

**NOTICE OF PUBLIC HEARINGS
DEPARTMENT OF HEALTH
STATE OF HAWAII
(DOCKET NUMBER R-50-7-16)**

Pursuant to chapters 91, 92, and 321-11, Hawaii Revised Statutes, notice is hereby given that the Department of Health of the State of Hawaii will hold public hearings on amendments to Hawaii Administrative Rules, Title 11, Chapter 50 ("HAR chapter 11-50"), entitled "Food Safety Code".

The proposed amendments updates provisions of HAR chapter 11-50 dealing with food establishment sanitation by clarifying certain definitions, requirements, and permitting procedures and establishing new requirements for food establishments. The proposed amendments:

- 1) Near verbatim adoption of the 2013 FDA Model Food Code;
- 2) Requires mandatory food handler's education for the person(s) in charge at all food facilities to reduce the frequency of food borne illnesses in the State;
- 3) Will allow the DOH to deny renewal of food establishment permits for facilities that are in arrears to the State for late, or non-payment of fines and/or penalties imposed by the DOH;
- 4) Allows for the posting of a CLOSED Red Placard on food establishments operating without valid DOH issued food permits; and
- 5) Allows for a more robust "homemade" or cottage food industry by removing barriers that limit frequency of sales while at the same time requiring easy and low cost food handlers' education for these operators and labeling requirements that notify the public that these homemade foods were done in a facility not inspected by the DOH.
The DOH still reserves the right, as always, to investigate, embargo, seize and to halt the sales of any food product, including homemade foods, deemed to be a public health risk.
- 6) Removes the limit of 20 days of sale in a 120-day window for temporary of "Special Event" food permits. "Special Event" permits will now have a maximum length of one year as with all other food permits.
- 7) Clarifies and consolidates previous HAR sections on Mobile Food Establishments and Temporary Food Sales into the rest of the food code as food establishments.

The amendments proposed are designed to improve public health outcomes by directly and indirectly lowering the risk of contracting food and water borne illnesses in the State.

The public hearings will be held on the dates, at the times, and places noted below:

Island of Oahu

Monday, December 5, 2016 from 2:00 - 5:00 p.m.
Environmental Health Services Division
Food Safety Education Room
99-945 Halawa Valley St., Aiea

Island of Maui

Tuesday, December 6, 2016 from 2:00 - 5:00 p.m.
UH- Maui College Community Services Building
310 Kaahumanu Avenue, Bldg. #205, Kahului

Island of Hawaii-Hilo

Wednesday, December 7, 2016 from 2:00 – 5:00 p.m.
Environmental Health Building Conference Room
1582 Kamehameha Avenue, Hilo

Island of Hawaii-Kona

Thursday, December 8, 2016 from 2:00 – 5:00 p.m.
West Hawaii Civic Center
Bldg. G
74-5044 Ane Keohokalole Highway, Kailua-Kona

Island of Kauai

Friday, December 9, 2016 from 2:00 – 5:00 p.m.
Lihue Health Center
Conference Room
3040 Umi Street, Lihue

A copy of the amended rules, HAR chapter 11-50, and the existing HAR chapter 11-50, will be mailed to any person who requests a copy and pays in advance for the copy and postage. Requests may be made by writing to the Sanitation Branch at the address below or by calling (808) 586-8000.

Sanitation Branch
Department of Health
99-945 Halawa Valley St.
Aiea, Hawaii 96701

A copy of the proposed rules will be e-mailed or mailed at no cost to any existing HAR Chapter 11-50, Food Safety Code, permit holder who requests a copy.

Interested parties are invited to attend and to state their views on the proposed amendments to rule. Written statements are recommended and may be submitted at the public hearings or to the Sanitation Branch at the previously noted Aiea address any time prior to close of business on Friday, December 16, 2016.

The amended HAR chapter 11-50 and HAR chapter 11-50 may be reviewed in person from 7:45 a.m. to 4:30 p.m. at the following locations:

1. Oahu: Sanitation Branch
Department of Health
99-945 Halawa Valley St.
Aiea, Hawaii 96701
Phone: (808) 586-8000
2. Kauai: Environmental Health Services
Kauai District Health Office
3040 Umi Street, 2nd Floor
Lihue, Kauai
Phone: (808) 241-3323
3. Maui: Environmental Health Services
Department of Health
State Office Building, Room 300
54 High Street
Wailuku, Maui
Phone: (808) 984-8230
4. Hawaii: Environmental Health Services
Department of Health
1582 Kamehameha Avenue
Hilo, Hawaii
Phone: (808) 933-0917;
- and: Sanitation Branch
Department of Health
Keakealani Building
79-1020 Haukapila Street, Room 115
Kealakekua, Hawaii
Phone: (808) 322-1507
5. Internet: <http://health.hawaii.gov/san/>

Copies of the proposed rules are also available for review at the local public libraries.

Any person desiring to attend the hearing who may require special accommodations (i.e., taped materials or sign language interpreter) may request assistance provided such a request is made ten working days prior to the scheduled hearing. This request may be made by writing to the Sanitation Branch at the previously noted Honolulu address or by calling (808) 586-8000 or Text Telephone (TTY) Users Dial 1-711 or 643-8833.

State of Hawaii
Department of Health
Virginia Pressler, M.D.
Director of Health

Posted: November XX, 2016