



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

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Division of Public Health

October 18, 2021

POSITION STATEMENT: Emergency Water Supplies in Food Establishments

PURSUANT TO: NCGS 130A-248, NC Food Code 5-101.11 and 5-104.12

SOURCE: Shane Smith, Food Protection and Facilities Branch *C. S. J.*

QUESTION: Can a food establishment use a temporary water supply during a water interruption?

ANSWER: Yes

DISCUSSION AND RATIONALE:

The Food Protection and Facilities Branch recognizes that there are periods of water supply interruption that occur in food establishments. These interruptions may occur as a result of a water line break, low water pressure, or a boil water notice due to a contaminated water supply. When this occurs, some food establishments plan to connect to an external alternate water supply so that they can continue to operate.

RESPONSE AND INTERPRETATION:

NCGS 130A-248 (a3)(2) states that the rules for sanitation of establishments serving food or drink shall address water supply.

In the North Carolina Food Code Manual, 5-101.11 states that "Drinking water shall be obtained from an approved source that is a public water system or a nonpublic water system that is constructed, maintained and operated according to law." The NC Food Code Manual in 5-104.12 also provides the necessary requirements for providing an alternate water supply through portable water tanks, on premise storage tanks, or piping/tubing connected to an adjacent water supply.

According to the Public Water Supply Section (PWSS) rules, connecting a mobile water source to a food establishment's plumbing system does not fall within PWSS jurisdiction because this water does not enter the public water supply. Alternate water supply attached to the private plumbing system of a food establishment only is required to meet 15A NCAC 18A .2600 – Rules Governing Food Protection and Sanitation of Food Establishments. When there is an

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interruption to the approved water supply, some food establishments may choose to bring in an alternate water supply. For this to meet 5-104.12, the water must be from an approved public or non-public water supply. The food establishment is required to provide written documentation of the source of the water being used. If water is being transported and/or stored in a tanker truck, the truck must only be use for conveying drinking water per 5-304.14.

PUBLIC HEALTH JUSTIFICATION:

Potable drinking water from an approved source is vital for operation of food establishments. Water is needed not only for preparing food, beverages, and ice, but also for handwashing, ware washing and preparing sanitizing solution. Since PWSS does not regulate a private water supply when it is hooked into private plumbing, it is the responsibility of the environmental health specialist to ensure the water supply meets 5-101.14 and 5-104.12.

The source of the water used must meet the requirements of a public water supply or an approved non-public supply. Written and signed documentation that provide the location and equipment used for filling the water tank must be provided. Additionally, the water tank must be used for drinking water only, or if it was used for another food, the tank must be cleaned, and sanitized prior to the addition oof potable water. Also, the water tanker must be connected to the facility plumbing in a way that no backflow into the public water system exists.

In some situations, a facility may not connect an alternate water supply to the facility plumbing. The Food Code provides a framework for submitting a plan for how to operate during an emergency in 8-404.11(c). Under 8-404.11, the establishment can continue to operate during interruption of water if a written emergency operations plan is approved that eliminates the potential imminent health hazards. These plans generally include bottled water being used for drinking, food preparation, and ice. They also include using temporary hand washing, reduced menu items, and using bottled or boiled water for cleaning and sanitizing surfaces.

This guidance replaces any guidance given in previous written or verbal communications.

NOTE: Position statements are policy documents to clarify how to interpret or enforce a law or rule.

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