



## DEPARTMENT OF HEALTH

DAVID Y. IGE  
GOVERNOR

ELIZABETH A. CHAR M.D.  
DIRECTOR OF HEALTH

**FOR IMMEDIATE RELEASE**

September 15, 2021

21-130

### **Hawai'i Department of Health issues second red placard to Doner Shack for non-payment of \$3000 fine and permit renewal fees**

HONOLULU - The Hawai'i Department of Health (DOH) Food Safety Branch has issued a Cease and Desist Order and a red "closed" placard to Doner Shack at 79 South Pauahi Street in Honolulu for failing to renew its state permit and failing to pay a \$3,000 judgement, from a contested hearing case, against the establishment's owner Donald Moriarity in June 2021.

The food establishment permit for Doner Shack expired on Sept.10, 2021. Hawai'i Administrative Rules, Title 11, Chapter 50, Food Safety Code, requires that food establishments pay all outstanding fines to DOH or they shall not have their food establishment permit renewed.

On Jan. 20, 2021, the DOH Food Safety Branch received a complaint alleging that Doner Shack employees were not wearing masks. A health inspector observed repeat violations and a red "closed" placard was issued on Jan. 25 to protect public health. After a health inspector posted the red placard at the establishment, the owner removed the placard and refused to close. This placed him in violation of Hawaii Administrative Rules 11-50, Food Safety Code, which states in part that a placard must be displayed and may not be removed, subject to fines of up to \$1000/day/violation. Refusal to close after a red placard is issued and permit suspension may also lead to additional fines of up to \$1000/day.

It is critical at this time for all businesses and the public to comply with recent state mandates requiring business owners to ensure both employees and customers properly wear face masks at all times," said Peter Oshiro, DOH Food Safety branch chief. "This

is essential to curbing the spread of COVID-19 in our community, and customers may report food establishments that do not comply.”

The DOH Food Safety Branch protects and promotes the health of Hawai'i 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 COVID-19 outbreaks, food borne illnesses and potential adulteration; and is charged with mitigating the same to prevent any future occurrences. DOH food safety specialists 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 restaurant placarding program go to <http://health.hawaii.gov/san/>

# # #