

COUNTY OF SUFFOLK



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SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

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COMPLIANCE GUIDE

A LOCAL LAW TO IMPROVE FOOD ALLERGY SAFETY AND AWARENESS AT FOOD SERVICE ESTABLISHMENTS IN SUFFOLK COUNTY

Effective July 18, 2018, food establishments covered by Suffolk County Local Law (SCLL) 4-2018 are required to post on all menus and menu boards a notice that reads “Before placing your order, please inform your server if a person in your party has a food allergy”. In addition, the law requires the Suffolk County Department of Health Services to establish a voluntary program for covered food establishments to be designated as “Food Allergy Friendly”.

This document is intended to assist covered food establishments in complying with SCLL 4-2018, as well as provide guidance for food establishments that wish to participate in the “Food Allergy Friendly” program.

Covered Food Establishments

All food establishments as defined in Article 13, §760-1300(3)(X) of the Suffolk County Sanitary Code are required to comply with SCLL 4-2018, with the following exceptions:

- Food service operations regulated by the Department at all primary schools, secondary schools, and colleges/universities
- Food service operations at summer camps and child care facilities/programs
- Institutional settings in which food is prepared for a specific population
- Temporary food establishments operated by non-profit organizations

Notice on Menus and Menu Boards

Covered food establishments must include on all menus and menu boards, including menus published on an establishment’s website, a notice that reads “Before placing your order, please inform your server if a person in your party has a food allergy”. A menu is defined as a printed or pictorial display of food items and their prices that are available for sale. A menu board is defined as a list or pictorial display of food items and their prices posted within or outside a food service establishment.

There is no requirement for location, font style or point size of the menu or menu board notice.



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Food Allergy Friendly Program

Food establishments may elect to participate in the Department's Food Allergy Friendly program by meeting certain criteria. Food establishments that meet the criteria will be designated as Food Allergy Friendly and included on a list published on the Department's website. The list of Food Allergy Friendly establishments is updated periodically. Participation in the Food Allergy Friendly program is voluntary.

Food Allergy Friendly program criteria:

1. Sign(s) and/or poster(s) approved by the Department must be prominently displayed in the staff area.
2. There must be at least one manager on duty **at all times** of operation who is certified in food allergen safety. The certificate must be issued by a program approved by the Department. Certificates issued by approved programs must meet the Department's requirement for the Food Allergy Friendly designation by not being older than 3 years from the issue date.
3. The maintenance on premises of a current list of ingredients used in the preparation of each food item available for consumption to be made available to the public (the diners) upon request, accompanied by disclaimers stating that "ingredient changes and substitutions may occur due to differences in regional suppliers, recipe revisions, preparation techniques, and/or the season of the year".

After meeting these criteria, establishments wishing to be designated as Food Allergy Friendly must contact the Department's Bureau of Public Health Protection at (631) 852-5999 to review their Food Allergy Friendly qualifications and schedule a site visit prior to inclusion on the Department website.

