

TESTIMONY
HB 2083 HD1
LATE



LATE TESTIMONY

March 12, 2010

Senator Clayton Hee, Chair
Senate Committee on Water, Land, Agriculture and Hawaiian Affairs

Friday, March 12, 2010
Conference Room 229; 2:45 p.m.

Re: HB 2083 HD1 - Relating to Milk Labeling

Chair Hee and Vice Chair Tokuda, and members of the Committee:

My name is Gary Yoshioka, Vice President & General Manager of The Pepsi Bottling Group of Hawaii ("Pepsi"), testifying in opposition to HB 2083 HD1, which requires milk and soy milk beverages to be labeled with the date of pasteurization or the date of packaging. The additional milk labeling requirement set forth in this legislation is unnecessary and would be unnecessarily costly and burdensome to milk producers and the beverage manufacturers that bottle milk products.

Through a joint venture between Starbucks and PepsiCo, Pepsi has bottled Starbucks Frappuccino coffee drink since 1996. The coffee drink is blended with milk.

Milk products are currently labeled with "sell by" dates, which consumers use to determine the freshness of their beverage. "Sell by" dates are based on and reflect our expertise as to the life of our products. A "pasteurized/packaged on" date would leave that evaluation subject to someone else. As the bottler for Starbucks Frappuccino and hundreds of other beverages enjoyed around the world, Pepsi is best suited to determine the shelf life of its products.

If the Committee deems that it is in the best interest of Hawaii consumers to require both "sell by" and pasteurization dates on milk products, Pepsi respectfully requests that this measure apply only to 100% milk and soy milk (including flavored milk). This will ensure that products that are not primarily dairy beverages are exempt from additional labeling requirements.

On behalf of The Pepsi Bottling Group Hawaii, thank you for the opportunity to testify.



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Hb 2083 HD 1, "Relating to Milk Labeling"
Senate WTL, Friday, March. 12, 2010 – 2:45 PM - Room 229
Chair Hee and Members of the Committee,

Testimony by: Lorie Farrell

The Hawaii Farm Bureau Federation is the largest general agriculture organization in the State of Hawaii with over 1600 members Statewide. We **"Oppose HB 2083 HD 1"**.

We support Hawaii's Dairy Industry and are aware of the many challenges facing them. Milk production is declining in Hawaii. Although there have been efforts to stop this trend, we must be realistic in setting regulations and imposing additional burdens on the Industry as it exists today. **We oppose the concurrent resolutions based on the following.**

- The transportation and processing of milk for fluid consumption is heavily regulated and monitored by many Federal & State Agencies including the United States Dept. of Agriculture, The Food & Drug Administration, State Dept of Health and the Federal Dept. of Health and Human Services. Additionally there are several Councils and National Milk/Dairy Organizations that help educate and enact new Safety guidelines.
- To add a geographic labeling law on Hawaii Milk will add unfair burden on our milk processors in Hawaii; who are already face competition with mainland producers.
- The consumers of Hawaii will bear the additional costs of a unique packaging/label law for Hawaii only. Hawaii's consumers will bear the burden of this bill!
- Due to the Federal Safety and labeling rules currently in place, were not clear on the enforceability of this measure. If milk products meet all the Federal criteria and they are forced to re-label for Hawaii consumers, how does the State plan on enforcing this action?
- Milk products already are marked with a "produced date" or "use by date" or expiration date on the labels, caps or packaging surface. This is the information the consumer looks for!
- To introduce a new labeling date will confuse consumers and require education; how fo you plan providing that information to the public.
- It is true that the Hawaii's Milk Control Act's purpose did not include the standards for the safety of imported milk. However, it is a redundant expense and burden to have it do so now, especially in these economic times. It is redundant because the DOH, USDA, FDA and DHHS already provide stringent standards and oversight regarding the safety of transporting milk.

We respectfully request that HB 2083 HD 1 be held in committee. Thank you for the opportunity to present testimony.

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