HAWAI‘I DEPARTMENT OF HEALTH TO BEGIN ISSUING RED PLACARDS TO RESTAURANTS AND BARS THAT VIOLATE PHYSICAL DISTANCING AND OTHER MANDATES TO PREVENT THE SPREAD OF COVID-19

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HONOLULU – There are now severe consequences for food establishments that do not take physical distancing and other guidance seriously. The Hawai‘i Department of Health’s Food Safety Branch will begin to temporarily suspend the operations of restaurants, bars and other food establishments that do not comply with physical distancing, wearing cloth face masks and other required guidance.

“The department is taking these steps now to enforce preventive measures that are known to be effective in preventing the transmission of the disease, especially as we have seen a recent increase in the number of COVID cases and evidence of community spread,” said Health Director Bruce Anderson. “Most food establishments in Hawai‘i are conscientious and trying their best to comply with health guidance. Nevertheless, we feel these steps are necessary to assure all restaurants and other food establishments are doing everything they can to protect the health of the public and their employees,” said Anderson.

The health department issued guidance to restaurants, markets and food manufacturers on reopening in late May 2020 to minimize the risk of exposure to the virus that causes COVID-19 for their employees and customers.

The strict enforcement also enables the Department of Health to effectively respond to consumer complaints about non-compliant food establishments and enhances the state’s readiness to implement a pre-travel testing program on August 1.

Using existing state law Hawai‘i Administrative Rules, Section §11-50-9(d)(3), Department of Health inspectors can temporarily shut down a food establishment if its practices pose a danger to public health by spreading the virus that causes COVID-19. Using the familiar color-coded placard system, the Department of Health will issue red placards to these food establishments.

“As Hawai‘i reopens and moves toward economic recovery, no one wants to see a restaurant

temporarily close and miss out on opportunities to serve customers," said Peter Oshiro, chief of the Department of Health's Food Safety Branch. "We recognize many Hawai'i food establishment operators are doing their best to protect the health of their employees and customers, and we need all operators to comply with the guidance and take it seriously. This is a critical time for food establishments to tighten their practices instead of becoming lax," he said.

Restaurants and especially bars have been shown to have a higher transmission of the coronavirus in respiratory droplets because of overcrowding. There is also lower adherence to physical distancing among customers who are inebriated or are engaging in loud talking or shouting in very close proximity to each other because of amplified music or noise.

If physical distancing and mask wearing violations are verified by an inspector during a routine inspection or as a result of a complaint, the following enforcement protocol will be used to encourage compliance:

- 1st Violation: The Department of Health will issue a written warning and educate the food establishment that it is in violation of the Department of Health's guidance. The food establishment will be informed that a second violation will result in issuance of a red placard for creating an imminent health hazard. Unlike the color-coded system for sanitation and safe food-handling compliance, there is no yellow placard.
- 2nd Violation: The Department of Health will issue a red placard. This will result in immediate closure of the establishment and a news release will announce the red placard posting. The food establishment may request a reinspection and review to safely reinstate their operations.

"Food establishments play an important role in our economy and in public health. Restaurants saw the value of our color-coded placards for compliance with food safety regulations, and we believe this more stringent system will encourage food establishments to rise to the new challenge to protect their bottom line while also protecting the public's health," Oshiro said.

About the Food Safety Branch

The DOH Food Safety Branch protects the health of Hawai'i residents and visitors through education of food industry workers and regulation of food establishments statewide. The branch conducts routine health inspections of food establishments where food products are prepared, manufactured, distributed or sold. The branch also investigates the sources of food borne illnesses and potential adulteration; and is charged with mitigating foodborne outbreaks and/or the prevention of future occurrences. Health inspectors work closely with business owners, food service workers, and the food industry to ensure safe food preparation practices and sanitary conditions.

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PDF: DOH to begin issuing red placards to restaurants and bars that violate mandates to prevent COVID-19