

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1105

Short Title: Clarify Regulated Establishments.

(Public)

Sponsors: Representative Gibson.

Referred to: Public Health.

April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO CLARIFY WHICH ESTABLISHMENTS ARE SUBJECT TO REGULATION AS FOOD AND LODGING FACILITIES UNDER CHAPTER 130A OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-247(4) reads as rewritten:

"(4) 'Establishment that prepares or serves drink' means a business or other entity that prepares or serves beverages made from raw apples or potentially hazardous beverages made from other raw fruits or vegetables or that otherwise puts together, portions, sets out, or hands out drinks in unpackaged portions using containers that are reused on the premises rather than single-service containers. for human consumption."

Section 2. G.S. 130A-247(5) reads as rewritten:

"(5) 'Establishment that prepares or serves food' means a business or other entity that cooks, puts together, portions, sets out, or hands out food ~~in unpackaged portions for human consumption.~~ for human consumption."

Section 3. G.S. 130A-250 reads as rewritten:

"§ 130A-250. Exemptions.

The following shall be exempt from this Part:

- 1 (1) Establishments that provide lodging described in G.S. 130A-248(a1)
2 with four or fewer lodging ~~units;~~units.
- 3 (2) ~~Condominiums;~~ Condominiums.
- 4 (3) Establishments that prepare or serve food or provide lodging to regular
5 boarders or permanent house guests ~~only;~~only.
- 6 (4) Private homes that occasionally offer lodging accommodations, which
7 may include the providing of food, for two weeks or less to persons
8 attending special events, provided these homes are not bed and breakfast
9 homes or bed and breakfast ~~inns;~~inns.
- 10 (5) Private ~~clubs;~~ clubs.
- 11 (6) Curb markets operated by the State Agricultural Extension ~~Service;~~
12 Service.
- 13 (7) Establishments that prepare or serve food or drink for pay no more
14 frequently than once a month for a period not to exceed two consecutive
15 ~~days;~~days, including establishments permitted pursuant to this Part
16 when preparing or serving food or drink at a location other than the
17 permitted locations.
- 18 (8) Establishments that put together, portion, set out, or hand out only ~~drinks~~
19 beverages that do not include those made from raw apples or potentially
20 hazardous beverages made from raw fruits or vegetables, using single
21 service containers that are not reused on the ~~premises;~~ and premises.
- 22 (9) ~~Markets~~Establishments where meat food products or poultry products
23 are prepared and sold and which are under ~~the continuous~~ inspection by
24 the North Carolina Department of Agriculture and Consumer Services
25 or the United States Department of Agriculture.
- 26 (10) Establishments that only set out or hand out beverages that are regulated
27 by the North Carolina Department of Agriculture and Consumer
28 Services in accordance with Article 12 of Chapter 106 of the General
29 Statutes.
- 30 (11) Establishments that only set out or hand out food that is regulated by the
31 North Carolina Department of Agriculture and Consumer Services in
32 accordance with Article 12 of Chapter 106 of the General Statutes."

33 Section 4. This act becomes effective October 1, 1999.