

## SECTION .2800 - SANITATION OF CHILD CARE CENTERS

### 15A NCAC 18A .2801 DEFINITIONS

The following definitions shall apply throughout this Section:

- (1) "Adequate" means to be of the size, volume, or technical specifications necessary to effectively accommodate and support the planned, current, or projected workloads for the technology or constructed space.
- (2) "Approved Disinfectant" means a chlorine solution containing 500 to 800 parts per million (ppm) of chlorine or a disinfectant as defined at 40 C.F.R. 158.2203 that is registered with the United States Environmental Protection Agency (EPA) in accordance with 40 C.F.R. 152 with use indicated in schools and child care settings and that is prepared and maintained in accordance with Rule .2812(i) of this Section.
- (3) "Chain or Franchise Child Care Center" means a child care center that operates under the same business name and prototype design concept, with common ownership or management, as nine or more other child care centers pursuant to a franchise agreement under the same franchisor as nine or more other child care centers.
- (4) "Child Care Administrator" means as defined at G.S. 110-86(2a).
- (5) "Child Care Center" means as defined at 10A NCAC 09 .0102(6).
- (6) "Child Care Operator" or "Operator" means as defined at G.S. 110-86(7).
- (7) "Clean" means that an object or surface has been made free of garbage, soil, dust, hair, dander, food, bodily fluids and secretions, and feces.
- (8) "Communicable Condition" means as defined at G.S. 130A-2(1b).
- (9) "Communicable Disease" means as defined at G.S. 130A-2(1c).
- (10) "Department" or "DHHS" means the North Carolina Department of Health and Human Services or the Department's authorized agent pursuant to G.S. 130A-4.
- (11) "Designated Emergency Medication" means a medication needed to immediately treat a life-threatening medical event that is administered in accordance with 10A NCAC 09 .0803(10) and G.S. 110-102.1A.
- (12) "Detergent Solution" means a solution comprised of water and soap.
- (13) "Disinfect" means a non-sporicidal process of using an approved disinfectant on inanimate surfaces to destroy or irreversibly inactivate fungi, viruses, and bacteria.
- (14) "Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.
- (15) "Food-contact surface" means as defined in Part 1-201.10 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651.
- (16) "Food Preparation" means the handling of foods or utensils in the preparation of meals, including opening and closing of baby bottles, baby food jars, and cereal boxes, as well as the opening and closing of any other food items during the assembly of ingredients.
- (17) "Food Service" means the distribution of foods for consumption, including milk placed in a pitcher or other serving container, ice that is transported, stored and dispensed, the distribution of children's bagged lunches and snacks sent from home, and the use of utensils to prevent direct food contact.
- (18) "Frying" means to cook over direct heat in hot oil or fat. This includes the oil or fat that is generated by the food or added to the cooking utensil.
- (19) "Garbage" means as defined at G.S. 130A-290(a)(7).
- (20) "Good Repair" means as defined at 15A NCAC 18A .2651(8). Items that are in good repair shall be free of substrate damage, deterioration, peeling surfaces, and broken or missing parts and shall operate in accordance with the manufacturer's or builder's instructions.
- (21) "Hand Antiseptic" means as defined in Part 2-301.16 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652.
- (22) "Handwash Lavatory" means a sink that is equipped with hot and cold water under pressure and is used primarily for handwashing.
- (23) "Hazard" means as defined in Part 1-201.10 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651, except that "consumer" shall be replaced with "child."

- (24) "Hermetically Sealed Container" means as defined in Part 1-201.10 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2651.
- (25) "Licensing Agency" means the DHHS, Division of Child Development and Early Education.
- (26) "Local Health Department" means as defined at G.S. 130A-2(5).
- (27) "Milk Products" means as defined in Section 1 of the 2017 Grade "A" Pasteurized Milk Ordinance, including subsequent amendments and editions, established by the U.S. Department of Health and Human Services, Food and Drug Administration, which is hereby incorporated by reference and available free of charge at <https://www.fda.gov/media/114169/download>.
- (28) "Multi-Service Articles" means tableware, including flatware and hollowware that are designed, fabricated, and intended by the manufacturer to be washed, rinsed, sanitized, and re-used.
- (29) "Multi-Use Articles" means bulk food containers and utensils designed, fabricated, and intended by the manufacturer to be washed, rinsed, sanitized, and re-used. The term includes food storage containers, beverage pitchers, serving spoons and bowls, tongs, and spatulas. The term does not include multi-service articles as defined in this Rule.
- (30) "Outdoor Learning Environment" means as set forth at 10A NCAC 09 .0605.
- (31) "Pest" means as defined at G.S. 143-460(26a).
- (32) "Potable Water" means water from a potable water supply as defined at 15A NCAC 18C .0102(c)(18).
- (33) "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 food of animal origin, raw seed sprouts, and heat-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 value of 0.85 or less.
- (34) "Sanitize" means a process of using a sanitizing solution on inanimate surfaces to destroy or irreversibly inactivate bacteria.
- (35) "Sanitizing Solution" means a solution containing 50 to 200 parts per million (ppm) of chlorine or a sanitizer as defined at 40 C.F.R. 158.2203 that is registered with the EPA in accordance with 40 C.F.R. 152 that is approved by the EPA for use on food-contact surfaces, does not require a final rinse step, and has a testing method that can be used by child care center employees to confirm that the prescribed chemical concentrations are met and that is prepared and maintained in accordance with Rule .2812(j) of this Section.
- (36) "School Age" means a school-aged child as defined at 10A NCAC 09 .0102(42).
- (37) "Single-Service Articles" means tableware, including flatware and hollowware, carry-out utensils and other items such as bags, containers, stirrers, straws, toothpicks, and wrappers that are designed, fabricated and intended by the manufacturer for one-time use.
- (38) "Single-Use Articles" means bulk food containers and utensils intended by the manufacturer to be used once and discarded. The term includes formed buckets, bread wrappers, pickle barrels, and No. 10 cans. The term does not include single-service articles as defined in this Rule.
- (39) "Tempered Water" means water that is between 80 and 110 degrees Fahrenheit.
- (40) "Utensil" means any kitchenware, tableware, glassware, cutlery, containers or other equipment that food or drink comes in contact with during storage, preparation or serving.
- (41) "Water Play Center" means water tables or containers that allow children to scoop, splash, pour, and play with water to explore their senses.
- (42) "Work Surfaces" means surfaces used for food service, stove tops, food contact utensil and dishwashing sinks, surfaces used for air drying, drain boards, surfaces used for diaper changing, counter top surfaces, and children's work tables, desks, and easels.

*History Note:* Authority G.S. 110-91;  
Eff. July 1, 1991;  
Amended Eff. March 1, 1995;  
Temporary Amendment Eff. April 15, 1998;  
Amended Eff. July 1, 2006; January 1, 2006; April 1, 1999;  
Readopted Eff. July 1, 2023.