments ONLY**

**\*12. Potentially hazardous (time/temperature control for safety) food properly cold/hot held; time as a public health control**

**IN/OUT** At bed and breakfast homes and inns this item must be marked IN or OUT based on compliance with the applicable rule and code sections. This item should be marked IN compliance when:

- TCS foods are being held at the correct hot or cold holding temperatures 3-501.16
- TPHC is being used with written procedures as prescribed by Code 3-501.19
- frozen food is solid to the touch 3-501.11

**NOTES:**

- Hot and cold holding compliance must be based on actual food temperature measurements using a calibrated food temperature measuring device.
- Temperatures IN and OUT of compliance should be recorded in the “Temperature Observations” section of the inspection report.
- Discussions with the PIC are necessary to determine if a food is in the process of cooling or if TPHC is being used

**N.A.** This item may be marked N.A. for Lodging Establishments other than bed and breakfast homes and bed and breakfast inns. This item may also be marked N.A. for a bed and breakfast home or inn that does not hold TCS food cold, hot, or uses TPHC.

**N.O** This item may be marked N.O. at a bed and breakfast home or inn that does hold TCS food hot, cold, or uses TPHC but is not doing so at the time of the inspection.

**Applicable Rule Section:**

.1823 (b\*) Food

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653.

**Applicable Code Sections:**

3-501.11 Frozen Food\*

3-501.16 Potentially Hazardous Food (Time/Temperature Control for Safety Food), Hot and Cold Holding\*

3-501.19 Time as a Public Health Control (TPHC) \*

**\*13. Potentially hazardous (time/temperature control for safety) food date marked**

**IN/OUT** At bed and breakfast homes and inns this item must be marked IN or OUT based on compliance with the applicable rule and code sections. This item should be marked OUT when the EHS observes that:

- that there is no system in place for date marking all foods that are required to be date marked 3-501.17
- some foods that require date marking are not marked 3-501.17
- date marked foods exceed the date by which they should have been sold or discarded 3-501.18

**NOTES:**

- If date marking applies to the establishment, the PIC should be asked to describe the methods used to identify product shelf-life or “consume-by” dating
- The regulatory authority must be aware of food products that are listed as exempt from date marking and date marking time frames
- The permit holder’s food at a bed and breakfast home or inn does not have to comply with this section if their food is labeled and segregated from the food intended for sale or service to guest

**\* Applies to bed and breakfast establishments ONLY**

**N.A.** This item may be marked N.A. for Lodging Establishments other than bed and breakfast homes and bed and breakfast inns. This item may also be marked N.A. for a bed and breakfast home or inn that does not hold ready-to-eat TCS food under refrigeration for more than 24 hours

**N.O.** This item may be marked N.O. when the establishment does handle foods requiring date marking, but there are no foods requiring date marking in the facility at the time of inspection.

**Applicable Rule Section:**

.1823 (b\*) Food

15A NCAC 18A .1823 FOOD

(b) Food prepared in a bed and breakfast home or a bed and breakfast inn shall comply with Chapter 3 of the Food Code as amended by Rule 15A NCAC 18A .2653.

**Applicable Code Sections:**

3-501.17 Ready-To-Eat Time/Temperature Control for Safety Food, Date Marking\*

3-501.18 Ready-To-Eat Time/Temperature Control for Safety Food, Disposition\*

## **EQUIPMENT AND UTENSILS**

### **14. Equipment, food and non-food contact surfaces approved, cleanable, properly designed, constructed and used**

**IN/OUT** Equipment and utensils must be properly designed and constructed, and in good repair. This item applies to equipment and utensils throughout the lodging establishment such as food service equipment and utensils in bed and breakfast homes or inns, equipment and utensils for use in guest rooms such as microwaves or refrigerators, equipment for use in the laundry such as laundry carts, and equipment for guest use such as ice machines. Food-contact surfaces of equipment and utensils and non-food contact surfaces of equipment must be designed, constructed, and maintained in a state of repair and conditions that meets the requirements of parts 4-1 & 4-2 of the Code. For example, this item should be marked OUT based on observations of:

- food-contact surfaces of equipment or utensils that are not constructed of safe, durable, nonabsorbent materials that are smooth and easily cleanable as set forth in 4-101.11 or 4-202.11
- nonfood-contact surfaces of equipment that are not constructed of corrosion-resistant, nonabsorbent material that is smooth and easily cleanable as set forth in 4-101.19 or 4-202.16
- equipment or utensils that are in poor repair (.1824 b)

**NOTE:** Domestic equipment and equipment designated by the manufacturer for household use only may be used within lodging establishments.

**N.A.** This item may be marked N.A. for Lodging Establishments that do not provide any equipment or utensils.

**Applicable Rule Section:**

.1824 (a) (b) Equipment and Utensils

15A NCAC 18A .1824 EQUIPMENT AND UTENSILS

(a) Food-contact surfaces shall comply with Parts 4-1 and 4-2 of the Food Code as amended by Rule 15ANCAC18A .2654. This shall not prohibit the use of domestic equipment.

(b) Equipment and utensils shall be ~~kept clean<sup>1</sup>~~ and in good repair.

<sup>1</sup> see item #18 for equipment nonfood-contact surfaces and cooking surfaces that are not clean.

## 15A NCAC 18A .1821 DEFINITIONS

(10) "Equipment" means an article that is used in the operation of a lodging establishment such as a freezer, grinder, hood, ice machine, water fountain, meat block, mixer, oven, reach-in refrigerator, scale, sink, slicer, stove, table, temperature measuring device for ambient air, vending machine, or warewashing machine.

(15) "Good Repair" means equipment and utensils shall be maintained in a state of repair and condition that meets the requirements specified under Parts 4-1 and 4-2 of the Food Code as incorporated by reference in Rule 15A NCAC 18A .2650.

(40) "Utensil" means a food-contact implement or container used in the storage, preparation, transportation, dispensing, sale, or service of food, such as kitchenware or tableware that is multiuse, single-service, or single-use; gloves used in contact with food; temperature sensing probes of food temperature measuring devices; and probe-type price or identification tags used in contact with food.

### **Applicable Code Sections:**

4-101.11 Characteristics-Materials for Construction and Repair	4-202.12 CIP Equipment
4-101.12 Cast Iron, Use Limitations	4-202.13 "V" Threads, Use Limitation
4-101.13 Lead, Use Limitation	4-202.14 Hot Oil Filtering Equipment
4-101.14 Copper Use Limitation	4-202.15 Can Openers
4-101.15 Galvanized Metal, Use Limitation	4-202.16 Nonfood Contact Surfaces
4-101.16 Sponges, Use Limitation	4-204.12 Equipment Openings, Closures and Deflectors
4-101.17 Wood, Use Limitation	4-204.13 Dispensing Equipment, Protection of Equipment and Food
4-101.18 Nonstick Coatings, Use Limitation	4-204.16 Beverage Tubing, Separation
4-101.19 Nonfood Contact Surfaces	4-204.17 Ice Units, Separation of Drains
4-102.11 Characteristics-Single-Service and Single-Use	4-204.18 Condenser Unit, Separation
4-201.11 Equipment and Utensils-Durability and Strength	
4-201.12 Food Temperature Measuring Devices	
4-202.11 Food-Contact Surfaces-Cleanability	

### **\*15. Utensils, equipment properly stored, dried and handled**

**IN/OUT** At bed and breakfast homes and inns this item must be marked IN or OUT based on compliance with .1824 (c)

This item should be marked IN when:

- after being sanitized, clean equipment and utensils are air dried or adequately drained before storage or contact with food .1824 (c)
- clean equipment and utensils are stored in locations where they are not exposed to splash, dust, or other potential contamination; utensils should be stored at least 6" off the floor .1824 (c)
- clean utensils are stored covered or inverted .1824 (c)
- utensils are handled, displayed, and dispensed so that contamination of food and lip contact surfaces is prevented .1824 (c)

**NOTE:** The proper use and storage of single use and single service articles is marked under item #19

**N.A.** This item shall be marked N.A. for Lodging Establishments that are not bed and breakfast homes or bed and breakfast inns.

### **Applicable Rule Section:**

.1824 (c\*) Equipment and Utensils

#### 15A NCAC 18A .1824 EQUIPMENT AND UTENSILS

(c) All kitchenware and food-contact surfaces of equipment, excluding cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, in a bed and breakfast home or bed and breakfast inn shall be ~~cleaned and sanitized, as required in Parts 4-6 and 4-7 of the Food Code as amended by Rule 15A NCAC 18A .2654~~ after each use<sup>1</sup>, air dried, and stored in a manner to prevent contamination.

<sup>1</sup> Applicable to item #17

**\* Applies to bed and breakfast establishments ONLY**

### 15A NCAC 18A .1821 DEFINITIONS

(10) "Equipment" means an article that is used in the operation of a lodging establishment such as a freezer, grinder, hood, ice machine, water fountain, meat block, mixer, oven, reach-in refrigerator, scale, sink, slicer, stove, table, temperature measuring device for ambient air, vending machine, or warewashing machine.

(18) "Kitchenware" means food preparation and storage utensils.

(40) "Utensil" means a food-contact implement or container used in the storage, preparation, transportation, dispensing, sale, or service of food, such as kitchenware or tableware that is multiuse, single-service, or single-use; gloves used in contact with food; temperature sensing probes of food temperature measuring devices; and probe-type price or identification tags used in contact with food.

## **16. Warewashing facilities installed, maintained and used; guest room sinks sanitized when necessary**

**IN/OUT** Bed and breakfast homes and inns are required to have warewashing facilities for the cleaning and sanitizing of food contact surfaces -1824 (c\*). In all lodging establishments, sinks in the guest rooms may be sanitized and then used to wash multi-use utensils that are available in the guest room such as multiuse plates and cups, coffee pots, ice buckets, ice bucket lids, and refrigerator ice trays.

This item should be marked OUT if:

- adequate warewashing facilities are not installed at a bed and breakfast home or inn - .1824 (c\*)
- guest room sinks are not sanitized before being used to clean multi-use utensils - .1824 (h)

### **NOTES:**

- Warewashing facilities including warewashing sinks are equipment by definition. Therefore, item #18 would be cited if warewashing facilities are not clean and #14 would be cited if warewashing facilities are in poor repair.
- For Bed and Breakfast homes and inns that have warewashing sinks with less than three compartments, the use of standard operating procedures that detail how utensils will be cleaned and sanitized in compliance with parts 4-6 and 4-7 of the Code are acceptable and do not require a variance from the Code. There is no requirement that such procedures be written.

**N.A.** This item may be marked N.A. for Lodging Establishments that are not Bed and Breakfast homes or Inns AND that do not have food-contact surfaces.

### **Applicable Rule Section:**

.1824 (c\*), (g) (h) Equipment and Utensils

### 15A NCAC 18A .1824 EQUIPMENT AND UTENSILS

(c) All kitchenware and food-contact surfaces of equipment, excluding cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, in a bed and breakfast home or bed and breakfast inn shall be cleaned and sanitized, ~~as required in Parts 4-6 and 4-7 of the Food Code as amended by Rule 15A NCAC 18A .2654<sup>2</sup> after each use, air dried, and stored in a manner to prevent contamination.~~<sup>1</sup>

(g) Nothing in this Rule shall require sanitization as exempted in guest rooms per G.S. 130A-248 ~~18~~<sup>3</sup> (a3) (3)

(h) Sinks in guest rooms shall be sanitized before washing multi-use utensils.

<sup>1</sup> Applicable to item #15

<sup>2</sup> There are no provisions under part 4-6 that are applicable to this item

<sup>2</sup> Part 4-7 is not applicable to this item since it is not mentioned in .1831 (16)

<sup>3</sup> There is no "18" – Disregard this typo in the rules

### 15A NCAC 18A .1821 DEFINITIONS

(10) "Equipment" means an article that is used in the operation of a lodging establishment such as a freezer, grinder, hood, ice machine, water fountain, meat block, mixer, oven, reach-in refrigerator, scale, **sink**, slicer, stove, table, temperature measuring device for ambient air, vending machine, or **warewashing machine**.

**\* Applies to bed and breakfast establishments ONLY**

## Protection from Contamination

### **17. Food-contact surfaces cleaned and sanitized; sanitizer maintained as required**

**IN/OUT** This item must be marked IN or OUT of compliance based on direct observations of food-contact surfaces of equipment and utensils; observations of cleaning procedures; and discussion of cleaning and sanitizing procedures and frequency with the PIC or other food employees.

At bed and breakfast homes and inns, this item must be marked IN when food-contact surfaces of equipment and multi-use utensils that are used by the establishment in the preparation or serving of food or drink to guest are:

- clean to the sight and touch as set forth in 4-601.11 (A)
- cleaned at the required frequency set forth in 4-602.11
- cleaned using the methods for washing and rinsing set forth in 4-603.12 through 4-603.16
- sanitized before use after cleaning using the methods for sanitizing set forth in 4-703.11

At all lodging establishments, this item must be marked IN when:

- food-contact surfaces of equipment and utensils are clean to the site and touch. This includes food contact surfaces in guest rooms, ice bins, and ice delivery chutes - .1824 (b)
- enclosed food contact components of ice makers are being cleaned a frequency specified by the manufacturer - .1824 (b)
- sanitizers are maintained at the proper concentration, and are used in accordance with the EPA registered label - .1824 (f) & 4-501.114

#### **NOTES:**

- Many food contact surfaces in lodging establishments are specifically exempt for sanitizing requirements: cooking surfaces .1824(c), all food contact surfaces in guest rooms .1824 (g), equipment for making coffee and tea .1824 (l).
- There should be an overall assessment of the food-contact surfaces of equipment and utensils (in-use and stored) to determine compliance. For example, this item is not marked OUT of compliance based on one visibly soiled utensil, such as a plate or knife.
- Bed and Breakfast homes and inns are not required to provide an irreversible registering temperature indicator (this is in Part 4-3 of the Code which is not incorporated into these rules).
- Sanitizers that exceed the maximum concentration set forth in the CFR should be marked under item #36 .1827(e)

**N.A.** This item may be marked N.A. for Lodging Establishments that meet ALL of the following:

- are not Bed and Breakfast Homes or Inns
- do not have utensils or equipment with food contact surfaces that require sanitizing.
- do not have plumbing fixtures that are sanitized as required in .1826 (c)
- do not have sinks in the guest room that are sanitized before being used to clean multi-use utensils - .1824 (h)
- do not manufacture or store ice for guest use

#### **Applicable Rule Section:**

.1824 (b), (c\*), (f), (g), (l) Equipment and Utensils

.1827 (e) Premises, Storage, Poisonous or Toxic Materials

#### 15A NCAC 18A .1824 EQUIPMENT AND UTENSILS

(b) Equipment and utensils shall be kept clean ~~and in good repair.~~<sup>1</sup>

(c) All kitchenware and food-contact surfaces of equipment, excluding cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, in a bed and breakfast home or bed

**\* Applies to bed and breakfast establishments ONLY**

and breakfast inn shall be cleaned and sanitized, as required in Parts 4-6 and 4-7 of the Food Code as amended by Rule 15A NCAC 18A .2654 ~~after each use, air dried, and stored in a manner to prevent contamination.~~<sup>2</sup>

(f) Sanitizers used for sanitization of kitchenware and food-contact surfaces shall be maintained as required in Part 4-5 of the Food Code as amended by Rule 15A NCAC 18A .2564.

(g) Nothing in this Rule shall require sanitization as exempted in guest rooms per G.S. 130A-248 ~~18~~<sup>3</sup> (a3) (3)

(3) The cleaning and bactericidal treatment of eating and drinking utensils and other food-contact surfaces. A requirement imposed under this subdivision to sanitize multiuse eating and drinking utensils and other food-contact surfaces does not apply to utensils and surfaces provided in the guest room of the lodging unit for guests to prepare food while staying in the guest room.

(l) Equipment for preparing coffee and tea shall be kept clean, but is exempt from sanitization required by Paragraph (c) of this Rule.

<sup>1</sup> Applicable to item #14

<sup>2</sup> Applicable to item #15

<sup>3</sup> There is no "18" – Disregard this typo in the rules

#### 15A NCAC 18A .1827 PREMISES, STORAGE, POISONOUS OR TOXIC MATERIALS

(e) Chemical sanitizers and other chemical antimicrobials applied to food-contact surfaces shall meet the requirements specified in "§ 40 CFR 180.940," tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions). § 40 CFR 180.940 is hereby incorporated by reference, including all subsequent editions and amendments, and can be accessed free of charge at <https://www.gpo.gov/fdsys/granule/CFR-2012-title40-vol25/CFR-2012-title40-vol25-sec180-940/content-detail.html>.

#### 15A NCAC 18A .1821 DEFINITIONS

(10) "Equipment" means an article that is used in the operation of a lodging establishment such as a freezer, grinder, hood, ice machine, water fountain, meat block, mixer, oven, reach-in refrigerator, scale, sink, slicer, stove, table, temperature measuring device for ambient air, vending machine, or warewashing machine.

(18) "Kitchenware" means food preparation and storage utensils.

(40) "Utensil" means a food-contact implement or container used in the storage, preparation, transportation, dispensing, sale, or service of food, such as kitchenware or tableware that is multiuse, single-service, or single-use; gloves used in contact with food; temperature sensing probes of food temperature measuring devices; and probe-type price or identification tags used in contact with food.

#### **Applicable Code Sections:**

4-501.111 Manual Warewashing Equipment, Hot Water Sanitization Temperature

4-501.112 Mechanical Warewashing Equipment, Hot Water Sanitization Temperatures

4-501.114 Manual and Mechanical Warewashing Equipment, Chemical Sanitization-Temperature, pH, Concentration and Hardness

4-601.11 (A) Equipment, Food-Contact Surfaces, Contact Surfaces, and Utensils\*

4-602.11 Equipment Food-Contact Surfaces and Utensils\*

4-603.12 Precleaning\*

4-603.13 Loading of Soiled Items, Warewashing Machines\*

4-603.14 Wet Cleaning\*

4-603.15 Washing, Procedures for Alternative Manual Warewashing Equipment\*

4-603.16 Rinsing Procedures\*

4-702.11 Before Use After Cleaning\*

4-703.11 Hot Water and Chemical\*

**\* Applies to bed and breakfast establishments ONLY**

## 18. Cooking surfaces of equipment and Non-food contact surfaces clean

**IN/OUT** This item must be marked IN or OUT based on compliance with .1824 (d\*) & (e). **This item covers non-food contact surfaces of equipment** and cooking surfaces of equipment that do not require sanitization but must be maintained clean. This item should be marked OUT when:

- in a bed and breakfast home or inn, food contact surfaces of cooking and baking equipment are not cleaned at least once each day that the equipment is used .1824 (d) (this requirement should not apply to hot oil cooking and filtering equipment)
- in all lodging establishments soil accumulations are observed on the **non-food contact surfaces of equipment** (see equipment definition below) including the non-food contact surfaces of equipment available for use by the guests such as ice machines, vending machines, and the non-food contact surfaces of equipment in the guest rooms such as microwaves, refrigerators, ovens, and coffee makers .1824 (e), .1824 (d)

### **Applicable Rule Section:**

.1824 (d\*), (e) Equipment and Utensils

#### 15A NCAC 18A .1824 EQUIPMENT AND UTENSILS

(d) Cooking and baking equipment in a bed and breakfast home or bed and breakfast inn shall be cleaned no less than once each day.

(e) Nonfood-contact surfaces of equipment shall be clean.

#### 15A NCAC 18A .1821 DEFINITIONS

(10) "Equipment" means an article that is used in the operation of a lodging establishment such as a freezer, grinder, hood, ice machine, water fountain, meat block, mixer, oven, reach-in refrigerator, scale, sink, slicer, stove, table, temperature measuring device for ambient air, vending machine, or ware washing machine.

(7) "Clean" means washed and free from dirt, marks, or unwanted matter.

## 19. Single-use and single-service articles properly stored and used

**IN/OUT** This item must be marked IN or OUT based on compliance with .1824 (i). This item should be marked IN if single use articles are:

- stored in a manner that affords protection from contamination until used .1824 (i)
- stored in locations where they are not exposed to splash, dust, or other contamination or potential contamination; single use articles should be stored at least 6" off the floor .1824 (i) (note: this distance is not expressly set forth in the rules but storing single-service articles off the floor protects them from contamination)
- handled, displayed, and dispensed so that contamination of food and lip contact surfaces is prevented .1824 (i)
- discarded between successive guests if they are provided in the guest room in an unpackaged unprotected form .1824 (i)

### **Applicable Rule Section:**

.1824 (i) Equipment and Utensils

#### 15A NCAC 18A .1824 EQUIPMENT AND UTENSILS

(i) Single-use articles may be used if discarded after each use. Single-use articles must be stored and handled to prevent contamination.

#### 15A NCAC 18A .1821 DEFINITIONS

(36) "Single-use articles" means tableware, carry-out utensils, and other items such as bags, containers, placemats, stirrers, straws, toothpicks, and wrappers that are designed and constructed for one time, one person use after which they are intended for discard. It also includes utensils and bulk food containers designed and constructed to be used once and discarded, such as wax paper, butcher paper, plastic wrap, formed

**\* Applies to bed and breakfast establishments ONLY**



aluminum food containers, jars, plastic tubs or buckets, bread wrappers, pickle barrels, ketchup bottles, and number 10 cans.

(37) "Tableware" means eating, drinking, and serving utensils for table use such as flatware including forks, knives, and spoons; hollowware including bowls, cups, serving dishes, and tumblers; and plates.

## 20. Thermometer provided; test strips provided

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections.

This item should be marked IN when:

- a lodging establishment that prepares and serves TCS food has a working food temperature measuring device with suitable small diameter probe that is maintained accessible for use by employees .1824 (j) and that is properly scaled and accurate to +/-2°F or 1°C in the intended range of use 4-203.11
- a lodging establishment has ambient air temperature measuring devices where required 4-204.112 and that are properly scaled and accurate to +/- 3°F or 1.5°C in the intended range of use 4-203.12
- a lodging establishment has a test kit or other device to measure the concentration of the sanitizing solution in mg/L (ppm) .1824 (k)

### NOTES:

- Lodging establishments may choose to use a disinfectant solution on bathroom fixtures in lieu of sanitizer. No test kit or other device to measure the concentration of disinfectant is required by rule.
- Ambient air temperature thermometers are not required in refrigerators provided in guest rooms.

### Applicable Rule Section:

.1824 (b), (j), (k) Equipment and Utensils

#### 15A NCAC 18A .1824 EQUIPMENT AND UTENSILS

(b) Equipment and utensils shall be ~~kept clean~~<sup>1</sup> and in good repair.

(j) A food temperature measuring device with a small diameter probe shall be provided and accessible for use by employees in ensuring attainment and maintenance of food temperatures.

(k) A test kit or other device that measures the concentration in mg/L of sanitizing solutions shall be provided by the lodging establishment.

<sup>1</sup> see item #18 for non-food contact surfaces not clean and #17 for food contact surfaces that are not clean.

#### 15A NCAC 18A .1821 DEFINITIONS

(15) "Good Repair" means equipment and utensils shall be maintained in a state of repair and condition that meets the requirements specified under Parts 4-1 and 4-2 of the Food Code as incorporated by reference in Rule 15A NCAC 18A .2650.

### Applicable Code Sections:

4-203.11 Temperature Measuring Devices, Food-Accuracy

4-203.12 Temperature Measuring Devices, Ambient Air and Water-Accuracy

4-204.112 Temperature Measuring Devices-Functionality

**\* Applies to bed and breakfast establishments ONLY**

## 21. Handwashing sinks supplied and accessible; toilet tissue supplied

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections. This item must be marked OUT if handwashing sinks are not:

- maintained accessible in food preparation areas as required by 5-205.11
- supplied with soap, hand drying provisions, and a waste receptacle as required by .1826 (a) & 5-202.12, 5-501.16 (C)
- conveniently located for use by food employees, employees working with laundry (if required – see .1825 (c), and in or adjacent to toilet rooms as required by .1825, 5-203.11, & 5-204.11

This item must be marked OUT when toilets are not:

- supplied in the number required by LAW per 5-203.12 & .1825 (d)
- supplied with toilet tissue available at each toilet per .1826 (b)

### NOTES:

- The provisions of 5-202.12 are intended to apply only to handwash sinks used by food employees. There are no upper or lower water temperatures in guest rooms required by these rules.
- Handwashing sinks and toilets that are in poor repair (leaking, broken handles, leaking traps, loose, slow draining, won't flush) would be marked under #22 – plumbing in good repair since plumbing fixtures are considered a component of the plumbing system.

### **Applicable Rule Sections:**

.1825 (a), (b\*), (c), (d) Water, Plumbing, and Waste

.1826 (a), (b) Physical Facilities

#### 15A NCAC 18A .1825 WATER, PLUMBING, AND WASTE

(a) Water, plumbing, and waste shall comply with Chapter 5 of the Food Code as amended by Rule 15A NCAC 18A .2655.

(b) Bed and breakfast homes that are permitted prior to April 2017 and only serve the breakfast meal shall not be required to provide a separate handwashing sink in the kitchen.

(c) A handwashing sink, located to allow use by employees handling clean and soiled linen, shall be provided. Facilities that do not have handwashing sinks in soiled linen areas shall not be required to install additional lavatories if a hand hygiene program, approved by the regulatory authority, is used.

(d) Baths, handwashing sinks, and toilets shall be provided for each guest room or unit in lodging establishments constructed on or after December 1, 1988.

#### 15A NCAC 18A .1826 PHYSICAL FACILITIES

(a) Handwashing sinks as required in Rule .1825 in this Section shall be supplied with hand soap, and either individual, disposable towels; a continuous towel system that supplies the user with a clean towel; a heated-air hand drying device; or a hand drying device that employs an air-knife system that delivers high velocity, pressurized air at ambient temperatures. Handwashing sinks in guest rooms shall be supplied with soap and clean towels.

(b) Toilets or urinals shall be provided as in Rule .1825 of this Section and shall have a supply of toilet tissues available at each toilet.

### **Applicable Code Sections:**

5-202.12 Handwashing Sinks, Installation

5-203.11 Handwashing Sinks-Numbers and Capacities

5-203.12 Toilets and Urinals

5-204.11 Handwashing Sinks-Location and Placement

5-205.11 Using a Handwashing Sink-Operation and Maintenance

5-501.16 (C) Waste receptacle located at each lavatory or group of adjacent lavatories

**\* Applies to bed and breakfast establishments ONLY**

## 22. Water from approved source; backflow prevention; plumbing in good repair

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections. Mark this item IN if:

- the water system serving the establishment is approved as described in 5-101.11
- the plumbing system is in good repair (this includes plumbing fixtures such as handwashing sinks and toilets) – 5-205.15
- the water system is protected from back flow of contaminants - 5-203.14
- the water and plumbing systems meet all other requirements in the applicable sections of 5-1 and 5-2 of the NC Food Code .1825 (a)

**NOTE:** If the establishment is served by a non-public water supply system that is a well, the well must comply with 15A NCAC .1700 and comply with sampling requirements set forth in 5-102.13

### **Applicable Rule Sections:**

.1823 (c) Food

.1825 (a) Water, Plumbing and Waste

#### 15A NCAC 18A .1823 FOOD

(c) In lodging establishments, ice used for room service shall be manufactured from a water supply that complies with 15A NCAC .1700, “Rules Governing the Sanitation of Protection of Water Supplies Rules” and 15A NCAC 18C Rules and shall be stored and handled in a manner so as to prevent contamination. All ice machines for use by guests shall dispense ice without exposing stored ice to guests.<sup>1</sup>

#### 15A NCAC 18A .1825 WATER, PLUMBING, AND WASTE

(a) Water, plumbing, and waste<sup>2</sup> shall comply with Chapter 5 of the Food Code as amended by Rule 15A NCAC 18A .2655.

<sup>1</sup> Applicable to item #9

<sup>2</sup> Applicable to item #24

### **Applicable Code Sections:**

#### **Water:**

5-101.11 Approved System – Source  
5-101.12 System Flushing and Disinfection  
5-101.13 Bottled Drinking Water  
5-102.11 Quality Standards  
5-102.12 Nondrinking water  
5-102.13 Sampling  
5-102.14 Sample Report  
5-103.11 Capacity  
5-103.12 Pressure  
5-104.11 System (Distribution, Delivery, and Retention)  
5-104.12 Alternate Water Supply

#### **Plumbing system:**

5-201.11 Approved-Materials  
5-202.11 Approved System and Cleanable Fixtures  
5-202.13 Backflow Prevention, Air Gap  
5-202.14 Backflow Prevention Device, Design Standard  
5-202.15 Conditioning Device, Design  
5-203.14 Backflow Prevention Device, When Required  
5-203.15 Backflow Prevention Device. Carbonator  
5-204.12 Backflow Prevention Device, Location  
5-204.13 Conditioning Device, Location  
5-205.12 Prohibiting a Cross Connection  
5-205.13 Scheduling Inspection and Service for a Water System Device  
5-205.14 Water Reservoir of Fogging Devices, Cleaning  
5-205.15 System Maintained in Good Repair

**\* Applies to bed and breakfast establishments ONLY**

### 23. Service sink or other approved method; mop storage

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections. When mop water or similar liquid waste is generated, a Lodging establishment shall provide an approved service sink or curbed cleaning facility in accordance with 5-203.13. This item must be marked IN if:

- an approved service sink or curbed cleaning facility is provided 5-203.13
- toilets and urinals are not used for the disposal of mop water and similar liquid waste 5-203.13

**NOTES:**

- A service sink or curbed cleaning facility may not be necessary if the establishment can demonstrate that cleaning procedures used do not generate mop water or similar liquid waste.
- It is recommended that a Lodging establishment store mops after use in a position that allows them to air-dry without soiling walls, equipment, or supplies. However, 6-501.16 is not incorporated into the current lodging rules by reference for this item and no language sets forth in the lodging rules regarding what constitutes approved mop storage. Therefore, observations of improper mop storage are not debitable under this item. If mop storage results in soiling of equipment or physical facilities, then those observations may be debitable under other items 18 and 27 respectively.

**Applicable Rule Section:**

.1825 (a) Water, Plumbing and Waste

15A NCAC 18A .1825 WATER, PLUMBING, AND WASTE

(a) Water, plumbing, and waste shall comply with Chapter 5 of the Food Code as amended by Rule 15A NCAC 18A .2655.

**Applicable Code Sections:**

5-203.13 Service Sink

5-203.13 Service Sink.

(A) At least 1 service sink or 1 curbed cleaning facility equipped with a floor drain shall be provided and conveniently located for the cleaning of mops or similar wet floor cleaning tools and for the disposal of mop water and similar liquid waste.

(B) Toilets and urinals may not be used as a service sink for the disposal of mop water and similar liquid waste

### 24. Sewage and waste water disposal

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule and code sections. This item must be marked OUT if:

- a direct connection is observed to exist between the sewage system and the drain originating from an ice machine – 5-402.11
- wastewater pipes (including sink traps) are observed to be in poor repair or leaking - 5-205.15
- an on-site wastewater disposal system is failing or not being operated in accordance with permit conditions and LAW - 5-403.11

**NOTE:** For establishments served by on-site wastewater systems, it is necessary during each inspection to examine the wastewater system to determine if a violation exists. Indications that a system is not functioning properly may include the presence of sewage back-up into the establishment or outdoors on the ground. Operation permits depicting the layout of system components and stating daily design flow details should be included in the establishment file and should be reviewed as part of each inspection.

**\* Applies to bed and breakfast establishments ONLY**

**Applicable Rule Section:**

.1825 (a) Water, Plumbing and Waste

15A NCAC 18A .1825 WATER, PLUMBING, AND WASTE

(a) Water, plumbing, and waste shall comply with Chapter 5 of the Food Code as amended by Rule 15A NCAC 18A .2655

**Applicable Code Sections**

5-205.15 System Maintained in Good Repair

5-402.11 Backflow Prevention

5-402.12 Grease Trap

5-402.13 Conveying Sewage

5-403.11 Approved Sewage Disposal System

5-403.12 Other Liquid Wastes and Rainwater

## **Physical Facilities**

### **25. Meets natural ventilation and lighting requirements**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule sections. This item must be marked IN when:

- lighting intensity is sufficient in handwashing areas including in the vanity area of the guest room .1826 (d)
- lighting intensity is sufficient in warewashing areas, toilet rooms, and equipment and utensil storage areas .1826 (d)
- windows and doors are observed to be clean and in good repair .1826 (e)

**Applicable Rule Section:**

.1826 (d), (e) Physical Facilities

15A NCAC 18A .1826 PHYSICAL FACILITIES

(d) The light intensity shall be minimum 215 lux/20 foot candles at a distance of 75 cm/30 inches above the floor in areas used for handwashing, warewashing, and equipment and utensil storage, and in toilet rooms.

(e) Where natural ventilation only is provided, outside openings shall be screened and in good repair. Windows and doors shall be kept clean and in good repair.

### **26. Furnishings clean and in good repair; guest room fixtures cleaned and sanitized between guests**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rule sections. Mark this item IN if:

- furnishings such as mattresses, box springs, bedrails, dressers, nightstands, headboards, window coverings, and decorative accessories are clean and in good repair .1826 (h)
- **unattached** accessories in the guest room such as towel rods, toilet paper holders, shower curtain, mirrors, lamps, TVs, and other accessories including decorative accessories such as artwork are clean and in good repair .1826 (h)
- bathroom fixtures are maintained clean .1826 (c)
- sinks, vanities, toilets, and showers in guest rooms are cleaned and sanitized between guests .1826 (c)

**NOTES:**

- This item addresses furnishings, window coverings, and **unattached** accessories. (see definition of furnishings below)
- Because .1831 (26) does not allow the assessment of bathroom fixtures for good repair, plumbing fixtures such as those listed in .1826 (c) are to be considered part of the plumbing system based on the definitions in chapter one of the Code. Since section 5-205.15 of the food code regarding maintaining a plumbing system in good

**\* Applies to bed and breakfast establishments ONLY**

repair covers plumbing fixtures, any observations of plumbing fixtures (except warewashing sinks which by definition are equipment) in poor repair throughout the establishment should be cited under item #22 as plumbing in poor repair.

- Lodging establishments may choose to use a disinfectant solution on bathroom fixtures in lieu of sanitizer. No test kit or other device to measure the concentration of disinfectant is required by rule.

**Applicable Rule Section:**

.1826 (c), (h) Physical Facilities

15A NCAC 18A .1826 PHYSICAL FACILITIES

(c) Sinks, vanities, toilets, and showers in guest rooms shall be cleaned and sanitized between guests.

(h) Furnishings, bathroom fixtures<sup>1</sup>, ~~carpets~~,<sup>2</sup> and other accessories in guest rooms, shall be kept clean and in good repair.

<sup>1</sup> Bathroom fixtures such as those listed in .1826 (c) are plumbing fixtures which are considered part of the plumbing system which would be marked under item #22 for instances of poor repair

<sup>2</sup> Carpets clean and in good repair, are marked under item #27

15A NCAC 18A .1821 DEFINITIONS

(14) "Furnishings" means furniture, fittings, window coverings, and other accessories, including decorative accessories.

15A NCAC 18A .1831 INSPECTIONS AND REINSPECTIONS

(26) Violation of Rule .1826 of this Section related to furnishings clean and in good repair and guest room bathroom fixtures clean and sanitized between guests shall equal no more than 4 points.

**27. Physical facilities installed, maintained, and clean**

**IN/OUT** This item must be marked IN or OUT based on compliance with .1826 (f) and (g). Mark this item IN when:

- carpet throughout the facility (including in the guest rooms) is clean and in good repair .1826 (h)
- interior floors, walls, ceilings and **attached** accessories are clean and in good repair; this includes stairwells, hallways, and vending/ice areas .1826 (f)
- HVAC vents and filters are free of an accumulation of soil and are in good repair .1826 (f)
- attached light fixtures are clean and in good repair .1826 (f)
- exterior walls and roofs are clean and in good repair so as to protect the interior from weather and the entry of insects, rodents, and other pest .1826 (g)

**Applicable Rule Section:**

.1826 (f), (g), (h) Physical Facilities

15A NCAC 18A .1826 PHYSICAL FACILITIES

(f) Physical facilities shall be kept clean and in good repair.

(g) Perimeter walls and roofs shall protect the lodging establishment from the weather and the entry of insects, rodents, and other pests.

(h) ~~Furnishings,<sup>1</sup> bathroom fixtures<sup>2</sup> carpets, and other accessories in guest rooms<sup>1</sup>~~, shall be kept clean and in good repair

<sup>1</sup> Furnishings clean and in good repair is item #26

<sup>2</sup> Bathroom fixtures clean is item # 26 and bathroom fixtures (plumbing fixtures) in good repair is item # 22

**\* Applies to bed and breakfast establishments ONLY**

15A NCAC 18A .1821 DEFINITIONS

(27) "Physical facilities" means the structure and interior surfaces of a lodging establishment, including furnishings<sup>1</sup> and accessories such as soap and towel dispensers and attachments, such as light fixtures and heating or air conditioning system vents.

(7) "Clean" means washed and free from dirt, marks, or unwanted matter.

**28. Insects and rodents not present; live animals prohibited from food preparation, storage, sales, display, or dining.**

**IN/OUT** This item must be marked IN or OUT based on compliance with .1826 (i) and (j). Mark this item OUT when:

- roaches, bedbugs, flies, rats, mice, and other pest are observed on the premises during the inspection .1826 (i)
- live animals are observed in establishment areas where food for guest is being prepared, displayed, or stored in accordance with .1826 (j)

**Applicable Rule Section:**

.1826 (i), (j) Physical Facilities

15A NCAC 18A .1826 PHYSICAL FACILITIES

(i) The premises and guest rooms shall be maintained free of insects, rodents, and other pests. The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the premises by: inspecting incoming shipments of food and supplies; inspecting the premises for evidence of pests; and eliminating harborage conditions.<sup>1</sup>

(j) Live animals shall be prohibited from entering areas of food preparation, storage, sales, display, or dining. This excludes service animals accompanying persons with disabilities in areas that are not used for food preparation.

<sup>1</sup> Applicable to item #34

15A NCAC 18A .1821 DEFINITIONS

(30) "Premises" means the physical facility, its contents, and the contiguous land or property under the control of the permit holder.

**Laundry and Linens**

**29. Linen changed between guests and as required**

**IN/OUT** This item should be marked OUT if it is observed during the inspection that bed or bath linen are not being changed between successive guests as required .1828 (a).

**Applicable Rule Section:**

.1828 (a) Laundry and Linens

15A NCAC 18A .1828 LAUNDRY AND LINENS

(a) Except as specified in paragraph (b) of this Rule, clean bed and bath linen in good repair shall be provided for each guest who is provided accommodations and shall be changed between successive guests. ~~Two sheets shall be provided for each bed. The lower sheet shall be folded under both ends of the mattress. The upper sheet shall be folded under the mattress at the lower end.~~<sup>1</sup>

<sup>1</sup> Applicable to item #30

**\* Applies to bed and breakfast establishments ONLY**

### 30. Linens clean and in good repair; two sheets provided for each bed

**IN/OUT** This item must be marked IN or OUT based on compliance with .1828 (a) & (b). Mark this item OUT when:

- Bed or bath linen (including bed covers/comforters) provided in rooms ready for occupancy are soiled or in poor repair.1828 (a)
- Upper and lower sheets are not folded as required in .1828 (a) and (b)

**Applicable Rule Section:**

.1828 (a), (b) Laundry and Linens

15A NCAC 18A .1828 LAUNDRY AND LINENS

(a) Except as specified in paragraph (b) of this Rule, clean bed and bath linen in good repair shall be provided for each guest who is provided accommodations ~~and shall be changed between successive guests.~~<sup>1</sup> Two sheets shall be provided for each bed. The lower sheet shall be folded under both ends of the mattress. The upper sheet shall be folded under the mattress at the lower end.

(b) If bed covers are not cleaned between successive guests, the upper sheet shall be folded under the mattress at the lower and folded over the bed cover minimum six inches at the top end.

<sup>1</sup> Applicable to item # 29

15A NCAC 18A .1821 DEFINITIONS

(19) "Linen" means fabric items such as bedding, towels, cloth hampers, cloth napkins, table cloths, wiping cloths, and work garments including cloth gloves.

### 31. Linen properly handled and stored

**IN/OUT** This item must be marked IN or OUT based on compliance with .1828 (c) and (e). Mark this item IN when:

- clean linen is stored in cabinets or on shelves that are maintained clean and in good repair .1828 (c)
- storage rooms for storing clean linen are maintained clean and in good repair .1828(c)
- soiled linen is handled and stored separately from clean linen .1828 (e)
- carts used for soiled laundry are labeled or otherwise designated for soiled use only .1828 (e)

**NOTE:** If employees are observed not performing proper hand hygiene (handwashing or approved alternate procedures via .1825 c) when moving from handling soiled linen to handling clean linen, that observation would be a violation and should be marked OUT under item #6.

**Applicable Rule Section:**

.1828 (c), (e) Laundry and Linens

15A NCAC 18A .1828 LAUNDRY AND LINENS

(c) Clean linen and supplies shall be stored in cabinets, or on shelves in linen and supply storage rooms. Cabinets, shelves, and storage rooms shall be in good repair and kept clean.

(e) Soiled laundry shall be handled and stored separately from clean laundry using separate cleanable carts or bags. Carts used for soiled laundry shall be labeled or identified for soiled laundry use only.

15A NCAC 18A .1821 DEFINITIONS

(19) "Linen" means fabric items such as bedding, towels, cloth hampers, cloth napkins, table cloths, wiping cloths, and work garments including cloth gloves.

**\* Applies to bed and breakfast establishments ONLY**



### **32. Items on housekeeping carts arranged to prevent cross contamination; housekeeping carts clean, items protected from contamination**

**IN/OUT** This item must be marked IN or OUT based on compliance with .1828 (d). Mark IN if:

- items on housekeeping carts shall be arranged in a manner to prevent cross-contamination between soiled and cleaned items
- housekeeping carts shall be kept clean
- housekeeping carts are stored to protect items from contamination

**N.A.** This item may be marked N.A. for bed and breakfast homes, bed and breakfast inns, and other lodging establishments if a housekeeping cart is not used at the establishment.

**Applicable Rule Section:**

.1828 (d) Laundry and Linens

15A NCAC 18A .1828 LAUNDRY AND LINENS

(d) Items on housekeeping carts shall be arranged in a manner to prevent cross-contamination between soiled and cleaned items. Housekeeping carts shall be kept clean and stored to protect items from contamination.

### **Premises, Storage, Poisonous or Toxic Materials**

### **33. Garbage and refuse properly disposed; facilities maintained**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rules and code sections.

Some examples of when this item must be marked IN are when:

- refuse receptacles used outside are kept covered .1825 (e)
- refuse receptacles used for food preparation are kept covered when not in continuous use 5-501.113
- refuse receptacles are clean and in good repair .1825(e) 5-501.116
- refuse is removed from the premises at a frequency that prevents the development of odors and other conditions that attract or harbor insects and rodents - .1825 (g)
- drain plugs are in place in refuse handling units which have drains 5-501.114
- the establishment has a contract for off-site dumpster cleaning .1825 (f)
- refuse storage areas are clean, free of litter, and items unnecessary to the lodging establishment .1827(a)

**NOTE:** Refuse receptacles in guest rooms are not required to be covered.

**Applicable Rule Sections:**

.1825 (a), (g), (e), (f) Water, Plumbing, and Waste

.1827 (a) Premises, Storage, Poisonous or Toxic Materials

15A NCAC 18A .1825 WATER, PLUMBING, AND WASTE

(a) ~~Water, plumbing, and~~<sup>1</sup> waste shall comply with Chapter 5 of the Food Code as amended by Rule 15A NCAC 18A .2655.

(e) All refuse shall be collected and stored in covered receptacles. Refuse receptacles shall be kept clean and in good repair.

(f) Where dumpsters are used, a contract for off-site cleaning shall constitute compliance with Paragraph (e) of this Rule.

(g) Refuse shall be removed from the premises at a frequency that will prevent the development of odors and other conditions that attract or harbor insects and rodents.

**\* Applies to bed and breakfast establishments ONLY**

15A NCAC 18A .1827 PREMISES, STORAGE, POISONOUS OR TOXIC MATERIALS

~~(a) There shall be no fly or mosquito breeding places, rodent harborages, or undrained areas on the premises.~~<sup>2</sup>  
The premises shall free of litter and items unnecessary to the operation or maintenance of the lodging establishment, such as equipment that is nonfunctional or no longer used.

<sup>1</sup> Applicable to item # 22 & #24

<sup>2</sup> Applicable to item # 34

15A NCAC 18A .1821 DEFINITIONS

(31) "Refuse" means solid waste not carried by water through the sewage system.

**Applicable Code Sections:**

5-501.10 Indoor Storage Areas

5-501.12 Outdoor Enclosure

5-501.13 Receptacles

5-501.15 Outside Receptacles

5-501.16 Storage Areas, Rooms, and Receptacles, Capacity and Availability

5-501.18 Cleaning Implements and Supplies

5-501.19 Storage Areas, Redeeming Machines, Receptacles and Waste Handling Units, Location

5-501.110 Storing Refuse, Recyclables, and Returnables

5-501.111 Areas, Enclosures, and Receptacles, Good Repair

5-501.112 Outside Storage Prohibitions

5-501.113 Covering Receptacles

5-501.114 Using Drain Plugs

5-501.115 Maintaining Refuse Areas and Enclosures - **covered by .1827 (a)**

5-501.116 Cleaning Receptacles

5-502.11 Frequency - **covered by 1825 (g)**

5-502.12 Receptacles and Vehicles

5-503.11 Community or Individual Facility

**34. Premises maintained to prevent breeding or harborages**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable parts of .1826 (i) and .1827 (a). This item must be marked OUT if the following are observed during the inspection:

- undrained areas on the grounds of the facility that provide a breeding place for mosquitos
- conditions that provide shelter or protection for rodents which favor their multiplication and continued existence such brush piles, unused equipment, and accumulated refuse that is accessible as a food source and shelter
- accumulation of rotting animal or vegetable matter that provide the opportunity for fly breeding

**Applicable Rule Sections:**

.1826 (i) Physical Facilities

.1827 (a) Premises, Storage, Poisonous or Toxic Materials

15A NCAC 18A .1826 PHYSICAL FACILITIES

~~(i) The premises and guest rooms shall be maintained free of insects, rodents, and other pests.~~<sup>1</sup> The presence of insects, rodents, and other pests shall be controlled to eliminate their presence on the premises by: ~~inspecting incoming shipments of food and supplies; inspecting the premises for evidence of pests;~~<sup>1</sup> and eliminating harborage conditions.

**\* Applies to bed and breakfast establishments ONLY**

15A NCAC 18A .1827 PREMISES, STORAGE, POISONOUS OR TOXIC MATERIALS

(a) There shall be no fly or mosquito breeding places, rodent harborages, or undrained areas on the premises. ~~The premises shall free of litter and items unnecessary to the operation or maintenance of the lodging establishment, such as equipment that is nonfunctional or no longer used.~~<sup>2</sup>

<sup>1</sup> Applicable to item #28

<sup>2</sup> Applicable to item # 33

15A NCAC 18A .1821 DEFINITIONS

(30) "Premises" means the physical facility, its contents, and the contiguous land or property under the control of the permit holder.

**35. Storage areas provided for maintenance equipment; stored to avoid contamination of food and food contact surfaces**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable parts of .1827 (g).

This item should be marked IN if:

- A storage area is provided for building and ground maintenance items that is separate from storage areas for food and food contact surfaces, linen, and single use articles .1827 (g)

**NOTES:**

- Food and food contact surfaces that are exposed to contamination in bed and breakfast homes and inns would be marked OUT under item #9.
- Issues with linen storage should be marked under item #31.
- Single-use articles that are exposed to contamination would be marked OUT under item #19.

Applicable Rule Section:

.1827 (g) Premises, Storage, Poisonous or Toxic Materials

15A NCAC 18A .1827 PREMISES, STORAGE, POISONOUS OR TOXIC MATERIALS

(g) A storage area shall be provided for building and ground maintenance tools and supplies and stored in a manner to avoid contamination of food and food contact surfaces, linen, and single-use articles.

15A NCAC 18A .1821 DEFINITIONS

(30) "Premises" means the physical facility, its contents, and the contiguous land or property under the control of the permit holder.

(7) "Clean" means washed and free from dirt, marks, or unwanted matter.

**36. Approved pesticide use**

**IN/OUT** This item must be marked IN or OUT based on compliance with .1827 (b) & (e).

This item must be marked OUT if:

- pesticides are used that are not registered with the EPA
- EPA registered pesticides are not used in accordance with the manufacturer's label such as when pesticides that are designated on the label for household use are present
- restricted use pesticide is being used without the aid of a certified applicator
- pesticides are accessible to guests
- pesticides are handled or stored in a manner that could cause health hazards

**NOTES:**

- Pesticides as referred to in this item includes antimicrobial pesticides such as disinfectants and improperly mixed sanitizers that exceed the maximum concentrations as specified by the CFR for sanitizers
- The storage and handling of sanitizers that are the correct concentration are covered under item #37

**\* Applies to bed and breakfast establishments ONLY**

**Applicable Rule Section:**

.1827 (b), (e) Premises, Storage, Poisonous or Toxic Materials

15A NCAC 18A .1827 PREMISES, STORAGE, POISONOUS OR TOXIC MATERIALS

(b) Only pesticides that have been registered with the EPA and with the N.C. Department of Agriculture and Consumer Services shall be used and only for the specific use for which they have been approved. Such pesticides shall be used as directed on the label and shall be handled and stored to avoid health hazards. Pesticides shall not be accessible to guests.

(e) Chemical sanitizers and other chemical antimicrobials applied to food-contact surfaces shall meet the requirements specified in “§ 40 CFR 180.940,” tolerance exemptions for active and inert ingredients for use in antimicrobial formulations (food-contact surface sanitizing solutions). § 40 CFR 180.940 is hereby incorporated by reference, including all subsequent editions and amendments, and can be accessed free of charge at <https://www.gpo.gov/fdsys/granule/CFR-2012-title40-vol25/CFR-2012-title40-vol25-sec180-940/content-detail.html>.

**37. Household cleaning agents, medicines, and sanitizers properly stored and handled**

**IN/OUT** This item must be marked IN or OUT based on compliance with the applicable rules.

This item must be marked IN if:

- sanitizing solutions are not being stored or dispensed from containers previously containing other poisonous or toxic materials .1827 (d)
- medications under the control of the permit holder are stored in a manner to avoid contamination of food and food contact surfaces .1827 (f)
- cleaners and sanitizers are separate from and not above food, equipment, utensils, linens, or single use articles .1827 (c)

**NOTES:**

- Pesticides (excluding sanitizers) that are improperly stored is marked under item #36
- Once a chemical sanitizer exceeds the maximum concentration set forth in the CFR it is no longer considered a sanitizer and would be marked under item #36 if it is improperly stored or used

**Applicable Rule Section:**

.1827(c), (d), (f) Premises, Storage, Poisonous or Toxic Materials

15A NCAC 18A .1827 PREMISES, STORAGE, POISONOUS OR TOXIC MATERIALS

(c) Household cleaning agents such as bleaches, detergents, and polishes shall be used and stored according to manufacturer's recommendations.

(d) Sanitizing solutions shall not be stored in or dispensed from containers previously containing other poisonous or toxic materials.

(f) Medications under the control of the permit holder shall be stored in a manner to avoid contamination of food and food contact surfaces.

### 38. Premises kept neat and clean

**IN/OUT** This item must be marked OUT if at the time of the inspection any of the following are observed on the premises:

- an accumulation of litter or other unwanted matter
- an accumulation of items unnecessary to the operation of the establishment

**Applicable Rule Section:**

.1827 (a) Premises, Storage, Poisonous or Toxic Materials

15A NCAC 18A .1827 PREMISES, STORAGE, POISONOUS OR TOXIC MATERIALS

~~(a) There shall be no fly or mosquito breeding places, rodent harborages, or undrained areas on the premises.~~<sup>1</sup>

The premises shall free of litter and items unnecessary to the operation or maintenance of the lodging establishment, such as equipment that is nonfunctional or no longer used.

<sup>1</sup>Applicable to item 34

15A NCAC 18A .1821 DEFINITIONS

(30) "Premises" means the physical facility, its contents, and the contiguous land or property under the control of the permit holder.

(7) "Clean" means washed and free from dirt, marks, or unwanted matter.