

**RESTAURANTS ENOUGH TO MAKE YOU SICK:
NEW YORK CITY RESTAURANT SANITATION
2008 UPDATE**

A hidden risk to consumers

There is little reason why eating a meal in a restaurant should be any more dangerous than eating a meal in your own home. The volume and variety of foods prepared in a restaurant kitchen makes sanitation more critical, but the basic rules of cleanliness, temperature control and pest control are universal. The major difference is that the restaurant patron cannot usually see the kitchen where his or her meal is prepared. These unseen risks are present and they can pose a serious threat to the public. Worse, they may go undetected and unaddressed for extended periods of time. Although inspections are the first step toward catching these problems before they become public health hazards, many problems linger long after they have been cited by inspectors because restaurants can continue to operate with ongoing violations, with no warning to consumers.

Many of the violations we have looked at, and many of the most common violations, are easily correctable, and if eradicated, greatly reduce the probability of an outbreak of food borne illness. By simply ensuring that potentially hazardous foods are properly stored, that they do not come into contact with other ready-to-eat foods, and ensuring that employees wash their hand or change their gloves after handling such foods would almost eliminate the risks posed by these foods. Food borne illnesses are easily prevented, and should not continue to be a problem in a county as developed and technologically advanced as ours. Likewise, pests are nuisances that can be kept under control. The buildings must be properly sealed to prevent the intrusion of pests. Once a nuisance is discovered, the restaurant must take every step possible to eradicate the problem. While the likelihood of contracting an illness by a rat, mouse, fly or cockroach is slim, the risk still exists and should be addressed.

Food borne illnesses can be serious and should be treated as such, even if they are not easily detected by consumers. In fact, it is possible for the cleanest restaurant to have several critical violations, and the public to never be aware of them. Even top restaurants have failed inspections. A restaurant patron cannot see cross-contamination, improper storage or shellfish tags. They are generally unaware of the presence of any such potentially hazardous violations. When we dine out, we are at the mercy of the restaurant employees, and their conduct directly affects our safety.

Although there have been attempts at cleaning up the restaurant industry, problems clearly still exist. In addition to initiatives like its Accelerated Inspections Program to target repeat failures, New York City awards Golden Apple Awards, which publicly recognizes and applauds restaurants with the best inspection records. A score below 28 is considered a passing score in New York City, but Golden Apple restaurants are held to an even higher standard. According to the Department of Health and Mental

Hygiene, food service establishments qualify for the award by having an exemplary inspection record, completing food protection and quality improvement courses, and demonstrating a serious commitment to food safety by having a quality improvement system in place. Out of more than 20,000 restaurants in New York City, several have been awarded for excellence since the program began in 2005.

The Golden Apples

Twenty restaurants currently hold Golden Apple awards. They are listed below with the date and score of their most recent sanitary inspection:

ARTUSO PASTRY SHOP 672 EAST 187 STREET, BRONX 10458 718-367-2515	1/23/08	7
BLIMPIE 85 EAST GUN HILL ROAD, BRONX 10467 718-653-9843	4/2/08	5
CAFFE ITALIA 12-40 A CLINTONVILLE STREET, QUEENS 11357 718-767-4513	10/16/07	4
CAFFE PALERMO 148 MULBERRY STREET, MANHATTAN 10013 212-431-4205	10/4/07	Not available
CARIFESTA RESTAURANT 4251 WHITE PLAINS ROAD, BRONX 10466 718-325-2261	4/2/08	4
CHURRASCARIA PLATAFORMA 316 WEST 49 STREET, MANHATTAN 10019 212-245-0505	4/22/08	6
CORATO PIZZA II 60-91 MYRTLE AVENUE, QUEENS 11385 718-381-0915	2/20/08	2
EMILIA'S RESTAURANT 2331 ARTHUR AVENUE, BRONX 10458 718-367-5915	12/20/07	11
ESPN ZONE 4 TIMES SQUARE, MANHATTAN 10036 212-921-3776	7/10/08	15
EXECUTIVE CONFERENCE CENTER 153 EAST 53 STREET, MANHATTAN 10022 212-595-5521	3/13/08	8

MCDONALD'S 2630 JEROME AVENUE, BRONX 10468 718-933-7445	12/12/07	9
MCDONALD'S 119-05 LIBERTY AVENUE, QUEENS 11419	4/9/08	7
OCEAN GRILL 384 COLUMBUS AVENUE, MANHATTAN 10024 212-579-2300	11/27/07	5
OLD CASTLE PUB & RESTAURANT 160 WEST 54 STREET, MANHATTAN 10019 212-471-4860	1/15/08	8
POST HOUSE 28 EAST 63 STREET, MANHATTAN 10021 212-935-2888	1/30/08	9
PRIMO AMORE 34-33 FRANCIS LEWIS BOULEVARD, QUEENS 11358 718-461-6100	10/11/07	2
RUSSO'S ON THE BAY 162-45 CROSS BAY BOULEVARD, QUEENS 11414 718-843-5055	11/1/07	4
SRIPRAPHAI THAI RESTAURANT 64-13 39 AVENUE, QUEENS 11377 718-899-9599	11/29/07	5
TASTE THE ISLAND 1000B EAST 46 STREET, BROOKLYN 11203 718-282-0006	4/24/08	9
TRATTORIA ALBA 233 EAST 34 STREET, MANHATTAN 10016 212-689-3200	2/21/08	5

How do you know if your favorite restaurant is a Golden Apple or a Rotten Apple?

Consumers have no way of knowing how local restaurants are doing unless they can access the city's website, and an internet search is not always practical or possible when you're looking for a convenient meal.

Even if a consumer can access the city's inspection information, it may be difficult to interpret. Even restaurants that pass inspection with a score of 27 violation points or lower can be cited for pests and other violations that appear detrimental to the public health. For example, from simply looking at the Department of Health and Mental Hygiene's restaurant inspections web page, there have been numerous restaurants that

have passed inspection with serious violations. We found many with evidence of cockroaches, mice, flies and improper storage of food. If we had not gone to the web site, we may have eaten at any number of these restaurants, which have these violations, but have been passed by the Department of Health. Furthermore, why are restaurants with evidence of disease-carrying vermin and insects passing? It seems that these violations are treated casually, and at the expense of consumer health. There should be a way in which the consumer can be made aware of the possibility of violations, based on previous inspections. We need a more comprehensive system to alert our consumers to the possibilities of food borne illness causing viruses. We are not doing enough to alert the consumer to potential health hazards with the current inspections process.

The Rotten Apples: Senator Klein’s Dirty Dozen NYC Restaurants of 2008

New York City does not give awards to its dirtiest restaurants, or single them out for any special honor besides accelerated inspections and possible closure. Below are a subset of the restaurants with the 100 highest sanitary violation scores that I have designated the “Dirty Dozen” in recognition of their achievement in combining the highest violation scores with multiple pest infestations. They are listed with the date, scores and pest citations from their most recent sanitary inspections:

<u>EL BARRIO RESTAURANT</u> 152 EAST 110 STREET, MANHATTAN 10029 7/24/08 – INSECTS, COCKROACHES	<u>204</u>
<u>GOLDEN KRUST CARIBBEAN BAKERY</u> 1862 NOSTRAND AVENUE, BROOKLYN 11216 7/09/09 – MICE, INSECTS, COCKROACHES	<u>182</u>
<u>GUACAMOLE’X</u> 1186 EAST 180 STREET, BRONX 10460 7/25/08 – MICE, INSECTS	<u>126</u>
<u>MERRY JERRY’S JAMAICAN RESTAURANT</u> 102 SARATOGA AVENUE, BROOKLYN 11233 7/10/08 – RATS, INSECTS	<u>125</u>
<u>NEW CHOPSTICK HOUSE</u> 102-09 QUEENS BOULEVARD, QUEENS 11375 7/03/08 – MICE, COCKROACHES	<u>100</u>
<u>NINO’S PIZZA</u> 842 FRANKLIN AVENUE, BROOKLYN 11225 7/29/08 – MICE, INSECTS, COCKROACHES	<u>98</u>
<u>THE METROPOLITAN GRILL</u> 1 MADISON STREET, MANHATTAN 10038 6/05/08 – MICE, INSECTS, COCKROACHES	<u>97</u>

CAFÉ CARCIOFO

248 COURT STREET, BROOKLYN 11201
7/29/08 – MICE, INSECTS

97**JIMMY'S COFFEE SHOP**

900 6 AVENUE, MANHATTAN 10018
7/08/08 – INSECTS, COCKROACHES

95**POPCORN HOF AND BAR**

246 EAST 204 STREET, BRONX 10458
4/24/08 – MICE, RATS

93**ACTION BURGER**

513 GRAND STREET, BROOKLYN 11211
4/17/08 – MICE, RATS

93**26 SEATS**

168 AVENUE B, MANHATTAN 10009
8/06/08 – MICE, INSECTS

92**Regulatory History**

Before publication of Upton Sinclair's "The Jungle," which exposed the abuses of meat-packing industry in Chicago, food safety legislation and regulations did not exist. However, this expose triggered fervent outcry for regulations and inspections. This sparked the creation of a comprehensive food and drug law. In 1906 Congress passed two food safety measures, the Meat Inspection Act and the Pure Food and Drug Act. These measures established a federal framework to regulate food safety nationwide.

Today the Food and Drug Administration (FDA) establishes the regulatory framework for the operation of food service establishments. Since its formation, the FDA has regulated all matters relating to consumer health. It began as a department within the Department of Agriculture, and in 1906, with the passage of the aforementioned food safety legislation, became an oversight and regulatory authority. The FDA has put forth numerous studies and guidelines for the regulation of food for consumption, the most notable being the 1976 "Model Food Code." The "Model Food Code" was developed by the FDA to assist all levels of government by providing them a foundation for the regulation of retail and food service industries. New York State adopted the 1976 "Model Food Code" and used it as a framework to create its Public Health Law, which, along with the New York State Codes, Rules and Regulations, governs the food inspections process.

The New York State Public Health Law delegates powers to local boards of health and public health commissioners, with regards to the regulation of food service establishments. Article 13, Section 1350 allows the commissioner to inspect, or designate

someone to inspect and supervise public health places where food is prepared, served and/or sold. The important thing to note about the NYS Public Health Law is that it delegates operational responsibilities to the local Boards of Health, which are empowered to carry out the general duties of protecting public health, and as part of that, administer local restaurant inspections. Thus, the inspections process in one county can drastically differ from those in another, leaving little continuity for patrons and consumers crossing county lines.

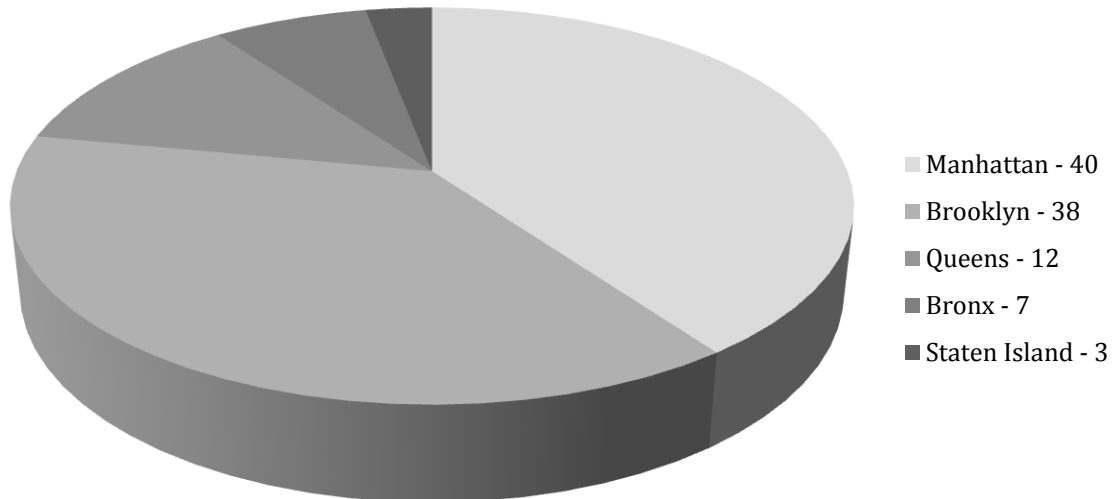
The New York State Codes, Rules and Regulations deals specifically with the conditional operation of food service establishments. Title D, Chapter 1.14 stipulates that a food service establishment must have a permit to operate, which may last no longer than two years, must be displayed, and is conditional on the non-existence of a public health danger, which if occurs, may result in the permit being revoked. That this chapter expresses conditional operation gives local boards of health expressed abilities to suspend the permit or close the establishment in the event that local public health hazards are unearthed during the inspections.

The national and statewide regulatory framework is vague, and often used by local governments as an outline upon which to base their specific public health laws. Consequently, each county has a slightly different set of guidelines and procedures for the inspection and maintenance of local food service establishments. In this study, we examined the restaurant inspections process and results from the boroughs of New York City, and specifically the inspection records of the 100 restaurants with the worst inspection scores, as measured by the total number of violation points.

The New York City Health Code is the guiding law in the five boroughs, and the practical operations are delegated to the Department of Health and Mental Hygiene and the Bureau of Food Safety and Community Sanitation. New York City inspects each of its food service establishments annually. Each establishment is inspected for the presence of public health hazards, critical violations, and general violations. Public health hazards must be corrected at the time of the inspection, whereas points are given for critical and general violations. For an establishment to fail it must receive 28 points or more, with each violation being worth a certain number of points based upon the level of seriousness. Failed establishments are re-inspected to ensure compliance, and if still unable to comply, placed into an Accelerated inspections system, in which they are inspected twice annually, until they can demonstrate consistent compliance.

The 100 most unsanitary restaurants we looked at reported inspection violation scores ranging from 69 to 600, well above the 28 point threshold for failure. The precise details, including addresses and current pest violations, can be found in the appendix, but most are located in Manhattan or Brooklyn. Here is the borough-by-borough breakdown of the bottom 100 restaurants of 2008:

Bottom 100 New York City Restaurant Sanitary Inspection Scores



These inspections laws and New York City's elaborate violations point system can seem complicated and the compliance process may seem opaque, but the risk for contracting a food borne illness is real and these inspections are a critical step in the prevention of a public health hazard. The Center for Disease Control estimates that there are between 6.5 and 33 million cases of food borne diseases each year, ranging from minor upset stomachs to fatal illnesses. Furthermore, most of these diseases can be prevented with regular and thorough inspections of food service establishments and their employees. There are also considerable risks associated with the presence of rats, mice, flies and cockroaches, which contaminate food and carry diseases that may be transmitted to humans.

Consumers are at a higher likelihood of contacting diseases in food service establishments than they may be aware. The inspections process is our first line of defense against these illnesses, and it is important to maintain credibility and transparency in the inspections process. Consumers need to be aware of the possibility of contracting diseases, so that they can not only protect themselves, but can notify their local health departments to prevent further spread of diseases. We need to ensure that we are getting accurate and reliable information about the safety of our food supply in restaurants, so that we can protect ourselves.

New York City Restaurant Inspections

In the boroughs of New York, inspections are conducted at least annually. While many of them pass their inspections the first time, there are a significant number which fail, and continue to fail their re-inspections. This pattern of failure is troubling, because while these restaurants are going through the re-inspection process, they remain open for business, often with the cited critical violations continuing unabated. What is very clear from the data is that failed establishments are given ample opportunities to clean up their acts.

In New York City, there are two types of inspections: complaint inspections, which are in response to a reported violation, and routine inspections, which are annual and unannounced. In New York food service establishments are inspected for Public Health Hazards, Critical Violations and General Violations. Public Health Hazards must be corrected at the time of the inspection, whereas Critical Violations and General Violations are awarded point values according to the seriousness of the violation. When all of the violations, critical and general, can add up more than 28 points, the restaurant is judged to have failed its inspection. An establishment will also fail if it has: one or more public health hazards, four or more critical violations, five or more general violations, is operating without a valid permit, or attempts to interfere with a Department of Health inspector or prevent that inspector from performing his or her duties.

If the establishment fails, it is fined according to the type of the violations cited, and is required to be re-inspected within 45 days by the Compliance Inspection Program Staff. If the same violations cited in the first inspection are present in the Compliance Inspection, the fine for each violation increases. For any establishment failing two consecutive inspections, the NYC Department of Health and Mental Hygiene has instituted an Accelerated Inspections Program. Being placed in this program means that the establishment is scheduled for twice as many inspections a year, and once on the program, the establishment must pass two consecutive inspections in a one-year period before being placed on the regular timetable.

The only violations that inspectors require restaurants to address immediately are Public Health Hazards. These are any violations that allow for the likelihood that the food or drink served to the public, or the continued operation of the establishment, can injure the public health. These violations include improper food handling, storage or preparation, and any conditions that if not immediately corrected could result in food-borne illness and disease. These are violations that must be corrected during the inspection, or the Department of Health inspector will close the establishment immediately. Critical Violations can be any deficiency that could be associated with causing a food borne illness. Many critical violations are public health hazards, and all are awarded a greater number of points than the general violations. General violations typically include improper maintenance and documentation, with examples being improper lighting, ventilation, and construction violations. Although general violations are worth point values, they carry less weight and are not worth as many points as critical violations.

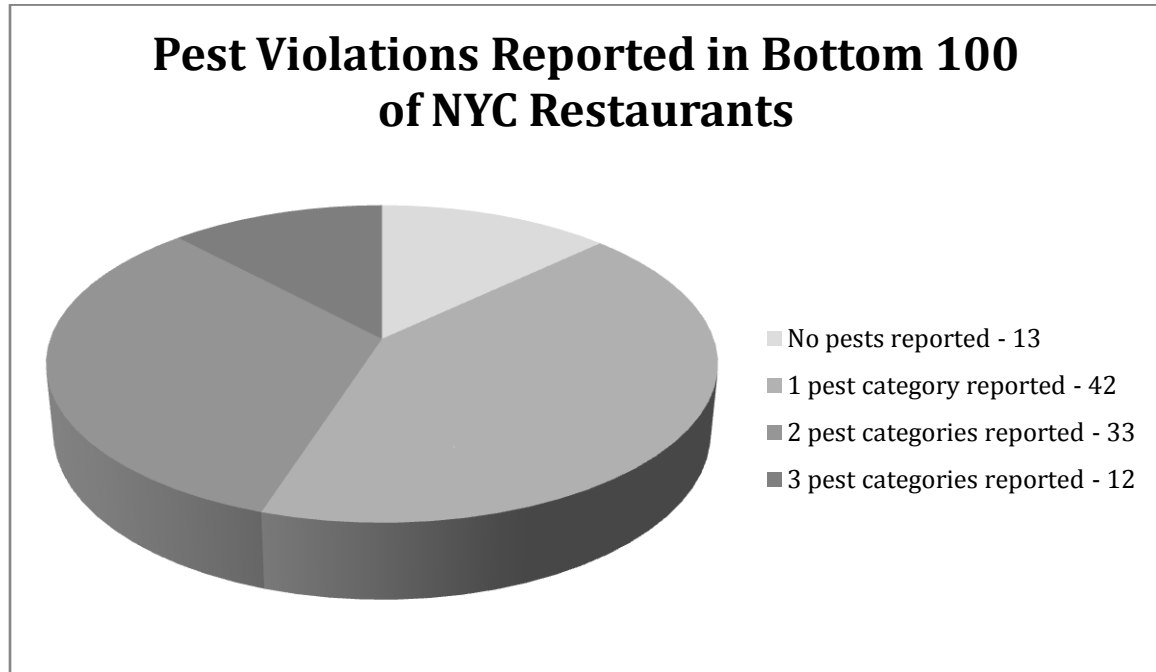
The most dangerous public health hazards are items pertaining to the temperature of foods, the source of foods, and the freshness of foods. Temperature is important because certain items must be cooked to well to ensure all bacteria are killed. Likewise, if cold, perishable foods are held at too high a temperature, they may spoil, which can lead to disease. Food from an unapproved source is more dangerous than it sounds because it means that the establishment is serving food from a source that has not been approved by and is not regulated by the United States Department of Agriculture (USDA), the nation's primary protector of the food supply. These foods from unapproved sources could carry any number of viruses and bacteria, as well as harmful pesticides. Another common violation regards canned food, which is when the product is obviously spoiled, adulterated or otherwise corrupted, and yet remains in the food service/storage area. The other violation worth noting is the high number of citations for food service workers not using proper safety precautions. When a food service employee uses his or her bare hand to handle foods that will not receive further heat, any disease-causing agents they have on their hands can be passed directly to the consumer. Also, if employees are not diligent about using proper utensils to eliminate bare hand contact, any bacteria that may be on their hands from other, potentially hazardous foods can be passed to non-hazardous foods, and then to the customer.

The most common violation in restaurants in New York City is evidence of live rodents or mice or the presence of live rodents in food areas. Not only is this revolting, but mice and rats carry many diseases that can be passed on to unsuspecting customers. Flies and cockroaches are also all too common in New York restaurants. Although not as dangerous as rats and mice, cockroaches and flies can still carry and transmit many harmful diseases. On top of that, they are disgusting, and no one wants to see them in or around their meals. What is particularly troubling is that although they are cited as critical violations, the presence of vermin is not considered a public health hazard. During a basic search of the New York City Department of Health and Mental Hygiene's website, we found many restaurants that had passed their most recent inspection with evidence of either mice, rats, cockroaches, flies, or a combination of them. Given the threat they pose to the food supply, it is surprising that they do not play a greater role in the failure of restaurants.

Vermin, Insects and Food Borne Diseases

Rodents, insects and raw meats are all hosts to many illnesses, most of which can be contracted by humans. This is why it is important that our restaurants are rodent-, vermin- and insect- free. The inspections process needs to enforce this and alert consumers to potential risks. One of the most serious violations a restaurant can make is the mishandling of raw foods. Raw foods are potentially hazardous, and if mistreated, improperly stored, or not thoroughly cooked, can lead to potentially fatal diseases. Therefore, it is of utmost importance that restaurants properly handle raw foods, and are free of mice, rats, cockroaches, and flies.

Of the bottom 100 restaurants studied in New York City 87% had at least one category of pest cited in their most recent inspection. 45% of those restaurants had at least two categories of pests cited and 12% were cited for three separate categories of pest violations. Restaurant discipline and the commitment to proper sanitation and food safety have clearly broken down when an establishment finds itself juggling multiple pest infestations.



Insects (other than cockroaches) were the most commonly cited pest, present at 55% of the lowest ranked restaurants. Mice came in a close second and were cited at 52% of the restaurants in our sample. Cockroaches were found at 30% of the establishments. And, despite an intensive DOH crackdown after 2007 video footage of rats making a late night run for the border at a Manhattan Taco Bell/KFC shocked the nation, rats were still a problem at 7% of the bottom restaurants.

Rat Facts:

- Carry bubonic plague, typhus and germs that cause food poisoning.
- Most common in New York are brown rats, a.k.a. Norway rats or sewer rats, which are the fiercest of all rats.
- Rats live under floors, in walls, and are shaken from underground by subways, making them more common near transit lines.
- Rats also carry fleas, which carry diseases of their own.

Mouse Facts:

- Like rats, mice carry disease-producing organisms, like salmonella on their feet and in their intestinal tracts.

- Fresh mouse droppings in food areas are virulent and more likely to cause disease.

There are over 250 million rats in the United States--about one for every person. The ratio of rats to humans is even higher in major cities like New York because poor sanitation in overcrowded cities attracts rodents, who feed off garbage and food waste. Fueling the population is the rate of reproduction—a female rat can produce ten offspring every six or seven weeks, a single rat eats between 25 and 27 pounds of food per year, and can contaminate and defile a great deal more. They contaminate by gnawing, chewing, body contact and the discharge of bodily waste. An average rat sheds between 500,000 and 1 million hairs and produces about 25,000 droppings a year. A rat also excretes about one pint of urine a month, or one and one half gallons per year.

In addition to their tendency to disgust humans, rats and mice are full of parasites and can pass along as many as 35 known diseases, including rat-bite fever, salmonella food poisoning and leptospirosis, which is a disease with flu-like symptoms, in which as many as 10% of those infected can develop Weil’s disease. Weil’s disease can result in high fever, jaundice, aseptic meningitis, acute kidney failure, internal bleeding and sometimes even death. Other illnesses carried by rodents are:

Hanta virus	Chagas disease
Listeriosis	Murine typhus
Plague	Scrub typhus
Rabies	Flea borne typhus
Trichinosis	Siberian tick typhus
Toxoplasmosis	Argentine hemorrhagic fever
Schistosomiasis	Bolivian hemorrhagic fever
Melioidosis	Hemorrhagic fever with renal syndrome
Leishmaniasis	Lassa fever
Lymphocytic choriomeningitis	Tick borne relapsing fever
Rickettsial pox	Venezuelan hemorrhagic fever
Lyme disease	Streptobacillus moniliformis
Dwarf tapeworm disease	Helicobacter cinaedi
Rat tapeworm disease	Dog tapeworm disease
	Ringworm

Fortunately, most of these diseases are uncommon in the United States. However, some, specifically salmonella and trichinosis, are quite common and go unreported if the victim does not require hospitalization. Most of these diseases cause mild illness in healthy victims, with symptoms ranging from slight discomfort to diarrhea, fever, vomiting, abdominal cramps and dehydration. However, in children, the elderly, pregnant women and those suffering from a weakened immune system, the results can be fatal.

Cockroach Facts

- Can transport many types of bacteria, including species of Staphylococcus, Streptococcus, Salmonella and Clostridium.

- Carry bacteria from garbage area onto food equipment and utensils.
- Live in dirty crevices, making it easier to pick up and spread germs.
- Are attracted to moisture, so most likely to be found in kitchens and bathrooms.
- Often contaminate much more food than they actually consume.
- Telltale odor caused by cockroach excrement, scent gland excretions and regurgitated food.

Another hazardous specimen found in restaurants is the cockroach. Cockroaches are flat, fast, nocturnal insects that seek out warm, moist, secluded areas. They are of ancient origin and have not changed much during the 400 million years they have been in existence. Domestic species rarely fly; instead they are carried in bags, cartons, and packaged food. Empty and un-rinsed soft drink and beer containers in restaurants and bars are prime targets for cockroach habitats; more than 200 cockroach nymphs have been found in a single soft drink bottle.

Cockroaches contaminate food and also transmit disease organisms through their droppings and bodily secretions. Like rats, they are commonly implicated in the transmission of salmonella, which can survive in their droppings for three to four years. Salmonella is not the only disease found in cockroach droppings; toxoplasma is also common. Parasitic toxoplasmosis causes mild symptoms, but is linked to birth defects if contracted by a pregnant woman. In laboratory tests, the hepatitis B antigen has also survived up to nine days in cockroach droppings.

In addition to transmitting disease, cockroach exposure also triggers an allergic reaction in about seven and a half percent of the population. In these people, cockroach contaminated food causes symptoms similar to those associated with a food allergy and may be misdiagnosed as such. Inhaling airborne particles from cockroach droppings can also trigger allergic reactions or an asthma attack in asthmatics.

Fly Facts:

- Carriers of germs that cause salmonella, malaria, sleeping sickness, dysentery and filariasis, the infestation of parasitic worms
- Attracted to feces, rotting meat, garbage
- Dangerous because wings make them incredibly mobile and able to spread more contaminants

Flies may not seem as dangerous as rodents and cockroaches, but they can do just as much damage to the food supply. Their ability to fly enables them to visit more food and water sources, spreading more contamination across wider areas. Like cockroaches, they have a habit of traveling between kitchens and bathrooms, which is ideal for the spread of bacteria and other pathogens. In restaurants, flies are most likely to be found near exposed food, near dishwashing and storage areas, and near open beverage containers. They are especially common and cause the most noticeable problems in the warm summer months; however, they are easily kept under control with a few simple sanitary improvements.

Common Food Borne Diseases:

There are more than 250 different food borne diseases, with more strains popping up each year. Most food borne infections are caused by bacteria, viruses and parasites, although some are caused by toxins and chemicals. There are an estimated 76 million illnesses, 325,000 hospitalizations and 5,200 deaths per year in the United States caused by food borne diseases. The most common transmission of these diseases is through contaminated food, although humans may contract the disease from one another. All are at risk, but the most critical illnesses are found in children, the elderly and people with weakened immune systems. Although there are many food borne illnesses, the most common are Campylobacteriosis, E. Coli, Salmonellosis, and Calicivirus.

Calicivirus:

- Extremely common food-borne illnesses, but rarely diagnosed.
- Causes acute gastrointestinal illness with vomiting lasting approximately two days.
- Usually spread from one person to another, and is likely to be passed from an infected kitchen worker to the public if the kitchen worker is preparing food with bare hands.
- In the past infected fishermen have contaminated oysters as they harvested them.

Campylobacteriosis:

- Transmitted by consuming raw and undercooked poultry, and/or cross-contamination in kitchens, which is when the kitchen worker allows other foods to be placed near or on surfaces that house or once housed raw poultry.
- Symptoms include fever, abdominal cramps and diarrhea, usually lasting for one week.
- An estimated 2.4 million people are affected per year, with 124 of those cases being fatal.
- Even one drop of juice from a raw piece of poultry transferred to a piece of uncooked lettuce can infect someone.
- It is estimated that more than half of the chicken stock in the US is infected with Campylobacteriosis.

E. Coli:

- Transmitted mostly through raw and undercooked ground beef, although can also be transmitted by a failure to wash hands, utensils and surfaces after they come into contact with raw ground beef.
- Symptoms are acute diarrhea and abdominal cramps that usually last one week.
- Estimated 73,000 cases in the US each year, with an annual hospitalization rate of 2,100 persons.
- May lead to Hemolytic Uremic Syndrome (HUS), which leads to kidney failure requiring dialysis and transfusions.

- Although most common in raw ground beef, recently E.Coli has been found in unpasteurized milk and juice, sprouts, lettuce, and salami.

Salmonellosis:

- Transmitted from raw and undercooked eggs, poultry and meat.
- Symptoms include fever, abdominal cramps and diarrhea.
- Estimated 1.4 million cases in the US annually, less than 500 of which are fatal, and with a 2% complications rate.
- Many raw foods from animals are contaminated, but salmonella is killed through thorough cooking.
- Cross-contamination is another way for additional foods to become contaminated with the virus.

The most practical solution is a restaurant grading system.

A letter grading system would alert consumers of any potential risks by stipulating that restaurants post their most recent inspections grade. These grades should be based on the restaurant's most recent inspection, and should also reflect the nature of the violations. If a grade is lowered based on critical violations, consumers would be aware of the potential for food-borne illnesses. For an extremely deficient restaurant, consumers could be alerted to the fact that the establishment has several critical violations, and could choose not to eat there until the restaurant corrects the problems. Another positive result could be better inspections results overall. If restaurants stand to lose business based on a poor letter grade, they may be more inclined to correct critical violations permanently.

A letter grading system is a huge step towards alerting the consumers to the potential of a public health threat. Under our current system, local health departments, like the New York City Department of Health and Mental Hygiene, are responsible for conducting restaurant inspections and making sure that dining establishments operate in a safe and sanitary manner. Each local health department devises its own grading system, within the limits sets by state public health law. With its assignment of numerical weights to various violations depending on their severity and the degree of restaurant non-compliance, New York City's is one of the most sophisticated, and complicated, grading system in the state. Unfortunately the intricacy of this system can make it difficult for consumers to comprehend.

Ideally, a uniform grading system would help consumers find an "A" restaurant anywhere in the state, but the New York State Department of Health would also have to ensure that a letter grading system is compatible with local inspection grading systems. Translating local grading systems into a letter grade will not be a trivial task, but its rewards will be well worth the effort. Consumers will finally be able to walk into a restaurant and know that they are in an establishment that aced its last inspection.

Restaurant letter grades have been proven to work in Los Angeles.¹ In January 1998, Los Angeles implemented a requirement that restaurants display prominently in their windows a letter grade card of A, B or C, corresponding to their most recent hygiene inspection. Economists Jin and Leslie found a 20% decrease in local food-related hospitalizations after restaurants encountered this extra incentive to improve sanitation standards and consumers began to shift their patronage to the “A” restaurants. Overall, revenues increased at “A” restaurants by 5.7%, increased at “B” restaurants by 0.7% and decreased at “C” restaurants by 1%.

So, what can we do to protect ourselves in the meantime? Well, to start, we must be more observant in restaurants. If a violation is noted, like employees eating in a cooking station, or a mouse, rat, or cockroach observed, report it immediately to the New York City Department of Health and Mental Hygiene at 311. Also, if you contract a food-borne disease that you suspect might be linked to a restaurant meal, report that immediately, so other unsuspecting consumers can be warned. Remember that the gastrointestinal symptoms that a healthy body can fight off can be deadly to the elderly, young children and individuals with chronic illness that compromise their immune systems. With a little bit of careful observation and some diligent reporting, we can help the local health inspectors stop the spread of diseases before they become a deadly outbreak.

Restaurant dining at its best takes the basic human need for nutritional sustenance and elevates it to the level of culinary artistry. New York City is home to some of the best restaurants in the world. Twenty-seven restaurants in Manhattan and two in Brooklyn have been awarded one or more Michelin stars in the *Michelin Guide New York 2008*, a distinction coveted by chefs all over the world.

The quality and variety of New York’s restaurants are the envy of the world, and even modest family restaurants can offer their patrons world-class cuisine. But what goes on in the kitchen is just as important as what is served in the dining room. While most of New York’s 20,000 restaurants are relatively clean and pass inspection regularly, there are too many eateries that fail either consistently or erratically and collectively pose a threat to public health. Furthermore, these failing restaurants are allowed to operate while compliance inspections are taking place, so that the critical violations still exist while consumers dine there completely unaware of the problems. We need to ensure that our health is not in danger of contracting diseases, and that dining is no longer at your own risk.

¹ Ginger Zhe Jin and Phillip Leslie, “The Case in Support of Restaurant Hygiene Grade Cards,” Choices: The magazine of food, farm, and resource issues, 2nd Quarter 2005.