



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Health

SB 2381, RELATING TO FOOD PREPARATION

**Testimony of Gary L. Gill
Acting Director of Health**

**February 3, 2014
1:30 p.m.**

1 **Department's Position:** The department respectfully opposes this bill.

2 **Fiscal Implications:** The department will be required to expend additional resources and manpower to
3 develop food safety education requirements specifically for persons or agencies preparing and serving
4 food for charitable purposes.

5 **Purpose and Justification:** Although this measure is well intended, passage of this bill will result in
6 placing the homeless or disenfranchised at undue risk for contracting possibly deadly or injurious
7 foodborne illnesses, as well as being placed at higher risk for consuming foods that may have been
8 exposed to potential contamination or adulteration.

9 Food safety and the etiology of foodborne illnesses do not distinguish between commercial and
10 charitable activities. Foodborne illness risk factors that are the direct causes of frequently deadly or
11 permanently debilitating injuries, as well as conditions that lead to food contamination or adulteration,
12 are not linked to whether the food is intended for a purely commercial venture or a charitable one.
13 Children that contract a food borne illness from an unregulated food supply may easily spread the

1 disease at school or other close quarters, thereby placing other children, citizens and tourists at undue
2 risk.

3 It is especially important to note that that those persons that are at the greatest risk of contracting
4 deadly or permanently debilitating foodborne illnesses are our Keiki, Kupuna, and those that are
5 immuno-compromised . The homeless and disenfranchised that rely on the charity of other people for
6 their food supply are frequently not in the best of health and are also at much greater risk of being
7 injured, or contracting a foodborne illness. The poor and disenfranchised that this measure purports to
8 help are also frequently housed in less than ideal or crowded conditions which further increases the risk
9 of an outbreak of disease.

10 Under the proposed new Hawaii Administrative Rules, Title 11, Chapter 50, the department has
11 removed the exemption for homeless feeding activities but have included measures to assist charitable
12 organizations to continue feeding the homeless but in a way that promotes and ensures food safety.
13 Some of the measures included in the new rule are:

- 14 • Under certain conditions, the waiver of food establishment permit fees for entities seeking to
15 feed the homeless
- 16 • DOH will provide free menu review consultation to determine the safety of the food being
17 served or proposed for distribution
- 18 • DOH will continue to provide free food safety education to food service facilities
- 19 • DOH will not allow any perishable or potentially hazardous foods (PHF) such as beef, pork,
20 chicken, seafood, dairy, etc., to be prepared in home kitchens but may allow limited preparation
21 in some churches, schools or other kitchens depending on the facilities (e.g. hand sinks, 3-
22 compartment sinks, etc.) available in the food preparation area.

23 Thank you for the opportunity to testify.