

JAN 19 2018

# A BILL FOR AN ACT

RELATING TO HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

SECTION 1. Section 321-401, Hawaii Revised Statutes, is amended to read as follows:

"[~~§~~321-401~~]~~ Findings and purpose. The purpose of this part is to establish a [~~non-enforcement~~] program within the department of health to provide voluntary food safety surveillance and control, and educational activities to assist the food service industry and foodhandlers. The legislature finds that education is necessary for attaining voluntary compliance in food safety. Informed food managers and foodhandlers are essential for the control of foodborne pathogens in foods served to the public.

Restaurants, catering services, delicatessens, markets, and other food purveyors employ foodhandlers who need continuing education and training in food safety. Foodhandlers work with fresh, uncooked, or prepared foods which may contain foodborne disease microorganisms that can cause severe sickness to large numbers of people at the same time. It is the intent of the



1 legislature to take preventive measures through educational  
2 programs and analytical studies of contamination outbreaks."

3 SECTION 2. Section 321-402, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "[§]321-402[§] Food safety consultative and education  
6 program[-]; employee instruction. (a) There is established the  
7 food safety consultative and education program within the  
8 department of health. The department may place this program  
9 within any appropriate division.

10 (b) All food employees employed by a food establishment,  
11 including lunch wagons and food trucks, must complete  
12 instruction furnished by the department of health on safe food  
13 handling within thirty days of commencing employment with a food  
14 establishment and every three years thereafter. The employment  
15 records of each employer or business must reflect the completion  
16 of every instruction. The employment records of each employee  
17 shall be open to inspection by an agent of the department of  
18 health.

19 (c) Instruction on safe food handling may be conducted by  
20 any means available, including online, live in-person, computer,



1 and classroom. Instruction must include, at a minimum,  
2 instruction on the following:

3       (1) The relationship between time and temperature with  
4       respect to foodborne illness, including the  
5       relationship between time and temperature and  
6       microorganisms during the various food handling  
7       preparation and serving states, and the type,  
8       calibration, and use of thermometers in monitoring  
9       food temperatures;

10       (2) The relationship between personal hygiene and food  
11       safety, including the association of hand contact,  
12       personal habits and behaviors, and the food employee's  
13       health to foodborne illness, and the recognition of  
14       how policies, procedures, and management contribute to  
15       improved food safety practices;

16       (3) Methods of preventing food contamination in all stages  
17       of food handling, including terms associated with  
18       contamination and potential hazards prior to, during,  
19       and after delivery;

20       (4) Procedures for cleaning and sanitizing equipment and  
21       utensils; and



1        (5) Problems and potential solutions associated with  
2        temperature control, preventing cross-contamination,  
3        housekeeping, and maintenance.

4        (d) A food employee who obtains new employment three or  
5        more years after receiving instruction from the previous  
6        employer must retake instruction from the new employer.

7        ~~[(b)]~~ (e) The program shall be managed and staffed by  
8        persons who are trained and experienced in public health aspects  
9        of food, including food science, foodborne disease epidemiology,  
10       food microbiology, and food sanitation.

11       ~~[(e)]~~ (f) Generic food safety information gained from  
12       studies conducted as part of the program may be shared with  
13       foodhandlers in certification workshops and food safety  
14       classes."

15       SECTION 3. All persons employed as food employees on the  
16       effective date of this Act must complete the food safety  
17       consultative and education program no later than                    , and  
18       every three years thereafter.

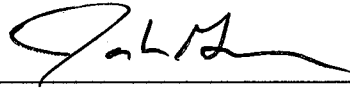
19       SECTION 4. Statutory material to be repealed is bracketed  
20       and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:







Will Ego



# S.B. NO. 2264

**Report Title:**

Health; Food; Safe Food Handling Instruction

**Description:**

Requires all employees who handle food while employed by a food establishment to complete instruction furnished by the department of health on safe food handling. Specifies contents of required instruction.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

