

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1506*

Committee Substitute Favorable 6/1/00

Third Edition Engrossed 6/8/00

Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/22/00

Senate Agriculture/Environment/Natural Resources Committee Substitute No. 2 Adopted 6/29/00

Short Title: Food Estab./Sanit. Reqments.

(Public)

Sponsors:

Referred to:

May 11, 2000

A BILL TO BE ENTITLED

AN ACT TO REQUIRE ESTABLISHMENTS THAT PREPARE OR SERVE FOOD TO A CERTAIN NUMBER OF REGULAR BOARDERS OR PERMANENT HOUSEGUESTS COMPLY WITH STATE FOOD SANITATION REQUIREMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-250 reads as rewritten:

"§ 130A-250. Exemptions.

The following shall be exempt from this Part:

- (1) Establishments that provide lodging described in G.S. 130A-248(a1) with four or fewer lodging units.
- (2) Condominiums.
- (3) Establishments that prepare or serve food or provide lodging to regular boarders or permanent ~~house guests only.~~ houseguests only. However, the rules governing food sanitation adopted under G.S. 130A-248 apply

1 to establishments that are not regulated under G.S. 130A-235 and that
2 prepare or serve food for pay to 13 or more regular boarders or
3 permanent houseguests who are disabled or who are 55 years of age or
4 older. Establishments to which the rules governing food sanitation are
5 made applicable by this subdivision that are in operation as of 1 July
6 2000 may continue to use equipment and construction in use on that
7 date if no imminent hazard exists. Replacement equipment for these
8 establishments shall comply with the rules governing food sanitation
9 adopted under G.S. 130A-248.

- 10 (4) Private homes that occasionally offer lodging accommodations, which
11 may include the providing of food, for two weeks or less to persons
12 attending special events, provided these homes are not bed and breakfast
13 homes or bed and breakfast inns.
- 14 (5) Private clubs.
- 15 (6) Curb markets operated by the State Agricultural Extension Service.
- 16 (7) Establishments that prepare or serve food or drink for pay no more
17 frequently than once a month for a period not to exceed two consecutive
18 days, including establishments permitted pursuant to this Part when
19 preparing or serving food or drink at a location other than the permitted
20 locations.
- 21 (8) Establishments that put together, portion, set out, or hand out only
22 beverages that do not include those made from raw apples or potentially
23 hazardous beverages made from raw fruits or vegetables, using single
24 service containers that are not reused on the premises.
- 25 (9) Establishments where meat food products or poultry products are
26 prepared and sold and which are under inspection by the North Carolina
27 Department of Agriculture and Consumer Services or the United States
28 Department of Agriculture.
- 29 (10) Markets that sell uncooked cured country ham or uncooked cured salted
30 pork and that engage in minimal preparation such as slicing, weighing,
31 or wrapping the ham or pork, when this minimal preparation is the only
32 activity that would otherwise subject these markets to regulation under
33 this Part.
- 34 (11) Establishments that only set out or hand out beverages that are regulated
35 by the North Carolina Department of Agriculture and Consumer
36 Services in accordance with Article 12 of Chapter 106 of the General
37 Statutes.
- 38 (12) Establishments that only set out or hand out food that is regulated by the
39 North Carolina Department of Agriculture and Consumer Services in
40 accordance with Article 12 of Chapter 106 of the General Statutes."

41 Section 2. This act becomes effective 1 July 2001.