

---

---

## HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES CONGRESS TO OPPOSE HOUSE RESOLUTION  
4167, THE "NATIONAL UNIFORMITY FOR FOODS ACT OF 2005", AND  
TO ENCOURAGE ONGOING DIALOGUE TO RETAIN STATE AND LOCAL  
GOVERNMENT CONTROL OVER FOOD SAFETY ISSUES.

1           WHEREAS, the food safety system in the United States is the  
2 shared responsibility of local, state, and federal partners; and

3  
4           WHEREAS, approximately 80 percent of food safety  
5 inspections in the nation are completed at state and local  
6 levels; and

7  
8           WHEREAS, consumers are well served by being able to come to  
9 their local or state governments to have food safety complaints  
10 and issues addressed; and

11  
12           WHEREAS, federal agencies frequently turn to state  
13 authorities to deal with imminent health hazards; and

14  
15           WHEREAS, it is imperative that states have the right to act  
16 quickly to address local and statewide public health concerns  
17 that cannot be anticipated or are not adequately addressed  
18 nationally; and

19  
20           WHEREAS, the existing food safety system forms the first  
21 line of defense against the threat of a terrorist attack on our  
22 nation's food supply; and

23  
24           WHEREAS, the passage of House Resolution 4167, the  
25 "National Uniformity for Foods Act of 2005", is meant to provide  
26 uniform food safety warnings and notification, but, instead, may  
27 have the adverse effect of undermining proven consumer  
28 protection efforts by pre-empting state and local laws governing  
29 food safety, the labeling of food products, and the issuance of  
30 warning notifications; and



1 WHEREAS, the National Association of State Departments of  
 2 Agriculture that represents the directors of the state  
 3 departments of agriculture in the fifty states and four  
 4 territories, the Association of Food and Drug Officials, and the  
 5 Association of American Feed Control Control Officials, have  
 6 voiced strong opposition to House Resolution 4167; and

7  
 8 WHEREAS, the Attorney General of the State of Hawaii has  
 9 expressed concern that House Resolution 4167 could impact  
 10 Hawaii's milk distribution, food additive laws, and restaurant  
 11 safety laws, and has joined with thirty-five other states'  
 12 attorneys general in opposition to House Resolution 4167; now,  
 13 therefore,

14  
 15 BE IT RESOLVED by the House of Representatives of the  
 16 Twenty-third Legislature of the State of Hawaii, Regular Session  
 17 of 2006, the Senate concurring, that the United States Congress  
 18 is urged to oppose House Resolution 4167, thereby recognizing  
 19 and leaving intact state and local government control over food  
 20 safety issues; and

21  
 22 BE IT FURTHER RESOLVED that the Legislature respectfully  
 23 requests that the United States Congress encourage the National  
 24 Association of State Departments of Agriculture and the  
 25 Association of Food and Drug Officials to continue discussions  
 26 with food industry representatives to address the concerns  
 27 enumerated in this measure and to retain state and local  
 28 government control over food safety issues; and

29  
 30 BE IT FURTHER RESOLVED that certified copies of this  
 31 Concurrent Resolution be transmitted to the President of the  
 32 United States Senate, Speaker of the United States House of  
 33 Representatives, and members of Hawaii's Congressional  
 34 delegation.

35  
 36 OFFERED BY: Polype O. Robinson Jr.  
 37

MAR 15 2006

