

NAC 446.0235 “Poisonous or toxic materials” defined. ([NRS 439.200](#), [446.940](#))
“Poisonous or toxic materials” means substances that are not intended for ingestion and are included in one or more of the following categories:

1. Cleaners and sanitizers, including, without limitation, cleaning and sanitizing agents, and other agents, including, without limitation, caustics, acids, drying agents, polishes and other chemicals.

2. Both restricted- and general-use pesticides, except sanitizers, including, without limitation, substances such as insecticides and rodenticides.

3. Substances necessary for the operation and maintenance of a food establishment or food processing establishment, including, without limitation, nonfood grade lubricants and personal care items that may be deleterious to health.

4. Substances that are not necessary for the operation and maintenance of a food establishment or food processing establishment and are on the premises for retail sale, including, without limitation, petroleum products and paints.

(Added to NAC by Bd. of Health by R069-10, eff. 12-18-2013)

NRS 439.200 Regulations of State Board of Health: Adoption; effect; variances; distribution.

1. The State Board of Health may by affirmative vote of a majority of its members adopt, amend and enforce reasonable regulations consistent with law:

(a) To define and control dangerous communicable diseases.

(b) To prevent and control nuisances.

(c) To regulate sanitation and sanitary practices in the interests of the public health.

(d) To provide for the sanitary protection of water and food supplies.

(e) To govern and define the powers and duties of local boards of health and health officers, except with respect to the provisions of [NRS 444.440](#) to [444.620](#), inclusive, [444.650](#), [445A.170](#) to [445A.955](#), inclusive, and [chapter 445B](#) of NRS.

(f) To protect and promote the public health generally.

(g) To carry out all other purposes of this chapter.

2. Except as otherwise provided in [NRS 444.650](#), those regulations have the effect of law and supersede all local ordinances and regulations inconsistent therewith, except those local ordinances and regulations which are more stringent than the regulations provided for in this section.

3. The State Board of Health may grant a variance from the requirements of a regulation if it finds that:

(a) Strict application of that regulation would result in exceptional and undue hardship to the person requesting the variance; and

(b) The variance, if granted, would not:

(1) Cause substantial detriment to the public welfare; or

(2) Impair substantially the purpose of that regulation.

4. Each regulation adopted by the State Board of Health must be published immediately after adoption and issued in pamphlet form for distribution to local health officers and the residents of the State.

[Part 25:199:1911; added [1919, 221](#); A [1939, 297](#); 1931 NCL § 5259] — (NRS A [1969, 880](#); [1971, 137, 807](#); [1977, 1138](#); [1979, 703](#); [1983, 329, 1129](#); [1987, 775](#); [1991, 2189](#); [2009, 1077](#))

NRS 439.230 Personal and statistical information to be secured from patient admitted or committed to public or private institution.

1. All superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, or confinement, or are committed by process of law, shall make a record of all the personal and statistical particulars relative to the inmates of their institutions at the time of their admission on the forms of the certificates provided for by law and as directed by the State Board of Health.

2. In case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease and where, in his or her opinion, it was contracted.

3. The personal particulars and information required by this section shall be obtained from the patient, if it is practicable to do so. When they cannot be so obtained, they shall be secured in as complete a manner as possible from relatives, friends or other persons acquainted with the facts.

[Part 17:199:1911; A [1915, 249](#); [1951, 312](#); [1953, 311](#)]

1969 Statutes of Nevada, Page 803 ([CHAPTER 458, SB 417](#))↓

inclusive, of this act govern the construction of [\[NRS 446.010 to 446.640, inclusive.\] this chapter.](#)

SEC. 2. NRS 446.020 is hereby amended to read as follows:

446.020 1. "Food establishment" means any place, structure, premises, vehicle or vessel, or any part thereof, in which any food [\[product\]](#) intended for ultimate human consumption is manufactured or prepared by any manner or means whatever, or in which any food [\[product\]](#) is sold, offered or displayed for sale, or served.

2. This definition shall not be construed to include:

(a) Private homes.

(b) Fraternal or social clubhouses attendance at which is limited to club members.

(c) [\[Any establishment the sanitation of which is specifically governed by NRS 446.645 to 446.945, inclusive, or other laws or rules and regulations of the state board of health.](#)

[\(d\)](#) Vehicles operating on common carriers engaged in interstate commerce.

[\[\(e\)\] \(d\)](#) Premises on which religious, charitable and other nonprofit organizations sell food [\[products\]](#) for the purpose of raising funds.

SEC. 3. NRS 446.030 is hereby amended to read as follows:

446.030 "Food handler" means any person employed in or operating a food establishment, whether employer, employee or independent individual who handles, stores, transports, prepares, manufactures, serves or sells food, [\[products,\]](#) or who comes in contact with eating or cooking utensils or other equipment used in the handling, preparation, manufacture, service, or sale of food. [\[products.\]](#)

SEC. 4. NRS 446.040 is hereby amended to read as follows:

446.040 [\["Food product"\] "Food"](#) means any food, drink, confection or beverage, or any component in the preparation or manufacture thereof, intended for ultimate human consumption, stored, being prepared or manufactured, displayed, offered for sale, sold, or served in a food establishment.

SEC. 5. NRS 446.050 is hereby amended to read as follows:

446.050 "Health [\[officer"\] authority](#)" means the [\[state health officer and includes any of his assistants, deputies, inspectors or any other official representative or member of the state health officer's staff who is charged with the enforcement of NRS 446.010 to 446.640, inclusive.\] officers and agents of the health division of the department of health, welfare and rehabilitation, or the officers and agents of the local boards of health.](#)

SEC. 6. NRS 446.110 is hereby amended to read as follows:

446.110 When [under NRS 446.785](#) suspicion arises as to the possibility of transmission of infection from any food handler, the health [\[officer is authorized to\] authority may](#) require any or all of the following measures:

1. The immediate exclusion of the food handler from all food establishments.

2. The immediate closing of the food establishment concerned until, in the opinion of the health [\[officer,\] authority](#), no further danger of disease outbreak exists.

3. Adequate medical examinations of the food handler and of his associates, with such laboratory examinations as may be indicated.