

JOSH GREEN, M.D.  
GOVERNOR OF HAWAII  
KE KIA'AINA O KA MOKU'AINA 'O HAWAII



DEPT. COMM. NO. 277  
KENNETH S. FINK, MD, MGA, MPH  
DIRECTOR OF HEALTH  
KA LUNA HO'OKELE

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

In reply, please refer to:  
File:

February 7, 2023

The Honorable Ronald D. Kouchi,  
President and Members of the Senate  
Thirty-second State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki, Speaker  
and Members of the House of  
Representatives  
Thirty-second State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the "Annual Report of the Sanitation Branch and Requesting the Department of Health to submit a Report on the Status of the Sanitation and Environmental Health Education Fund," pursuant to Chapters 321-27.5 & 321-27, Hawaii Revised Statutes (HRS).

In accordance with Section 93-16, HRS I am also informing you that the report may be viewed electronically at:

<https://health.hawaii.gov/opppd/department-of-health-reports-to-2023-legislature/>

Sincerely,

Kenneth S. Fink, MD, MGA, MPH  
Director of Health

Enclosures

c: Legislative Reference Bureau  
Hawaii State Library System (2)  
Hamilton Library

**REPORT TO THE  
THIRTY-SECOND LEGISLATURE  
STATE OF HAWAII  
2023**

Food Safety Branch (formerly Sanitation Branch) Annual  
Audit  
Sanitation and Environmental Health Special Fund  
Fiscal Year 2022

**Pursuant to Chapters 321-27.5 and 321-27,  
Hawaii Revised Statutes,  
Requesting the Department of Health to Submit an  
Annual Audit Report of the Sanitation Branch  
And  
Requesting the Department of Health to Submit a  
Report on the Status of the  
Sanitation and Environmental Health Education Fund**

**PREPARED BY:  
DEPARTMENT OF HEALTH  
STATE OF HAWAII**

**January 2023**

## INTRODUCTION

This report provides a broad overview of the functional role and activities of the Food Safety Branch, formerly the Sanitation Branch, as required under Section 321-27.5, Hawaii Revised Statutes (HRS), that states, “The Department shall perform annual audits of the sanitation branch to be completed by November 30 of each year, and shall include an audit of:

- 1) Fees collected;
- 2) The number and results of sanitation inspections;
- 3) The number of training seminars held; and
- 4) The cost of training personnel in the sanitation branch.”

This report is also being submitted under Section 321-27(d), HRS, which states that the Department “shall submit a report to the Legislature concerning the status of the Sanitation and Environmental Health Education Fund, including, but not limited to the number of monies taken in and expended from the fund, and the sources of receipts and uses of expenditures...”

## BACKGROUND

The function of the Food Safety Branch is to promote and maintain a sanitary and healthful environment for the people and visitors of Hawaii by implementing legally required programs for:

- 1) Food protection.
- 2) Assessing and assuring that hospitals and medical facilities meet sanitation requirements.
- 3) Licensing of tattoo artists and embalmers; and
- 4) Regulating tattoo shops, mortuaries, and public swimming pools.

The Food Safety Branch focuses on its food protection program, which has evolved into a complex program concentrating on public health practices through education, partnerships, prevention, assessment, and compliance.

Food is a significant element of Hawaii’s multi-ethnic culture and is a principal attraction for visitors to Hawaii. Food contamination presents a great risk to public health. The Food Safety Branch protects residents and visitors from exposure to food borne illnesses by conducting inspections and assessments of food service establishments to ensure that the food served is safe to eat. In FY 21 the branch had 10,327 active food establishment permits statewide, which includes restaurants and all food purveyors.

In addition, the branch promotes food protection through education. The Food Safety Consultation and Education Program plays a vital role in preventing food borne illnesses by developing and implementing food safety surveillance and control plans and conducting educational activities to assist the food service industry and food handlers.

Staff training is also a significant element for maximizing efficiency and effectiveness to satisfy program performance objectives. Mechanisms are in place to provide continuing education as the branch updates and cross trains staff to keep up with technological and organizational changes.

FEES COLLECTED

Under Section 321-11.5, HRS, the Department collects fees for permits, licenses, inspections, various certificates, variances, investigations, and reviews. These fees are deposited into the Sanitation and Environmental Health Special Fund under Section 321-27(a), HRS that supports training for staff in the Environmental Health Services Division and food establishment personnel; as well as provides educational outreach to the public regarding food safety.

The pandemic affected the annual revenue, which fell approximately 10% from \$3.1 million in FY 19 to \$2.9 million in FY 20 and remained steady at \$2.8 million in FY 21. FY 22 Revenue was back up to \$3.2 million. Prior to the pandemic, revenue was stable, averaging \$3.2 million annually since the full implementation of fee increases and the change from biennial to annual permit fees.

NUMBER AND RESULTS OF FOOD SAFETY BRANCH FOOD FACILITY INSPECTIONS

The Food Safety Branch currently permits 10,327 food establishments statewide.

Year	Inspections Conducted*	Violations
FY 22	15,680	2,956
FY 21	14,200	2,100
FY 20	10,200	2,300

\*Inspections include routine and follow-up inspections

Year	General Complaint Inspections	Food-Borne Illness Complaints*
FY 22	461	156
FY 21	852	66
FY 20	900	13

\*Complaints received internally from the Department of Health’s Disease Outbreak Control Division

Year	Green Placard	Yellow Placard
FY 22	88%	12%
FY 21	90%	10%
FY 20	86%	14%

FY22 saw a move back towards normal productivity, mostly on Oahu, as the program conducted about 15,680 inspections, up from 14,200 total inspections in FY21, of which 12,041 (8,365 on Oahu) were routine food establishment inspections. Violation rate (Yellow Card issuance %) throughout the industry rose slightly to 12%. The increased focus on handwashing during the pandemic was probably the main reason for the reduction, as handwashing violations nationwide are one of the most frequently cited violations observed during routine inspections. Since then,

food establishments are slipping back to old habits and less frequent handwashing is observed anecdotally. This may be the reason for the huge increases in food illness complaints from a historic low of 13 in FY20 to 66 in FY21 and now exploding to 156 in FY22.

The significant and steady reduction in the number of Yellow placards issued year over year is a direct result of the placarding program and the public posting of food inspection results. The paradigm shift in using governmental transparency to influence behavior in the food industry has been a very positive step forward and is changing the way industry looks at food safety.

NUMBER OF TRAINING SEMINARS HELD

	<b>FY 18</b>	<b>FY 19</b>	<b>FY 20</b>	<b>FY 21</b>	<b>FY 22</b>
<b>Food Certification Workshops</b>	8	14	9	0	0
Students Attended	270	303	349	N/A	N/A
Students Certified	229	303	349	N/A	N/A
% Passed	85%	100%	100%	N/A	N/A
<b>Food Handlers Education Classes</b>	439	448	242	567	360
Students Attended	8557	10201	3143	2129	3470

Food Certification Workshops are 16-hour (2 days) classes that cover the principles of food safety and protection as it pertains to HAR 11-50 Food Safety Code. This workshop is equivalent to education typically required for all food managers in states and counties that mandate food safety training at the managerial level.

Food Handlers Education Classes are a 2-hour class designed to give basic instruction in food safety. Since 2017, HAR requires that all food establishments have always at least one employee available with a Food Handlers Certificate. The course addresses the four basic tenets of food safety: clean, separate, cook, and chill. The course is given at no charge and a course completion certificate is issued. The course utilizes hands on demonstrations and audience participation. The DOH also recognizes many ANSI certified online providers that provide the mandated Food Handlers Certificates for low cost (\$10-\$15) and in multiple languages.

COST OF TRAINING BRANCH PERSONNEL

**National Environmental Health Association (NEHA) 2022 Annual Education Conference  
Spokane, Washington**

Dates: June 27 - July 2, 2022  
 Attendees: Food Safety Specialist IV  
 Food Educator  
 Cost: Total cost was \$3,958.

**Conduct standardization of Hawaii Island Food Safety Specialist in shellfish inspections.  
Kona, Hawaii**

Dates: December 16-17, 2022  
Attendees: FSS IV Shellfish Specialist  
Cost: \$616.24

STATUS OF THE SANITATION AND ENVIRONMENTAL HEALTH SPECIAL FUND

Amount of moneys taken in: \$3,245,593.92.

Amount expended: \$2,085,765.31.

The sources of receipts and uses of expenditures are as enumerated in 321-27(a) and 321-27(b), HRS, respectively.