



**For Immediate Release**

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## **MADIGAN SUES MICHIGAN COMPANY FOR DECEIVING ILLINOIS FOOD SERVICE ESTABLISHMENTS**

Springfield - Attorney General Lisa Madigan filed suit in Sangamon County on September 20, 2006 against a Michigan company that allegedly sent letters to Illinois food service establishments in an attempt to deceive them into paying for hand washing posters that they could make themselves or obtain for free from the Illinois Department of Public Health. Letters were sent under the name Illinois Food Service Compliance Center and listed a Springfield, Illinois address that turned out to be a local mail box.

The heading of the letter states: "ADVISORY TO ALL FOOD LICENSEES!" and it advises businesses that "[s]tate and federal food codes have recently been amended to include a new hand washing posting requirement." The letters warn that inspectors will be checking for posters at all hand washing stations to remind employees to wash their hands before food preparation. According to the letter, businesses that do not have posters may be subject to fines, suspension or revocation of their license, as well as possible civil liability actions.

The letter gives the impression that signs must be purchased from this company in order for businesses to comply with Illinois law. In fact, neither Illinois nor Federal food codes have been recently amended. Further, although Illinois law clearly requires hand washing, it does not mandate that establishments display posters. Additionally the Illinois Department of Public Health and local health departments provide posters free of charge to food service establishments. Illinois food service establishments can post their own hand washing posters or the free posters from the health departments. Under Illinois and federal law, businesses are not subject to fines, license suspension or revocation, or civil liability actions for failing to display these posters.

"These letters attempt to mislead business owners into buying posters that they can obtain for free from the state and local health departments," said Madigan. "We have taken action to protect businesses from this conduct."

The letters include an order form offering posters at a cost of \$19.95 each or \$14.95 for orders of five or more, plus \$2.95 shipping for each poster. Madigan's office received reports of these letters from establishments in Boone, Cass, Champaign, Coles, Cook, Jackson, Marion, McDonough, Pike, Rock Island, Sangamon, Vermillion, and Will Counties .

Madigan's lawsuit names The Mandatory Poster Agency, Inc. , a Michigan corporation doing business as Illinois Food Service Compliance Center, and Thomas Fata, president of The Mandatory Poster Agency, Inc., as defendants. The complaint charges defendants with violations of the Illinois Consumer Fraud and Deceptive Business Practices Act.

Madigan's lawsuit asks the court to prohibit the defendants from deceptively advertising and selling these posters and from further violating Illinois' consumer protection laws. In addition, the lawsuit asks the court to assess a civil penalty of \$50,000 and additional penalties of \$50,000 per violation found to be committed with the intent to defraud.

Assistant Attorney General Cassandra Karimi is handling the case for Madigan's Consumer Fraud Bureau.

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