

# Food Establishments

Environmental Health Division



## Consumer Advisory Guidance

The consumer advisory applies to all food establishments where raw or undercooked animal foods, such as beef, eggs, fish, lamb, pork, poultry, or shellfish, are served to the consumer. The consumer advisory must be available at the point of selection. This includes but is not limited to: seafood markets that offer molluscan shellstock, online/catering menus, drive-thru menus, printed menus, daily specials, menu boards, to-go menus, etc. Establishments that service a Highly Susceptible Population cannot serve raw or undercooked products.

The intent of a consumer advisory is to ensure that all consumers are properly informed about the increased risk of eating raw or undercooked animal foods, especially for young children, the elderly, and those with weakened immune systems. Many common food items are traditionally served raw or undercooked, such as Caesar salad dressing, oysters on the half shell, eggs 'any style,' cook to order steaks and burgers, seared fish, and sushi. Consumers shall be properly informed about the risks associated with the food they will be consuming. Please remember that undercooked comminuted (ground) meat cannot be offered on a children's menu.

It is not possible to anticipate all conceivable situations. The Environmental Services Department can provide guidance to establishments to develop the most effective way to meet the objectives of satisfactory compliance. If you have any further questions with the development of your consumer advisory, please contact your inspector.

## Compliance

Where raw or undercooked animal foods are offered, the absence of a consumer advisory as specified in 3-603.11 of the 2013 FDA Food Code, is in violation. Satisfactory compliance is gained when both a disclosure and a reminder are provided in a manner that is consistent with the 2013 FDA Food Code.

### **Examples of Raw foods includes:**

Raw unpasteurized egg Caesar dressing	Raw oysters
Sushi	Steak or Tuna tartar

### **Examples of Undercooked foods includes:**

Burgers cooked to order	Steaks cooked to order
Eggs cooked to order	Rare Prime Rib

\* Pasteurized eggs (liquid or in-shell) and whole intact muscle steaks do NOT require a consumer advisory.

### **Disclosure must:**

1. Be on the menu or, in the absence of a menu, be presented in writing to consumers at the point of selection, and
2. Identify the food items that are raw, undercooked, or may contain raw/undercooked ingredients, and
3. Specify that the food item contains raw or undercooked beef, eggs, fish, lamb, pork, poultry or shellfish.

### **Examples of Disclosure:**

1. Disclosure by description: Items are described, such as:

Oysters on the half shell (raw oysters)  
Caesar salad (raw egg dressing)  
Hamburgers (can be cooked to order); or

2. Disclosure by asterisking the food items to a footnote that appropriately states that the items: "Are served raw or undercooked", OR "Contain (or may contain) raw or undercooked ingredients;" or other appropriate written disclosure.



### **Reminder must:**

1. Be asterisked to the foods requiring disclosure, and
2. Located within the menu so that the consumer may easily find it (preferably on the first or last page), or
3. On a placard, table tent, or by other written means, as appropriate to the point of selection.

### ***Examples of Reminder:***

Use one of three reminder statements containing the actual advisory:

Statement 1: "Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness";

Statement 2: "Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions."

Statement 3: "Regarding the safety of these items, written information is available upon request."

### **Some examples of acceptable wording for menu advisories:**

***\*"These items may contain raw or undercooked ingredients. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness".***

***\*"Eggs are served any style. Consuming raw or undercooked eggs may result in an increased risk of foodborne illness"***

## **Recommendations**

There are two components to gain satisfactory compliance: Disclosure and Reminder

**Disclosure** is satisfied when:

1. Items are described, such as: raw oysters on the half shell, raw-egg Caesar salad, juice blends with raw-egg, ranch style eggs ("over easy"), shrimp cocktail with partially cooked shrimp, and hamburgers cooked to order.
2. Items are asterisked to a footnote that states that the items are served raw or undercooked and may contain raw or undercooked ingredients.

**Reminder** is satisfied when the items requiring disclosure are asterisked to a footnote that states:

1. Regarding the safety of these items, written information is available upon request.
2. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of food borne illness, especially if you have certain medical conditions.



Menu Example A

**Salads**

- Grilled Chicken Salad
- Cobb Salad
- Caesar Salad (contains raw egg)\*

**Hamburgers (Cooked to Order)\***

- Cheeseburger
- Bacon Deluxe Burger
- Ultimate BBQ Burger

Disclosure

Reminder

**(Displayed at the bottom of the page)**

\* Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have a medical condition.

Menu Example B

**Hamburgers**

- Cheeseburger \*
- Bacon Deluxe Burger \*
- Ultimate BBQ Burger \*

**Steaks & Poultry**

- Porterhouse 12oz. \*
- Grilled Chicken
- New York Strip 6oz. \*

Disclosure

Reminder

**(Displayed at the bottom of the page)**

\* These items may be served undercooked. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.

Menu Example C

**Seafood**

- Salmon on the Grill
- Oysters on the Halfshell (served raw) \*
- Breaded Shrimp

Disclosure

Reminder

**(Displayed at the bottom of the page)**

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## **Consumer Advisory**

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