

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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SENATE BILL DRS35017-MG-5 (11/16)

Short Title: Regulate Pesticide Application in Restaurants. (Public)

Sponsors: Senators Dunn and Lowe (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT REQUIRING THE COMMISSION FOR PUBLIC HEALTH TO AMEND THE RULES GOVERNING THE FOOD PROTECTION AND SANITATION OF FOOD ESTABLISHMENTS TO ENSURE THAT POISONOUS OR TOXIC MATERIALS FOR CONTROLLING ANIMAL AND VERMIN ARE APPLIED WHEN ESTABLISHMENTS ARE CLOSED TO THE PUBLIC AND IN A MANNER THAT PROTECTS AGAINST THE CONTAMINATION OF FOOD OR FOOD PREPARATION AREAS.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 130A-248(a3) reads as rewritten:

"(a3) The rules adopted by the Commission pursuant to subsections (a), (a1), and (a2) of this section shall address, but not be limited to, the following:

...

(6) Animal and vermin control; control, including precautions for ensuring that poisonous or toxic materials for controlling animal and vermin in establishments that prepare or serve food are applied during hours when the establishment is closed to the public and in a manner that does not contaminate food or food preparation areas; and

...

The rules shall contain a system for grading establishments, such as Grade A, Grade B, and Grade C. The rules shall be written in a manner that promotes consistency in both the interpretation and application of the grading system."

**SECTION 1.(b)** Notwithstanding G.S. 150B-21.1(a), the Commission for Public Health may adopt temporary rules in accordance with Chapter 150B of the General Statutes to implement the provisions of G.S. 130A-248(a3), as amended by this act.

**SECTION 2.** This act is effective when it becomes law.



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