



SENATE BILL 363: Expand Outdoor Food Service at Public Events

2015-2016 General Assembly

Committee: Senate Commerce
Introduced by: Sen. Hartsell
Analysis of: Second Edition

Date: April 28, 2015
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SUMMARY: *Senate Bill 363 allows pushcarts or mobile food units to prepare and serve food on the premises provided they are based from a permitted commissary or restaurant that is located on the premises of a facility containing at least 3,000 permanent seats.*

[As introduced, this bill was identical to H440, as introduced by Rep. Setzer, which is currently in House Regulatory Reform.]

CURRENT LAW/RULES:

15A NCAC 18A.2651 provides the following definitions:

Mobile food unit - a food establishment or pushcart designed to be readily moved to vend food.

Pushcart – a mobile piece of equipment or vehicle used to vend food.

Commissary – a food establishment that services a mobile food unit or a pushcart

Restaurant – a food establishment that prepares or serves food and provides seating.

15A NCAC 18A .2670 provides general requirements for pushcarts and mobile food units.

15A NCAC 18A .2671 provides specific requirements for pushcarts.

15A NCAC 18A .2672 provides specific requirements for mobile food units

BILL ANALYSIS: Senate Bill 363 allows pushcarts or mobile food units to prepare and serve food on the premises provided they are based from a permitted commissary or restaurant that is located on the premises of a facility containing at least 3,000 permanent seats.

- Raw meat, poultry, and fish must be prepared in a permitted commissary or restaurant in pre-portioned or ready-to-cook form. Pushcarts or mobile food units that handle raw ingredients must be equipped with a handwashing sink.
- Open food and utensils must be provided with overhead protection or otherwise equipped with individual covers such as domes, chafing lids, or cookers with hinged lids.
- Food equipment and supplies must be located in enclosed areas and protected from environmental contamination when not in operation.

EFFECTIVE DATE: This bill would become effective when it becomes law.

Theresa Matula, staff to Senate Health Care, substantially contributed to this summary.

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