

15A NCAC 18A .2656 PHYSICAL FACILITIES

The provisions of this Rule make amendments, additions, and deletions to the Food Code incorporated by reference in Rule .2650 of this Section. In Chapter 6, the following apply:

- (1) Delete Section 6-202.17.
- (2) Delete Section 6-202.18.
- (3) In Paragraph 6-501.115(B), amend to read:
"Live animals are allowed in the following situations if the owner or operator does not permit animals to physically contact food, serving dishes, utensils, tableware, linens, unwrapped single-service and single-use articles or other food service items that may result in contamination of food or food-contact surfaces and does not permit animals to physically contact employees engaged in the preparation or handling of food:
 - (1) Fish or crustacea in aquariums or display tanks;
 - (2) Patrol dogs accompanying police or security officers in offices and dining, sales, and storage areas; and sentry dogs in outside fenced areas;
 - (3) Service animals accompanying persons with disabilities in areas that are not used for food preparation;
 - (4) Dogs (*Canis lupus familiaris*) and cats (*Feliscatus*) in outdoor dining areas; provided that dogs and cats are physically restrained, and do not pass through any indoor areas of the food establishment. Except for service animals described in Subparagraph (3) of this Paragraph, nothing in this Rule prohibits a food establishment from prohibiting dogs and cats in outdoor dining areas; and
 - (5) In areas that are not used for food preparation, storage, sales, display, or dining, in which there are caged animals or animals that are similarly confined, such as in a variety store that sells pets or a tourist park that displays animals."

History Note: Authority G.S. 130A-248; S.L. 2011-394, Section 15(a);
Eff. September 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20, 2019.