



ULSTER COUNTY DEPARTMENT OF HEALTH

239 Golden Hill Lane, Kingston, NY 12401-6441, (845) 340-3010, Fax (845) 340-3045

JEN METZGER

County Executive

EVE WALTER, PhD

Public Health Director

Dear Food Service Operator,

Governor Hochul recently signed Section 1356 of Public Health Law. The new law, which went into effect on May 20, 2023, requires food service establishments operating in New York State to post a notice to their employees raising awareness of food allergies. The notice, which was developed by the New York State Department of Health and is available on the Department's website

(https://www.health.ny.gov/environmental/indoors/food_safety/guidance.htm), includes the following information:

- The procedures to be followed if a customer notifies food service establishment staff that they have a food allergy
- The procedures to be followed to prevent cross contact
- The procedures to be followed if a customer has an allergic reaction, including when to call 9-1-1

Food service establishments are required to post the notice in a conspicuous location available to all employees involved in the preparation and service of food, in at least one of the languages spoken by each food service employee. The New York State Department of Health translated the notice into each of the 12 most commonly spoken languages in the State, and these materials are available on the Department's website. Food service establishments must post the notice developed by the Department to be in compliance with the law. Independently developed notices are not permitted.

The law also requires food service establishments to include on all menus, including those posted online, one of the following statements, in the same language as the menu:

- "If you have a food allergy, please notify us." OR
- A message that informs customers about the allergen information for each prepared food item offered on the menu, such as "Allergen information for menu items is available. Ask an employee for details."
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Translations of the menu statements above are also available on the Department's website.

Food service establishments that make available an online menu for customers to place food orders for delivery or take-out, including by a third-party food delivery service, must also provide a method for customers to inform the establishment of any food allergies they may have.

If you have any questions, please contact our office at: 845-340-3010