

**PROPOSED REGULATION OF THE  
STATE BOARD OF HEALTH**

**LCB File No. R174-97**

November 26, 1997

EXPLANATION – Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AUTHORITY: §§1-3, NRS 439.170, 439.200 and 446.940; §4, NRS 439.150, 439.170, 439.200 and 446.940.

**Section 1.** Chapter 446 of NAC is hereby amended by adding thereto a new section to read as follows:

*As used in paragraph (b) of subsection 3 of NRS 576.128, the state board of health will interpret the term “natural and unprocessed state” to mean that an agricultural product of the soil is not cut, sliced, breached, shelled, canned, cooked, pickled, sealed, packaged, dried, milled, ground or otherwise altered from its original state after being harvested.*

**Sec. 2.** NAC 446.425 is hereby amended to read as follows:

446.425 1. There may be no cross connection between the supply of potable water and any water which is nonpotable or may be nonpotable nor any source of pollution by which the potable water might become contaminated.

2. A system of nonpotable water which meets the limitations established by the state for levels of bacteria may only be used for purposes such as air conditioning, cleaning, flushing toilets and fire protection and only if the system is approved by the health authority and does not come into direct or indirect contact with food, potable water or equipment that comes in contact

with food or utensils. The piping of any nonpotable water must be clearly and permanently identified so that it is readily distinguishable from piping that carries potable water.

3. The system for potable water must be installed to preclude the possibility of backflow. Devices must be installed to protect against backflow and back siphonage on all fixtures and equipment which do not have an air gap which is at least twice the diameter of the inlet for the water between the inlet and the fixture's flood level rim. A hose may not be attached to a faucet unless a device to prevent backflow is installed.

4. A device designed to prevent backflow or back siphonage that is installed on a water supply system must comply with the standards for construction, installation, maintenance, inspection and testing of the Uniform Plumbing Code for that specific application and type of device, as those standards [~~exist~~] *existed* on May 23, 1996. The state board of health hereby adopts those standards by reference. A copy of the standards may be obtained from the [~~International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601,~~] *International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California 91789-2825* at a price of [~~\$49.90.~~] *\$45.45.*

5. The use of lead solder on lines carrying potable water is prohibited.

**Sec. 3.** NAC 446.430 is hereby amended to read as follows:

446.430 Interceptors for grease must be installed at any food establishment which generates grease that may enter a sewer system and where deemed necessary by the health authority or public works department of the appropriate local government. An interceptor must be located so that it is easy to clean. *A trap for grease must not be used.*

**Sec. 4.** NAC 446.830 is hereby amended to read as follows:

446.830 The health division of the department of human resources shall charge and collect fees for annual permits and other services in accordance with the following schedule, except *as otherwise provided in NRS 576.128 and except* in areas where the laws and regulations governing food establishments are administered by local health authorities:

Main Facilities	Fees
For a restaurant, establishment for drinking, main kitchen, bar for beer, snack bar, concession, service bar, portable food unit or buffet.	
For the first 40 seats .....	[ <del>\$85</del> ] <i>\$115</i>
Plus [ <del>\$1</del> ] <i>\$1.50</i> for each additional seat.	
For a restaurant which provides food to take out.	
For the first 40 seats .....	[ <del>85</del> ] <i>115</i>
Plus [ <del>\$1</del> ] <i>\$1.50</i> for each additional seat.	
For each window of a drive-in or service station .....	30
For a food establishment that has been exempted pursuant to NRS 446.870 .....	50
For a caterer .....	[ <del>85</del> ] <i>115</i>

Supporting Facilities	Fees
For a special kitchen, kitchen for the preparation of banquets, kitchen for a bakery, kitchen for the preparation of meat, pantry for a kitchen, garde-manger for cold meat or buffet having an area of:	

500 square feet or less .....	<del>[\$85]</del> \$115
More than 500 square feet .....	<del>[100]</del> 130
Portable bars, annual fee for each .....	85

Wholesale or Retail Services for Food

Fees

For a market, a service providing candy, package liquor, health food, dry storage, meat, poultry, seafood, refrigerated storage, storage of produce or bakery sales, a food warehouse or a market for produce which has an area of:

Less than 1,000 square feet .....	<del>[\$85]</del> \$115
1,000 - 3,000 square feet .....	<del>[150]</del> 180
3,001 - 5,000 square feet .....	<del>[200]</del> 230
More than 5,000 square feet .....	<del>[250]</del> 280

Wholesale or Retail Processors of Food

Fees

For a plant for bottling, processing plant for food, market for meat, processing plant for game, bakery, plant for ice, delicatessen or processing plant for candy which has an area of:

Less than 1,000 square feet .....	<del>[\$85]</del> \$115
1,000 - 3,000 square feet .....	<del>[150]</del> 180
3,001 - 5,000 square feet .....	<del>[200]</del> 230

More than 5,000 square feet .....	[250] 280
For a temporary food establishment, per unit .....	50
For a food processing establishment for each package submitted for a review of its label .....	25
For a food processing establishment for each label reviewed.....	5
For the testing of food products at a food processing establishment .....	Actual costs