



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

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May 2, 2014

**POSITION STATEMENT:** Sink Drains in Food Establishments  
(Replaces letter of 12/5/1994 from Sue Grayson to Charles McKenzie)

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

**SOURCE:** Kevin Dodge, Environmental Engineer  
Environmental Health Section  
Division of Public Health

**QUESTION:**  
Do the direct drains on existing sinks have to be converted to indirect drains to comply with the North Carolina Food Code?

**DISCUSSION AND RATIONALE:**  
Paragraph 5-402.11(A) of the North Carolina Food Code states in part that "...a direct connection may not exist between the SEWAGE system and a drain originating from EQUIPMENT in which FOOD, portable EQUIPMENT, or UTENSILS are placed." Paragraph (D) of that Section provides an exception by stating that "if allowed by LAW, a WAREWASHING or culinary sink may have a direct connection." The Food Code defines LAW as "applicable local, state, and federal statutes, regulations, and ordinances." In this case LAW is the North Carolina Plumbing Code.

Past editions of the North Carolina Plumbing Code have allowed both directly drained warewashing and culinary (prep) sinks. Therefore sinks that were originally approved by the Plumbing Authority with direct drains can remain as they are, since they meet the requirement of paragraph 5-402.11(D).

The policy to allow colanders to hold FOOD in existing preparation sinks with directly connected drains to help prevent FOOD from coming in direct contact with the sink surface remains effective. A violation will occur if the colander is left unattended.

**RESPONSE / INTERPRETATION:**  
Existing sinks that have direct drains that were approved by the Plumbing Authority when installed are considered to comply with Paragraph 5-402.11(D) of the North Carolina Food Code. A change to an indirect drain is not required by the NC Food Code.

**REFERENCES:**  
North Carolina Food Code Manual  
North Carolina Plumbing Code

*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.*

<http://ehs.ncpublichealth.com/faf/food/planreview/index.htm>

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