



**LATE**

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Committee on Health**

**HCR 240, URGING THE DEPARTMENT OF HEALTH TO EXEMPT THE  
PREPARATION OF FOOD FOR CHARITABLE NONCOMMERCIAL  
PURPOSES FROM CERTAIN DEPARTMENT OF HEALTH FOOD SAFETY  
REGULATIONS, PROVIDED THAT CERTAIN CONDITIONS ARE MET**

**Testimony of Linda Rosen, M.D., M.P.H.  
Director of Health**

**March 21, 2014  
9:00 am**

1 **Department's Position:** The department respectfully opposes this resolution.

2 **Fiscal Implications:** None.

3 **Purpose and Justification:** Although this measure is well intended, passage of this resolution will  
4 result in placing the homeless or disenfranchised at undue risk for contracting possibly deadly or  
5 injurious foodborne illnesses, as well as being placed at higher risk for consuming foods that may have  
6 been exposed to potential contamination or adulteration.

7 Food safety and the etiology of foodborne illnesses do not distinguish between commercial and  
8 charitable activities. Foodborne illness risk factors that are the direct causes of frequently deadly or  
9 permanently debilitating injuries, as well as conditions that lead to food contamination or adulteration,  
10 are not linked to whether the food is intended for a purely commercial venture or a charitable one.

11 Children that contract a food borne illness from an unregulated food supply may easily spread  
12 the disease at school or other close quarters, thereby placing other children, citizens and tourists at  
13 undue risk.

1           It is especially important to note that that those persons that are at the greatest risk of contracting  
2 deadly or permanently debilitating foodborne illnesses are our Keiki, Kupuna, and those that are  
3 immuno-compromised . The homeless and disenfranchised that rely on the charity of other people for  
4 their food supply are frequently not in the best of health and are also at much greater risk of being  
5 injured, or contracting a foodborne illness. The poor and disenfranchised that this measure purports to  
6 help are also frequently housed in less than ideal or crowded conditions which further increases the risk  
7 of an outbreak of disease.

8           Under the proposed new Hawaii Administrative Rules, Title 11, Chapter 50, the department has  
9 removed the exemption for homeless feeding activities but have included measures to assist charitable  
10 organizations to continue feeding the homeless but in a way that promotes and ensures food safety.  
11 Some of the measures included in the new rule are:

- 12           • Under certain conditions, the waiver of food establishment permit fees for entities seeking to  
13           feed the homeless
- 14           • DOH will provide free menu review consultation to determine the safety of the food being  
15           served or proposed for distribution
- 16           • DOH will continue to provide free food safety education to food service facilities
- 17           • DOH will not allow any perishable or potentially hazardous foods (PHF) such as beef, pork,  
18           chicken, seafood, dairy, etc., to be prepared in home kitchens but may allow limited preparation  
19           in some churches, schools or other kitchens depending on the facilities (e.g. hand sinks, 3-  
20           compartment sinks, etc.) available in the food preparation area.

21           Thank you for the opportunity to testify.

**morikawa2-Joanna**

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**Sent:** Wednesday, March 19, 2014 9:12 PM  
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**Subject:** \*Submitted testimony for HCR240 on Mar 21, 2014 09:00AM\*

**HCR240**

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul A. komara, Jr.	Individual	Support	No

Comments:

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