STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 0 8 2011

RE: S.B. No. 101

S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 101 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to exempt the preparation of poi using traditional Hawaiian cultural food preparation practices from Department of Health regulations regarding food safety and to require the Director of Health to adopt rules necessary to carry out this exemption.

Your Committee received testimony in support of this measure from Hawaii SEED and twelve private citizens. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Office of Hawaiian Affairs and one private citizen.

Your Committee finds that this exemption is necessary to protect Hawaiian cultural practices. Your Committee finds that an amendment to this measure is necessary to impose labeling requirements indicating that poi is processed outside a certified food processing establishment so that consumers can make an informed decision regarding poi purchases. Your Committee also finds that in the interest of safety, additional food safety requirements should be imposed on producers preparing poi outside of certified food processing establishments.

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Accordingly, your Committee has amended this measure by:

- (1) Adding language requiring all commercially sold hand-pounded poi that is processed outside of a certified food processing establishment be labeled accordingly and identify the producer's name and address and the date of preparation;
- (2) Imposing certain food safety standards for the poi producers;
- (3) Inserting an effective date of January 1, 2050, to facilitate further discussion of the measure; and
- (4) Making technical nonsubstantive amendments for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 101, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Health,

JOSH GREEN, M.D., Chair

The Senate Twenty-Sixth Legislature State of Hawai'i

Record of Votes Committee on Health HTH

Bill / Resolution No.:*	Committee Referral:			Date:	
SB 101	1417	F .		01/31/1	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)		~			
NISHIHARA, Clarence K. (VC)					سا
BAKER, Rosalyn H.		1			
CHUN OAKLAND, Suzanne					
SHIMABUKURO, Maile					
WAKAI, Glenn		V			
SLOM, Sam		/			
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			STREET,		
TOTAL		6			/
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes