



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

Commission for Public Health

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK T. BENTON • Chief Deputy Secretary for Health

SUSAN KANSAGRA • Assistant Secretary for Public Health

Division of Public Health

MEMORANDUM

DATE: December 1, 2023

TO: Rulemaking Interested Persons

FROM: Virginia Niehaus, Rulemaking Coordinator, Commission for Public Health and
Director of Regulatory and Legal Affairs, Division of Public Health

RE: Notification of Proposed Rule Actions: 15A NCAC 18A Section .1000

Pursuant to G.S. 150B-21.2, this memorandum serves as the required notice to interested persons that the Commission for Public Health (CPH) is proposing updates to rules 15A NCAC 18A .1001-.1004, .1006-.1009, .1011, .1012, .1014, .1017-.1022, and .1027, regarding the administration and enforcement of sanitation requirements in summer camps, to clarify existing language and align with current practices. In addition, rules 15A NCAC 18A .1001-.1004, .1006, .1011, .1012, .1014, .1019, and .1021 are being readopted in accordance with G.S. 150B-21.3A, Periodic Review and Expiration of Existing Rules. CPH has submitted notice of its intent to take action on these rules to the NC Office of Administrative Hearings (OAH).

In accordance with G.S. 150B-21.4, a fiscal note was prepared for the proposed rules and approved by CPH. The proposed rules are expected to have an impact on state and local funds, but are not expected to have a substantial economic impact. The fiscal note was approved by the NC Office of State Budget and Management (OSBM) on October 27, 2023.

The notice of text that was published in today's edition of the NC Register is attached to this memorandum and may be found on OAH's website at <https://www.oah.nc.gov/rules-division/north-carolina-register>. The text of the proposed rules and fiscal note may be found on the CPH's website at <https://cph.dph.ncdhhs.gov/>.

A public hearing on these proposed rules is scheduled for Friday, January 12, 2024 at 2:00 p.m. The public hearing will be held by teleconference. You may participate in the public hearing by dialing 919-715-0769. No access code is required.

CPH is accepting public comments on the proposed rules from December 1, 2023 through January 30, 2024. You may submit comments by email to cphcomment@lists.ncmail.net or by mail to Virginia Niehaus, Rulemaking Coordinator, Commission for Public Health, 1931 Mail Service Center, Raleigh, NC 27699-1931. Comments will also be accepted at the public hearing. The proposed effective date of these rules is April 1, 2024.

Should you have questions related to this memorandum, the proposed rules, or the fiscal note, please contact Shane Smith, Branch Head, Food Protection and Facilities Branch, Division of Public Health at (919) 707-5872.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF PUBLIC HEALTH

LOCATION: 5605 Six Forks Road, Building 3, Raleigh, NC 27609
MAILING ADDRESS: 1931 Mail Service Center, Raleigh, NC 27699-1931
www.ncdhhs.gov • TEL: 919-707-5000 • FAX: 919-870-4829

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Attachment

cc: Dr. Ronald May, Chair, Commission for Public Health
Dr. Susan Kansagra, Assistant Secretary for Public Health, Division of Public Health
Mr. Larry Michael, Environmental Health Section Chief, Division of Public Health
Mr. Shane Smith, Branch Head, Food Protection and Facilities Branch, Division of Public Health

TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

Notice is hereby given in accordance with G.S. 150B-21.2 and G.S. 150B-21.3A(c)(2)g. that the Commission for Public Health intends to amend the rules cited as 15A NCAC 18A .1008, .1017, repeal the rules cited as 15A NCAC 18A .1007, .1009, .1018, .1020, .1022, .1027, readopt with substantive changes the rules cited as 15A NCAC 18A .1001-.1004, .1006, .1011, .1012, .1014, and repeal through readoption the rules cited as 15A NCAC 18A .1019 and .1021.

Pursuant to G.S. 150B-21.17, the Codifier has determined it impractical to publish the text of rules proposed for repeal unless the agency requests otherwise. The text of the rule(s) are available on the OAH website at <http://reports.oah.state.nc.us/ncac.asp>.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://cph.dph.ncdhhs.gov/>

Proposed Effective Date: *April 1, 2024*

Public Hearing:

Date: *January 12, 2024*

Time: *2:00 p.m.*

Location: *This public hearing will be held by teleconference at (919) 715-0769 (no access code required).*

Reason for Proposed Action: *The Commission for Public Health is proposing updates to rules 15A NCAC 18A .1001-.1004, .1006-.1009, .1011, .1012, .1014, .1017-.1022, and .1027, regarding the administration and enforcement of sanitation requirements in summer camps, to clarify existing language and align with current practices. In addition, rules 15A NCAC 18A .1001-.1004, .1006, .1011, .1012, .1014, .1019, and .1021 are being readopted in accordance with G.S. 150B-21.3A, Periodic Review and Expiration of Existing Rules.*

Comments may be submitted to: *Virginia Niehaus, CPH Rulemaking Coordinator, 1931 Mail Service Center, Raleigh, NC 27699-1931; email cphcomment@lists.ncmail.net*

Comment period ends: *January 30, 2024*

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected**
- Local funds affected**
- Substantial economic impact (\geq \$1,000,000)**
- Approved by OSBM**
- No fiscal note required**

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

SECTION .1000 - SANITATION OF SUMMER CAMPS

15A NCAC 18A .1001 DEFINITIONS

The following definitions shall apply throughout this Section:

- (1) ~~"Summer camp" includes those camp establishments which provide food or lodging accommodations for groups of children or adults engaged in organized recreational or educational programs. It also includes day camps, church assemblies, and retreats.~~
- (1) "Basecamp" means the permanent base of operations of the summer camp served by permanent connection to a public electrical service provider.
- (2) "Bathing facility" means any facility designed to wash the whole body, including a shower facility.
- (3) "Camp food service kitchen" means the interior of a camp kitchen facility at the basecamp, of permanent construction, operated and staffed by the camp employees, used to prepare food for camp attendees, employees, and guests. This term does not include an educational kitchen.

- (4) "Clean" means that an object or surface has been made free of garbage, solid waste, soil, dust, hair, dander, food, bodily fluids and secretions, and feces.
- (5) "Closed" means that a summer camp is not offering food or lodging to the public.
- (6) "Community water supply" means a community water system as defined at G.S. 130A-313(10).
- (7) "Cookout" means an organized activity staffed and operated by the summer camp at the basecamp involving outdoor cooking and dining.
- (8) "Cross-connection" means as defined in 15A NCAC 18C .0102(c)(8).
- (9) "DCDEE" means the Division of Child Development and Early Education of the North Carolina Department of Health and Human Services.
- (2)(10) "Department" means the North Carolina Department of Health and Human Services, shall mean the Secretary of the Department of Environment and Natural Resources or his authorized representative.
- (3) "Sanitarian" shall mean a person authorized to represent the Department on the local or state level in making inspections pursuant to state laws and regulations.
- (11) "Educational kitchen" means a kitchen facility at base camp that can be operated by campers and staff for personal use or instructional purposes.
- (12) "Employee" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A 2651.
- (13) "Equipment" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651. "Equipment" also includes washing machines and dryers.
- (14) "Evaluation" means an in-person visit from the regulatory authority to a summer camp for the purpose of assessing whether the summer camp will be issued a permit, or have a suspension lifted, pursuant to Rule .1004 of this Section. An evaluation does not result in a letter grade being issued.
- (15) "Garbage" means as defined at G.S. 130A-290(7).
- (16) "Good repair" means in a working safe condition. But for food service equipment and utensils, good repair means as defined at 15A NCAC 18A .2651(8).
- (17) "Inspection" means an in-person visit from the regulatory authority to an open summer camp with an active permit for the purpose of assessing the camp's sanitation pursuant to Rule .1008 of this Section. An inspection results in a letter grade being issued.
- (18) "Linen" means fabric items such as bedding, towels, cloth hampers, cloth napkins, tablecloths, wiping cloths, and work garments including cloth gloves.
- (19) "Litter" means refuse as defined in 130A-290(28).
- (20) "Local health department" means as defined in G.S. 130A-2(5).
- (21) "Non-community water supply" means a noncommunity water system as defined at G.S. 130A-313(10).
- (22) "Open" means that a summer camp is offering food or lodging to the public.
- (23) "Permanent sleeping quarters" means those buildings, cabins, platform tents, covered wagons, or teepees provided by the camp that remain in a fixed location during the camp operation session and provide overnight lodging accommodations for camp participants.
- (4) "Person" means an individual, firm, association, organization, partnership, business trust, corporation, or company.
- (5) "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.
- (24) "Pest" means as defined at G.S. 143-460(26a).
- (25) "Pest harborage" means any condition that provides water or food and shelter for pests.
- (26) "Poisonous or toxic materials" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651.
- (27) "Potable water" means water that is safe for human consumption.
- (28) "Public electrical service provider" means an entity that furnishes electricity for pay.
- (29) "Refuse" means as defined at G.S. 130A-290(28).
- (30) "Regulatory authority" means the Department or authorized agent of the Department.
- (31) "Responsible person" means the administrator, operator, owner, or other person in charge of the operation of the summer camp.
- (32) "Rubbish" means refuse as defined in 130A-290(28).
- (33) "Sanitarian" means the same as "Registered Environmental Health Specialist" as defined at G.S. 90A-51(4).
- (6)(34) "Sanitize" means as defined in Part 4-7 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654, the approved bactericidal treatment by a process which meets the temperature and chemical concentration levels in 15A NCAC 18A .2619.
- (35) "Sewage and other liquid waste" means sewage as defined in G.S. 130A-334(13).
- (36) "Solid waste" means as defined at G.S. 130A-290(35).
- (37) "Summer camp" means those camp establishments which prepare or serve food for pay or provide overnight lodging accommodations for pay, for groups of children or adults engaged in organized recreational or educational programs. This definition does not include:
- (a) those day camps required to obtain a license through DCDEE;

- (b) Campgrounds or other facilities that only rent property or campsites for camping;
- (c) Resident camps, Children's Foster Care Camps, and Residential Therapeutic (Habilitative) Camps as defined in 15A NCAC 18A .3601; or
- (d) Primitive experience camps as defined in 15A NCAC 18A .3501.
- (38) "Summer camp premises" means the physical facilities of the summer camp, the contents of those facilities, and the contiguous land or property under the control of the permit holder or responsible person. This term does not include a camp food service kitchen facility.
- (39) "Supplemental cooking rooms" means as defined in 15A NCAC 18A .2651(20).
- (40) "Swimming pool" means a public swimming pool as defined in Section .2500 of this Subchapter.
- (41) "Time/Temperature Control for Safety Food" or "TCS Food" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651.
- (42) "Toilet facility" means water closets or privies.
- (43) "Vermin" means "Pest" as defined at G.S. 143-460(26a).
- (44) "Warewashing" means as defined in Part 1-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651.
- (45) "Wildlife" means as defined in G.S. 143-460(38).

History Note: Authority G.S. 130A-4; 130A-248;
 Eff. February 1, 1976;
 Readopted Eff. December 5, 1977;
 Amended Eff. November 1, 2002; September 1, ~~1990~~. 1990;
 Readopted Eff. April 1, 2024.

15A NCAC 18A .1002 FIELD SANITATION

- (a) Summer camps or other organizations may conduct overnight hikes or similar primitive camping activities away from base camp provided if accepted field sanitation standards are maintained maintained, in accordance with 15A NCAC 18A .3619.
- (b) Summer camps may conduct cookouts at basecamp provided field sanitation standards are maintained in accordance with items (1) and (4) through (7) of 15A NCAC 18A .3619, except that written procedures are not required.

History Note: Authority G.S. 130A-4; 130A-248;
 Eff. February 1, 1976;
 Readopted Eff. December 5, 1977;
 Amended Eff. September 1, ~~1990~~. 1990;
 Readopted Eff. April 1, 2024.

15A NCAC 18A .1003 INVESTIGATION STANDARDS AND APPROVAL OF PLANS

- (a) The sponsor of a proposed site for a summer camp may make an advance appointment with a sanitarian from the health department of the county in which the site is located for a joint visit to the site by representatives of the sponsor and the health department. During the site visit, the sponsor's preliminary plans for development of needed structures and facilities will be evaluated, including water supply, sewage disposal, swimming facilities, solid waste disposal, and insect and rodent control. If it is determined that the proposed site and facilities, if properly developed and operated, will comply with this Section, the sponsor should proceed to develop final plans and specifications.
- (b)(a) Plans and specifications drawn to scale for the proposed construction of summer camp kitchen facilities, lodging facilities, bathing facilities, and toilet facilities buildings and equipment, water supply system, sewerage system, and swimming pool or other swimming facility shall be submitted in duplicate to the local health department of the county in which the site camp is located. Plans and equipment specifications for construction or remodeling of a camp food service kitchen shall be submitted in accordance with the provisions of Part 8-2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2658. Construction shall not be started until the plans and specifications have been approved by the local health department. The local health department shall approve, disapprove, or mark incomplete plans for summer camps within 30 days of their receipt. If the local health department disapproves plans or marks them incomplete, the local health department shall provide written comments to the submitter informing them of what is missing or incomplete. If the local health department fails to approve, disapprove, or mark incomplete plans within 30 days of their receipt, the plans shall be deemed approved.
- (b) Plans for the proposed construction or remodeling of a public swimming pool at a summer camp shall be submitted in accordance with 15A NCAC 18A .2509.

History Note: Authority G.S. 130A-4; 130A-248;
 Eff. February 1, 1976;
 Readopted Eff. December 5, 1977;
 Amended Eff. September 1, ~~1990~~. 1990;
 Readopted Eff. April 1, 2024.

15A NCAC 18A .1004 PERMITS

(a) No person shall operate a summer camp within the State of North Carolina who does not possess a valid permit from the Department. No ~~summer camp permit to operate~~ shall be issued until an ~~inspection evaluation~~ by a ~~sanitarian~~ the regulatory authority shows that the establishment complies with all rules within this Section. ~~Permits or transitional permits are issued by and inspections made by the Department.~~

(b) ~~If camp food service is provided by a caterer, the overall responsibility for food service sanitation remains with the camp management.~~ Summer camps shall complete and submit an Advanced Notification for Operation at least 45 days prior to the first date of operation each calendar year. The advanced notification form shall be obtained from the Department and shall include the following information:

- (1) type of camp (Summer, Resident, Primitive Experience);
- (2) date notification is submitted;
- (3) dates of operation (a calendar schedule may be attached);
- (4) the name of the camp;
- (5) the physical and billing addresses of the camp;
- (6) the name of the camp responsible person;
- (7) contact information for the responsible person including phone numbers and emails;
- (8) type of water supply;
- (9) type of wastewater system;
- (10) the capacity of the camp including campers and staff;
- (11) the date the water supply will be accessible for sampling and inspection if applicable;
- (12) the dates, prior to the first date of operation, when facilities will be inspected by camp management to ensure that:
 - (A) camp facilities are clean, and in good repair;
 - (B) camp kitchen equipment, including required refrigeration and dishwashing equipment, is clean and operational;
 - (C) camp buildings and permanent sleeping quarters are free of all bats and other vermin, wildlife, and pest harborage; and
 - (D) the camp is free from conditions which represent a threat to the public health;
- (13) list of any public swimming pools, wading pools, or water recreation attractions at the camp; and
- (14) the name, signature, and title of the person completing the form.

(c) Upon transfer of ownership of an existing summer camp, the ~~Department~~ regulatory authority shall complete an evaluation of evaluate the facility. Facility to determine compliance with the rules. If the establishment satisfies all the requirements of this Section, the rules, a permit shall be issued. If the establishment does not satisfy all the requirements of this Section, the rules, a permit shall not be issued. ~~However, if~~ If the ~~Department~~ regulatory authority determines that the noncompliant items are related to construction or equipment ~~items~~ problems that do not represent an ~~immediate~~ threat to the public health, a transitional permit may be issued. The transitional permit shall expire ~~180~~ 90 days after the date of issuance, unless suspended or revoked before that date, and shall not be renewed. Upon expiration of the transitional permit, the ~~owner or operator~~ permit holder or responsible person shall have corrected the noncompliant items and obtained a summer camp permit, or the summer camp shall be closed, not continue to operate.

(d) The ~~regulatory authority~~ ~~Department may~~ shall impose conditions on the issuance of a summer camp permit or transitional permit. ~~permit if necessary to ensure that the summer camp remains in compliance with the Rules of this Section.~~ Conditions may be specified for one or more of the following areas:

- (1) The number of persons ~~served; served.~~
- (2) The categories of food ~~served; served.~~
- (3) Time schedules in completing minor construction ~~items; items.~~
- (4) Modification or maintenance of water supplies, water use fixtures and sanitary sewage ~~systems; systems.~~
- (5) Use of facilities for more than one ~~purpose; purpose.~~
- (6) Continuation of contractual arrangements upon which basis the permit was ~~issued; issued.~~
- (7) Submission and approval of plans for ~~renovation; and renovation.~~
- (8) Any other conditions necessary for the summer camp to remain in compliance with the Rules of this Section.

(e) A summer camp permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d) for failure of the facility to maintain a minimum grade of C. A permit or transitional permit may otherwise be suspended or revoked in accordance with G.S. 130A-23. A new permit to operate shall be issued only after the establishment has been reinspected by the Department and found to comply with this Section. This reinspection shall be conducted within a reasonable length of time, not to exceed 30 days. If a permit or transitional permit has been suspended, the suspension shall be lifted if the regulatory authority has evaluated the establishment and found that the violations causing the suspension have been corrected. If a permit or transitional permit has been revoked, a new permit shall be issued only after the regulatory authority has evaluated the establishment and found it to comply with all applicable rules. These evaluations shall be scheduled and conducted within 15 days after the request is made by the summer camp's permit holder or responsible person, operator.

*History Note: Authority G.S. 130A-4; 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. April 1, 1992; September 1, 1990; March 1, 1988. 1988;
Readopted Eff. April 1, 2024.*

15A NCAC 18A .1006 INSPECTIONS AND REINSPECTIONS

Upon receipt of a request from the management permit holder or responsible person for a reinspection for the purpose of raising the posted grade, alphabetical grade of their summer camp, the sanitation regulatory authority shall make an unannounced inspection within 15 calendar days from the date of the request, after the lapse of a reasonable period of time. If the camp is closed for the 15 calendar days following the request, the permit holder or responsible person shall inform the regulatory authority when the camp will open, and the regulatory authority shall make an unannounced inspection within 15 calendar days of when the camp opens.

*History Note: Authority G.S. 130A-4; 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977; 1977;
Readopted Eff. April 1, 2024.*

15A NCAC 18A .1007 INSPECTION FORMS

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1990; June 30, 1980;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019; 2019;
Repealed Eff. April 1, 2024.*

15A NCAC 18A .1008 GRADING

(a) The sanitation grading of all summer camps shall be based on a system of scoring wherein all summer camps receiving a score of at least 90 percent shall be awarded receive Grade A, A; all summer camps receiving a score of at least 80 percent and less than 90 percent shall be awarded receive Grade B, B; and all summer camps receiving a score of at least 70 percent and less than 80 percent shall be awarded receive Grade C . ; and no summer camp Permits shall be immediately revoked in accordance with G.S. 130A-23(d) for summer camps receiving a score of less than 70 percent, percent, or Grade C, shall operate.

(b) The grading of summer camps shall include the grading of the summer camp premises and the camp food service kitchen, if applicable, using an inspection form provided by the Department. The form shall include the following information:

- (1) name and mailing address of the summer camp;
- (2) name of summer camp permit holder;
- (3) summer camp permit status and score given;
- (4) length of season;
- (5) number of residents;
- (6) standards of construction and operation referenced in paragraph (c) and (d) of this Rule;
- (7) an explanation for all points deducted;
- (8) signature of the regulatory authority; and
- (9) date of the inspection.

(c) The grading of the summer camps premises shall be based on the standards of operation and construction as set forth in Rules 1002, .1010, .1011 and .1013 through .1016, and .1017(f) through .1028 of this Section as follows:

- (1) Violation of Rule .1010 of this Section related to summer camp site free of actual or potential health hazards shall equal no more than 3 points.
- (2) Violation of Rule .1011(a), (b), or (c) of this Section related to water supply approved and no cross connections shall equal no more than 4 points.
- (3) Violation of Rule .1011(d) of this Section related to hot water facilities provided, hot and cold water under pressure shall equal no more than 2 points.
- (4) Violation of Rule .1013 of this Section related to sewage and liquid waste disposal shall equal no more than 4 points.
- (5) Violation of Rule .1025 of this Section related to solid waste storage and cleaning facilities shall equal no more than 3 points.
- (6) Violation of Rule .1024(1) or (2) of this Section related to camp building floors, walls, and ceilings properly constructed, clean, and in good repair shall equal no more than 4 points.
- (7) Violation of Rule .1024(3) of this Section related to lighting and ventilation adequate, clean, and in good repair shall equal no more than 2 points.
- (8) Violation of Rule .1016 of this Section related to lodging facilities and permanent sleeping quarters provided by the camp, properly arranged, clean, and in good repair shall equal no more than 3 points.
- (9) Violation of Rule .1016 of this Section related to separate storage and handling of clean and dirty linen in lodging facilities provided by the camp shall equal no more than 2 points.
- (10) Violation of Rule .1014(a) through (d) of this Section related to toilet, handwashing, or bathing facilities shall equal no more than 4 points.
- (11) Violation of Rule .1014(e) of this Section related to laundry areas and equipment clean and in good repair; soiled laundry handled and stored separately from clean laundry shall equal no more than 2 points.
- (12) Violation of Rule .1015 of this Section related to drinking water facilities shall equal no more than 1 point.

- (13) Violation of Rule .1026(b) or 1028(a) of this Section related to storage, handling, and use of pesticides, poisonous or toxic materials, and hazardous materials shall equal no more than 3 points.
- (14) Violation of Rule .1026(a) or (e) of this Section related to, measures to exclude flies, rodents and other vermin from entry into food service areas and permanent sleeping quarters and measures to prevent pest harborages on the premises shall equal no more than 3 points.
- (15) Violation of Rule .1026(c) and .1028(b) of this Section related to camp premises clean or protective railings and fences in good repair, shall equal no more than 3 points.
- (16) Violation of Rule .1017(f) or (g), or 1026(d), of this Section related to sanitation standards, lighting protected, and live animals not present in educational kitchen facilities shall equal no more than 2 points.
- (17) Violation of Rule .1002 of this Section related to field sanitation standards maintained for cookouts or activities involving food preparation or service away from base camp and written procedures when required shall equal no more than 3 points.
- (18) Violation of Rule .1023 of this Section related to the storage and handling of ice outside of a camp food service kitchen shall equal no more than 2 points.

(d) The grading of a camp food service kitchen shall be based solely on the standards of operation and construction set forth in Rule .1017(a) through .1017(e) of this Section as follows:

- (1) Violation of Chapter 2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652 related to person in charge present; performance of PIC duties shall equal no more than 1 point.
- (2) Violation of Chapter 2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652 related to management awareness, policy present; proper use of reporting, restriction, and exclusion; procedures for responding to vomiting and diarrheal events shall equal no more than 2 points.
- (3) Violation of Chapter 2 or 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652 and .2653 related to proper employee eating, tasting, drinking, or tobacco use; no discharge from eyes, nose, and mouth shall equal no more than 1 point.
- (4) Violation of Chapter 2 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652 related to hands clean and properly washed shall equal no more than 3 points.
- (5) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to no bare hand contact with ready-to-eat food or approved alternate method properly followed shall equal no more than 2 points.
- (6) Violation of Chapters 5 or 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2655 and .2656 related to handwashing facilities supplied and accessible shall equal no more than 1 point.
- (7) Violation of .1017(d) or Chapter 3 or 5 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 and .2655 related to food obtained from an approved source; food received at proper temperature; food in good condition, safe, unadulterated; required records available, shellstock tags, parasite destruction; water and ice from approved source shall equal no more than 3 points.
- (8) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to food separated and protected; disposition of returned, previously served, reconditioned, and unsafe food shall equal no more than 2 points.
- (9) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to food-contact surfaces cleaned and sanitized shall equal no more than 2 points.
- (10) Violation of Chapter 3 of the Food as amended by 15A NCAC 18A .2653 related to cooking time and temperatures; pasteurized eggs used where required shall equal no more than 2 points.
- (11) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to reheating procedures for hot holding shall equal no more than 2 points.
- (12) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to cooling time and temperatures; proper cooling methods shall equal no more than 2 points.
- (13) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to hot holding temperatures shall equal no more than 2 points.
- (14) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to cold holding temperatures shall equal no more than 2 points.
- (15) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to date marking and disposition shall equal no more than 2 points.
- (16) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to time as a public health control procedures and records shall equal no more than 2 points.
- (17) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to consumer advisory provided for raw or undercooked foods; pasteurized foods used and prohibited foods not offered shall equal no more than 2 points.
- (18) Violation of Chapter 3 or 7 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 and .2657 related to food additives approved and properly used; toxic substances properly identified, stored, and used shall equal no more than 2 points.

- (19) Violation of Chapters 3 and 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 and .2654 related to adequate equipment for temperature control; plant food properly cooked for hot holding; approved thawing methods used shall equal no more than 2 points
- (20) Violation of Chapter 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654 related to thermometers provided and accurate shall equal no more than 1 point.
- (21) Violation of Chapter 3 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 related to food being properly labeled or in the original container shall equal no more than 1 point.
- (22) Violation of Chapters 2 and 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652 and .2656 related to insects and rodents not present and no unauthorized animals shall equal no more than 1 point.
- (23) Violation of Chapters 2, 3, 4, 6, or 7 of the of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652, 2653, 2654, 2656, and .2657 related to contamination prevented during food preparation, storage, and display, personal cleanliness, wiping cloths properly used and stored, and washing fruits and vegetables shall equal no more than 2 points.
- (24) Violation of Chapters 3 and 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 and .2654 related to in-use utensils properly stored; utensils, equipment, and linens properly stored, dried and handled; single-use and single-service articles properly stored and used; gloves used properly shall equal no more than 2 points.
- (25) Violation of Chapters 3 and 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 and .2654 related to equipment, food and non-food contact surfaces approved, cleanable, properly designed, constructed and used; warewashing facilities installed, maintained, used, and test strips shall equal no more than 1 point.
- (26) Violation of Chapter 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654 related to non-food contact surfaces clean shall equal no more than 1 point.
- (27) Violation of Chapters 5 and 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2655 and .2656 related to hot and cold water available and adequate pressure; plumbing installed and proper backflow devices; sewage and wastewater properly disposed; toilet facilities properly constructed, supplied, and cleaned; garbage and refuse properly disposed and facilities maintained shall equal no more than 2 points.
- (28) Violation of .1017(e) or Chapters 4 or 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654 and .2656 related to physical facilities installed, maintained, and clean shall equal no more than 1 point.
- (29) Violation of Rule .1017(c) regarding lighting intensity, or Chapters 4 and 6 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654 and .2656 related to meets ventilation and lighting requirements and designated areas used shall equal no more than 1 point.

(e) The inspection form shall be used to document points assessed for violations of the Rules of this Section as set forth in paragraph (c) and (d) of this Rule.

(f) In filling out the inspection form, points shall be deducted only once for a single occurrence or condition existing within the summer camp. Deductions shall be based on actual violations of the rules of this Section observed during the inspection. The regulatory authority shall take zero, one-half or a full deduction of points depending upon the severity or the recurring nature of the violation.

(g) Water stains on walls or ceilings are not violations unless microbial growth is present.

(h) The posted grade card shall be black on a white background on a form provided by the Department. The alphabetical and numerical rating shall be 1.5 inches in height. No other public displays representing sanitation level of the establishment may be posted by the summer camp unless approved by the regulatory authority.

*History Note: Authority G.S. 130A-4; 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019; 2019;
Amended Eff. April 1, 2024.*

15A NCAC 18A .1009 STANDARDS

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019; 2019;
Repealed Eff. April 1, 2024.*

15A NCAC 18A .1011 WATER SUPPLY

- (a) Water supplies shall meet the requirements in 15A NCAC 18A .1700, .1700 or 15A NCAC 18C, as applicable.
- (b) For summer camps that use a non-community water supply, a sample of water shall be collected by the Department once a year and submitted to the North Carolina State Laboratory of Public Health or other laboratory certified by the North Carolina State Laboratory

~~of Public Health under 10A NCAC 42C .0102 The water supply used shall be located, constructed, maintained, and operated in accordance with the Commission for Public Health's rules governing water supplies. At least once a year, a sample of water shall be collected by the Department and submitted to the Division of Laboratory Services or other laboratory certified by the Department to perform bacteriological examinations. A sample of water from a private or public non-community water supply serving a summer camp shall be collected by the sanitarian and submitted at least once a year to the laboratory section of the Department or other approved laboratory for bacteriological examination. If the summer camp has been closed for more than 180 consecutive days during any 365-day period, the regulatory authority shall collect these samples at least 30 days and not more than 60 days prior to the camp's scheduled opening date. Failure of the regulatory authority to collect these samples at least 30 days prior to the camps scheduled opening shall not impede the opening of the camp.~~

~~(c) A summer camp's water supply plumbing shall not include cross-connections. Cross-connections with unapproved water supplies are prohibited. All plumbing fixtures for potable water shall be provided and installed as required by the North Carolina State Building Code. Copies of the North Carolina State Building Code may be obtained from the North Carolina Department of Insurance, P.O. Box 26387, Raleigh, North Carolina 27611.~~

~~(d) Summer camps shall provide hot water heating facilities. facilities shall be provided. Hot and cold running water under pressure shall be provided to food preparation areas, bathing facilities, and any other areas in which water is required for cleaning.~~

History Note: Authority G.S. 130A-4; 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1990; July 1, ~~1986.~~ 1986;
Readopted Eff. April 1, 2024.

15A NCAC 18A .1012 RECREATIONAL WATERS

~~When public swimming pools are provided by a summer camp, they shall meet the requirements of Section .2500 of this Subchapter.~~

~~(a) A natural or artificial body of water may be approved by the Department for the recreational purposes based upon the results of inspections, bacteriological examinations of the water, and sanitary surveys.~~

~~(b) Swimming Pools shall meet the requirements in 15A NCAC 18A .2500.~~

History Note: Authority G.S. 130A-4; 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, ~~1990.~~ 1990;
Readopted Eff. April 1, 2024.

15A NCAC 18A .1014 TOILET; HANDWASHING; LAUNDRY; AND BATHING FACILITIES

~~(a) All summer camps shall be provided with toilet, handwashing, and bathing facilities which are adequate, conveniently located and readily accessible. available for use by employees and campers during all hours the camp is open. Toilets for campers shall be located so that the campers do not pass through a camp food service kitchen to enter the toilet rooms. Toilet facilities shall be provided at a rate of not more than 25 campers and staff per toilet seat. Toilet facilities shall be provided within 500 feet of permanent sleeping quarters and within 500 feet of every camp kitchen facility. Urinals may substitute for no more than two-thirds of toilets. The toilet facility ratio and distance requirements of this Paragraph do not apply to any structure used in the operation of the summer camp before the effective date of this Rule. These facilities, and laundry facilities when provided, shall comply with the North Carolina State Building Code, Volume II.~~

~~(b) A sufficient number of water closets or privies approved by the Department shall be provided.~~

~~(b)(e) Adequate lavatories supplied Handwashing facilities with running water potable water, soap, and individual towels or hand-drying devices shall be provided and located convenient in or immediately adjacent to all flush toilet facilities. At least one lavatory supplied with hot and cold running water through mixing faucets and with soap and towels shall be provided in the kitchen and any other food preparation areas All camp kitchen facilities at basecamp shall contain at least one sink that can be used for handwashing supplied with hot and cold running water through mixing faucets, soap, and individual towels or hand-drying devices.~~

~~(c)(d) Bathing facilities shall be provided with hot and cold potable water, and located convenient to sleeping quarters. Bathing facilities shall not be required for day camps where neither campers nor staff stay at the camp overnight.~~

~~(d) All toilet, handwashing, and bathing fixtures shall be kept clean and in good repair.~~

~~(e) Laundry facilities, areas and equipment, if provided, shall be kept clean and in good repair. Soiled laundry shall be handled and stored separately from clean laundry.~~

History Note: Authority G.S. 130A-4; 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, ~~1990.~~ 1990;
Readopted Eff. April 1, 2024.

15A NCAC 18A .1017 FOOD SERVICE FACILITIES

~~(a) Food service facilities Summer camps that prepare or serve food for pay shall include a at least one camp food service kitchen of adequate size and of completely enclosed, permanent construction, and a covered dining hall. hall providing protection from the~~

elements. A camp food service kitchen shall comply with the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651-.2658 with the following exceptions:

- (1) Any TCS food required to be maintained at or below 41 degrees Fahrenheit by the provisions set forth in Part 3-501 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 may also be maintained between 41 degrees Fahrenheit and 45 degrees Fahrenheit in refrigeration equipment that is not capable of maintaining the food at 41 degrees Fahrenheit or less if:
 - (A) The equipment is in place and in use in the camp food service kitchen on or before the effective date of this Rule;
 - (B) On or before April 1, 2026, the equipment is upgraded or replaced to maintain food at a temperature of 5 degrees Celsius or 41 degrees Fahrenheit or less; and
 - (C) Any food required to be datemarked in accordance with Part 3-501.17 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 is clearly marked to indicate the date or day by which the food shall be consumed on the premises, sold, or discarded when held at a temperature between 41 degrees Fahrenheit and 45 degrees Fahrenheit for a maximum of 4 days. The day of preparation shall be counted as Day 1;
- (2) The provisions of Part 8-405 the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2658 shall not apply to camp food service kitchens;
- (3) The lighting intensity requirements set forth in Part 6-303.11 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2656 shall not apply;
- (4) Nothing in these Rules shall prohibit family style service where patrons elect to participate in the family dining-table type of service;
- (5) For all equipment, except warewashing equipment, non-commercial equipment in good repair shall be allowed in a camp food service kitchen;
- (6) When only single-service eating and drinking utensils are used, a sink with at least two-compartments meeting the requirements set forth in Chapter 4 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2654 shall be acceptable as the camp food service kitchen warewashing sink;
- (7) The provisions of Part 2-102 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652 shall not apply; and
- (8) The following provisions of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651 -.2658 shall be effective for summer camps beginning April 1, 2025:
 - (A) Part 2-103.11 Person In Charge;
 - (B) Part 2-201 Responsibilities of Permit Holder, Person in Charge, Food Employees, and Conditional Employees;
 - (C) Part 4-302.13(B) Temperature Measuring Devices, Mechanical Warewashing; and
 - (D) Part 2-501.11 Clean-up of Vomiting and Diarrheal Events.

(b) After April 1, 2026, all TCS food in camp food service kitchens shall be held in accordance with the provisions of Part 3-501 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653 with no allowance for cold holding above 41 degrees Fahrenheit.

(c) Camp food service kitchens shall be illuminated by natural or artificial means.

(d) If camp food service is provided by contract with an outside person or operated by an outside company, the responsibility for compliance with food service sanitation requirements remains with the permit holder. The permit holder shall confirm that all food provided by an outside person or company complies with the requirements of Part 3-201.11 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2653.

(e) Supplemental cooking rooms shall be allowed in summer camps. Supplemental cooking rooms shall comply with the standards set forth in 15A NCAC 18A .2664 except that the lighting intensity requirements in item (7) of that Rule shall not apply.

(f) Educational kitchens may be operated with non-commercial utensils and equipment. Notwithstanding the provisions set forth in this Section, field sanitation standards set forth in 15A NCAC 18A .3619 shall be met in educational kitchens.

(g) The lighting in any educational kitchen, food preparation area, or food storage area shall comply with Part 6-202.11 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2656.

*History Note: Authority G.S. 130A-4; 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1990;
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Amended Eff. April 1, 2024.*

15A NCAC 18A .1018 FOOD SERVICE UTENSILS AND EQUIPMENT

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1990;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, ~~2019~~ 2019;
Repealed Eff. April 1, 2024.*

15A NCAC 18A .1019 FOOD SUPPLIES

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, ~~1977~~ 1997;
Repealed Eff. April 1, 2024.*

15A NCAC 18A .1020 SHELLFISH

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, ~~2019~~ 2019;
Repealed Eff. April 1, 2024.*

15A NCAC 18A .1021 MILK AND MILK PRODUCTS

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1990; July 1, ~~1984~~ 1984;
Repealed Eff. April 1, 2024.*

15A NCAC 18A .1022 FOOD PROTECTION

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
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Amended Eff. October 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, ~~2019~~ 2019;
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15A NCAC 18A .1027 FOOD SERVICE EMPLOYEES

*History Note: Authority G.S. 130A-248;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;
Amended Eff. September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, ~~2019~~ 2019;
Repealed Eff. April 1, 2024.*