



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony in OPPOSITION to SCR112 SD1
URGING THE DEPARTMENT OF HEALTH TO WORK WITH THE HAWAII
RESTAURANT ASSOCIATION TO INFORM FOOD ESTABLISHMENTS OF
RECENTLY UPDATED FOOD SAFETY RULES AND INDUSTRY STANDARDS TO
ENSURE ALL PROPER SAFETY MEASURES ARE TAKEN IN ALL FOOD
ESTABLISHMENTS IN HAWAII

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: April 11, 2019
9:15am

Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** The department opposes this resolution.

3

4 Hawaii Administrative Rules (HAR), Title 11, Chapter 50, Food Safety Code was first passed in
5 2014 and was recently amended on September 1, 2017. The department has already completed
6 all provisions asked for in this resolution. The department has worked with the Hawaii
7 Restaurant Association and many other industry food groups in the adoption of HAR Chapter 11-
8 50 and its amendments.

9

10 The amended HAR 11-50 included a mandate that all food establishments must have at least one
11 employee available during operating hours that has obtained Food Handlers Certification through
12 a course approved by the department. Industry was given one year to comply with the mandate,
13 and since September 2018, proof of certification must be available during inspections otherwise
14 it is considered a critical violation that may affect their placard status.

1 All 10,000+ food establishments were provided copies of the amended HAR 11-50 in September
2 2017 in person along with several food safety hand-outs and guidelines, including “How To Get
3 A Green Placard.”

4
5 The Conference for Food Protection is a non-governmental organization composed of
6 representatives from the food industry, academia, Centers for Disease Control and Prevention
7 (CDC), the U.S. Food and Drug Administration’s (FDA) Center for Food Safety and Applied
8 Nutrition (CFSAN), as well as state and federal regulators that meets biennially to address
9 current food science and technology and incorporates that information in what is known as the
10 U.S. Public Health Service FDA Model Food Code (Food Code). HAR 11-50 makes Hawaii one
11 of the nation’s food safety leaders in adopting the 2013 FDA Model Food Code nearly verbatim
12 which is one of the most current science-based food regulatory rules in the nation. The
13 regulations in most states are still based on 2005 or 2009 versions of the FDA Model Food Code.

14
15 In addition to the adoption of the 2013 Model Food Code, the department has also introduced a
16 highly visible placarding program and a public web-site to access all inspections of food
17 establishments.

18
19 In FY18 the Food Safety program conducted over 16,000 routine inspections, which have
20 contributed to over 12,000 food safety violations identified by the department since July 2014.
21 The enhanced food safety program has achieved a remarkable 99.99% voluntary compliance
22 record in correcting these violations without litigating the solution through permit suspensions
23 and/or fines, saving taxpayers costly and counter-productive court costs, but more importantly, it
24 has ensured public health and safety by assuring proper food handling practices are being
25 conducted in all food establishments.

26
27 Thank you for the opportunity to testify on this measure.



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04-11-19

To Whom It May Concern,

Re: SCR 112. SD1(SSCRI7I2)

The Hawaii Restaurant Association is very interested in working with the Department of Health to establish industry standards that will address certain unsanitary food handling procedures in food handling establishments and assist in the adoption of our industry rules.

Mahalo,

Sheryl Matsuoka
Executive Director

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