

Food Sales that Require Permits vs Those that Do Not

Establishments that require a Permit:

- Any Meats or Seafood's:
 - Any meat or seafood which is handled, prepared or cooked on-site
 - Any of the below products that were cooked/prepared at another inspected facility (restaurant) and sold on-site.
 - Pork, Beef, Chicken or Seafood in any form
 - Hot Dogs, Sausage Dogs, Corn Dogs, Hamburgers, Ribs, Philly Steaks, BBQ, Chili, Gyros, Kabobs

- Cooked Vegetables:
 - Any vegetable that will be heat treated (cooked or processed)
 - Any Vegetable that is cut or handled
 - Fried Vegetables such as Blooming onions, French fries, potato curls, peppers & onions, Potato Salad,

- Fruits:
 - Any fruit that is cut, peeled or handled in any way
 - Smoothies with fresh fruit
 - Cut fruit that is used as a serving container (ex: pineapple with beverage inside)
 - Cut Melons (cantaloupe, watermelon, honeydew)
 - Wheat Grass or Sugar Cane Juice
 - Pressed Apple Juice

- Other Products:
 - Pizza (even cheese)
 - Nachos if the cheese or chili is from a can or fresh (bag cheese and chili which requires no handling is exempt)
 - Fried Cheese sticks
 - Macaroni/Pasta Salads

Foods that DO NOT require a Permit:

- Ice Cream
- Ice, Snowballs/Ice's (Ice and syrup)
- Funnel Cakes or 'Elephant Ears'
- Cakes, Cookies, Brownies, Candy, Candy or Cookie Bars
- Fried Desserts such as Oreos, Cookies, Cakes
- Beverage service only (Lemonade, Orangeade, Sodas, Tea, Coffee)
- Popcorn, Kettle Corn
- Whole, Halved or Quarter Raw Fruits and Vegetables
- Candy Apples
- Chocolate dipped Bananas

Food and Beverage Jurisdiction Guidance

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	Intact fruit with chocolate		X	
7	Pancakes/Crepes/Waffles w/ or w/o commercially prepared (canned or frozen) fruit filling or topping		X	
8	Quiche	X	X	EHS - Retail/Prepared for immediate consumption FDPD - Wholesale MPID - Wholesale
9	*TCS Filled Crepes	X	X	
10	*TCS Filled Pies	X	X	
Confectionary Products				
11	Fried butter/candy/cake		X	FDPD Bakery Regulations Bakery/Confectionery Items
12	Ice cream or frozen yogurt, w/ or w/o fresh cut fruit	X	X	EHS - In permitted food establishment FDPD - non-permitted food est.
13	Milkshakes, Banana splits	X	X	
Beverages				
14	Coconut water/Lemonade/Limeade/Orangeade		X	G.S. 130A-250(8) Beverage Exemption
15	Non-TCS* beverage in single service container		X	
16	Snow cones/Shaved ice		X	G.S. 130A-250(11)
17	Pressed apple juice	X		G.S. 130A-247(4) Required by G.S. Single Service Containers (Unpackaged)
18	*TCS beverages made from raw fruits and	X		
19	Wheatgrass or sugar cane juice	X		
Other				
20	Avocado bites / Roasted corn	X		Heat-Treated Plant Food
21	Bacon, battered deep fried or chocolate covered	X		EHS - Retail/Prepared for Immediate Consumption
22	Boiled peanuts	X	X	EHS - In permitted food establishment FDPD - non-permitted food est.
23	Hoop cheese	X	X	
24	Fried pickles	X	X	
25	Nacho cheese and chili dispensers	X	X	EHS - Dispenser w/ reusable components FDPD/MPID - Commercially packaged
26	Pork skins	X	X	EHS - Pork skin meat/FDPD - Pellets/MPID - If sold at secondary location
27	Roasted nuts		X	FDPD - non-permitted food est.
28	Acai bowls made w/ or topped w/ fresh fruit.	X		**RTE portioned fruit
29	All **RTE cut fruit (even when only used as a topping on bakery items) unless on top of a frozen dessert, inside of a non-TCS* beverage, or baked inside of a pie.	X		**RTE portioned fruit
30	*TCS fruit (whole, half or quarter), cut bananas		X	FDPD - Requires additional processing by consumer prior to consumption

*TCS: Time/temperature control for safety

**RTE: Ready-to-eat

Revised: April 2019