

# **15A NCAC 18A .2831 ANIMAL AND VERMIN CONTROL**

(a) Animals that are not contained in a cage or restrained on a leash, except those used in supervised activities or pet therapy programs, shall not be allowed in a child care center, including the outdoor learning environment. When animals are on the child care center premises, copies of each animal's vaccination records shall be available for review upon request during a sanitation inspection of the child care center. Any animals kept at the child care center as pets shall be examined by a veterinarian to determine that they are free from pests and pathogens that could adversely affect human health. Turtles, iguanas, frogs, salamanders, and other reptiles or amphibians shall not be kept as pets on the child care center premises. Animals shall not be allowed in or kept at the entrances to food preparation areas. Animal cages shall be kept clean and animal waste materials shall be bagged, sealed, and immediately disposed of in the child care center's exterior garbage area in a covered container. Animals belonging to child care center owners, employees, volunteers, visitors, and children shall not be allowed in child care centers or on the premises unless the requirements set forth in this Paragraph are met.

(b) Pests shall be excluded from the child care center. Traps set for pests shall only be placed in areas that are inaccessible to children.

(c) All openings to the area outside of the child care center shall be protected against the entrance of flying pests. In food preparation areas, only fly traps, pyrethrin-based insecticides, or a fly swatter shall be used for extermination of flying pests. Products shall be used only in accordance with directions and cautions appearing on their labels. Insecticides shall not come in contact with raw or cooked food, utensils, or equipment used in food preparation and serving, or with any other food-contact surface.

(d) Only those pesticides which have been registered in accordance with 40 C.F.R. 152 and G.S. 143-442 shall be used to control pests at a child care center. Pesticides shall be used in accordance with the directions on the label and shall be stored in a locked storage room or cabinet separate from foods and medications. Pesticides shall not be applied or used when children are present in the area.

(e) Decks, fences, playground equipment, and other products constructed or installed after September 1, 2006 shall not be made from chromated copper arsenate (CCA) pressure-treated wood unless the use of CCA-treated wood is for an approved use listed on the CCA product label.

(f) In areas accessible to children, CCA-treated wood decks, playground and recreational equipment, and structures installed or constructed shall be sealed using an oil-based, semi-transparent sealant; oil-based clear stain; or a water-based clear stain applied at least once every two years.

(g) At the time of the initial sealant or stain application and whenever more than two years has passed since the previous sealant application, soil under CCA-treated wood shall be:

- (1) removed and replaced with similar material;
- (2) covered with at least four inches of soil, gravel, sand, sod, or other vegetation; or
- (3) otherwise made inaccessible to children.

(h) Any composting areas shall be covered and maintained to prevent attracting pests. Worm bins shall be kept covered.

(i) Grass, fruit and vegetable gardens, vines on fences, and other vegetation shall be maintained to prevent the harboring and breeding of pests.

(j) Pets kept outdoors at a child care center shall be in a designated area that is maintained and separate from the outdoor area used by the children.

*History Note: Authority G.S. 110-91;  
Eff. July 1, 1991;  
Temporary Amendment Eff. April 15, 1998;  
Amended Eff. August 2, 2007; January 1, 2006; April 1, 1999;  
Readopted Eff. July 1, 2023.*