



H.C.R. 108

**REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE
TO INVESTIGATE THE RISKS INVOLVED IN THE USE AND
CONSUMPTION OF PHTHALATES, BISPHENOL-A, AND ASPARTAME IN
CONSUMER PRODUCTS, ESPECIALLY BY YOUNG CHILDREN**

House Committee on Health

March 12, 2008
AM

11:00
Room: 329

The Office of Hawaiian Affairs is in SUPPORT of H.C.R. 108, which seeks to convene a task force to investigate the health risks of Phthalates, Bisphenol-A, and Aspartame in consumer products. OHA supports the efforts of H.C.R. 108 to analyze the effects of these chemicals, and urges the committee to pass this resolution.

Products containing Phthalates, Bisphenol-A, and Aspartame are part of our everyday use; however there has been some research suggesting that these chemicals are harmful and carcinogenic. Especially at risk for these affects are children. For example, Bisphenol-A is used in plastic polymers and has been shown to have a high rate of leaching with baby milk bottles and beverage bottles. Many baby care lotions, powders and shampoos contain phthalates as well. Infants are more vulnerable to any potential adverse effects because of their increased dosage per unit body surface area, metabolic capabilities and developing endocrine and reproductive systems.

It should be noted that Hawaiians have disproportionate rates of diabetes and cancer in the State of Hawaii. Products that are potentially carcinogenic, or used in high quantities by those with diabetes—such as Aspartame—should be studied by the State to determine their safety. OHA finds the task force proposed by H.C.R. 108 as a comprehensive team of researchers, and supports its creation.

Mahalo for the opportunity to present testimony.

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LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
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In reply, please refer to:
File:

HOUSE COMMITTEE ON HEALTH

HCR 108, Requesting the Department of Health to Convene a Task Force to Investigate the Risks Involved in the Use and Consumption of Phthalates, Bisphenol-A, and Aspartame in Consumer Products, Especially by Young Children

Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health

March 12, 2008
11:00A.M.

1 **Department's Position:** The Department of Health respectfully opposes the measure on the basis that it
2 is unnecessary and premature.

3 **Fiscal Implications:** The Department estimates that it would require at least one additional full time
4 staff member to complete the task. The Department or any other agency assigned to study the issues,
5 such as the Legislative Reference Bureau, will need supplemental financial support to implement the
6 resolution. We ask that the Legislature instead support the priorities contained in the executive
7 supplemental budget proposal.

8 **Purpose and Justification:** The resolution requests that the department convene a task force to
9 investigate the risks associated with the use and consumption of phthalates, bisphenol-A, and aspartame
10 in consumer products, especially in young children.

11 The resolution is in part unnecessary and in part premature. Regarding aspartame, the American
12 Medical Association states that consumption of aspartame by normal humans (those who do not suffer
13 from the rare disease, phenylketonuria) is safe and not associated with serious adverse health effects.

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1 Both the World Health Organization and the U.S. Food and Drug Administration approve aspartame as
2 safe for adults and children. Aspartame has been well studied and has a sufficient body of evidence on
3 the risks involved in its use and consumption. We do not see that the Hawaii task force would have the
4 expertise or resources to conduct research or analyses that would lead to different conclusions.

5 We note that the resolution already condemns aspartame as a poisonous and deleterious food
6 additive, so we do not understand the point of studying something on which the legislature has already
7 made its finding.

8 For the other two compounds, bisphenol-A and phthalates, it is premature to convene a task force
9 to evaluate the health risks. Bisphenol-A and phthalates currently lack sufficient toxicology information
10 to determine whether health effects could possibly occur in people who are exposed to them. For both
11 bisphenol-A and phthalates, the Center for Disease Control and Prevention has concluded that more
12 research is needed to assess the human health effects of these compounds. Again, we do not see that a
13 Hawaii task force would have the expertise or resources to conduct research or analyses that would lead
14 to different conclusions. We see no value for the Department of Health to commit a staff member to
15 convene a task force and prepare a report on these chemicals' possible health risk, when it is known in
16 advance that the body of evidence is insufficient. We will continue to monitor the emerging science on
17 these compounds and talk with other state and federal agencies interested in legislating the use of these
18 chemicals in consumer products.

19 Thank you for the opportunity to testify on this important measure.



HAWAII FOOD INDUSTRY ASSOCIATION

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March 12, 2008

To: Committee on Health
Rep. Josh Green, M.D., Chair / Rep. John Mizuno, Vice Chair

By: Hawaii Food Industry Association
Richard C. Botti, Pres., or Lauren Zirbel, Government Relations

RE: HCR 108 / HR 90 REQUESTING THE DEPT. OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE THE RISKS INVOLVED IN THE USE AND CONSUMPTION OF PHTHALATES, BISPHENOL-A AND ASPARTAME IN CONSUMER PRODUCTS, ESPECIALLY BY YOUNG CHILDREN

Chairs & Committee Members:

While it is admirable that we are concerned about these issues, Hawaii is a non-contiguous state in the middle of the pacific ocean, with little significant influence on what is manufactured outside of Hawaii.

The Legislature has overwhelming power over products manufactured in Hawaii as they rightly should. If the study was intended for products manufactured in Hawaii, the measure appears logical. The Legislature must be willing to adequately fund a study by JABSOM and the UH Dept. of Chemistry, as the two agencies listed that would have the credentials to conduct such a study.

If the Legislature is not willing to fund a realistic study, we suggest the Resolution be redirected to the proper federal agencies to study the issue at their expense.

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Memorandum – March 11, 2008

To: The Honorable Josh Green, Chair
House Health Committee

From: Tim Shestek
Director, State Affairs & Grassroots

Re: **HR 90 & HCR 108**

On behalf of the member companies of the American Chemistry Council (ACC), thank you for the opportunity to provide the following comments regarding HR 90 and HCR 108.

While ACC appreciates the intent of these resolutions, we believe that undertaking a review of chemical products, their use, and any assessment of potential health risks requires a rigorous, science-based, transparent process that includes the participation of qualified scientific experts.

In order to strengthen the scientific underpinnings of any assessment of chemical products, ACC believes the language contained in HCR 153 is the basis for the creation of any scientific risk assessment of phthalates, bisphenol-A or, any other chemical compound. HCR 153 contains language that would, among other things:

- Provide a more suitable timeframe of December 31, 2010 for the scientific assessment to be completed;
- Require a review of the scientific reviews and risk assessments conducted by the United States Consumer Product Safety Commission, the European Union, and other independent scientific panels or bodies; and
- Create a Scientific Review Panel of qualified experts in the fields of toxicology and epidemiology among others; and
- Establish an opportunity for public input through workshops and a public comment period.

ACC appreciates the opportunity to submit these comments and looks forward to working with you on this important public policy issue. If you have any questions, please contact me at 916-448-2581 or via email at tim_shestek@americanchemistry.com.

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