

HAWAII Food Safety Jurisdictions and Enforcement Authorities



Agency jurisdiction and responsibility for regulating food safety varies from state to state. While an agency may have jurisdiction over a facility or commodity, not all agencies issue licenses or routinely inspect every facility or commodity type. All of the State agencies which have jurisdiction to regulate food safety within the state are listed in the tables below, with their jurisdiction over a particular facility type or commodity denoted by the word “Authority” or “Split Authority” in the row of the facility or commodity type within their column.





MANUFACTURER/PROCESSOR

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|---------------------|----------------------------------|-----------------------------------|----------------|
| Food Processor | | Authority | |
| Food Repacked | | Authority | |
| Food Salvager | | Authority | |
| Bottled Water | | Authority | |
| Ice | | Authority | |
| Dietary Supplements | | * | |
| Warehouse | | Authority | |
| Food Banks | | Authority | |
| Seafood | | Authority | |
| Food Transport | | Authority ¹ | |
| Beer/Wine | | Authority | |
| Distilled Spirits | | Authority | |

COMMENTS:

* Defers Dietary Supplements inspections to FDA.

¹ No jurisdiction over licensing, but can perform inspections.





DAIRY

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|------------------|----------------------------------|-----------------------------------|----------------|
| Grade-A Plant | | Authority | |
| Raw Milk | | Authority | |
| Cheese | | Authority | |
| Yogurt | | Authority | |
| Cream/Sour Cream | | Authority | |
| Butter | | Authority | |
| Ice Cream | | Authority | |
| Milk Pooling | | Authority | |
| COMMENTS: | | | |





MEAT/POULTRY

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|----------------------------|----------------------------------|-----------------------------------|----------------|
| Meat | * | | |
| Poultry | | | |
| Rabbit | | Authority ¹ | |
| Other Non-Amenable Species | | Authority ¹ | |
| Custom Slaughter | | | |
| Livestock Inspection | | | |
| Pet Food – Raw | | Authority ¹ | |
| Pet Food – Processed | | Authority | |
| Egg Inspection/Grading | Authority | | |

COMMENTS:

* All meat and poultry deferred to USDA.

¹ Have authority, but no routine program.





ANIMAL FEED

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|------------------|----------------------------------|-----------------------------------|----------------|
| Feed | Authority | | |
| Medicated Feed | Authority | | |
| BSE Inspections | Authority | | |
| Rendering Plant | Authority | | |
| Grain | Authority | | |
| COMMENTS: | | | |





RETAIL FOOD

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|-------------------------|----------------------------------|-----------------------------------|----------------|
| Restaurant | | Authority | |
| Food Service | | Authority | |
| Grocery Store | | Authority | |
| Market | | Authority | |
| Convenience Stores | | Authority | |
| Public/Private Schools | | Authority | |
| Correctional Facilities | | Authority | |
| Hospitals | | Authority | |
| Long-Term Care | | Authority | |
| Nursing Homes | | Authority | |
| Other Institutions | | Authority | |
| Vending Machines | | Authority ¹ | |
| Mobile Food Facilities | | Authority | |
| Caterers | | Authority | |

Retail Food list continued on next page.



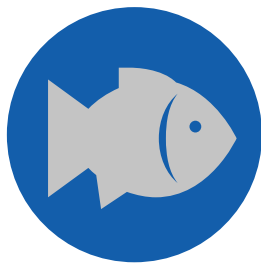


RETAIL FOOD (continued)

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|---------------------------|----------------------------------|-----------------------------------|----------------|
| Home Based Processors | | Authority | |
| Temporary Food Facilities | | Authority | |
| Water Vending Machines | | Authority | |
| Ice Vending Machines | | Authority | |
| Farm Stands | | Authority | |
| Farmers Markets | | Authority | |
| Live Poultry Markets | | N ² | |
| Food Pantry | | Authority | |

COMMENTS:
¹ Have authority, but no routine program.
² None





SHELLFISH/AQUACULTURE

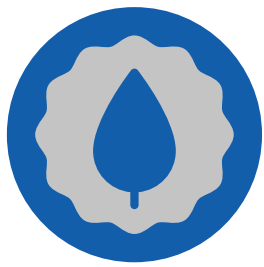
| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|---------------------------------|----------------------------------|-----------------------------------|----------------|
| Shellfish Growing Areas | | Authority | |
| Shellfish Post Harvest Handling | | Authority | |
| Shellfish Depuration | | Authority | |
| Shellfish Patrol | | N ¹ | |
| Biotoxin Monitoring | | Authority | |
| Aquaculture | | Authority ² | |

COMMENTS:

¹ No patrol, intrastate only.

² Not regulated, but have enforcement authority if an outbreak occurs.





ORGANIC FOODS

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|-------------------------|----------------------------------|-----------------------------------|----------------|
| Organic Production | | | |
| Organic Food Handling | | | |
| Organic Food Processing | | | |
| COMMENTS: | | | |





PRODUCE

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|------------------|----------------------------------|-----------------------------------|----------------|
| Farms | Authority | | |
| Packing Sheds | | Authority | |
| Repackers | | Authority | |
| Terminal Markets | | | |
| COMMENTS: | | | |





ENFORCEMENT AUTHORITY

Each state regulatory agency has enforcement authorities that are established through state laws, regulations, or administrative rules. These enforcement authorities enable the agency to perform their regulatory functions and ensure the safety of the food supply. Below are the authorities of each agency.

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|--------------------------------------|----------------------------------|-----------------------------------|----------------|
| Embargo/Quarantine | | Authority | |
| Seizure | | Authority | |
| Condemnation & Destruction | | Authority | |
| Voluntary Condemnation & Destruction | | Authority | |
| Stop Sale Orders | Authority | Authority | |
| Health Advisories | | Authority | |
| Administrative Penalties | Authority | Authority | |
| Criminal Penalties | Authority | Authority | |
| Civil Penalties | Authority | Authority | |

Enforcement Authority list continued on next page.





ENFORCEMENT AUTHORITY (continued)

| FACILITY TYPE | HAWAII DEPARTMENT OF AGRICULTURE | HAWAII STATE DEPARTMENT OF HEALTH | LOCAL AGENCIES |
|--------------------|----------------------------------|-----------------------------------|----------------|
| Injunction | Authority | Authority | |
| Warning Letters | Authority | Authority | |
| License Suspension | | Authority | |
| License Revocation | Authority | Authority | |
| Hearings | Authority | Authority | |
| Closure | | Authority | |
| Mandatory Recall | | Authority | |
| Inspection Warrant | Authority | Authority | |
| COMMENTS: | | | |

