



DEPARTMENT OF HEALTH

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HAWAII DEPARTMENT OF HEALTH REMINDS BEVERAGE DISTRIBUTORS OF JULY 15 DEADLINE FOR SEMI-ANNUAL HI-5 REPORTING

HONOLULU -- The Hawaii State Department of Health (DOH) is reminding all beverage distributors in the state of reporting requirements for HI-5 beverage containers. Failure to properly meet reporting deadlines or improper reporting can result in penalty fines of up to \$10,000 per violation per day. The next upcoming HI-5 beverage container reporting deadline is July 15, 2016.

Hawaii Revised Statutes §342G-105 requires beverage distributors to submit semi-annual distributor reports and payments to DOH no later than the 15th calendar day of the month following the end of the semi-annual payment period. DOH conducts regular inspections of beverage distributors and certified redemption centers to ensure compliance with Hawaii laws.

“The department issued notices to nine companies for violations during the last reporting period,” said Darren Park, manager of the Deposit Beverage Container Program. “Distributors and recyclers are reminded to comply with all upcoming deadlines and requirements to avoid penalty fees or suspension of certification.”

The department’s Deposit Beverage Container Program issued Notices of Violation and Order (NOVO) against nine companies in the past year for failure to submit payments and reports required of beverage distributors by the State’s Deposit Beverage Container law. All of the companies were delinquent for the semi-annual reporting period of July 1 to Dec. 31, 2015 and each company was fined an administrative penalty fee of \$400 for failure to comply with deposit container requirements. Each company was provided the opportunity to request a hearing to contest the alleged facts and penalty.

The companies cited were:

- BEM, Inc. dba Kona Kombucha located at 32-2032 Old Mamalahoa Highway in Papaaloa on Hawaii Island;
- Celestial Natural Foods, Inc. located at 66-443 Kamehameha Highway in Haleiwa on Oahu;
- Gauranga Live LLC located at 200 Kanoelehua Ave. in Hilo on Hawaii Island
- Genesis Today located at 6800 Burleson Road in Austin, Texas;
- Instapressed located at 856 Ilaniwai St. in Honolulu on Oahu;
- Jeonju Makeolli USA Company located at P.O. Box 1313 in Honolulu on Oahu;

- Kauai Natural Waters LLC located at 5694 Ohelo Road in Kapaa on Kauai;
- Nalo Juice LLC located at 402 Opihikao Place in Honolulu on Oahu, and
- Pacific Hi-Tak, Inc. located at P.O. Box 701 in Honolulu on Oahu.

DOH also cited a number of companies in 2015 and 2014 for other violations of the Deposit Beverage Container Law.

Costco Wholesale Corporation located at 525 Alakawa Street in Honolulu on Oahu was cited for failing to properly label deposit beverage containers for Kirkland brand water during compliance inspections in 2015 on Oct. 9 and Nov. 10. Costco paid a penalty of \$15,998.

Garden Isle Disposal, Inc. located in Lihue on Kauai was cited for multiple violations within the period of March 18, 2014 to June 27, 2015 that included failing to inspect deposit containers for redemption labels, failing to pay only on eligible containers, and failing to inspect deposit containers for contamination. Garden Isle Disposal (GID) was fined an administrative penalty fee of \$12,000. A settlement reached between DOH and GID through a consent order requires GID to pay \$3,000 and submit a corrective action plan to avoid future violations. GID will forfeit the \$9,000 in suspended penalty fees if there are additional Deposit Beverage Container Law violation(s) within one year of the consent order.

Wow Wow Lemonade, LLC located in Kahului on Maui was cited for late payments and reports that were delinquent for the semi-annual reporting period of Jan. 1 to June 30, 2015. The company paid a penalty fee of \$400.

Kale's Natural Foods located in Honolulu on Oahu was cited and fined a penalty fee of \$400 for failure to submit their semi-annual report for Jan. 1 to June 30, 2014.

FRS located in Chantilly, VA was cited for late payments and reports that were delinquent for the semi-annual reporting period of Jan. 1 to June 30, 2014 and paid a penalty fee of \$400.

Kukuiula Store located in Koloa on Kauai was cited for late payments and reports that were delinquent for the semi-annual reporting period of Jan. 1 to June 30, 2014 and paid a penalty fee of \$440.

HaHa Hawaiian Organics, Inc. located in Honolulu on Oahu was cited and paid a penalty fee of \$400 for late payments and reports that were delinquent for the semi-annual reporting period of July 1 to Dec. 31, 2014. The company was cited again and fined a penalty of \$400 for non-payments and delinquent reporting for Jan. 1 to June 30, 2015. DOH withdrew the penalty after the dissolution of the company.

DOH issued a total of 17 Notices of Violations and Orders for fiscal years 2015 and 2016 to deposit beverage container distributors for failing to submit their reports and payments and to certified redemption centers for various redemption violations. Despite the DOH's compliance assistance attempts, these companies continued demonstrating non-compliance with the deposit beverage container program.