

## NCDHHS/EHS & NCDA&CS Retail Food Jurisdiction Chart

Food Item	Agency	Justification	Final Product
Apple dumplings, apple fries, intact fruit w/ chocolate, fruit pies w/cut fruit, baked fruit, sweet potato tarts, cheesecake	NCDA	NCDA Bakery Regulations	Bakery Item
Meat or other PH/TCS (cheese) filled pastry/pies	NCDA ----- MPIS <sup>1</sup> ----- EHS	Wholesale ----- Retail/Prepared for immediate consumption	Prepared Food
Displayed bakery goods in a retail or wholesale bakery (eg: Bread in paper sleeves, Focaccia, Quiche)	NCDA	NCDA Bakery Regulations (This includes grocery settings where delis and bakeries may be combined)	Bakery Item
Soft-serve machines / ice cream or frozen yogurt w/fresh cut fruit/banana splits/ Milkshakes	NCDA ----- EHS	NCDA Frozen Dessert Regulations ----- When sold in a regulated Food Service Establishment (Memorandum of Agreement-May 2011) <sup>2</sup>	Ice Cream product
Waffle Batter, pancakes, crepes (includes fruit and other toppings)	NCDA	NCDA Bakery Regulations	Bakery Item
Bulk products displayed for self-service or portioned by establishment (eg: pickled eggs, pickled pig feet, olives)	EHS	When sold in a regulated Food Service Establishment/Unpackaged processed retail food product	Deli Item
Roasted Nuts, Boiled Peanuts	NCDA ----- EHS	NCDA maintains when part of a Roadside Stands ----- When sold in a regulated Food Service Establishment	Prepared Food
Hoop Cheese	EHS	Portioned Retail Food Item	Deli Item
Nacho Cheese Dispensers	NCDA ----- EHS	Commercially packaged food dispensing system requiring no utensil use ----- Dispensing system with reusable components	Packaged Item

<sup>1</sup>Interagency decision

<sup>2</sup>Interagency agreement

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Food Item	Agency	Justification	Final Product
Chocolate covered non-PH food fried bacon, battered deep-fried bacon, fried butter, candy, cake, fried pickles	NCDA	Bakery/confectionary Item	Bakery Item
Fresh cut fruit (eg: with or without chocolate or fondue, peeled, cored, sliced raw apples); Cut Melons	EHS	Portioned ready-to-eat fruit; Melons exceeding portions of halves or quarters	Prepared Food
Raw Vegetables-whole/semi- processed (eg: cactus, pumpkin, squash, winter melon)	NCDA	Requires additional processing by consumer prior to consumption	Produce
Avocado Bites, Roasted Corn	EHS	Heat treated plant food	Prepared Food
Beverages made from raw apples or PH beverages made from raw fruits or vegetables sold by the cup	EHS	G.S. 130A-247(4) & G.S. 250(8)- required by statute & not exempt	Beverage
Lemonade, Orangeade, Snow cones, Shaved Ice and other non-potentially hazardous beverages in single-service containers	NCDA	GS130A-250(8) Beverage Exemption	Beverage
<b>Other Activities</b>			
Meal Assembly Facilities	EHS	Meal Assembly Memo <sup>3</sup>	Prepared Food
Manager's Reception	NCDA	Manager's Reception Memo <sup>4</sup> Packaged Food Memo <sup>5</sup>	Packaged food
Continental Breakfast	NCDA ----- EHS	Bakery Products; Packaged Foods, Exempt Beverages in single-service cups  ----- Service of any foods requiring a Food Service Permit	Bakery Items  ----- Prepared Food
Souvenir glasses- winery <sup>6</sup>	NCDA	Exempt 130A-250(8) Single-service containers not designed to be re-used on the premises	

<sup>3</sup> DHHS/EHS Policy Document

<sup>4</sup> DHHS/EHS Policy Document

<sup>5</sup> DHHS/EHS Policy Document

<sup>6</sup> EHS covers anyone renting multi-use glasses since the exemption requires "using single-service containers which are not reused on the premises." The souvenir glasses are considered single-service, but rented glasses are multi-use.

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