

State of Michigan



JOHN ENGLER, Governor

Department of Agriculture

DAN WYANT, Director

Commission of Agriculture
Douglas E. Darling
James E. Maitland
William G. Pridgeon
Jordan B. Tatter
Nara M. Viau

DATE: May 29, 2001

TO: All Local Health Departments
Attn.: Health Officer/Director of Environmental Health/Chief Sanitarian

FROM: Food Service Sanitation Section
Food and Dairy Division

SUBJECT: **Answer to a Question on the Food Code**

In keeping with MALEHA's request that answers to questions on the Food Service Sanitation Program be addressed to all Environmental Health Directors, this memorandum provides an answer to a recent question concerning the Food Code and Food Law of 2000.

Question: May the consumer advisory requirement be met with the undercooked menu items merely being noted with an asterisk calling attention to a brochure available upon request?

Answer: There are two components of the consumer advisory, disclosure and reminder, both of which must be met.

Disclosure. An asterisk, without more, is *not* sufficient to disclose that the food contains raw or undercooked animal food. Disclosure is satisfied by description of the item, such as "raw oysters," "raw-eggs," or "can be cooked to order."

Reminder. An asterisk linked to the note, "Regarding the safety of these items, written information is available upon request" will suffice as the reminder (assuming the brochure is appropriate). See Food Law of 2000 § 6149 and Food Code § 3-603.1.

If you have any questions on the meaning of particular sections of the Food Code, please contact the Food Service Sanitation Specialist who covers your area.

NDF:khg

cc: MDA Food Program Managers
Retail Food Advisory Board