**Questions and Answers**

**North Carolina Food Code**

**Subchapter 3-3 PROTECTION FROM CONTAMINATION AFTER RECEIVING**

3-301.11

Q: If pasteurized eggs are considered RTE, do they have to be handled with gloves for no bare hand contact?

A: Pasteurized eggs by definition are RTE; the shell on the egg could be considered the barrier otherwise there would need to be a barrier or cooked to 165F ; #7

Q: Preapproval for BHC with RTE foods allowed?

A: Approval may be granted by the regulatory authority; 3-301.11(E)(1-7)

Q: Do you have to use gloves, tongs etc. to place sliced lemons into tea or water glasses?

A: Yes, refer to the definition of "ready-to-eat food"; # 7.

Q: If we see bare hand contact, what do we ask them to do with the food that has been touched?

A: It could be cooked or disposed of; If it was a food that was built say a sandwich, discard the parts touched by bare hands if able; Yes in Annex; #7

Q: (B) Can bartenders wash hands and place garnish in drinks with bare hands?

A: No; No bare hand contact is allowed with ready-to-eat foods; Page 383 Annex 3; #7

Q: (D) What about bread that will be made into toast? BHC ok?

A: Food employees may not contact ready-to-eat food with their bare hands. Bare hand contact allowed if all parts of the food is heated to 165°F minimum; # 7

3-302.13

Q: Pasteurized eggs, if undercooked is a Consumer Advisory needed?

A: No; Page 387 Annex 3; no violation

Q: If a hospital cafeteria serves the general public are they restricted by HSP parts in the code?

A: If the processes are separated and the foods labeled specifically for the HSP and general public and kept separately, the cafeteria would not necessarily be restricted to the HSP requirements for the food served to the general public. Consumer advisory still applies to the menu offered to the non sequestered population; #28

3-304.11

Q: Microwave food contact surface or not?

A: If used for heating uncovered unpackaged foods yes; if covered or packaged no; #13, 47

3-304.12

Q: Why is a thermometer stored in food a violation?

A: Not a violation; A thermometer is a food contact surface just like a utensil. In addition; 4-602.11 (A) (4); #41, 14

3-304.14

Q: Wiping cloths Dry:3-304.14(A) How can they be used to wipe food spills from tableware and containers and maintained dry? Does that mean single use?

A: Yes. Refer to the 2009 Food Code Annex; #39

Q: Many of our quat sanitizer users switched to spray bottles to use with cotton rags. How can they properly store that rag with the bottle between uses?

A: The Code is specific about in-use cloths (wet) used for wiping counters and other equipment surfaces. These cloths are required to be held between uses in a chemical sanitizer solution at a concentration that is specified under 4-501.114. Dry wiping cloths, once used to wipe up spills/liquid and are no longer dry, are required to be stored as stated above. See page 391 of FDA Food Code Annex 3; #39

3-306.13

Q: How do you suggest that employees monitor buffets?

A: Observing that the buffet is not being protected would be an indication of non-monitoring; #37

Q: What is effective monitoring at a buffet?

A: consumer self service operations such as buffets must be monitored by food employees trained in safe operating procedures; # 37

3-307.11

Q: Broccoli is cut and placed back into the original box. What would the violation be?

A: #37

Q: 5-402.11 (d) mentions a culinary sink. Is this a prep sink and does this mean that prep sinks do not have to be indirectly drained if plumbing code doesn't say it has to be?

A: Culinary sink is a prep sink. 5-402.11(D) does allow a direct connection if allowed by LAW (Plumbing Code); current LAW allows a direct connection only on a warewashing sink; according to DOI, existing culinary sinks are not required to meet this citation but must provide protection of the food; #50 (plumbing); #37 (food protection)