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Client Alert: New North Carolina Law Requires Inspection at More Bars Serving Food

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Effective January 1, 2024, North Carolina law will require any bar that prepares or serves food requiring temperature and time control (TCS foods) to obtain a Food Service Establishment (FSE) permit from the county health department and to prominently display the inspection certificate just as restaurants are required to do. If the bar only handles garnishes and unopened, packaged food (such as chips or pretzels), a FSE permit will not be required. Please note that the bar's status under the state Alcohol Beverage Control (ABC) laws will no longer determine if a FSE permit is required. If you are a bar that handles TCS foods, you are required to obtain a FSE permit, and, effective January 1, 2024, you must cease handling TCS foods until a FSE permit is obtained.

Mecklenburg County and other counties have been working to execute this new law. The Mecklenburg County Public Health Department (Mecklenburg Public Health) sent notification letters with instructions to the potentially affected bars and other facilities using ABC board and department records. Any bar or other facility that has a question regarding their status or food options that will not require a permit may contact a Plans Examiner with Mecklenburg Public Health at 980.314.1620.?For bars receiving a FSE permit, Mecklenburg Public Health staff will provide the training and guidance needed to ensure a smooth transition as inspections occur and permits are issued.?Mecklenburg Public Health maintains a website with a list of Frequently Asked Questions about the new FSE permit requirement, which is an excellent resource for bars and other facilities who may be unsure of their status or of the requirements for issuance of a FSE permit. *See* https://news.mecknc.gov/new-law-requires-inspection-more-bars-serving-food. Bars and other facilities located outside of Mecklenburg County are encouraged to check their county's public or environmental health department to determine best practices for compliance.

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