



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor

DEV DUTTA SANGVAI • Secretary

KELLY KIMPLE • Acting Director, Public Health

October 28, 2025

POSITION STATEMENT: Storage of Lunches Sent from Home in a Pre-K Program Located in a School

PURSUANT TO: Rules Governing the Sanitation of Child Care Centers
15A NCAC 18A .2800

SOURCE: Children's Environmental Health

QUESTION/ISSUE: Are fully prepared lunches that are sent from home and contain potentially hazardous foods required to be stored in a food preparation area as described in 15A NCAC 18A .2804(k)?

DISCUSSION AND RATIONALE:

Administrative Rule 15A NCAC 18A .2804(k) states, in part, that "Lunches, snacks, and other meals containing potentially hazardous foods shall be refrigerated at 45 degrees Fahrenheit or below and stored in the child care center kitchen or approved food preparation area."

Rule .2801(17) defines "Food Service" to mean "the distribution of foods for consumption, including milk placed in a pitcher or other serving container, ice that is transported, stored and dispensed, the distribution of children's bagged lunches and snacks sent from home, and the use of utensils to prevent direct food contact."

RESPONSE/INTERPRETATION:

For licensed Pre-K Programs located in a school, "distribution" of lunches containing potentially hazardous foods sent from home, which are fully prepared, and do not require assembly or mixing of ingredients, heating or further manipulation by the child care staff is considered "food service." Therefore, no food preparation area is required. These lunches containing potentially hazardous foods sent from home must be refrigerated; however, this refrigeration does not require a food preparation area as described in Rule .2804(k).

REFERENCES:

Rules Governing the Sanitation of Child Care Centers 15A NCAC 18A .2800

NOTE: Position statements are policy documents to clarify how to interpret or enforce a law or rule. They are not enforceable on their own but are intended to promote uniform interpretation and enforcement of the underlying law or rule.

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LOCATION: 5605 Six Forks Road, Building 3, Raleigh, NC 27609
MAILING ADDRESS: 1931 Mail Service Center, Raleigh, NC 27699-1931
www.ncdhhs.gov • TEL: 919-707-5000 • FAX: 919-870-4829

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