

**RULES GOVERNING  
THE SANITATION OF  
PRIMITIVE CAMPS  
15A NCAC 18A .3500**

**North Carolina Department of Health and Human Services  
Division of Public Health  
Environmental Health Section**

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All Environmental Health Rules may be accessed online at:

<http://ehs.ncpublichealth.com/rules.htm>

## SECTION .3500 – RULES GOVERNING THE SANITATION OF PRIMITIVE CAMPS

### 15A NCAC 18A .3501 DEFINITIONS

The following definitions shall apply throughout this Section:

- (1) "Approved" means food which complies with requirements of the NC Department of Agriculture or the US Department of Agriculture and the requirements of the Rules of this Section. "Approved" also means equipment determined by the Department to be in compliance with the Rules of this Section. Food service equipment which meets and is installed in accordance with National Sanitation Foundation Standards or equal shall be approved. These standards may be obtained from the National Sanitation Foundation, P.O. Box 130140, Ann Arbor, Michigan 48113— 140 and are also available for inspection at the Division of Environmental Health, 1632 Mail Service Center, Raleigh, NC 27699-1632.
- (2) "Department of Environment and Natural Resources" or "Department" means the North Carolina Department of Environment and Natural Resources or its authorized representative. For purposes of any notices required pursuant to the Rules of this Section, notice shall be mailed to "Division of Environmental Health, Environmental Health Services Section, North Carolina Department of Environment and Natural Resources," 1632 Mail Service Center, Raleigh, NC 27699-1632.
- (3) "Employee" means any camp personnel who handles food or drink during preparation or serving, or comes in contact with any eating or cooking utensils, or is employed by the camp at any time in which food or drink is prepared or served.
- (4) "Environmental Health Specialist" shall mean a person authorized to represent the Department on the local or state level in making inspections pursuant to state laws and rules.
- (5) "Equipment" shall mean refrigerators, insulated coolers, buckets, cooking appliances, serving utensils, or any other devices used to serve, hold or prepare food or drink.
- (6) "Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.
- (7) "Good Repair" means capable of being cleaned, sanitized, and used for the intended purpose.
- (8) "Local Health Director" means the administrative head of a local health department or his authorized representative.
- (9) "Off-site" includes packouts, cookouts, or any activity where food is prepared outside the base camp.
- (10) "Permanent sleeping quarters" includes those buildings, cabins, platform tents, covered wagons and teepees that remain in a fixed location during the operating season and are used as primary residences for campers, staff, or user groups.
- (11) "Permit to Operate" means a permit issued by the Department upon review and approval of the operating primitive experience camp plan of operation.
- (12) "Person" means an individual, firm, association, organization, partnership, business trust, corporation, or company.

- (13) "Plan of Operation" means the procedures, methodologies and measures specifically related to food preparation and protection, drinking water, waste disposal and other general sanitation issues the primitive experience camp will employ to protect the health of campers.
- (14) "Potentially hazardous food" means any food or ingredient, natural or synthetic, in a form capable of supporting the growth of infectious or toxigenic microorganisms, including *Clostridium botulinum*. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and treated foods of plant origin. The term does not include foods which have a pH level of 4.6 or below or a water activity (Aw) value of 0.85 or less.
- (15) "Primitive Experience Base Camp" means that portion of the primitive experience camp at a fixed location which contains structures, water supplies, toilets and other facilities necessary for the operation of the camp under the control or ownership of the primitive experience camp permittee.
- (16) "Primitive Base Experience Camp Permit" means the permit is issued for the base camp facilities and appurtenances upon determination that the base camp is in compliance with the Rules of this Section.
- (17) "Primitive Experience Camp" means a camp not served by any public electrical service providers and provides overnight outdoor primitive camping. Primitive Experience Camps include those camp establishments that provide food and overnight lodging accommodations for 72 consecutive hours or more per week at or from a permanent base camp for groups of children or adults engaged in overnight organized recreational or educational programs. Programs are operated and staffed by the camp and supervision of individual campers is a camp responsibility. This definition does not include campgrounds or other facilities that only rent property or camp sites for camping.
- (18) "Responsible person" means the administrator, operator, owner, or other person in charge of the operation at the time of the inspection. If no individual is the apparent supervisor, then any employee may be the responsible person
- (19) Sanitize means the approved bactericidal treatment by a process which meets the temperature and chemical concentration levels in accordance with Rule .3507 of this Section.
- (20) "Sewage" means the liquid and solid human body waste and liquid waste generated by water-using fixtures and appliances, including those associated with foodhandling. The term does not include industrial process wastewater or sewage that is combined with industrial process wastewater.
- (21) "Threat to the Public Health" means circumstances which create a significant risk of serious physical injury or serious adverse health effect.

*History Note: Authority G.S. 130A-248;  
Eff. May 1, 2004;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

### **15A NCAC 18A .3502 PRIMITIVE EXPERIENCE BASE CAMP PERMIT APPROVAL OF PLANS**

Plans, drawn to scale, and specifications for primitive experience camps or facilities in existing primitive camps shall include a topographic map of the base camp, buildings, water supply system, waste water disposal system and other appurtenances necessary to maintain base camp operation and compliance with the rules of this Section. Plans shall also include those sites used on a recurring (at least once each season) basis that are not part of the established base camp but are under the control of the ownership of the camp. Plans and specifications shall be submitted to the health department of the county in which the site is located. Plans, drawn to scale, and specifications shall also be submitted to the local health department for any additions or renovations to existing buildings or any new buildings or facilities in primitive experience camps. The local health department shall require a topographic map upon determination that the proposed changes will impact camp sanitation or drinking water supplies. Construction shall not be started until the plans and specifications have been approved by the local health department.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

### **15A NCAC 18A .3503 PERMIT TO OPERATE**

(a) No person shall operate a primitive experience camp within the State of North Carolina who does not possess a valid primitive experience base camp permit and a permit to operate issued by the Department. No permit to operate shall be issued until an evaluation by an environmental health specialist shows that the establishment complies with the Rules of this Section.

(b) The local health department shall review the operations plan and the facilities to determine compliance with the Rules of this Section. Once approved the local health department shall issue a permit to operate for the camp.

(c) Upon transfer of ownership or change of operation upon which the original permit was issued the responsible person shall notify the local health department within 72 hours.

(d) At least 30 days prior to permitting the responsible person shall submit a plan of operation to the local health department to determine compliance with the Rules of this Section. The plan shall include the following:

- (1) Scheduled dates of operation.
- (2) Number of campers and staff expected each session.
- (3) Description of general activities and programs the primitive experience camp will be offering each session.
- (4) Description of how food will be stored, prepared, transported and protected.
- (5) Proof of approved food service training required in Rule .3515(a) of this Section.
- (6) Description of how potable water will be made available, protected, treated and transported at base camp and in the field.
- (7) Description of how solid waste will be contained and disposed.

- (8) Methods of all sewage waste disposal.
- (e) Any modifications or changes to the approved plan of operation shall be submitted in writing for approval to the local health department at least 30 days prior to change.
- (f) Primitive experience camps that operate six months or less per calendar year and do not offer activities, programs, services or food to the public for pay during the remainder of the year shall also be required to obtain a seasonal permit for each operating season. No primitive experience camp required to pay a fee in accordance with G.S. 130A-248 (d) shall pay more than one annual fee unless the permit has been revoked.
- (1) Primitive experience camps shall submit a seasonal permit application at least 45 days prior to the opening session. The seasonal permit shall include the dates of operation and shall expire six months from the first date of operation. Primitive experience camp management shall provide written documentation to the local health department that the following items have been complied with prior to opening:
- (A) All equipment necessary for food temperature maintenance is operational and clean.
- (B) Utensils and equipment have been cleaned and sanitized.
- (C) The cooking and lodging areas shall be clean and free of vermin harborages.
- (D) All camp facilities are in good repair and clean.
- (E) The operating plans for the season specified in Paragraph (d) of this Rule have been submitted.
- (2) The local health department shall conduct an evaluation at least 30 days prior to the scheduled opening day of camp to verify the water system is in compliance with Rule .3508 Water Supply, of this Section. If the local health department is unable to meet the water sampling requirement, then the camp shall submit a water sample to a certified lab. Results shall be submitted to the local health department.
- (g) Transitional permits shall not be issued to Primitive experience camps.
- (h) The Department may impose conditions on the issuance of a permit to operate. Conditions may be specified for one or more of the following areas:
- (1) The number of persons served per session.
- (2) The categories of food served.
- (3) Modification or maintenance of water supplies, water use fixtures and sanitary sewage systems.
- (4) Use of facilities for more than one purpose.
- (5) Continuation of contractual arrangements upon which basis the permit was issued.
- (6) Submission and approval of plans for renovation.
- (7) Any other conditions necessary for the primitive experience camps to remain in compliance with the Rules of this Section.
- (i) A permit may be suspended or revoked in accordance with G.S. 130A-23. A permit to operate shall not be issued after revocation or suspension until the camp has been reinspected and determined to be in compliance with the Rules

of this Section. A reinspection shall be conducted within 30 days, after the request is made by the operator, administrator or other responsible party.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

#### **15A NCAC 18A .3504 INSPECTIONS AND RE-INSPECTIONS**

(a) For primitive experience camps that operate six months or less per calendar year, an unannounced inspection shall be conducted at least once during the operating season. For primitive experience camps that operate more than six months of each calendar year, an unannounced inspection shall be conducted at least once each six month operating period.

(b) Upon arrival at a primitive experience camp, Environmental Health Specialists shall identify themselves and their purpose in visiting that establishment. Environmental Health Specialists shall inquire as to the identity of the responsible person and invite the responsible person to accompany them during the inspection. Following the inspection, the Environmental Health Specialist shall offer to review the results of the inspection with the responsible person.

(c) Inspections of primitive experience camps shall be done on a form furnished by the Department to local health departments. The form shall provide for at least the following information:

- (1) the name and mailing address of the facility;
- (2) the name of the person to whom the permit is issued;
- (3) the permit and status of approval given;
- (4) standards of construction and operation as listed in Rules .3505 through .3517 of this Section;
- (5) a short explanation for all deficiencies;
- (6) the signature of the Environmental Health Specialist;
- (7) the date.

(d) If it is determined that the camp is not operating according to the approved plan of operation, the permit may be suspended or revoked until discrepancies are corrected.

(e) Grade cards shall not be posted.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

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## **15A NCAC 18A .3505 SPECIFIC REQUIREMENTS FOR PRIMITIVE BASE CAMPS**

Primitive experience camps base of operations shall comply with the following:

- (1) Any camp buildings such as shelters, storage facilities, food storage facilities, permanent sleeping quarters and sheds, shall be kept clean and in good repair,
- (2) Where bedding including sleeping bags or bed linens is provided by the primitive experience camp, such items shall be washed or laundered between users and kept in good repair.
- (3) All garbage and other solid wastes shall be stored and disposed of in a manner consistent with local, state and federal ordinances, rules and laws.
- (4) Toilet facilities shall be provided at convenient and accessible locations distributed throughout the base of operations at a rate of not more than 20 campers and staff per toilet seat.
- (5) All sewage shall be disposed of in an approved manner.
- (6) Base camps shall comply with Rule .3506 Sanitation of this Section.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

## **15A NCAC 18A .3506 SANITATION**

Primitive experience camps may conduct cookouts, overnight trips or similar primitive camping activities provided accepted sanitation standards are maintained in accordance with the provisions of this Section. Written procedures regarding sanitation standards shall be posted or made readily available for inspection by the Department. It is the responsibility of the primitive experience camp to ensure that the approved procedures are being practiced, utilized and maintained. Minimum sanitation requirements for Primitive Experience Camps are as follows:

- (1) Off Site Food: Storage, Preparation and Cooking shall meet the following requirements.
  - (a) Temperature control, food preparation and food protection methods shall be implemented to ensure all potentially hazardous foods stored and prepared for off-site cooking maintain temperatures of 45 degrees or less or 140 degrees or higher and are protected from contamination. Written procedures describing the specific off site cooking activity and the proposed temperature control methods shall be submitted to the Department for approval. Any proposed changes to current procedures shall be submitted at least 10 working days prior to the scheduled activity. Specific approvals will remain valid so long as the activity remains part of the camp program unless the Department determines that procedures are not being maintained in accordance with the approval. The owner may request modifications to the original approval by submitting the request at least 10 working days prior to the scheduled activity. Where potentially hazardous foods are prepared off site, written procedures shall also include methods to prevent cross contamination. For the

purpose of off-site food storage coolers with ice or ice packs are considered an approved method of temperature control. Off site potentially hazardous foods once cooked shall be consumed within two hours or discarded. Poultry stuffings, stuffed meats, and stuffings containing meat shall not be used.

- (b) Potentially hazardous foods shall be thawed:
    - (i) in cold holding units at a temperature not to exceed 45° F (7°C);
    - (ii) under potable running water of a temperature of 70° F (21°C), or below, with sufficient water velocity to agitate and float off loose food particles into the overflow; or
    - (iii) as a part of the conventional cooking process.
  - (c) Potentially hazardous foods requiring cooking shall be cooked to heat all parts of the food to a temperature of at least 140° F (60° C) except as follows:
    - (i) poultry shall be cooked to at least 165° F (74°C) with no interruption of the cooking process; and
    - (ii) pork and any food containing pork shall be cooked to heat all parts of the food to at least 150° F (66° C); and
    - (iii) ground beef and foods containing ground beef shall be cooked to an internal temperature of at least 155° F (68° C); and
    - (iv) rare roast beef shall be cooked to an internal temperature of at least 130° F (54° C); and
    - (v) rare beef steak shall be cooked to a temperature of 130° F (54°C) unless otherwise ordered by the immediate consumer.
  - (d) Liquid eggs, uncooked frozen dry eggs and egg products shall be cooked before consumption. This Paragraph does not apply to pasteurized products.
  - (e) A food thermometer accurate to +/- 2 degrees F (+/- 1 degree C) shall be available to check food temperatures.
- (2) Off-Site Drinking Water
- (a) Water transported for off site drinking shall be from an approved source and shall be transported and stored in clean, sanitized containers designated solely for this purpose. Where it is not practical to transport drinking water for off site activities, bactericidal treatment measures shall be provided to ensure that drinking water is free from disease causing organisms.
  - (b) Water shall be taken from free-flowing streams, springs and wells, however, water may be taken from still sources when free-flowing sources are unavailable. Water to be treated shall be visibly clear and free from debris, trash and organic matter.
- (3) Approved Methods of Bactericidal Treatment of Off-Site Drinking Water
- (a) Boiling: Water shall be brought to a rolling boil for a minimum of 5 minutes.



- (b) Chlorine: A minimum of 2 ppm free chlorine residual must be maintained for a minimum of 30 minutes. This method shall be used in conjunction with Subitem (3)(a) or (d) of this Rule.
  - (c) Iodine: A minimum of 5 drops of 2% tincture of iodine per liter of water. For commercially prepared tablets, use per manufacturer's directions. This method shall be used in conjunction with Subitem (3)(a) or (d) of this Rule.
  - (d) Filtration: Filter systems shall be capable of removing bacteria, cysts, and viruses. Filters shall have an absolute pore size of one micron or smaller.
- (4) Utensils and Equipment shall meet the following requirements:
- (a) All eating, drinking, and cooking utensils, and other items used in connection with the preparation of food shall be kept clean and in good repair.
  - (b) All surfaces intended for multi use between campers or staff with which food or drink comes in contact shall consist of smooth, not readily corrodible, non-toxic materials in which there are no open cracks or joints that will collect food particles, slime, and be kept clean.
  - (c) Multi-use drinking and eating utensils intended for individual use shall be constructed of not readily corrodible, non toxic materials. Those multi-use drinking and eating utensils which do not meet all the construction provisions of Subitem (4)(b) of this Rule, shall be used by only one person and not reassigned to or reused by another individual.
  - (d) Where multi-use utensils are used, they shall be assigned to one individual and not shared until cleaned and sanitized by approved methods.
- (5) Cleaning of Utensils and Equipment shall meet the following requirements:
- (a) Utensils and equipment shall be kept clean.
  - (b) Water used for cleaning shall meet the requirements of Items (2) and (3) of this Rule.
  - (c) Where an approved sanitizing process can not be implemented, each individual's multi-use utensils shall be cleaned separately to prevent cross contamination.
  - (d) Multi-use utensils may be cleaned together provided they are washed, rinsed, and sanitized by approved methods.
- (6) Handwashing for food preparers shall be in compliance with Rule .3515(c) of this Section.
- (7) Toxic materials shall be labeled and stored to prevent contamination of food, equipment and utensils.
- (8) Where permanent human waste disposal facilities which meet the requirements of 15A NCAC 18A .1900 are not provided at an off site activity, written procedures for waste disposal shall be provided to and approved by the Department. Disposal of human waste shall be in a hole that is at least six inches deep and has a diameter of at least four inches located at least 200 feet from any surface water. After use the hole shall be back filled with a soil to a depth of six inches.

*History Note: Authority G.S. 130A-248;*  
*Eff. June 1, 2004;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

#### **15A NCAC 18A .3507 SANITIZING PROCEDURES**

Where required in these Rules, eating and drinking utensils shall be sanitized by one of the following methods:

- (1) Immersion for at least one minute in clean hot water of at least 170° F (77°C). A thermometer accurate to 3° F (5°C) shall be available.
- (2) Immersion for at least two minutes in a chemical bactericide of strength approved by the Department:
  - (a) for chlorine products, a solution containing at least 50 ppm of available chlorine at a temperature of at least 75°F (24°C);
  - (b) for iodophor products, a solution containing at least 12.5 ppm of available iodine and having a pH not higher than 5.0 and having a temperature of at least 75°F (24°C);
  - (c) For quaternary ammonium products, a solution containing at least 200 ppm of QAC and having a temperature of at least 75°F (24°C), provided that the product is labeled to show that it is effective in water having a hardness value at least equal to that of the water being used.
  - (d) Other equivalent products and procedures approved in 21 CFR 178.1010. 21 CFR 178.1010 is incorporated by reference including any subsequent amendments and additions. A copy of applicable provisions may be downloaded from <http://www.gpoaccess.gov/cfr/index.html>.
- (3) A testing method or equipment shall be available, convenient and regularly used to test chemical sanitizers to insure minimum prescribed strengths.

*History Note: Authority G.S. 130A-248;*  
*Eff. May 1, 2004;*  
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#### **15A NCAC 18A .3508 PRIMITIVE BASE CAMP WATER SUPPLY**

- (a) Water supplies shall be provided in accordance with 15A NCAC 18A .1700 Rules Governing the Protection of Water Supplies.
- (b) Water samples for bacteriological analysis from non-community supplies shall be collected by the Department and submitted to the laboratory section of the Department or another laboratory certified by the Department for analysis, and at least annually thereafter for bacteriological analysis.

(c) Prior to the issuance of a permit, non-community water supplies shall be listed with the Public Water Supply Section, Division of Environmental Health.

(d) Cross-connections with unapproved water supplies, sewage lines, or other potential sources of contamination are prohibited. Hot and cold water shall be provided to food preparation, utensil and handwashing areas, and any other areas in which water is required for cleaning. Water shall be provided in sufficient quantity to carry out all food preparation, utensil washing, hand washing, cleaning, and other water-using operations.

*History Note:* Authority G.S. 130A-248;  
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#### **15A NCAC 18A .3509 SWIMMING POOLS**

Swimming and wading pools shall be designed, constructed, operated and maintained in accordance with the Rules Governing Public Swimming Pools, 15A NCAC 18A .2500.

*History Note:* Authority G.S. 130A-248;  
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.

#### **15A NCAC 18A .3510 DRINKING WATER FACILITIES**

Drinking water facilities shall be provided. Drinking fountains, if provided, shall be of a sanitary angle-jet design, shall be kept clean and shall be regulated such that water flow is at least two inches above the mouth piece. This Rule shall not be interpreted as prohibiting the pitcher service of water or the service of bottled water.

*History Note:* Authority G.S. 130A-248;  
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#### **15A NCAC 18A .3511 FOOD SUPPLIES**

All food shall be obtained from sources that comply with all laws relating to food and food labeling and shall be properly identified. Food in hermetically sealed containers shall have been processed in a commercial food processing establishment operated in compliance with G.S. 106-120 through 145. Copies of G.S. 106-120 through 145 may be obtained from the Food and Drug Protection Division, North Carolina Department of Agriculture, 2 West Edenton Street, Raleigh NC, 27601-1094. All food shall be clean, wholesome, free from adulteration and spoilage, safe for

human consumption, and shall be handled, served, or transported in such a manner as to prevent contamination, adulteration, and spoilage. Only approved containers and utensils may be used. Foods that are spoiled or otherwise unfit for human consumption shall be immediately disposed of as garbage or returned to the source except as specified in Rule .3518 of this Section. Foods to be returned to the source shall be marked as such and stored in a fashion so as not to contaminate other food.

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#### **15A NCAC 18A .3512 MILK AND MILK PRODUCTS**

- (a) Only Grade "A" pasteurized milk and milk products shall be used. The term "milk products" shall mean milk products as defined in 15A NCAC 18A .1200. Copies of 15A NCAC 18A .1200 may be obtained from the Department of Environment and Natural Resources, Division of Environmental Health, 1632 Mail Service Center, Raleigh, North Carolina 27699-1632.
- (b) The mixing of cream and milk or the pouring of either into jars, bottles, or other containers for storage therein shall be prohibited.
- (c) Bulk milk dispenser containers, as received from the distributor, shall be properly sealed, labeled with the name and grade of the contents and identity of the distributor. Only the outlet seal shall be broken in the establishment.
- (d) Milk and milk products shall be stored in a sanitary manner and shall be kept refrigerated, except when being served. Milk containers shall not be completely submerged in water. However, nothing in these Rules shall prohibit the placement of these items on ice while on display or being served.
- (e) Dry milk and dry milk products must be reconstituted according to manufacturer's directions and may not be stored for later use.

*History Note: Authority G.S. 130A-248;  
Eff. May 1, 2004;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

#### **15A NCAC 18A .3513 SHELLFISH**

- (a) All shellfish and crustacea meat shall be obtained from sources in compliance with the Department's rules on shellfish and crustacea. Copies of 15A NCAC 18A .0300 through .0900 may be obtained from the Department. If the source of clams, oysters, or mussels is outside the state, the shipper's name shall be on the list of Interstate Certified Shellfish Shippers as published monthly by the Shellfish Sanitation Branch, Food and Drug Administration. If the

source of cooked crustacea meat is outside the state it shall be certified by the regulatory authority of the state or territory of origin, and attested by the presence of an official permit number on the container.

(b) All shucked shellfish and all cooked crustacea meat shall be obtained and stored in the clean single-service shipping containers in which packed at the source. Each original container shall be clearly identified with the name and address of the packer, re-packer, and the abbreviated name of the state. Shucked shellfish unit containers shall be dated in accordance with 15A NCAC 18A .0600.

(c) All shucked shellfish and all cooked crustacea meat shall be stored in the original container. Each original container shall be clearly identified with the name and address of the packer, repacker and the abbreviated name of the state or territory.

(d) All shellstock shall be stored in the containers in which packed at the source. Each original container shall be clearly identified with a uniform tag or label bearing the name and address of the shipper, the certificate number issued by the state or territory regulatory authority, the abbreviated name of the state, the name of the waters from which the shellfish were taken, the kind and quantity of the shellstock in the container, and the name and address of the consignee.

(e) Shellstock shall be stored under refrigeration and in a manner to prevent cross-contamination to or from the shellstock. The re-use of single-service shipping containers and the storage of shucked shellfish in other containers are not allowed.

(f) After each container of shellstock has been emptied, the management shall remove the stub of the tag and retain it for a period of at least 90 days.

(g) With the exception of opening shellfish for immediate consumption on the premises, no shellfish shucking shall be performed unless the establishment holds a valid shellfish shucking permit.

(h) Shellstock washing facilities shall consist of an approved mechanical shellfish washer, or a sink or slab with catch basin, indirectly drained into an approved sewage collection, treatment, and disposal system. The washing shall be done in a clean area, protected from contamination. A can wash facility shall not be used for the washing of shellstock or other foods.

(i) The cooking of shellfish shall be accomplished in an area meeting the requirements of the rules of this Section.

(j) Re-use of shells for the serving of food is prohibited. It shall not be considered reuse to remove a shellfish from its shell and return it to that same shell for service to the public. Shells shall be stored in a manner to prevent flies, insects, rodents, and odors.

(k) All establishments that prepare, serve, or sell raw shellfish shall make available in camp literature to individual parents or guardians of campers or shall post in a conspicuous place where it may be readily observed by the public prior to consumption of shellfish, the following consumer advisory:

"Consumer Advisory

Eating raw oysters, clams, or mussels may cause severe illness. People with the following conditions are at especially high risk: liver disease, alcoholism, diabetes, cancer, stomach or blood disorder, or weakened immune system. Ask your doctor if you are unsure of your risk. If you eat shellfish and become sick, see a doctor immediately."

*History Note:* Authority G.S. 130A-248;  
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#### **15A NCAC 18A .3514 ICE HANDLING**

- (a) Ice which is to be used in drinks, ice water, tea, and coffee, or in connection with the chilling or serving of food shall be manufactured from an approved water supply and shall be stored and handled in a sanitary manner.
- (b) Storage boxes shall be covered, located away from sources of contamination, maintained in good repair, and kept clean. Storage bins or boxes shall be provided with rims and covers designed to exclude spillage and drip.
- (c) Ice grinders, pans, and buckets used in preparing chipped or crushed ice shall be protected from contamination, cleaned between usages, and kept in good repair; buckets and other containers used in the transportation of ice shall be stored above the floor in a clean place.
- (d) Ice shall be dispensed or transferred with a scoop, spoon, or other sanitary method. When not in use, an ice scoop or spoon may be stored in the ice with the handle protruding or on a clean surface. Ice scoops shall not be stored in water. Ice compartments, bowls, buckets, or other containers shall be in good repair; washed and kept free of scum, rust, or other forms of contamination or adulteration and shall be protected from drip, dust, splash, and other means of contamination. Ice shall not be received, used, or accepted when there is evidence that it is not being handled and transported in a sanitary manner.
- (e) Ice machines shall be kept clean.

*History Note:* Authority G.S. 130A-248;  
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#### **15A NCAC 18A .3515 FOOD SERVICE EMPLOYEES**

- (a) In order to operate a primitive experience camp the owner, operator, manager or responsible person of the camp who is employed full time in that particular camp must have successfully completed in the past three years a food service sanitation program as described in 15A NCAC 18A .2600. Evidence that a person has completed such a program shall be maintained at the base camp and provided to the Environmental Health Specialist upon request.
- (b) No food service employee shall use tobacco in any form while engaged in the preparation, handling or serving of food or washing utensils.
- (c) All food service employees shall wash their hands with soap and potable water prior to preparing food or handling of utensils, after each visit to the toilet, and as often as may be necessary to remove soil and contamination.
- (d) No person who has a communicable or infectious disease that can be transmitted by foods, or who is a carrier of organisms that cause such a disease, or who has a boil, infected wound, or a disease with sudden onset and severe

symptoms including cough and nasal discharge, shall work in food service in any capacity in which there is a likelihood of such person contaminating food or food contact surfaces with disease-causing organisms or transmitting the illness to other persons.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

#### **15A NCAC 18A .3516 VERMIN CONTROL: PREMISES:**

(a) Only those pesticides shall be used which have been approved for a specific use and properly registered with the Environmental Protection Agency and with the North Carolina Department of Agriculture and Consumer Services in accordance with the "Federal Insecticide, Fungicide & Rodenticide Act" and the "North Carolina Pesticide Law". Such pesticides shall be used as directed on the label and shall be so handled and stored as to avoid health hazards.

(b) Animal stables, if provided, shall be in a location removed from the main recreation center of activity. All manure shall be stored, removed, or disposed of in such a manner as to minimize the breeding of flies.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

#### **15A NCAC 18A .3517 MISCELLANEOUS**

(a) Hazardous materials, such as fuel, chemicals, explosives, equipment and apparatuses, shall be handled and stored so as to minimize health hazards in accordance with existing laws, rules and ordinances.

(b) Protective railings, fences, or similar enclosures shall be kept in good repair.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

#### **15A NCAC 18A .3518 PROCEDURE WHEN INFECTION SUSPECTED**

When the local health department has reason to suspect the possibility of exposure to, or transmission of, infection within a foodhandling operation from any person or from any food or drink, the local health director shall act in accordance with the Communicable Disease Laws and Rules (G.S. 130A-133 through 148, 10A NCAC 41A).

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*

#### **15A NCAC 18A .3519 INFORMAL REVIEW PROCESS AND APPEALS PROCEDURE**

(a) If a permit holder disagrees with a decision of an Environmental Health Specialist on the interpretation, application or enforcement of the Rules of this Section the permit holder may:

- (1) Request an informal review pursuant to Paragraphs (d) and (e) of this Rule; or
- (2) Initiate an appeal in accordance with G.S. 150B.

(b) The permit holder is not required to complete the alternative dispute resolution prior to initiating an appeal in accordance with G.S. 150B.

(c) When a petition for a contested case is filed, the informal review process shall terminate.

(d) If the permit holder requests an informal review, the request shall be in writing and shall be postmarked or hand-delivered to the local health department within seven days of notice of the decision giving rise to the review. The request shall briefly state the issues in dispute. In the event the inspection giving rise to the informal review was conducted by the Environmental Health Supervisor in the county or area where the primitive experience camp is located, or when the county or area has only one Environmental Health Specialist assigned to inspect primitive experience camps, the Regional Environmental Health Specialist assigned to that county or area shall conduct the local informal review. As soon as possible but at least within 30 days of receipt of the request, the person conducting the review shall contact the permit holder, provide that permit holder an opportunity to be heard on the issues in dispute and issue a written decision addressing the issues raised in the appeal. Copies of the decision shall be mailed to the permit holder and to the State Health Director. That decision shall be binding for the purposes of future inspections of the establishment in question unless modified pursuant to Paragraph (e) of this Rule or by the State Health Director.

(e) Following receipt of the written decision of the Environmental Health Supervisor or his or her representative issued pursuant to Paragraph (d) of this Rule, the permit holder who initiated the informal review may appeal the resulting decision to an Informal Review Officer designated by the Department to be responsible for final decisions on appeals from throughout the state. Notice of such appeal shall be in writing, shall include a copy of the Environmental Health Supervisor's or his or her representative's decision and shall be postmarked or hand-delivered to the Local Health Department and to the Department within seven days of receipt of the written decision issued pursuant to Paragraph (a) of this Rule. Within 35 days of receipt of this appeal, the designated Informal Review Officer shall hold a conference in Wake County. Notice of the time and place of this conference shall be provided to the permit holder and the Environmental Health Supervisor for the county or area where the issue arose. Within 10 days following the date of the conference, the Informal Review Officer shall issue a written decision addressing the issues raised in the appeal and that decision shall be binding for purposes of future inspections of the establishment in question unless modified pursuant to Paragraph (f) of this Rule or by the State Health Director.



(f) Appeals of the decision of the designated Informal Review Officer shall be in accordance with G.S. 150B.

(g) Nothing in this Rule shall impact the right of a permit holder to a reinspection pursuant to Rule .3503 of this Section.

*History Note: Authority G.S. 130A-248;*

*Eff. May 1, 2004;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.*