

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 485

Short Title: Food Workers Health Precautions.

(Public)

Sponsors: Representatives Rhodes; Beall, Brown, N. Crawford, Dickson, Duncan, Esposito, Flaherty, Fletcher, Gist, Howard, Justus, Privette, Walker, and Wood.

Referred to: Human Resources.

March 8, 1989

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THAT FOOD SERVICE WORKERS WEAR GLOVES OR
2 USE A UTENSIL WHEN HANDLING UNWRAPPED FOOD, THAT
3 WAITPERSONS WEAR HAIR NETS WHILE AT WORK, AND THAT ALL
4 FOOD SERVICE WORKERS UNDERGO A BLOOD TEST ANNUALLY TO
5 DETECT THE PRESENCE OF COMMUNICABLE DISEASES.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 130A-248 reads as rewritten:

9 "**§ 130A-248. Regulation of restaurants and hotels.**

10 (a) For the protection of the public health, the Commission shall adopt rules
11 governing the sanitation of restaurants, hotels, motels, tourist homes, school cafeterias,
12 summer camps, food or drink stands, sandwich manufacturing operations, mobile food
13 units, pushcarts and other facilities where food or drink is prepared or served for pay or
14 where lodging is provided for pay. The rules shall address, but not be limited to, the
15 establishment of sanitation requirements for cleanliness of floors, walls, ceilings,
16 storage spaces, utensils and other areas and items; adequacy of lighting, ventilation,
17 water supply, sewage collection, treatment and disposal facilities, lavatory facilities,
18 food protection facilities and waste disposal; the cleaning and bactericidal treatment of
19 eating and drinking utensils and other food-contact surfaces; methods of food
20 preparation, transportation, catering, storage and serving; health of employees; and
21 animal and vermin control. The rules shall provide that in establishments where food is
22 prepared or served, workers who handle unwrapped food shall wear gloves or use an
23 appropriate utensil when handling unwrapped food. Waitpersons shall be exempt from

1 the requirement of wearing gloves, but shall be required to wear hair nets while
2 performing their employment duties. The rules shall further provide that all food service
3 workers who handle unwrapped food shall undergo an annual examination, including
4 blood testing where necessary, to determine whether the worker has a communicable
5 disease, as defined by this Chapter and the rules of the Commission. No food service or
6 food preparation establishment may require or permit a worker to handle unwrapped
7 food unless the worker proves that he has had the annual examination required by this
8 section within the past year and has been certified by the examiner as free of any
9 communicable disease. The rules shall contain a system for grading facilities, such as
10 Grade A, Grade B and Grade C.

11 (b) No facility shall commence or continue operation that does not have a permit
12 issued by the Department. The permit shall be issued to the owner or operator of the
13 facility and shall not be transferable. A permit shall be issued only when the facility
14 satisfies all of the requirements of the rules. A permit shall be immediately revoked in
15 accordance with G.S. 130A-23(d) for failure of the facility to maintain a minimum
16 grade of C. A permit may otherwise be suspended or revoked in accordance with G.S.
17 130A-23."

18 Sec. 2. This act shall become effective July 1, 1989, and shall apply to all
19 persons employed in food service or food preparation establishments on or after that
20 date. Persons in the employment of food service and food preparation establishments
21 on July 1, 1989, shall have 30 days from that date to undergo the examination required
22 by this act; persons hired on or after July 1, 1989, shall undergo the examination
23 required by this act before beginning employment.