



**DEPARTMENT OF HEALTH**

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**FOR IMMEDIATE RELEASE**

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**DEPARTMENT OF HEALTH FINES KONA MACADAMIA, INC.,  
dba KONA GRILL, FOR SELLING FOOD WITHOUT A PERMIT  
AFTER BEING ORDERED TO CLOSE**

HONOLULU - The Hawaii State Department of Health (DOH) has issued a Notice of Violation and Order against Kona Macadamia Inc., dba Kona Grill, for selling food without a permit after being ordered to close. The company has been fined \$5,000 and may request a hearing to contest the notice.

On April 29, 2017, Kona Grill operated a food booth at the Waikiki Spam Jam Festival without obtaining a temporary food establishment permit issued by the DOH as required by law. After being ordered to close, Kona Grill continued to sell food for another 30 minutes before shutting down its operation.

The DOH frequents temporary food events to ensure proper food permits are obtained and the conditions of these permits are adhered to. This includes compliance with food safety rules for the preparation and source of foods sold at special events. One of the most serious DOH violations is operating without a permit.

“Operating without a permit is a serious violation with substantial consequences,” said Peter Oshiro, DOH environmental health program manager. “This act intentionally places profit above health and safety and compromises the public’s trust that the food sold at events follows state food safety regulations.”

Restaurants, food manufacturers and other food producers that sell food outside of their permitted location at special events like the Waikiki Spam Jam Festival are required to obtain a

“Temporary Food Establishment” permit. Organizers of these special events also need to ensure that all of their participating vendors have the necessary permits to sell or distribute food to protect public health.

The DOH Sanitation Branch protects and promotes the health of Hawaii residents and visitors through education of food industry workers and regulation of food establishments statewide. The branch conducts routine health inspections of food establishments where food products are prepared, manufactured, distributed or sold. The branch also investigates the sources of foodborne illnesses and potential adulteration and is charged with mitigating foodborne outbreaks and/or the prevention of future occurrences. Health inspectors work with business owners, food service workers and the food industry to ensure safe food preparation practices and sanitary conditions.

For more information on the department’s food safety program, go to <http://health.hawaii.gov/san/>.

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