



New Written Consumer Advisory Rule: What Restaurants Need to Know

Restaurants must now use a written advisory to tell customers that eating certain raw or undercooked foods may increase the risk of foodborne illness. Previously, this warning could be spoken or written.

Foods that may increase the risk of foodborne illness include raw or undercooked meat, fish, shellfish or unpasteurized raw eggs. It doesn't matter if these foods are offered alone or as an ingredient in other dishes or drinks—either way, restaurants must provide the written advisory.

The advisory statement must state the following text in English:

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

This statement must appear on menus, menu boards, brochures, signage, table tents or placards. Any food that needs the advisory must either be marked with an asterisk (*) or described as raw or undercooked. Here are examples of how to show a raw or undercooked food and the consumer advisory.

Option 1: Describe the raw or undercooked food and state the advisory below it.

Garden salad

Chef salad

Caesar salad (contains raw eggs)

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

Option 2: Mark the raw or undercooked food and the advisory with an asterisk.

Oysters on the half shell*

Fried shrimp

Flounder François

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

Option 3: If food can be cooked to order to be raw or undercooked, provide the advisory.

Cheeseburger sliders

Swiss cheese, mushroom and onion big burger

Deluxe burger

Can be cooked to order.

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



The rule went into effect January 1, 2016

Enforcement of the written advisory requirement will begin January 1, 2017. Restaurants must continue to share the advisory verbally until a written advisory is in place.

The written advisory should be placed where consumers can see it

Restaurants have flexibility on where to place the advisory. For example, it can be placed on menus, menu boards, brochures, food labels, table tents or placards.

The written advisory is required even if the food item is listed as “cooked to order”

If a customer requests food to be served raw or undercooked, and it is not listed as “cooked to order,” the advisory is not required.

The written advisory is required for specials

If you offer a special and it includes a raw or undercooked food, you must include the advisory.

Foods are considered raw or undercooked based on temperatures listed in the New York City Health Code

Meat, fish, molluscan shellfish and unpasteurized raw shell eggs must be cooked to the temperatures listed in Health Code Section 81.09(c). Visit nyc.gov/healthcode to read more.

Restaurants that do not include a written advisory for risky foods may receive a notice of violation, which carries a \$300 fine.

The violation will also affect the restaurant’s inspection score and grade.

