

EHS - NCDHHS - Environmental Health

FDPD - NCDA&CS Food & Drug Protection Division regulates products with <2% Meat

MPID - NCDA&CS Meat & Poultry Inspection Division regulates products with >2% Meat

	Food Item	Agency		Justification
		EHS	NCDA&CS	
Bakery Products				
1	Apple dumplings, Apple fries		X	FDPD Bakery Regulations, Bakery/Confectionery Items
2	Baked fruit		X	
3	Cheesecake		X	
4	Displayed bakery goods (focaccia or bread in sleeve)		X	
5	Fruit pies with cut fruit baked inside		X	
6	Pancakes/Waffles	X	X	EHS – using fresh cut fruit FDPD – commercially prepared (canned or frozen) fruit filling or topping
7	Quiche (sold in whole form)	X	X	EHS – Retail with >2% meat or in permitted food est. FDPD – Wholesale & Retail w/ <2% meat MPID – Wholesale w/ >2% meat
8	*TCS Filled Pastries (Crepes, Pies, Empanadas)	X	X	EHS - Retail/Prepared for immediate consumption FDPD – Retail Packaged, Wholesale MPID – Wholesale w/>2% meat
Confectionary Products				
9	Fried butter/candy/cake		X	FDPD - Bakery Regulations Bakery/Confectionery Items
10	Intact fruit with chocolate		X	
11	Ice cream or frozen yogurt, w/ or w/o fresh cut fruit	X	X	EHS - In permitted food establishment
12	Milkshakes, Banana splits	X	X	FDPD - non-permitted food est.
Beverages				
13	Coconut water/Lemonade/Limeade/Orangeade		X	G.S. 130A-250(8) Beverage Exemption
14	Non-TCS* beverage (tea, coffee, hot chocolate, smoothies, bubble tea, kombucha, and drinks made from powder) in single service container		X	
15	Snow cones/Shaved ice		X	G.S. 130A-250(11)
16	Beverages (including smoothies) made from TCS raw fruits and vegetables including apples	X		
17	Wheatgrass or sugar cane juice	X		
Other				
18	Avocado bites / Roasted corn	X		Heat-Treated Plant Food
19	Bacon, battered deep fried or chocolate covered	X		EHS - Retail/Prepared for Immediate Consumption
20	Boiled peanuts	X	X	EHS - In permitted food establishment FDPD – non- permitted food establishment
21	Hoop cheese	X	X	
22	Fried pickles	X	X	
23	Nacho cheese and chili dispensers	X	X	EHS - Dispenser w/ reusable components FDPD/MPID - Commercially packaged
24	Pork skins	X	X	EHS – Pork skin meat MPID – Pellets and if sold at secondary location
25	Roasted nuts		X	FDPD - non-permitted food est.
26	All **RTE cut fruit Unless on top of a frozen dessert, inside of a non-TCS* beverage, used on the top or perimeter of a cake, placed on top of a tart, or baked inside of a pie.	X		**RTE portioned fruit

Food Item		Agency		Justification
		EHS	NCDA&CS	
27	Bowl of commercially frozen fruit pieces that is thawed and cut up/prepped prior to service.	X		**RTE portioned fruit
28	Bowl of commercially frozen fruit pieces that is thawed and served or whole fresh washed/unwashed berries with no further prep aside from portioning into a bowl.		X	
29	Smoothie bowls made from commercially frozen fruit (whole/chunk/pureed) that yields a non-TCS* product and is/is not topped with commercially packaged foods that require no prep except for dispensing (i.e. granola, honey, whipped cream).		X	
30	Smoothie bowls made w/ or topped w/raw fruit and vegetables or fruit that was prepared, frozen, and then blended into smoothie bowl. End product may or may not be TCS.*	X		**RTE portioned fruit
31	*TCS fruit (whole, half or quarter) and cut bananas		X	FDPD - Requires additional processing by consumer prior to consumption
32	Packaged Salads, RTE meals or sides (pimento cheese, dips, salsa, mac and cheese, etc.)	X	X	FDPD - with <2% meat, Wholesale, Retail – non permitted food establishment MPID – with >2% meat, Wholesale EHS - Retail of meals (for immediate consumption) by permitted food establishment
33	Closed-faced Sandwiches	X	X	FDPD – Wholesale EHS – Retail
34	Packaged Meat Products (Casseroles, Soups)	X	X	EHS- Retail MPID- Wholesale

*TCS: Time/temperature control for safety

**RTE: Ready-to-eat

Revised: May 2024