



North Carolina Department of Health and Human Services
Division of Public Health

Pat McCrory
Governor

Aldona Z. Wos, M.D.
Ambassador (Ret.)
Secretary DHHS

Laura Gerald, M.D., M.P.H.
State Health Director

June 19, 2013

POSITION STATEMENT: WAREWASHING Facilities in Existing FOOD ESTABLISHMENTS and Guidance for New PERMITS

PURSUANT TO: 15A NCAC 18A .2600 *Rules Governing the Food Protection and Sanitation of Food Establishments* (.2654) and *North Carolina Food Code Manual* (2009 Food Code, Parts 4-3 and 8-1)

SOURCE: Kristina V. Nixon, MPA, REHS
Field Supervisor, Food Protection and Facilities Branch

QUESTION:

What are the WAREWASHING sink requirements for new and existing ESTABLISHMENTS following the adoption of the 2009 Food Code on September 1, 2012?

DISCUSSION AND RATIONALE:

Prior to the effective date of the NC Food Code, a 2- compartment sink could be considered approved in FOOD ESTABLISHMENTS if single-service TABLEWARE was used regardless of batch washing. In some operations where all KITCHENWARE and TABLEWARE could effectively be washed in a WAREWASHING machine, no WAREWASHING sink was installed.

Food Code Part 4-3 NUMBERS AND CAPACITIES, *Subpart 4-301 Equipment* includes provisions for WAREWASHING facilities for all FOOD ESTABLISHMENTS. Section 4-301.12(A) requires a 3-compartment sink for manually washing, rinsing and SANITIZING EQUIPMENT and UTENSILS. Paragraphs (C) and (D) provide alternatives which may be allowed when there are special cleaning needs or constraints including the use of a 2-compartment sink. ESTABLISHMENTS that use a 2-compartment sink must request approval from the local REGULATORY AUTHORITY by submitting written procedures ensuring compliance with 4-301.12 (D).

ESTABLISHMENTS that do not comply with the provisions of Subpart 4-301 must request a VARIANCE as specified in Food Code Part 8-1 CODE APPLICABILITY.

ESTABLISHMENTS that change ownership may also request a VARIANCE. Requests will be considered based on Provisions in Part 8-1.

www.ncdhhs.gov • www.publichealth.nc.gov • www.ehs.ncpublichealth.com

Tel 888-251-5543 • Fax 919-845-3972

Location: 5605 Six Forks Road • Raleigh, NC 27609

Mailing Address: 1632 Mail Service Center • Raleigh, NC 27699-1632

An Equal Opportunity / Affirmative Action Employer



RESPONSE / INTERPRETATION:

1. New and existing ESTABLISHMENTS wishing to use a 2-compartment sink for WAREWASHING must request approval from the REGULATORY AUTHORITY. A 2-compartment sink shall be approved if it complies with the provisions of Section 4-301.12. Written procedures should be posted in the WAREWASHING area.
2. Existing ESTABLISHMENTS using a 2-compartment sink operation that does not comply with Subpart 4-301 must apply for a VARIANCE.
3. Existing ESTABLISHMENTS with only a mechanical WAREWASHING machine must apply for a VARIANCE. These ESTABLISHMENTS must be evaluated to ensure that all EQUIPMENT and UTENSILS fit into the machine and can be properly washed, rinsed and SANITIZED without the use of a 3-compartment sink. In this case, the REGULATORY AUTHORITY and VARIANCE Committee will need to work together to ensure approved procedures. VARIANCES granted under this circumstance will contain the condition that they must close when the WAREWASHING machine is inoperable.
4. Upon change of ownership, the new owner may request approval of an existing 2-compartment sink if there are no changes that affect the WAREWASHING operation. If the provisions of Paragraphs 4-301.12(D) and (E) are not met, the new owner must apply for a VARIANCE. These ESTABLISHMENTS can continue to operate under existing conditions throughout the transitional period. Subpart 4-301 must be met or a VARIANCE granted before the permanent PERMIT can be issued.
5. Upon change of ownership, if there are no changes that affect the WAREWASHING operation, existing ESTABLISHMENTS with only a mechanical WAREWASHING machine must comply with Subpart 4-301 or apply for a VARIANCE. These ESTABLISHMENTS can continue to operate under existing conditions throughout the transitional period. Subpart 4-301 must be met or a VARIANCE granted before the permanent PERMIT can be issued.
6. All new ESTABLISHMENTS must install a 3-compartment sink or request approval for a 2-compartment sink under the provisions of Paragraphs 4-301.12(D) and (E), regardless of whether mechanical WAREWASHING facilities are provided.

This guidance does not eliminate the requirements for compliance with the materials, design and construction standards for WAREWASHING EQUIPMENT as specified in Parts 4-1 and 4-2 of the NC Food Code.

REFERENCES: 15A NCAC 18A.2654; NC Food Code Manual Section 4-301.12, Part 8-1.