

Child Care Sanitation .2800 Permanent Rules Re-Adoption Update



NC SOP Child Care
Sanitation Workshop



Child Care Rules Re-Adoption Process

- § 150B-21.3A. Periodic review and expiration of existing rules:
Requires rules to be reviewed and re-adopted at least once every 10 years
- Process very different from the rules rewrite process
- Rules Approved by the NC Commission for Public Health
- on February 1, 2023
- Rules Approved at the May 18th RRC Meeting
- **Effective Date: July 1, 2023**
- Updated in the NC Administrative Code & CEH web-site
- Training information:
<https://ehs.dph.ncdhhs.gov/hhccehb/cehu/ccs/children.htm>

New Permanent Child Care Sanitation Rules Operator's Training

The changes made to the child care sanitation rules during the re- adoption process are primarily technical in nature and are not expected to impact current operations and procedures. For those changes that may impact operations, training was designed to explain the changes and provide recommendations on implementation.

The current cycle of inspections (**July to December 2023**) will serve as an **educational period** for these updated requirements. **Environmental Health Specialists conducting inspections during this time period will educate and make written comments but will not take demerits for new requirements.**

DEFINITIONS (.2801)

42 Definitions:

very different look than previous rules

***Some to Note**

“Approved Disinfectant” (1) 2812(i)

“Sanitizing Solution” (35) 2812(j)

“Detergent Solution” (12)

“Multi Service Articles (28) – vs – “Multi Use Articles” (29)

“Clean” (7)

“Good Repair” (20)

Child Care Permanent Rules

Definitions .2801 Incorporated by Reference (16)

- (4) "**Child Care Administrator**" means as defined at G.S. 110-86(2a).
- (5) "**Child Care Center**" means as defined at 10A NCAC 09 .0102(6).
- (6) "**Child Care Operator**" or "**Operator**" means as an operator as defined at G.S. 110-86(7).
- (8) "**Communicable Condition**" means as defined at G.S. 130A-2(1b).
- (9) "**Communicable Disease**" means as defined at G.S. 130A-2(1c).
- (15) "**Food Contact Surface**" means as defined at 15A NCAC 18A .2600.
- (19) "**Garbage**" means as defined at G.S. 130A-290(7).
- (21) "**Hand Antiseptic**" means as defined at 15A NCAC 18A .2600.
- (23) "**Hazard**" means as defined at 15A NCAC 18A .2600, except that "consumer" shall be replaced with "child."

Child Care Rules Re-Adoption Definitions .2801 Incorporated by Reference Continued

- (24) "**Hermetically Sealed Container**" means as defined at 15A NCAC 18A .2600." means as defined at G.S. 130A-290(7).
- (25) "**Licensing Agency**" means the DHHS, Division of Child Development and Early Education.
- (26) "**Local Health Department**" means as defined at G.S. 130A-2(5).
- (27) "**Milk Products**" means as defined at 02 NCAC 09G .2001.
- (30) "**Outdoor Learning Environment**" means as set forth at 10A NCAC 09 .0605.
- (31) "**Pest**" means as defined at G.S. 143-460(26a).
- (32) "**Potable Water**" means water from a potable water supply as defined at 15A NCAC 18C .0102(c)(18).

Child Care Rules Re-Adoption Policy Incorporated

15A NCAC 18A .2806 FOOD STORAGE AND PROTECTION

Specialty bulk milk

15A NCAC 18A .2804 FOOD SUPPLIES

A water bottle that a child brings to the child care center from home
and that is used only for water consumption

Hot foods that a child brings from home to the child care center in double-walled, insulated thermos containers

15A NCAC 18A .2820 STORAGE

A locked kitchen, for child care centers that are located within a school and that
use the school cafeteria's kitchen

Terms that have changed throughout the rules

- Hand Sanitizer → Hand Antiseptic
- Breast Milk → Human Milk
- Ill → Sick
- Vermin → Pest
- Disinfectant → Approved Disinfectant

15A NCAC 18A .2802
APPROVAL OF CONSTRUCTION AND RENOVATION PLANS

Plan Submittal for Construction	Local Health Dept.	DHHS
New Chain/Franchise Center		√ DHHS: 5605 Six Forks Road 1632 Mail Service Center, Raleigh, NC 27699- 1632
Existing Chain/Franchise Center (modifications)	√	
New NON Chain Center	√	
Existing NON Chain Center (modifications)	√	

.2803- Handwashing

(a) Child care center employees shall wash their hands as follows when at work in a child care center:

- (1) upon reporting for work at the child care center:
- (2) before and after handling **or preparing food**;

.2803 (e) Handwashing procedures shall include the following steps:

- (1) **using liquid soap and tempered water**



.2804 Food Supplies (e)

Previously frozen human milk could only be stored for up to seven days.

- **As a benefit to parents New Rule:** Frozen human milk may now be stored frozen for up to **three months**
- Any frozen human milk stored beyond seven days shall be stored in the freezer compartment of a **full-size refrigerator that has a separate door to the freezer, in a chest freezer, or in an upright deep freezer.**



What is a “full size” refrigerator?

- Defined by the industry standard; standard size for a full-size refrigerator falls between 30 to 36 inches width, 67 to 70 inches in height, and 29 to 35 inches in depth.
 - When it comes to the interior, the refrigerator itself should provide you with 14 to 20 cubic feet of space.



Does this mean dorm refrigerators must be replaced?

- NO
- Dorm refrigerators are still approved for classrooms with food prep areas as they have been previously.
- Frozen human milk can be stored **UP TO 7 days** in the freezer compartment of dorm refrigerators.



*Frozen human milk may **still** be stored in mini dorm refrigerators for up to 7 days.

.2804 Food Supplies (e) continued...

- Frozen human milk shall be thawed in accordance with Paragraph (i)(1) or (i)(2) of Rule .2807 of this Section and prepared in the child care center's kitchen or food preparation area.

This new rule language requires frozen human milk that is thawed to be prepared in the kitchen or in a food prep area.



NOT NEW
JUST
CLARIFIED

.2804 Food Supplies (h) Completion of Feeding

- After the completion of each feeding, any leftover formula, human milk, or other bottled beverages used during the feeding shall be discarded or sent home with the child whose name is on the label for the formula, human milk, or bottled beverage at the end of each day.

New rule language clarifies “**Completion of Feeding**”

*Feeding is **complete** when the child care center employee has stopped feeding the child and the child has been **removed from the feeding area in the child care center and returned to other activities.***



NOT NEW
JUST
CLARIFIED

.2804 Food Supplies (h)

Bottles previously used for feeding shall not be returned to communal mechanical refrigeration. Nothing in these Rules shall prohibit human milk from being sent home at the end of the day with the child whose name is on the label for the human milk instead of being discarded when the child's parent or guardian has given the child care center written permission to send the human milk home.





.2804 Food Supplies (i) Water Bottles

- Previous rule required all bottles to be washed, rinsed and sanitized between each use. Centers that did not wash, rinse or sanitize water bottles between each use would use disposable cups or have parents send in multiple bottles for water.
- **As a benefit to centers New Rule:** A **water bottle** that a child brings to the child care center from home and that is used **only for water consumption** by that child shall be exempt from the requirements of Paragraph (h) of this Rule. Instead, the water bottle shall be **labeled** with the name of the child to whom the water bottle belongs, **individually stored in the child's cubby**, and **sent home** with the child **at the end of the day**.



*** Note: Water bottles used only for water consumption will not have to be dated.**



Questions Concerning Water Bottle Storage

- Q: How should water bottles be stored outside, where there are no cubbies?
- A: When water bottles are transported outside, and being used while outside, the water bottles are considered to be IN USE during these times, and not being stored. Therefore, they may be transported in a caddy and kept in a way that prevents contamination.
- Q: Where can the water bottles be stored if there are no cubbies in the classroom?
- A: If there are no cubbies in the classroom, the water bottles should be stored individually in a manner that prevents cross-contamination.



.2804 Food Supplies (k)

Lunches from Home

- Previous Rule: Lunches, snacks, and other meals containing potentially hazardous foods shall be refrigerated at 45 degrees Fahrenheit or below.
- **New Rule** clarifies where these lunches that require refrigeration can be stored:
Lunches, snacks, and other meals containing potentially hazardous foods shall be refrigerated at 45 degrees Fahrenheit or below and **stored in the child care center kitchen or approved food preparation area.**
- **New Rule also allows: Hot foods** that a child brings from home to the child care center in **double-walled, insulated thermos containers** may be stored outside of refrigeration at the child care center with the **written permission** of the child's parent or guardian.

*** Note: This was a previous policy position statement that was incorporated in the rules.**



Question: Can this provision be used for lunches in lunch boxes that require refrigeration or for cold foods brought from home?

- NO
- This is only for hot foods brought from home in double walled insulated containers.
- Lunches in lunch boxes that require refrigeration or cold foods from home are still required to be stored as in previous rules.

Question: Is there a difference between food preparation and food service?

- Yes
- **Food Service** and **Food Preparation** definitions have not changed. However, they have been separated in the new rules for clarification.

.2801 (16): "Food Preparation" means the handling of foods or utensils in the preparation of meals, including opening and closing of baby bottles, baby food jars, and cereal boxes, as well as the opening and closing of any other food items during the assembly of ingredients.

*2801(17): "Food Service" means the distribution of foods for consumption, including milk placed in a pitcher or other serving container, ice that is transported, stored and dispensed, the distribution of children's bagged lunches and snacks sent from home, and the use of utensils to prevent direct food contact. **Rule .2808***

***Note It is important to understand the difference between the two to determine what rules are required for each.**

**NOT NEW
JUST
CLARIFIED**

15A NCAC 18A .2807

FOOD PREPARATION RELOCATED

- Previous definition of **Food Preparation** has not changed
 - .2801 (16): "***Food Preparation***" means the handling of foods or utensils in the preparation of meals, including opening and closing of baby bottles, baby food jars, and cereal boxes, as well as the opening and closing of any other food items during the assembly of ingredients.
- **Requirements of this rule has not changed.** Highlighted language was added to reference food code to clarify approved hair restraints. This language was also relocated from .2808(c)
- (b) Employees engaged in *food preparation* in the kitchen shall wear clean clothes and hair restraints, as set out in Part 2-402.11 of the Food Code incorporated by reference at 15A NCAC 18A .2650 as amended by 15A NCAC 18A .2652 and shall keep their fingernails trimmed. Hair spray is not a hair restraint for the purpose of this Rule. Employees engaged in *food preparation* who are wearing nail polish or artificial nails on their fingers shall wear intact gloves during *food preparation*.
- ***Note that this is only required for food preparation occurring in the kitchen as in the previous rules.**

NEW

15A NCAC 18A .2807 FOOD PREPARATION (NO BARE HAND CONTACT)



- (c) Food shall be prepared using utensils, deli paper, or disposable gloves to prevent exposed, ready-to-eat-food from coming into direct contact with an employee's bare hands or exposed skin.

Bare hand contact with ready to eat foods-
Example: Hotdog & Bun, Salad ingredients, etc



15A NCAC 18A .2806
FOOD STORAGE AND PROTECTION

- (k-2) The internal temperature of *potentially hazardous foods* requiring hot storage shall be **135 degrees Fahrenheit** or above **except during periods of preparation and service**. *Potentially hazardous food* that will be transported hot shall be held at a temperature of **135 degrees Fahrenheit** or above during transportation.*

Previous Rule: Temperature used to be 140F.



NEW

15A NCAC 18A .2807

FOOD PREPARATION (TEMPERATURE CHANGES)

- (e) Potentially hazardous foods requiring **cooking** shall be cooked to heat all parts of the food to a temperature of at least **145 degrees Fahrenheit.** (note: there are exceptions listed in 2807(e))

Previous Rule: Temperature used to be 140F.

- (f) Potentially hazardous foods that require **cooking** prior to consumption and cooked in a microwave oven shall be heated an **internal temperature of at least 165 degrees Fahrenheit.**

Previous Rule: An addition 25 degrees had to be added to the temperatures when cooking in the microwave.

- (g) Potentially hazardous foods that have been cooked and then refrigerated, if served above 45 degrees Fahrenheit, shall be reheated to an internal temperature of 165 degrees Fahrenheit or higher before being served or before being placed in a hot food storage unit except that commercially packaged food in intact packages may initially be **reheated** to **135 degrees Fahrenheit.**

Previous Rule: Temperature used to be 140F.

- (g) Potentially hazardous foods **reheated** in a microwave oven shall be heated an internal temperature of at least **165 degrees Fahrenheit.**

Previous Rule: An addition 25 degrees had to be added to the temperatures when reheating in the microwave.



15A NCAC 18A .2807 FOOD PREPARATION

- (h) Metal stem-type, **thin probe**, numerically scaled indicating product thermometers, accurate to **± 3 degrees Fahrenheit** shall be used to ensure the maintenance of the internal cooking temperatures of all potentially hazardous foods required under this Rule.

***Note:** Thermometers that do not have a thin probe can still be used except for testing temperatures of potentially hazardous foods. Example- testing water temperatures.



NEW

15A NCAC 18A .2806 FOOD STORAGE AND PROTECTION

- Previous Rule (b): Food that is stored in child care center classrooms or other rooms intended for child care use, shall be limited to foods that are individually packaged unless the classroom is equipped with a food preparation area.
- As a benefit to centers the New Rule allows:
 - (c) Notwithstanding Paragraph (b) of this Rule, **bulk dry goods or food stored in freezers** may be stored in rooms in child care centers that **are not** equipped with a food preparation area when all food preparation involving the bulk dry goods or frozen food is done in the **kitchen or an approved food preparation area.** (All newly added language.)



NEW

15A NCAC 18A .2806 FOOD STORAGE AND PROTECTION

- (d) **Bulk food stored in a refrigerator** shall be stored at 45 degrees Fahrenheit or below and stored in the **child care center's kitchen or in an approved food preparation area equipped with a full-size refrigerator.**

*Previous rule did not allow bulk milk to be brought from home. Milk was to be brought from home fully prepared, ready to feed and discarded or sent home at the end of each day. As a policy, specialty milk was allowed to be brought from home in bulk with provisions.

- **As a benefit to parents the new rules allow: Specialty bulk milk** that is sent from home for consumption by a child while at the child care center may be stored as set forth in this Paragraph when the child's parent or guardian provides written permission and the **specialty bulk milk** is sent to the child care center at the **beginning of each week unopened**, labeled with the date received by the child care center, and labeled with the name of the child to whom the bulk specialty milk belongs. **Any remaining bulk specialty milk shall be sent home at the end of the week** with the child to whom the bulk specialty milk belongs. **(All newly added language.)**

*** Note: This was a previous policy that was incorporated in the rules.**





15A NCAC 18A .2806 FOOD STORAGE AND PROTECTION CONTINUED

- (e) Dry goods that are stored in containers shall be labeled.

(Previous rule: Dry foods that are **not readily identifiable** and are stored in containers shall be labeled.)



15A NCAC 18A .2806

FOOD STORAGE AND PROTECTION CONTINUED

- ▶ (h) Raw meats, poultry, fish, shellfish and eggs shall be stored **in a refrigerator or freezer** on shelving beneath and separate from other foods. The temperature of *potentially hazardous food* provided by the child care center for consumption by children shall be at 45 degrees Fahrenheit or below, or at **135 degrees Fahrenheit** or above at all times, including field trips, catering events, and outdoor service, **except during periods of preparation and service immediately prior to consumption.**



***Note: previous rule required 140F or above.**

15A NCAC 18A .2810

SPECIFICATIONS FOR KITCHENS, FOOD PREPARATION AREAS AND FOOD SERVICE AREAS

- *Rule .2810 (a)- A child care center may use and wash multi-use articles and highchair feeding trays in a two-compartment sink, but shall not use or wash multi-service articles other than highchair feeding trays unless equipped with either:*
 - (1) a dishwasher and two-compartment sink, or*
 - (2) a three-compartment sink of sufficient size and depth to submerge, wash, rinse and sanitize utensils.*
- Previously defined 'multi-service articles' (.2801 (28))- tableware, including flatware and hollowware that are designed, fabricated, and intended by the manufacturer to be washed, rinsed, sanitized, and re-used.
- Previously defined 'multi-use articles' (.2801 (29))- bulk food containers and utensils designed, fabricated, and intended by the manufacturer to be washed, rinsed, sanitized, and re-used. The term includes food storage containers, beverage pitchers, serving spoons and bowls, tongs, and spatulas.

15A NCAC 18A .2810

SPECIFICATIONS FOR KITCHENS, FOOD PREPARATION AREAS AND FOOD SERVICE AREAS



- .2810 (a)- **Clarified**: multi-use articles and highchair feeding trays can be washed in a two-compartment sink.
- .2810 (a)- **Clarified**: to use or wash multi-service articles (other than highchair feeding trays), the center must be equipped with a dishwasher and two-compartment sink, or a three-compartment sink.

15A NCAC 18A .2810 (f)

SPECIFICATIONS FOR KITCHENS, FOOD PREPARATION AREAS AND FOOD SERVICE AREAS

Rule .2810 (f)- If food is prepared in a child care center classroom, then the classroom shall be equipped with a food preparation area. Water from a handwash lavatory shall not be used for bottle warming or to prepare formula, mix dry cereals, or other foods. Toy cleaning and sanitizing may be conducted in the food preparation area. This food preparation area shall contain a countertop that is kept clean and in good repair, a handwash lavatory, and refrigeration when items are stored that require refrigeration in accordance with Rules .2804 and .2806 of this Section.

- .2810 (f)- **Added**: water from a handwash lavatory shall not be used for bottle warming.



15A NCAC 18A .2810

SPECIFICATIONS FOR KITCHENS, FOOD PREPARATION AREAS AND FOOD SERVICE AREAS

- .2810 (f)(2) if bottles are warmed, bottles shall be warmed in the child care center's kitchen or food preparation area. Bottle warming equipment shall be kept out of reach of children. Microwaves and slow cookers shall not be used to thaw or warm human milk, baby food, formula, or other bottled beverages meant for consumption by children. Bottles shall be warmed by placing bottles under running potable water or in containers of potable water or by using bottle warming equipment that is used in accordance with the manufacturer's instructions. Temperature restrictions listed in Rule .2815(e) of this Section do not apply to equipment manufactured specifically for bottle warming. If other bottle warming methods are used in food preparation areas, compliance with temperature restrictions listed in Rule .2815(e) of this Section is required.*



**NOT NEW
JUST
CLARIFIED**

.2810 (f) (2)- **Clarified**: bottles are warmed in the kitchen or food prep area

NEW

- 2810(f) (2)- **Added**: Slow cookers shall not be used to thaw or warm human milk, baby food, formula or other bottled beverages



* Note: This was a previous policy position statement that was incorporated in the rules.

- .2810 (f) (2)- **Added**: Bottles shall be warmed by placing bottles under running potable water or in containers of potable water or by using bottle warming equipment that is used in accordance with the manufacturer's instructions. Temperature restrictions listed in Rule .2815(e) do not apply to equipment manufactured specifically for bottle warming. If other bottle warming methods are used in food preparation areas, compliance with temperature restrictions listed in Rule .2815(e) is required.

* Note: This was a previous policy position statement that was incorporated in the rules.



15A NCAC 18A .2812

Cleaning, Sanitizing and Disinfecting Equipment, Utensils and Other Areas

- .2801(35) “**Sanitizing Solution**” means a solution containing 50 to 200 ppm of chlorine or a sanitizer as defined at 40 CFR 158.2203 that is registered with the EPA in accordance with 40 CFR 152 that is approved by the EPA for use on food-contact surfaces, does not require a final rinse step, and has a testing method that can be used by child care center employees to confirm that the prescribed chemical concentrations are met and that is prepared and maintained in accordance with **Rule .2812(j)** of this Section
- This allows other food contact surface sanitizers to be used without having to be approved prior to use.
- Defines sanitizers but how to use them is in .2812

.2812(j) Sanitizing Solution



- .2812(j) Sanitizing solution
- (j) A sanitizing solution shall be provided for cleaning purposes. Throughout this Section, when a sanitizing solution is used in a child care center, the manufacturer's Safety Data Sheet shall be kept on file at the child care center and the instructions for use of the sanitizing solution shall be followed. When a chlorine solution is used in a child care center it shall be prepared for use **within 24 hours** and a testing method or kit shall be used to ensure compliance with the prescribed chlorine concentration. To achieve the maximum germ reduction with a chlorine solution, the cleaned surfaces shall be left wet with the chlorine solution and allowed to air dry or be dried only after a minimum contact time of at least two minutes.

15A NCAC 18A .2812

Cleaning, Sanitizing and Disinfecting Equipment, Utensils and Other Areas

- .2801(2) “Approved Disinfectant” means a chlorine solution containing 500 to 800 ppm of chlorine or a disinfectant as defined at 40 CFR 158.2203 that is registered with the US EPA in accordance with 40 CFR 152 with use indicated in schools and child care settings and that is prepared and maintained in accordance with **Rule .2812(i)** of this Section
- Defines disinfectants but how to use them is in .2812

.2812(i) Approved Disinfectant



(i) An approved disinfectant shall be provided for cleaning purposes. Throughout this Section, when an approved disinfectant is used in a child care center, the manufacturer's Safety Data Sheets for the disinfectant product shall be kept on file at the child care center and the instructions for use of the disinfectant product shall be followed. When a chlorine solution is prepared by a child care center employee for use as an approved disinfectant, then the solution shall be prepared for use **within 24 hours** and a testing method shall be used to ensure compliance with the prescribed chlorine concentration. To achieve the maximum germ reduction with a chlorine disinfecting solution, the surface being disinfected shall be made wet with the chlorine disinfecting solution and allowed to air dry or be dried only after the surface has been in contact with the chlorine disinfecting solution for a minimum of two minutes.

.2812 CLEANING, SANITIZING, AND DISINFECTING EQUIPMENT, UTENSILS, AND OTHER AREAS



- .2812(e) is a clarification, not a new requirement.
- Highchair feeding trays need to be taken to the kitchen to be washed, rinsed and sanitized after each use. They may not be cleaned in place.
- “Multi-service articles, including highchair feeding trays, shall be washed, rinsed and sanitized **in the child care center kitchen** after each use”.
- In the previous rules you had to refer to .2810(f)(2) to find this language.
- Additional trays may be acquired to make this easier.

15A NCAC 18A .2818 LAVATORIES



- a) In childcare centers, lavatories shall be kept clean and in good repair and shall not be used for storage. Lavatories shall be mounted at an appropriate height to accommodate children or otherwise made accessible to children. **Water from a handwash lavatory shall not be used for consumption.** Lavatories with flush-rimmed sinks or with an attached operable drinking fountain shall not be used for handwashing.

NEW

15A NCAC 18A .2818 LAVATORIES



► Clarification:

(c) Lavatories shall be cleaned and disinfected with each change of use, when visibly soiled, and at least daily.

*New rule clarifies change of use and when it occurs.

Change of use occurs when a handwash lavatory is used outside of its original intent. Change of use includes, but is not limited to, a classroom handwash lavatory used for rinsing toothbrushes, a food preparation handwash lavatory used for toy cleaning, or a classroom handwash lavatory used for diaper changing handwashing.

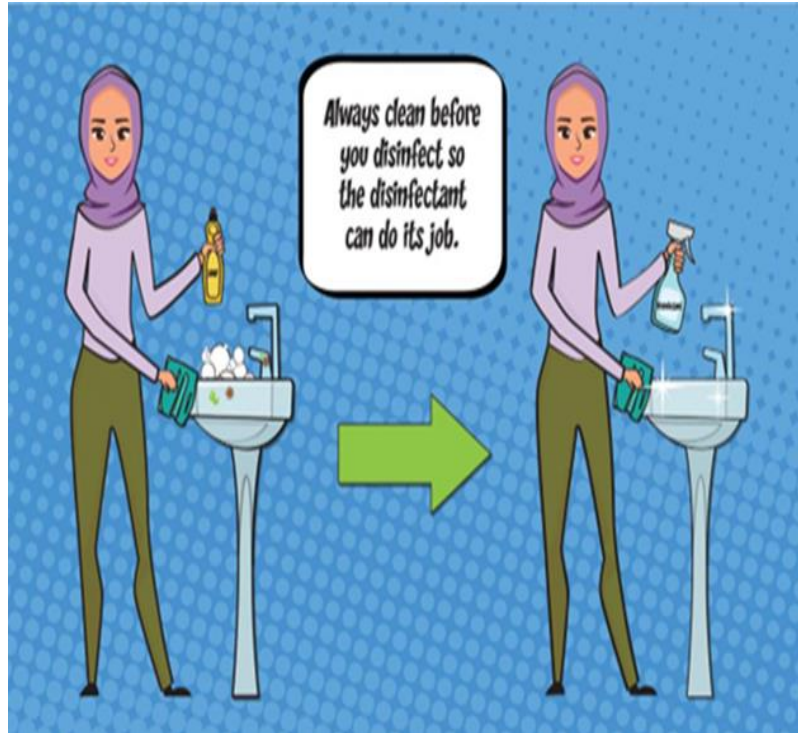
**NOT NEW
JUST
CLARIFIED**

15A NCAC 18A.2810 SPECIFICATIONS FOR KITCHENS, FOOD PREPARATION AREAS AND FOOD SERVICE AREAS

(f) Toy cleaning and sanitizing may be conducted in the food preparation area.

Clarification: Continued Rules Changes Lavatories

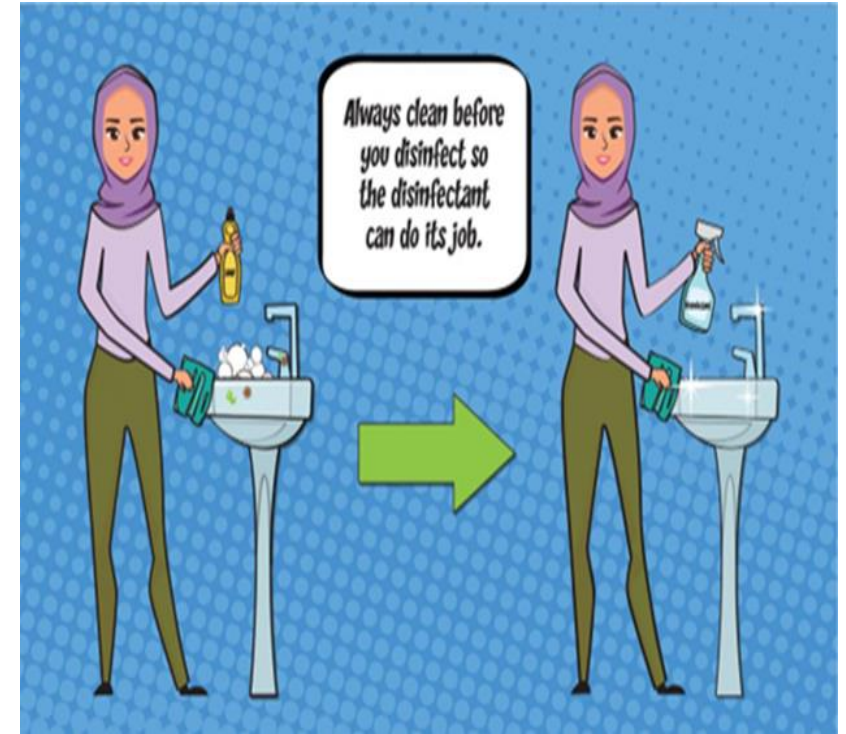
Food
Preparation
Handwashing
Lavatory



Change of Use

Toy
Cleaning
Cleaning
and
Disinfecting

A large blue arrow points from the left illustration to the right illustration, indicating a change of use.



Change of Use

A large blue curved arrow points from the right illustration back to the left illustration, indicating a change of use.

Change of Use as defined in .2818(c)



.2819 DIAPERING AND DIAPER CHANGING FACILITIES



- (b) Diapering surfaces shall be made of smooth, intact, nonabsorbent material and shall be kept clean and in good repair. Nothing shall be placed on the diapering surface except for those items required for diapering and the child whose diaper will be changed. NEW If diapering is performed on the floor in a toilet room, then a smooth, intact, nonabsorbent barrier that is clean and in good repair shall be placed on the floor to minimize cross-contamination.



Approved floor barrier can be an easily cleanable plastic mat or non-absorbent medical type paper.

.2819 DIAPERING AND DIAPER CHANGING FACILITIES

Previous rule used the term soapy water. That term has been replaced with detergent solution.

(c) Diapering surfaces shall be disinfected using an approved disinfectant. Approved disinfectants and **detergent solution** shall be kept in separate and labeled bottles at each diaper changing station. Approved disinfectants that are chlorine disinfecting solutions shall be stored in hand pump spray bottles. No cloths or sponges shall be used on diapering surfaces.



.2801 (12) **Detergent Solution:** means a solution comprised of water and soap.

Question:

Can a bottle of detergent solution be labeled as soapy water?

Answer: Yes.

NEW

.2819 DIAPERING AND DIAPER CHANGING FACILITIES

- (d) Previous Rule: Childcare center employees shall change a child's diaper as follows:
(5) wiping hands with a disposable towelette or moistened paper towel.

*Previous rule did not indicate whose hands had to be wiped. New rule states that both the employee and child's hands must be wiped in step 5.

- (d) New Rule: Childcare center employees shall change a child's diaper as follows:
(5) wiping the childcare center employee's hands and the child's hands each with a separate disposable towelette or moistened paper towel;



NOT NEW
JUST
CLARIFIED

15A NCAC 18A .2820 storage Clarification

b) Toxic substances, which include corrosive agents, pesticides, bleaches, detergents, cleansers, polishes, any product which is under pressure in an aerosol dispenser, and any substance which may be hazardous to a child if ingested, inhaled, or handled shall be kept in the original container or in another labeled container, used according to the manufacturer's instructions, and stored in a locked storage room or cabinet when not in use. Locked storage rooms and cabinets shall include those which are unlocked with a combination lock, electronic or magnetic device, **keypad**, key, or equivalent locking device. Keys and electronic or magnetic unlocking devices shall be kept out of the reach of a child and shall not be stored in the lock. Toxic substances shall be stored below or separate from medications and food. Any other product that is labeled "keep out of reach of children" and does not have any other warnings on the label shall be **kept inaccessible to children** when not in use, but is not required to be kept in locked storage. **For the purpose of Paragraphs (b), (c), and (d) of this Rule**, a product shall be considered inaccessible to children when stored on a shelf or in an unlocked cabinet that is mounted a minimum vertical distance of five feet above the finished floor.

Clarifies that the "inaccessible" definition is to be used for products listed in (b), (c) and (d) of .2820

15A NCAC 18A .2820 storage

(c) Non-aerosol sanitizing solutions, approved disinfectants, detergent solutions, hand antiseptics, and hand lotions shall be kept inaccessible to children when not in use, but are not required to be in locked storage. These solutions shall be labeled as sanitizing, disinfecting, or detergent solutions. Hand soap other than that which is in bulk containers is not required to be kept inaccessible to children or in locked storage. Bulk soaps shall be kept inaccessible to children.

New rule clarifies how to store bulk soap. Was not clear in previous rules.

Detergent solution (12): defined as a solution comprised of water and soap.
Removed (soapy water)

15A NCAC 18A .2820 storage

Policy Incorporated in Rule

(e) A locked kitchen is not considered to be a locked storage room or cabinet for the purposes of this Rule; however, for child care centers that are located within a school and that use the school cafeteria's kitchen to meet the kitchen requirements of the rules of this Section, it shall not be a violation of this Rule to store products described in Paragraphs (a)-(d) of this Rule unlocked in the cafeteria's kitchen, provided that the kitchen is kept locked and children are not permitted in the kitchen for any purpose.

.2821 Beds, Cots, Mats, and Linens

- (d) Mats shall be of a waterproof, washable material at least two inches thick and shall be stored so that the side of the mats that makes contact with the floor does not touch the side of a mat that any child sleeps on. **The sleeping surface of one child's mat shall not come in contact with the sleeping surface of another child's mat during storage.**



.2821 BEDS, COTS, MATS, AND LINENS

(g) Wash cloths, bibs, and burping cloths shall be laundered after each use. Each time a wash cloth, bib, or burping cloth is used, it shall be used for only one child.



**NOT NEW
JUST
CLARIFIED**

.2822 Toys, Equipment and Furniture



**NOT NEW
JUST
CLARIFIED**

d) Water play centers shall be filled with potable water immediately before children begin a water play session. Water shall be emptied after each play session and at a minimum each morning and afternoon, or more often if no longer clean.

*Previous rule did not define a “session”. New rule clarifies a session to be at a minimum each morning and afternoon.

- (41)Water Play Center: defined as water tables or containers that allow children to scoop, splash, pour, and play with water to explore their senses.

.2823 Personnel

a) Tobacco use in any form is prohibited in any part of a child care center.



Vomit & Diarrhea Clean-up Plan

PURPOSE

In accordance with the Rules Governing the Sanitation of Child Care Centers (15A NCAC 18A .2827) “The childcare center shall have written procedures that employees shall follow when responding to vomiting or diarrheal events that involve the discharge of vomitus or fecal matter onto surfaces in the center.”

ASSEMBLE A CLEAN-UP KIT

Operators may purchase a kit from a supplier or assemble their own. Clean-up kits shall contain personal protective equipment and cleaning supplies.

Required Personal Protective Equipment

- Disposable gloves
- Apron
- Mask
- Shoe covers
- Hair restraint

Recommended Cleaning Supplies

- Caution tape to mark contaminated area
- Dedicated bucket and disposable mop heads
- Absorbent powder/solidifier (such as kitty litter or baking soda)

Required Cleaning Supplies

- Two disposable plastic bags
- Paper towels
- A scoop or scraper
- A mop and bucket
- Soapy water solution/Cleaning solution
- An approved disinfectant

BEFORE CLEAN UP BEGINS

- Promptly move ill children to the designated area for children who become ill. Ill staff should be excluded from work or subject to restrictions to prevent transmission.
- Notify trained worker or designated clean up response team, if applicable. Put on personal protective equipment and gather cleaning supplies.
- Contain an area from the epicenter of the event to keep anyone not involved in clean up out of the area. Warning tape or similar barrier should be placed around the area to keep out staff and children until the area has been cleaned and disinfected.

CLEANING UP SURFACES

Many types of surfaces can become contaminated when someone vomits or experiences diarrhea. It is important to use the correct clean up procedure for the surfaces that are contaminated.

Three types of surfaces common in childcare centers are:

1. Hard surfaces (floors, tables, toilets)
2. Soft surfaces that cannot be laundered (carpet and upholstered furniture)
3. Soft surfaces that can be laundered (linens, towels, and clothing)



WHEN VOMIT OR DIARRHEA CLEAN-UP IS NEEDED...



Select clean-up staff: The *best practice* is to select an employee that is not a food handler.

BASIC SUPPLIES



- Personal protective equipment or PPE (gloves, disposable apron(s) or gown(s), mask(s), hair restraint(s) shoe covers,)
- Disposable bags with seal or twist tie, paper towels, scoop or scraper
- Approved disinfectant
- Dedicated mop and bucket for vomit clean-up, or disposable mop heads and bucket
- Segregate the area around incident for clean-up

HARD SURFACES:



1. REMOVE LIQUID
Cover the vomit or diarrhea with paper towels or absorbent powder like kitty litter. Carefully remove soaked paper towels or hardened powder with a scoop/scraper and place in a sealable plastic bag. **DO NOT VACUUM**



2. WASH ALL SURFACES
All contaminated hard surfaces (chairs, chair legs, table legs, walls, shelves, etc.) should be washed with soapy water, then rinsed with clean water.



3. DISINFECT
Saturate all surfaces with an approved disinfectant, using a mop or other cleaning equipment for large areas of cleanup.

CARPET OR UPHOLSTERY:



1. REMOVE LIQUID
Cover the vomit or diarrhea with paper towels or absorbent powder like cat litter. Carefully remove soaked paper towels or hardened powder with a scoop/scraper and place in a sealable plastic bag. **DO NOT VACUUM**



2. WASH ALL SURFACES
All contaminated soft surfaces should be washed with soapy water, then rinsed with clean water.



3. STEAM CLEAN OR DISINFECT
Use a hot water extraction method for 5 minutes. An approved disinfectant or bleach solution can be used as described in the hard surface clean-up.

5 MINUTES

AFTER CLEAN UP



- Discard all exposed food, single-service items, condiments, etc. that may have been exposed.
- Remove all PPE and place in a sealable plastic bag. Do not touch any cleaned surfaces to avoid recontamination.
- Remove all bagged contaminated PPE, kitty litter, and paper towels from the interior of the building to a secured trash location without passing through ANY portion of the kitchen, including dry storage areas.
- Disinfect any scoops, scrapers, mop heads, mop handles, buckets, etc. used in clean-up. Discard any of these items that are disposable.
- Wash hands, arms, and exposed skin thoroughly. If food employees were used for clean-up, perform double handwashing and change any exposed clothing before returning to work.
- Monitor all clean-up employees for illness at least 48 hours, and exclude from work if symptomatic.

15A NCAC 18A .2832 (c) OUTDOOR LEARNING ENVIRONMENT AND PREMISES

(c) For outdoor toys and play equipment, including all structures accessible to children, the following shall apply:

- (1) Equipment and toys shall be kept clean, in good repair, and free of peeling, flaking, or chalking paint, rust, and corrosion; and

*By adding the term “toys” in rule .2832, this separated indoor & outdoor toys.

Toys (general) were not previously addressed in the outdoor learning environment rule but has been added with equipment.



NEW

15A NCAC 18A .2832(g) OUTDOOR LEARNING ENVIRONMENT AND PREMISES

(g) Storage provided in the outdoor learning environment for children's toys shall be kept clean and in good repair. Storage areas that are accessible to children shall be kept free of equipment that is not intended by the manufacturer to be used by children and shall meet the requirements of Rule .2820 of this Section. Storage areas shall meet requirements for lighting in accordance with Rule .2826 of this Section. Spare batteries shall be kept on-site at the child care center for battery operated light fixtures used to light storage areas in accordance with this Paragraph.

Child Care Emerging Issues 2023



Chemical Storage Locked Bathrooms

A locked bathroom door **does not** meet the requirement for chemical storage of hazardous products.

A locked employee's restroom **does not** meet the requirement for chemical storage of hazardous products.

Other Chemical Issues

- Chemical storage for restrooms must still comply with rule .2820 storage rule.
- Locking of the bathroom door does not meet the requirement of locked “**storage room or cabinet**”
- This include those restrooms designated as staff restrooms. Note that many staff restrooms are also designated as the handicap accessible restroom and must be inspected for children access.
- If encountered during an inspection, have operator correct the issue during the inspection by properly storing chemicals and make a note on the comment addendum.



Chemical Storage Child Care Offices/Foyers/Entrances/Sick Areas

Open office doors
Space in Open Foyer
Entrances including desk areas
Office space used as sick area

Must meet the requirement for chemical storage of
hazardous products

There is a reluctance by EHS to inspect these areas

However, chemicals are often improperly stored in these
areas

Let's talk to DCDEE.....

Hot Water Accessibility Issue

Water in areas accessible to children shall be tempered between 80°F (27°C) and 110°F (43°C). For handwash lavatories used exclusively by school-age children, the 80°F (27°C) minimum temperature requirement shall not apply. Hot water in an area accessible to any child, which is in excess of 120°F (49°C), **shall be considered a burn hazard.**



***Look for thermos type containers in food preparation areas used for bottle warming. The temperature of these insulated beverage dispensers can be in excess of 160°F. Deemed as a burn hazard when in use and temps in excess of 120°F.



Hot Water Accessibility Issue

Water in areas accessible to children shall be tempered between 80°F (27°C) and 110°F (43°C).. Hot water in an area accessible to any child, which is in excess of 120°F (49°C), **shall be considered a burn hazard.**

***This also applies to water dispensers located throughout the center. Sliding mechanisms not deemed as true locks and are often not in place to disable hot water. Hot side of water dispenser deemed as a burn hazard with temps in excess of 120°F and accessible to children.



Emerging Issue

HVAC Discharge

- Concern that children were drinking/playing in water from condensation lines being discharged on play areas
- Determined that condensation lines from HVAC equipment is considered utility equipment.
- .2832(a) Wells, grease traps, cisterns and utility equipment shall be made inaccessible to children.
- Work with centers to bring them in compliance.

QUESTIONS?