

15A NCAC 18A .2670 GENERAL REQUIREMENTS FOR PUSHCARTS AND MOBILE FOOD UNITS

- (a) A permit shall be issued by the regulatory authority that inspects the commissary from which a pushcart or mobile food unit is to operate, if the regulatory authority determines that the pushcart or mobile food unit complies with the rules of this Section. The permit shall be maintained on the pushcart or mobile food unit and made available to the regulatory authority upon request.
- (b) The regulatory authority that issues the permit shall be provided by the permit holder a list of counties and locations where each pushcart or mobile food unit will operate.
- (c) Prior to initiating food service operations in a particular county, the pushcart or mobile food unit permit holder shall provide the regulatory authority in each county in which food service operations are proposed a list of locations where they will operate. Such lists must be kept current.
- (d) Pushcarts or mobile food units shall operate in conjunction with a permitted commissary and shall report at least daily to the commissary for supplies, cleaning, and servicing. Facilities, in compliance with this Section, shall be provided at the commissary for storage of all supplies. The pushcart shall also be stored in an area that protects it from dirt, debris, vermin, and other contamination. Water faucets used to supply water for pushcarts or mobile food units shall be protected to prevent contact with chemicals, splash, and other sources of contamination. Solid waste storage and liquid waste disposal facilities must also be provided on the commissary premises.
- (e) All food shall be obtained from sources that comply with Chapter 3 of the Food Code as amended by Rule .2653 of this Section.
- (f) All potentially hazardous food (time/temperature control for safety food) shall be maintained at temperatures as required in Chapter 3 of the Food Code as amended by Rule .2653. A metal stem-type thermometer accurate to 1°C (2°F) shall be available to check food temperatures.
- (g) Single service articles shall be used for serving customers. Single-service articles shall be purchased in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a manner to prevent contamination.
- (h) All garbage and other solid waste shall be stored and disposed in an approved manner.
- (i) Employees shall wear effective hair restraints, clean outer clothing, and maintain good hygienic practices as specified in Part 2-4 of the Food Code as amended by Rule .2652 of this Section.
- (j) Employees shall comply with the requirements in Subpart 2-201 of the Food Code as amended by Rule 2652 of this Section.
- (k) Equipment and utensils shall meet the requirements in Parts 4-1 and 4-2 of the Food Code as amended by Rule .2654 of this Section.
- (l) The pushcart or mobile food unit shall be kept clean and free of flies, roaches, rodents, and other vermin.

History Note: Authority G.S. 130A-248; S.L. 2011-394, Section 15(a);
Eff. September 1, 2012.

15A NCAC 18A .2671 SPECIFIC REQUIREMENTS FOR PUSHCARTS

- (a) Only hot dogs shall be prepared, handled, or served from a pushcart; however, food which has been prepared, pre-portioned, and individually pre-wrapped at a food establishment or commissary may be served from a pushcart.
- (b) Food and utensils on the pushcart exposed to the public or to dust or insects shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit the handling and serving of food.
- (c) Toilet facilities, handwashing sinks, and running water are not required. Single-service towels are required.
- (d) All pre-wrapped potentially hazardous food (time/temperature control for safety food) shall be maintained at temperatures as required in Chapter 3 of the Food Code as amended by Rule .2653 of this Section or as labeled on the food item. Each pre-wrapped food item shall contain the name of the food establishment at which it was prepared, the name of the food item, and the time and date of expiration. The wrapper shall enclose the food at all times but sealing is not required.
- (e) Pre-portioned, individually pre-wrapped food that remains after the specified time period has elapsed shall not be sold for human consumption.
- (f) Pushcarts shall not be provided with seating facilities.
- (g) Pushcarts shall not be used for consumer self-service.

History Note: Authority G.S. 130A-248; S.L. 2011-394, Section 15(a);
Eff. September 1, 2012.

15A NCAC 18A .2672 SPECIFIC REQUIREMENTS FOR MOBILE FOOD UNITS

- (a) A mobile food unit shall be constructed and arranged so that food, drink, utensils, and equipment will not be exposed to insects, dust, and other contamination. Protection against flies and other insects shall be provided by screening or by effective use of fans. Where food or griddles are exposed to the public or to dust or insects, they shall be protected by glass, or otherwise, on the front, top, and ends, and exposed only as much as may be necessary to permit the handling and serving of food.
- (b) A mobile food unit shall have a potable water system under pressure. The system shall furnish hot and cold water for all food preparation, utensil cleaning, and handwashing. The water inlet shall be located so that it will not be contaminated by waste discharge, road dust, oil, or grease and it shall be kept capped unless being filled.
- (c) Water heating facilities shall be provided.
- (d) A handwashing sink with hot and cold water, combination supply faucet, soap, and single-service towels shall be provided.
- (e) At least a one-compartment sink shall be provided. The sink shall be of sufficient size to submerge, wash, rinse, and sanitize utensils and shall have splashback protection. Drainboards shall be provided as specified in Section 4-301.13 of the Food Code as amended by Rule .2654 to accommodate the drying of washed utensils. However, in cases where no food is prepared on the mobile food unit and all utensils are effectively cleaned at the commissary, the equipment sink is not required.
- (f) Sewage disposal must be provided either by means of an approved sewage disposal system or approved sewage storage tanks. Sewage storage tanks must be maintained in a manner so as not to create a health hazard or nuisance and to prevent contamination of food or water supply. Toilets are not required on the unit. Liquid waste that results from the operation of a mobile food unit shall be disposed in an approved sewage disposal system or stored in a permanently installed sewage storage tank that is of at least 15 percent larger capacity than the water supply tank. Liquid waste shall not be discharged from the sewage storage tank when the mobile food unit is in motion. All connections on the vehicle for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the mobile food unit. The waste connection shall be located lower than the water inlet connection to preclude contamination of the potable water system.
- (g) A servicing area shall be established at a commissary for the mobile food unit. Potable water servicing equipment shall be installed, stored, and handled to protect the water and equipment from contamination. The mobile food unit's sewage storage tank shall be flushed and drained during servicing operation. All sewage shall be discharged to an approved sewage disposal system in accordance with 15A NCAC 18A .1900 or 15A NCAC 02H .0200.

History Note: Authority G.S. 130A-248; S.L. 2011-394, Section 15(a);
Eff. September 1, 2012.

15A NCAC 18A .2673 CONGREGATE NUTRITION SITES

Congregate nutrition sites shall comply with all requirements in Rules .2650 through .2662 of this Section with the following exceptions:

- (1) Food preparation in a congregate nutrition site shall be limited to reheating food prepared in a food establishment or in a food processing plant or preparation of food that does not require cooking.
- (2) Potentially hazardous food (time/temperature control for safety food) that has been heated or reheated at the congregate nutrition site and remains at the end of the day shall not be served or placed in refrigeration to be used another day.
- (3) Only single-service articles shall be used.
- (4) Equipment in the congregate nutrition site that is not certified or classified for sanitation by an ANSI-accredited certification program that is in good repair and operating properly may be used. At least a two-compartment sink shall be provided. The sink shall be of sufficient size to submerge, wash, rinse, and sanitize utensils. At least one drainboard, table, or counter space shall be provided for air-drying.
- (5) Garbage can liners are required for all garbage receptacles unless the site has receptacle cleaning facilities as specified in Section 5-501.18 of the Food Code as amended by Rule .2655 of this Section.
- (6) Water used for mop or receptacle cleaning shall not be disposed in the utensil sink. Wastewater from mopping, receptacle cleaning, and other cleaning operations shall be disposed in a service