

C.C. code clarification

Food Code Implementation Guidance from the
Washington State Department of Health
Environmental Health Division
Food Safety Program



Food Code References:

3-603.11



Definitions: *Disclosure*

Written indication as to which items are raw or undercooked in their entirety, can be ordered raw or undercooked, or that contain an ingredient that is raw or undercooked.



Reminder

A written statement concerning the health risk of consuming raw or undercooked animal foods or unpasteurized juices of fruits or vegetables.



Menu

Whatever consumers read (table tent, placard, chalk board, or other written means) to make order selections.



Consumer Advisory

A **consumer advisory** is a publicly posted notice informing consumers that certain ready-to-eat foods pose a health risk because the foods are not processed to eliminate pathogens. **Food establishments must post a consumer advisory if they serve raw or undercooked foods of animal origin, or unpasteurized fruit and vegetable juices.**

A consumer advisory consists of two parts: DISCLOSURE and REMINDER.

DISCLOSURE

Food establishments must identify unpasteurized juices and foods of animal origin that are served raw or undercooked. Identification must be at the point where the food is selected by the consumer and may be on a MENU, table tent, placard, or other printed means.

DISCLOSURE is satisfied when:

1. The cooking status is explained in the menu description:
 - Oysters on the half-shell (raw oysters)
 - Raw-egg Caesar salad
 - Our steaks are cooked to order; or
2. A footnote (with an asterisk or other indicator at the menu item) states that the items:
 - Are served raw or undercooked, or
 - Contain (or may contain) raw or undercooked ingredients

REMINDER

In addition to disclosing which foods are served raw or undercooked, establishments must remind consumers of the health risk associated with eating these foods. The REMINDER statement must be in the same location as the DISCLOSURE, where customers can easily find it (preferably on the page where the first undercooked item appears).

Food establishments may choose to use a separate consumer advisory document as a REMINDER. If a food establishment chooses this option, the food establishment must:

- Refer to the document on the MENU, **or**
- Make the document readily accessible to consumers prior to ordering. *Readily accessible* means the consumer can get it without having to ask for it. In this case, the REMINDER statement is not required to be on the MENU.

WHICH JUICES NEED A CONSUMER ADVISORY?

- All unpasteurized or unprocessed juice prepared at temporary food establishments; and
- All unpasteurized or unprocessed juices prepared more than a day in advance of service at permanent food establishments; and
- All beverages that contain any of the above mentioned unpasteurized or unprocessed juice as an ingredient

WHICH BEVERAGES DO NOT NEED A CONSUMER ADVISORY?

- Juices prepared within 24 hours of service at permanent food establishments, and beverages that contain this juice; and
- Beverages that contain sliced or blended fruit and/or vegetables as an ingredient in a mixture (e.g., fruit smoothies, milkshakes, lemon water, and fruit-flavored alcoholic beverages)

NOTE: This fact sheet is a compilation of major food safety rules regarding the given topic and is not designed to replace reading the Food Code.

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MENU EXAMPLES:

MENU	
<u>Hamburgers*</u>	
Bacon Cheeseburger	Jr. Burger
Deluxe Burger	Cheeseburger
* Can be cooked to order. Consuming raw or undercooked meats may increase your risk of foodborne illness.	

MENU	
Garden Salad	
Chef's Salad	
Caesar Salad (contains raw eggs)	
NOTICE: Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.	

<u>Beverages</u>	
Soda Pop (Sm, Med, Lg)	
Milkshakes (Chocolate or Strawberry)	
Strawberry Fruit Smoothie	
Apple Cider* (SQUEEZED ON-SITE EVERY 3 DAYS)	
*Notice: Unpasteurized juice may increase the risk of foodborne disease to people with certain medical conditions.	

SAMPLE LANGUAGE FOR DISCLOSURES AND REMINDERS:

1. “Oysters on the half-shell are raw. Consuming raw oysters may increase your risk of foodborne illness.”
2. “Hamburgers may be cooked to order. Consuming raw or undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.”
3. “Our Caesar salad dressing is made with raw eggs. Consuming raw or undercooked eggs may increase your risk of foodborne illness.”
4. “Meats or eggs that are undercooked to your specification may increase your risk of foodborne illness, especially if you have certain medical conditions.”
5. “Consuming unpasteurized fruit or vegetable juices may increase your risk of foodborne illness if you have certain medical conditions.”
6. “Regarding the safety of our eggs and hamburgers that are cooked to order, written information is available upon request.”

CUSTOM DESIGNED DOCUMENT:

If establishments choose to make written information available in place of a REMINDER statement, a consumer advisory document must be available for consumers upon request. FDA has provided model text containing the information necessary to communicate risk to consumers: <http://vm.cfsan.fda.gov/~dms/fc99guid.html#brochure>. If food establishments use a custom designed document instead of the FDA brochure, the following essential criteria must be met:

1. The information must be science-based.
2. The hazard must be described.
3. The reason the raw or undercooked food is hazardous must be explained.
4. Consumers at the greatest risk must be identified.
5. Guidance must be given to all consumers, emphasizing those at greatest risk.
6. The information must be clear and easily readable.
7. Sources of additional information must be provided.

READABILITY REQUIREMENTS:

Consumer advisory text must be readable and be in the same language used for the MENU items. Text size for statements on hand-held MENUS or table tents should be visually equivalent to at least 11 point. For placards, statements need to be as easily read as MENU items on the placard and must be readable from the point at which consumers would normally stand.