



## TULSA CITY-COUNTY HEALTH DEPARTMENT

5051 S. 129<sup>th</sup> E. Ave. • Tulsa, Oklahoma 74134

918-595-4300

Fax: 918-595-4339

**TULSA HEALTH**  
DEPARTMENT

### CONSUMER ADVISORY REQUIREMENT

Effective November 2011, revision of Chapter 257 (**Oklahoma Food Service Establishment Regulations**) Section 310:257-5-69 requires food establishments serving raw or undercooked animal foods including shellfish to advise the consumer regarding the increased health risk of eating such foods.

#### **310:257-5-69. Consumption of animal foods that are raw, undercooked, or not otherwise processed to eliminate pathogens.**

This section defines the methods for advising the consumer regarding eating undercooked animal foods. The rule reads as follows:

*Except as specified in 310:257-5-46(c) and 310:257-5-46(d) (3) and 310:257-5-71(4), if an animal food such as beef, eggs, fish, lamb, milk, pork, poultry, or shellfish that is raw, undercooked, or not otherwise processed to eliminate pathogens is offered in a ready-to-eat food, the permit holder shall inform consumers by brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means of the significantly increased risk associated with certain especially vulnerable consumers eating such foods in raw or undercooked form.*

**There are two components to satisfactory compliance: Disclosure and Reminder.**

**Disclosure** is satisfied when:

1. Items are described, such as:
  - a. Oysters on the half-shell (raw oysters),
  - b. Raw-EGG Caesar salad, and
  - c. Hamburgers (can be cooked to order); or
2. Items are asterisked to a footnote that states that the items:
  - a. Are served raw or undercooked, or
  - b. Contain (or may contain) raw or undercooked ingredients.

**Reminder** is satisfied when one of the following statements is used in conjunction with the disclosure and is placed on the menu, or in the absence of a menu on a placard, table tent, or other written means:

1. Regarding the safety of these items, written information is available upon request;<sup>1</sup>
2. Consuming raw or undercooked meats, poultry, seafood, shellfish, or EGGS may increase your RISK of foodborne illness; or
3. Consuming raw or undercooked meats, poultry, seafood, shellfish, or EGGS may increase your RISK of foodborne illness, especially if you have certain medical conditions.

**Disclosure** and **Reminder** text on menus must be at least size eleven (11) font or easily readable from the point at which consumers would normally stand to read it.

For further information or clarification you may contact the Food Protection Services of the Tulsa City-County Health Department at (918) 595-4300.

<sup>1</sup> Essential criteria for such written information are available, with a downloadable model brochure, on the CFSAN Web Page at [www.cfsan.fda.gov](http://www.cfsan.fda.gov) or for oysters and clams brochure [www.issc.org](http://www.issc.org) (Interstate Shellfish Sanitation Conference). All brochures must meet these essential criteria.