

**ACT 219**

S.B. NO. 2420

A Bill for an Act Relating to a Voluntary, Consultative, and Educational Food Safety Activity for the Food Service Personnel of Hawaii.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

**“PART . FOOD SAFETY CONSULTATIVE AND  
EDUCATION PROGRAM**

**§321- 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

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

**§321- Food safety consultative and education program.** (a) There is established the food safety consultative and education program within the department of health. The department may place this program within any appropriate division.

(b) The program shall be managed and staffed by persons who are trained and experienced in public health aspects of food, including food science, foodborne disease epidemiology, food microbiology, and food sanitation.

(c) Generic food safety information gained from studies conducted as part of the program may be shared with foodhandlers in certification workshops and food safety classes.

**§321- Food safety control system.** The department may conduct studies using the hazard analysis critical control points system after foodborne disease outbreak investigations are completed by the department or when requested by food service operators.

**§321- Public information monitoring system.** Within the program, the department of health shall investigate foodhandling practices which appear to represent poor food safety techniques, and shall develop ways in which the public can gain information on food safety and can report practices which appear to represent poor food safety techniques.

**§321- Confidentiality of information.** For purposes of this part, the program shall maintain confidentiality of critical information received from food purveyors and foodhandlers or other persons in the food service industry. Critical information is information, including trade secrets, necessary for the department to prevent food safety problems from occurring and to ensure that potentially hazardous foods are safe for public consumption."

SECTION 2. This Act shall take effect upon its approval.

(Approved June 12, 1992.)