2   TERMS

The following terms will be used within this guidance manual. Current definitions (designated by bold print) will be referenced to the appropriate statute or rule. Other terms are used exclusively for the purposes of this manual and are not meant to be legally-binding definitions.

1. "Caterer" means a person operating from a permitted food service establishment who makes an agreement with one individual or firm to provide a predetermined quantity of food on a specific date or dates at a site not open to the general public.

2. "**Coventurer**" means any person who, for compensation, conducts a charitable sales promotion or a sponsor sales promotion, other than in connection with the solicitation of contributions. (§ 131F-2 (6))

3. "**Embargo**" means an order from a public health official requiring a person to detain or hold food or drink that the official believes is either adulterated or misbranded. Once embargoed, public health official must seek condemnation order from district or superior court. (§ 130A-21; §106-125)

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 for human consumption.
(§ 130A-247(4))

5. "**Establishment that prepares or serves food**" means a business or other entity that cooks, puts together, portions, sets out, or hands out food for human consumption.
(§ 130A-247(5))

6. "**Food**" means any raw, cooked, or processed edible substance including meat, meat food products, poultry, poultry products, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption. (15A NCAC 18A .2601(10))

7. "**Food service establishment**" means any establishment or operation where food is prepared or served at wholesale or retail for pay, or any other establishment or operation where food is prepared or served that is subject to the provisions of § 130A-248. The term does not include establishments which only serve such items as dip ice cream, popcorn, candied apples, or cotton candy.
(15A NCAC 18A .2601(11))

8. "**Imminent hazard**" means a situation that is likely to cause an immediate threat to human life, an immediate threat of

serious physical injury, an immediate threat of serious adverse health effects, or a serious risk of irreparable damage to the environment if no immediate action is taken. (§ 130A 2(3))

9. "**Injunction**" means a court order to cease an activity (e.g. selling food without a permit). A "temporary restraining order" (TRO) is a type of injunction that allows a court to immediately order a person to stop doing something (or not do something at all). (§ 130A 18)

10. "**Mobile Food Unit**" means a vehicle-mounted food service establishment designed to be readily moved. (15A NCAC 18A .2601(20))

11. "**Pushcart**" means a mobile piece of equipment or vehicle which serves hot dogs or foods which have been prepared, pre-portioned, and individually pre-wrapped at a restaurant or commissary. (15A NCAC 18A .2601(25))

12. "**Person**" means any individual, firm, association, organization, partnership, business trust, corporation, or company. (15A NCAC 18A .2601(21))

13. "Personal Chef" means a person that sells their personal services of food preparation to individuals. No preparation, marinating, and/or opening of food packaging are permitted prior to arriving to the private location of the person which has hired the personal chef. A personal chef may purchase food necessary for the meals planned to be prepared at the private location.

14. "**Regular boarder**" means a person who receives food for periods of a week or longer. (§ 130A-247(3)

15. "**Responsible person**" means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee is the responsible person (15A NCAC 18A .2601(27)).