

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Environmental Health
Environmental Health Services Section

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Linda C. Sewall, Director


May 9, 1997



MEMORANDUM

TO: Ray Hawkins, Branch Head
Special Nutrition Programs

Linnea Larson, Nutrition Program Consultant
Clinical Services Branch

FROM:  Ed Norman, Branch Head
Children's Environmental Health Branch

SUBJECT: Clarification of Child Day Care Sanitation Issues

In response to your request dated May 8, 1997, I have prepared the following comments. In regards to on-site formula preparation, all licensed child day care facilities are required under *15A NCAC 18A.2810* to have, at a minimum, domestic kitchen equipment including a two-compartment sink, refrigeration equipment, and a separate lavatory for handwashing even if the facility does not serve food or prepare meals on a regular basis. These minimum kitchen requirements allow for sanitary preparation of simple snacks and other dietary supplements, such as formula or a sandwich in the event that a child forgets to bring lunch from home. Larger facilities that prepare meals regularly are held to a higher standard and must use approved food service equipment. In addition, under *15A NCAC 18A.2804(e)* written permission is required from a parent or guardian or a physician's prescription is needed whenever formula is provided that is not pre-packaged and ready-to-feed.

If multi-use utensils (e.g., bottles) are used, then either a dishwasher or a three-compartment sink is also required and specific sanitizing methods are prescribed. If the dishwashing area is separate from the food preparation area an additional handwashing lavatory is required. Not all licensed facilities currently meet this requirement. However, even without dishwashing capability, formula may be prepared on-site and served in single-service containers.

Sanitation rules also provide for the establishment of infant/toddler food service areas so that formula and the like may be prepared in the same area that children are cared for. Not all licensed facilities currently meet this requirement either. However, on-site formula preparation is still allowed in the designated kitchen area, but may require additional staff so that children are not left unattended while formula is prepared.

Small day care home providers serving five or fewer children are not regulated under the child day care sanitation code and may prepare and serve food on-site including formula.

Ray Hawkins & Linnea Larson
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Family style food service is not specifically addressed under child day care sanitation rules; however, *15A NCAC 18A.2805(a)* does require protection from potential contamination including unnecessary handling, coughs, and sneezes. This rule has been previously interpreted to allow for family style food service under supervision, recognizing that the child day care operator is responsible for protecting the food from contamination at all times. ✓

Although local boards of health have the authority to impose additional restrictions, I am unaware of any local ordinances that provide for stricter requirements in regards to child day care sanitation. In conclusion, it is my interpretation of the North Carolina Administrative Code that all child day care facilities are allowed to prepare and serve formula on-site. All facilities are required to obtain parental permission in order to provide formula that is not pre-packaged and ready-to-feed, some facilities may be restricted to single service utensils because of limited dishwashing capability, and some may need additional staff to meet this requirement if infant/toddler food service areas are not maintained. Home providers are not restricted by our rules from preparing or serving formula on-site.

I hope this response has adequately addressed your concerns. Please call me at (919) 715-3293 if you have any further questions.

cc: EHSS Standard Distribution List

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Maternal and Child Health

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Ann F. Wolfe, M.D., M.P.H., Director



May 8, 1997

TO: Ed Norman
Environmental Health Services

FROM: Ray Hawkins, Branch Head
Special Nutrition Programs *Ray*

Linnea
Linnea Larson, Nutrition Program Consultant
Clinical Services Branch

RE: Clarification of Child Day Care Sanitation Issues

As we discussed on the phone, this memo is to document our request to you for clarification in writing of current North Carolina sanitation laws pertaining to the following issues:

1. As you know, day care centers and home providers participating in the Child and Adult Care Food Program are now being required to offer infant formula if they want to claim reimbursement for infants on the program. Many of our home providers and centers are under the impression that current North Carolina sanitation law states that they can not prepare formula on-site but must give it to parents to take home and prepare. Please clarify the state law in this area for both centers and homes, including a list of the equipment required in order to prepare formula and the requirements for sanitizing multi-use bottles and nipples. Please also state the staffing issue you mentioned in the case of someone needing to leave the room to go to a kitchen to prepare formula.
2. Please clarify the current state law regarding what is required from a sanitation standpoint in order to serve meals family style in the child care setting.
3. Please clarify for both issues above what authority local health departments have, if any, to impose restrictions tighter than the state law that would in effect prevent child care centers or home providers in their jurisdictions from using family-style meal service or from preparing formula on-site.

Thank you for your assistance in these matters. Please call Linnea at 715-8793 if you have any questions about this request.

cc: Sarah Roholt
Alice Lenihan
Michael Rhodes

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27626-0597, State Courter 52-01-00



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State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Maternal and Child Health

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Ann F. Wolfe, M.D., M.P.H., Director



May 30, 1997

TO: CACFP Child Care Sponsors

CACFP 97-8

FROM: Ray Hawkins, Branch Head
Special Nutrition Programs

Linnea

Linnea Larson, MPH, RD, Nutrition Program Consultant
Clinical Services Branch

SUBJECT: North Carolina Sanitation Requirements for Preparing Infant Formula and
for Family Style Meal Service in Child Care Facilities

The new USDA policy requiring child care facilities on the Child and Adult Care Food Program (CACFP) to offer formula has raised many questions about the NC child day care sanitation requirements. The purpose of this memo is to clarify for CACFP sponsors the North Carolina sanitation rules about preparing formula and also about serving meals family style in child care facilities. This memo was written in consultation with the NC Children's Environmental Health Branch, which oversees child day care sanitation, and updates any previous correspondence on these issues.

PREPARING FORMULA

Current North Carolina sanitation rules allow all licensed child day care facilities to prepare and serve formula on-site. Therefore, *all CACFP sponsors may begin preparing formula upon receipt of this memo.* **The minimum sanitation rules listed below must be followed in all centers and large day care homes.**

- The formula must be prepared in a designated kitchen area which must have at least a two-compartment sink, a refrigerator, and a separate handwashing area. If this equipment is not located in the area where infants are cared for, an additional staff person is needed who can go to the kitchen and prepare the formula so that infants are not left unattended.
- Written permission from a parent or guardian is required whenever formula that is not pre-packaged and ready-to-feed is provided by the facility to an infant. Facilities preparing bottles on-site who are offering concentrated or powdered formula or ready-to-feed formula in a can must get permission from the parents of infants using that formula. The new sample documentation form attached to memo CACFP 97-7 provides a place for parents to give their permission for this when they sign to accept the formula. This form may be used as is or may be added to the infant's enrollment form, and will count as the required written permission.

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- Facilities using re-usable bottles must have either a dishwasher or a three-compartment sink and must sanitize bottles and nipples between uses.
- Facilities who do not have a dishwasher or three-compartment sink for sanitizing bottles / nipples may still prepare formula but must use single-service bottles.

Small day care home providers serving five or fewer children are not regulated under the child day care sanitation code and may prepare and serve formula on-site without meeting these requirements. However, they are strongly encouraged to get written permission from parents for preparing formula and to follow state guidance for cleaning and sanitizing multi-use bottles.

FAMILY STYLE MEAL SERVICE

The benefits for the children of family style meal service are great and this method of serving meals is strongly encouraged. Family style meal service is not specifically addressed in the NC sanitation rules. The rules do state that food must be protected from contamination from unnecessary handling, coughs, and sneezes. Therefore, *family style meal service is allowed as long as a supervising adult sits with the children* to ensure that food is protected from coughs, sneezes, and excessive handling by the children. The only time a health department might restrict a child care facility from serving family style would be as a precaution if there were an outbreak of diarrheal illness among children enrolled at the facility. If this happened, family style meal service could begin again as soon as the outbreak was over.

Sponsors with questions about the child day care sanitation rules may call their local health department environmental health specialist, the special nutrition programs consultant assigned to their county, or 1-800-CHOOSE-1.

cc: SNP Nutrition Consultants
Ed Norman
Sarah Roholt
Alice Lenihan

TEB