



## Act 372: Restaurant Notice of Foreign Seafood

Prepared by the Louisiana Sea Grant Law & Policy Program

### WHAT IS HB 335?

Governor John Bel Edwards signed HB 335 (enrolled as Act 372) into law on June 19, 2019. Act 372 requires any food service establishment that serves imported shrimp or crawfish to post a notice that informs patrons that the seafood has been imported from a foreign place. The legislative intent behind this bill is to protect consumers of seafood in Louisiana from chemicals and residue found in imported seafood products, such as antibiotics, radiation, and numerous toxins.

The Louisiana legislature made the decision that the consumers of these products have a right to know if the seafood they are consuming comes from outside of the United States due to the different risks that are associated with the consumption of foreign seafood.

**What businesses are covered.** Act 372 applies to “food service establishments” and points to Louisiana Revised Statute 40:5.5 for the definition of such establishments.

A food service establishment is any business that “prepares food for human consumption, either for individual service or for a group of people, whether consumption is on or off the premise and regardless if there is a charge for the food.” There are several businesses that are excluded from this definition, including but not limited to: nursing facilities, schools, and establishments that only serve beverages.

### REQUIREMENTS

**Food service establishments that use menus** must put notice of the use of imported shrimp or crawfish on the menu. The notice must:

- Include the country or origin of that particular seafood product, or at the least note that the product was imported,
- Be the same size or larger, and in the same shade and font, as the product listing on the menu, and
- Be posted directly next to the listing of the item.
- The notice may be paper-clipped to the menu rather than directly on it.
  - The food service establishment may choose to paper clip the notice to the menu rather than have it printed directly on the menu, as long as all of the requirements relating to content, proximity to the menu item, and font size and shade are met.

**Food service establishments that do not use menus** must post the notice on a sign at the main entrance.

The notice must:

- State that there are certain shrimp and crawfish sold within that have been imported from outside of the United States,
- Be at least 18 inches tall, and 18 inches wide,
- Be written in English with letters no smaller than one inch,
- Be placed in an open area,
- Be in a conspicuous position, and
- Cannot be less than 36 inches from the floor, in order to be visible to all guests.

### ENFORCEMENT

Act 372 gives enforcement power to the Louisiana Department of Health, and violations will be treated as a violation of the state sanitary code. The Governor announced on July 2, 2019, that enforcement of Act 372 will begin on September 1, 2019. This will allow food service establishments time to obtain updated menus.