



NEW YORK STATE SENATOR

Jeffrey D. Klein

Dirty Restaurants Get a Failing Grade

JEFFREY D. KLEIN June 24, 2010

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Klein Bill Establishes Uniform Letter Grade System for Restaurant Inspections

State Senator and Deputy Majority Leader Jeff Klein (D-Bronx/Westchester) announced on Thursday that the Senate passed his legislation to establish a uniform, state-wide grading system for restaurants. Klein's bill (S.8171) would require the NYS Commissioner of Health to establish a uniform letter grading system of "A," "B," and "C" to classify restaurant inspection results and mandate that restaurants prominently display their letter grade for patrons.

"Clearly posting a letter grade for all diners to see will provide a real incentive for dirty restaurants to clean up their act. I urge the Assembly and Governor to join me in the fight to give New York's consumers the tools they need to protect themselves and their families from restaurants with dangerously unsanitary conditions," said State Senator and Deputy Majority Leader Jeff Klein (D-Bronx/Westchester).

Under current law, State and county health departments inspect restaurants to ascertain their general cleanliness and food handling practices. However, these inspection reports - while public - are usually lengthy and not displayed in an obvious or user-friendly manner, leaving patrons unaware of the exact quality and cleanliness of a restaurant. Klein's bill is supported by the Empire State Restaurant and Tavern Association.

In February 2009, Klein joined New York City Mayor Michael Bloomberg to announce that New York City would seek to adopt Klein's restaurant inspection system to improve sanitary conditions and give consumers more information. Under the city's new model, to be phased in over the course of two years, the NYC Health Department will increase inspections for less sanitary restaurants and require all establishments to conspicuously post letter grades. This approach concentrates city resources on the restaurants that pose the greatest risk to public health, while placing no additional burden on establishments that maintain sanitary conditions.

For more than a decade, Klein has released numerous reports outlining the dirtiest restaurants in New York City, including his notable 2008 study, *Restaurants That Are Enough to Make You Sick: An Analysis of Unsanitary Conditions At New York City Restaurants*. The report examined a subset of New York City's 20,000 restaurants with the 100 worst inspection reports – those with violation point scores ranging from 69 to 600.

Klein found that of the bottom 100 restaurants, 87% had at least one category of pest cited in their most recent inspection. Almost half, or 45%, of those restaurants had at least two

categories of pests cited and 12% were cited for three separate categories of pest violations. More than half, 59% of the bottom 100, were allowed to remain open by the Department of Health (DOH) despite their severe problems. Cockroaches were found at 30% of the establishments. 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 Klein's sample.

In 2000, Klein authored a law requiring supermarkets and retail food stores to clearly post a notice of the results of their most recent state sanitary inspection in order to protect public health.