**Conference for Food Protection**

**2014 Issue Form**

**Internal Number: 067**

**Issue: 2014 I-025**

**Title:**

Consumer Advisory - Amend Section 3-603.11

**Recommended Solution: The Conference recommends...:**

that a letter be sent to the FDA recommending the 2013 Food Code be amended with the addition of new consumer advisory language to Section 3-603.11, as follows (new language in underline format):

Section 3-603.11 Consumption of Animal Foods that are Raw, Undercooked, or Not Otherwise Processed to Eliminate Pathogens

(D) Every FOOD ESTABLISHMENT that offers raw oysters shall provide a written warning to any person who orders raw oysters, stating:

WARNING

THIS FACILITY OFFERS RAW OYSTERS. EATING THESE OYSTERS MAY CAUSE SEVERE ILLNESS AND EVEN DEATH IN PERSONS WHO HAVE LIVER DISEASE, CANCER, DIABETES, OR OTHER CHRONIC ILLNESSES THAT WEAKEN THE IMMUNE SYSTEM. If you eat raw oysters and become ill, you should seek immediate medical attention. If you are unsure if you are at risk, you should consult your physician.

(E) Warnings under subsection (D) are not required whenever the FOOD ESTABLISHMENT has received a copy of a current verification letter from the dealer and tags or labels are as required by Section 3-202.18 of this Code demonstrating that the oysters have been subjected to an oyster treatment process sufficient to reduce Vibrio bacteria to an undetectable level, as defined in the U.S. Food and Drug Administration Bacteriological Analytical Manual, 2004 Edition.

It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.