



North Carolina Department of Health and Human Services  
Division of Public Health

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May 2, 2014

**POSITION STATEMENT:** Use of Power Tools in Temporary Food Establishments (TFE)

**PURSUANT TO:** 15A NCAC 18A .2600 *Rules Governing the Food Protection and Sanitation of Food Establishments*

**SOURCE:** Kristina V. Nixon, MPA, REHS, Field Supervisor  
NC Food Protection Program  
NC Food Code Clearinghouse Committee

**QUESTION:**

Can a household power drill be used as a power source for EQUIPMENT (e.g., potato ribbon cutter, mixer) in a TEMPORARY FOOD ESTABLISHMENT (TFE)?

**DISCUSSION AND RATIONALE:**

Rule .2668(a), Temporary Food Establishment Equipment and Utensil Requirements, requires EQUIPMENT and UTENSILS to be kept clean and maintained in GOOD REPAIR and the surfaces that come into contact with FOOD, drink, or UTENSILS meet Parts 4-1 and 4-2 of the Food Code.

Part 4-1 of the Food Code refers to the materials for construction and repair. The power drill attachment used for mixing batter is a FOOD-CONTACT SURFACE and must meet Section 4-101.11; therefore, it shall be constructed from SAFE MATERIAL and finished to have a SMOOTH easily cleanable surface. The non FOOD-CONTACT SURFACE of the drill must meet Section 4-101.19, which requires construction of "CORROSION-RESISTANT, nonabsorbent, and SMOOTH material."

Part 4-2 of the Food Code refers to the design and construction. The power drill that is used for mixing batter is a FOOD-CONTACT SURFACE and must also meet the cleanability requirements in Section 4-202.11. The non FOOD-CONTACT SURFACE must be free of unnecessary ledges, projections and crevices, and designed and constructed to allow easy cleaning to facilitate maintenance (Section 4-202.16). EQUIPMENT containing bearings and gears that require lubricants shall be designed and constructed so that the lubricant cannot leak, drip or be forced into FOOD or onto FOOD-CONTACT SURFACES (Section 4-204-15).

When the power drill is used only as a power source in a TFE (e.g., ribbon fry cutters, apple peelers, mixers) and will not come into contact with FOOD, it is not a FOOD-CONTACT SURFACE and does not have to meet Parts 4-1 and 4-2. The power drill does need to meet the cleaning

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requirements in Part 4-6 of the Food Code and therefore should be protected from splash and spills to facilitate cleaning. Further, Rule .2668 does not require EQUIPMENT to meet Section 4-205.10.

**RESPONSE / INTERPRETATION:**

A power drill may be used as a power source in a TFE provided it does not contact FOOD, drink or UTENSILS. A splash guard which meets Part 4-2 must be provided to eliminate possible contamination as described in Section 4-204.15. If any parts of the power drill contact FOOD it must meet Parts 4-1 and 4-2 of the North Carolina Food Code Manual. Approval for use of this power tool does not allow the use of other domestic tools without prior approval. The approval for use of a power drill applies only to TFE's and does not apply to other FOOD ESTABLISHMENTS as .2668(a) is specific to TFEs and requires only those surfaces that come into contact with FOOD, drink, or UTENSILS comply with Part 4-1 and 4-2 of the Food Code.

**REFERENCES:** 15A NCAC 18A .2600 *Rules Governing the Food Protection and Sanitation of Food Establishments* (.2668); NC Food Code Manual (Parts 4-1 and 4-2)

*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.*