

JAN 24 2007

A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that food borne illness
2 is more prevalent with increased human contact during food
3 preparation. Simple measures such as hand washing, rodent
4 control, and maintaining adequate refrigeration temperatures
5 would vastly reduce the potential for food borne illness
6 proliferation. Under existing law, the department of health is
7 responsible for conducting inspections of food establishments
8 for sanitation purposes. The legislature finds that the
9 department should also inspect food establishments to reduce the
10 likelihood of food borne illness.

11 The purpose of this Act is to require the department of
12 health to inspect for food borne illness and grade food
13 establishments on food handling.

14 SECTION 2. Section 321-4.5, Hawaii Revised Statutes, is
15 amended to read as follows:

16 " [+]§321-4.5[+] Inspection of food establishments[-]; food
17 borne illness; grading of retail food outlets and restaurants.



1 (a) Inspections of food establishments may be performed only by
2 a registered sanitarian or a food and drug inspector. The
3 inspections shall include, but not be limited to, observations
4 and evaluation of food handling practices at retail food outlets
5 and restaurants to reduce the potential for food borne illness.

6 (b) Pursuant to an inspection under subsection (a), the
7 department shall grade a retail food outlet or restaurant for
8 food handing practices, as follows:

- 9 (1) Grade A for a score of 90 to 100 points;
10 (2) Grade B for a score of 80 to 89 points;
11 (3) Grade C for a score of 70 to 79 points; and
12 (4) "Score" for 0-69 points.

13 The grade for every retail food outlet or restaurant shall be
14 deemed a public record for purposes of public access to the
15 scores. A retail food outlet or restaurant shall be graded not
16 less than once in a two-year period.

17 (c) The department of health shall adopt rules pursuant to
18 chapter 91 necessary for the purposes of grading retail food
19 outlets and restaurants.

20 (d) For purposes of this section, "food borne illness"
21 means a disease, usually infectious or toxic in nature,
22 resulting from the consumption of contaminated food arising



1 usually from improper food handling, preparation, or storage, or
2 from poor hygiene practices."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: ASTF



Report Title:

Food Establishments

Description:

Requires the department of health to adopt rules to grade food establishments pursuant to inspections.

