Retail Food Establishment Consumer Advisory Requirements

As of July 1, 2013 a Consumer Advisory must be used for raw animal food menu items (meat, poultry, fish, shellfish, and eggs) that are served or sold raw or undercooked. A consumer advisory consists of a disclosure and a reminder intended to inform consumers, especially vulnerable populations, of the increased risk of foodborne illness from eating raw or undercooked animal foods.

Disclosures are written statements used to inform the public that an animal food offered for sale or service is to be served raw or lightly cooked. Reminders are intended to inform the public that eating raw or lightly cooked animal foods increases their risk of foodborne illness. The reminder and disclosure statements must be made in the same location, either on the menu, posted notices on deli cases or menu boards, placards, or table tents.

Examples of Food items requiring a consumer advisory include:

<table>
<thead>
<tr>
<th>Raw Eggs</th>
<th>Raw or Rare Meat</th>
<th>Raw Fish and Shellfish</th>
</tr>
</thead>
<tbody>
<tr>
<td>-Hollandaise</td>
<td>-Carpaccio</td>
<td>-Sushi</td>
</tr>
<tr>
<td>-Meringue</td>
<td>-Burgers Cooked to Order</td>
<td>-Roe</td>
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<tr>
<td>-Caesar Dressing</td>
<td>-Mechanically Tenderized Beef</td>
<td>-Gravlax</td>
</tr>
<tr>
<td>-Mayo or Aioli Made with Raw Egg</td>
<td>-Steak Tartare</td>
<td>-Ceviche</td>
</tr>
<tr>
<td></td>
<td></td>
<td>-Oysters Served Raw</td>
</tr>
</tbody>
</table>

Note: Unless documentation is available that beef steak served is whole-muscle intact beef, a consumer advisory must be provided.

Examples of Disclosure:

1. Disclosure by description: Items on the menu are presented to include the disclosure in the description to indicate that the foods are raw or can be served undercooked. A reminder statement must also appear in the same location that the food items are listed (menu, table tent, menu board, etc.).

   **Food Item**
   - Oysters on the half-shell (raw oysters)
   - Prime Rib (cooked to order)
   - Hamburgers (cooked to order)
   - Hollandaise Sauce (prepared with raw egg)

2. Disclosure by asterisking with footnote: The food items are asterisked to a footnote appearing in the same location and preceding the reminder statement that describes, depending on the situation, that the items are:

   **Food Item**
   - Oysters on the half-shell*
   - Prime Rib*
   - Hamburgers*
   - Hollandaise Sauce*

   **Footnote**
   - *Oysters are served raw.
   - *Prime Rib cooked to order.
   - *Hamburgers are cooked to order.
   - *Our Hollandaise is made with raw egg.
Examples of Reminder:

1. “Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness”; or,

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.”

Sample Consumer Advisory statements;
Disclosure as a Description and Reminder. Advisory indicates raw/undercooked items in the description, and includes reminder statement on the menu.

**APPETIZERS**  
- Calamari Strips
- Sautéed Mushrooms
- Fishers Island Oysters (raw oysters)*
- Caribbean Jack Fish Ceviche (raw fish)*

**SANDWICHES**  
- Turkey Reuben
- ½ Pound Burger (May be cooked to order)*
- Western BLT
- Famous Steak Sandwich (Cooked to order)*

*Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.

Identification Disclosure and Reminder. Advisory identifies undercooked animal foods by asterisking to footnote that indicates the items are served raw or undercooked or may contain undercooked ingredients AND reminder.

**APPETIZERS**  
- Calamari Strips
- Sautéed Mushrooms
- Fishers Island Oysters (raw oysters)*
- Caribbean Jack Fish Ceviche (raw fish)*

**SANDWICHES**  
- Turkey Reuben
- ½ Pound Burger (May be cooked to order)*
- Western BLT
- Famous Steak Sandwich (Cooked to order)*

*These items may be served raw or undercooked based on your specification, or contain raw or undercooked ingredients. Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.

The disclosure statement in the example above may be changed to better describe menu items, for example:

*Our burgers are cooked to order. Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.

or,

*Eggs are cooked to order. Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.