

# SCR15

Measure Title:

REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE THE  
FEASIBILITY OF REDUCING OR ELIMINATING THE USE OF TRANS FATS IN  
FOOD PREPARATION AND FOOD SERVICE BY HAWAII'S RESTAURANT  
INDUSTRY.

Report Title:

Health; Food Establishments; Food Service; Trans Fat

Companion:

SR9

Introducer(s):

CHUN OAKLAND

Current Referral:

HTH



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

## COMMITTEE ON HEALTH

### SCR 15, REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE THE FEASIBILITY OF REDUCING OR ELIMINATING THE USE OF TRANS FAT IN FOOD PREPARATION AND FOOD SERVICE BY HAWAII'S RESTAURANT INDUSTRY

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

**March 28, 2008  
1:15PM**

- 1 **Department's Position:** The Department respectfully opposes this resolution because it would  
2 adversely impact priorities set forth in the Executive Biennium Budget.
- 3 **Fiscal Implications:** At minimum \$200,000 to conduct a survey assessing the feasibility of reducing or  
4 eliminating the use of trans fat in food preparation and food service.
- 5 **Purpose and Justification:** This resolution requests the Department of Health to survey members of  
6 the Hawaii Restaurant Association and the Hawaii Food Industry Association on their concerns with  
7 reducing or eliminating trans fat in their food preparation, requests the survey to address the issues of  
8 consumer trends, cost and availability of trans fat free cooking oils, and to review the economic, health,  
9 education, and other issues surrounding trans fat free food. The resolution requests findings from the  
10 survey to be available twenty days prior to the convening of the Regular Session of 2009.

11 The Department finds this resolution problematic because conducting the requested survey  
12 would take away from current public health priorities on the primary prevention of obesity and chronic  
13 diseases being acted on at this time. We currently lack sufficient evidence based research on the effects

1 of reducing the availability of trans fat through food service establishments only and how it will impact  
2 the health of Hawaii's people. Also, it is not known how effective a measure for food service  
3 establishments would be on reducing the consumption of artificial trans fat since it would continue to be  
4 available through other retail sources. New York City is leading the nation in its efforts to ensure the  
5 removal of artificial trans fat from restaurants. The Department asks to review the evaluation of New  
6 York City's efforts in the coming years and use it as an opportunity for us to identify the effectiveness of  
7 their measures and determine its applicability to Hawaii.

8 Thank you for the opportunity to provide testimony.  
9



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## **Testimony for SCR 15/SR9, “Requesting the Department of Health To Determine The Feasibility Of Reducing Or Eliminating The Use Of Trans Fats In Food Preparation And Food Service By Hawaii’s Restaurant Industry”**

The American Heart Association has long recognized that the consumption of artificial trans fats is a health risk to the American people and encourages their removal from packaged goods and foods prepared in restaurants and bakeries. In 2006, the association issued its Diet and Lifestyle Recommendations, which advise people to limit their consumption of trans fats to no more than one percent of daily caloric intake. By following our primary recommendation to eat a healthy overall diet that emphasizes fruits, vegetables, whole grain foods, fat-free and low-fat dairy products, lean meats, poultry and fish twice a week, people will necessarily reduce their consumption of trans fats, saturated fats and cholesterol – all important measures in the fight against cardiovascular disease.

The American Heart Association **supports regulatory efforts at the local level to reduce trans fats in packaged foods, baked goods and restaurant meals, provided healthy alternatives and practical guidance are taken into consideration.** We feel that such efforts are most likely to achieve their intended goal if they incorporate a comprehensive “phased-in approach” to eliminating the use of artificial trans fats. The association wants to ensure that a sufficient supply of healthier alternative oils and shortenings are available to restaurants and bakeries to prevent the substitution of unhealthy alternatives. Actions taken merely to comply with the letter of the regulation or law make little sense when viewed in terms of the ultimate goal to decrease cardiovascular disease among Americans.

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For information on the AHA's educational or research programs, contact your nearest AHA office, or visit our web site at [www.americanheart.org](http://www.americanheart.org) or e-mail us at [hawaii@heart.org](mailto:hawaii@heart.org)

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*“Building healthier lives,  
free of cardiovascular  
diseases and stroke.”*

The strategy we envision involves thorough education of the cook, baker and restaurant operator, as well as an open, enthusiastic and collegial collaboration among nutrition scientists, food technologists and chemists, food manufacturers, agriculture and oil processing industries, distributors and government and regulatory staff.

Local ordinances and food code regulations that ban the use of trans fats in restaurants certainly represent one strategy that may reduce trans fat consumption in the American diet. We are concerned, however, that a mandatory ban of trans fats alone, if unaccompanied by an effective program of education and reasonable implementation, may raise the risk of unintended consequences (e.g. the substitution of trans fats with unhealthy oils high in saturated fats). As supplies of healthy, trans-free oils become more abundant and restaurants find appropriate substitutes for baking and identify successful techniques, these issues will be of less concern.

### **Recommendations to Governing Agencies**

To address our concerns, the American Heart Association recommends a sufficient timeframe for phase-in, regulatory safeguards that provide policymakers flexibility in implementation and strong programmatic efforts to assist the restaurant industry concurrent with the regulations.

- Local government should verify that enough healthier alternatives are available to meet the projected demand of restaurants and bakeries.

Please remember the American Heart Association in your will or estate plan.

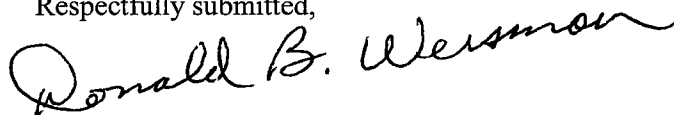
- Provide exemptions, or “grace periods,” for restaurants if governing agencies confirm that healthier oil alternatives are not available in sufficient amounts, there is a disruption in supply, or late-stage operational adjustments are identified by restaurants and bakers.
- Discourage the substitution of trans fats with other unhealthy oil and shortening products.
- Extend the phase-in timeframe for baking, a crucial component in the effective implementation of a ban on trans fats.

**Recommendations for Restaurant Assistance**

The governing agency should consider providing education and guidance to restaurants and bakeries regarding alternative oils and fats that can meet the frying and baking needs in their establishments. This guidance is particularly important for individual food service establishments and small chains.

- Provide the food service industry with specific guidance on which cooking oils and shortenings to use and how to incorporate them into their food preparation processes (e.g. specific recipes, different oil temperatures, appropriate schedules for frying oil changes).
- Restaurants should receive information on how to obtain a ready supply of healthier alternative oil products.
- Information and assistance should be readily available in a timely and on-going fashion to restaurants in various forms for effective outreach, such as written and Web-based directories and product information.

Respectfully submitted,



Donald B. Weisman  
Hawaii Communications and Marketing/Government Affairs Director



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The right way to trash plastic bags

Friday, March 28, 2008

To Committee on Health  
Senator David Y. Ige, Chair  
Senator Carol Fukunaga, Vice Chair

By: Hawaii Food Industry Association  
Lauren Zirbel or Richard Botti

RE: SCR 15 and SR 9 REQUESTING THE DEPARTMENT OF HEALTH TO DETERMINE THE FEASIBILITY OF REDUCING OR ELIMINATING THE USE OF TRANS FATS IN FOOD PREPARATION AND FOOD SERVICE BY HAWAII'S RESTAURANT INDUSTRY

HFIA supports the intent of this measure as our members are always concerned with providing their consumers with healthy options. However, as a non-profit trade association it would be a violation of our anti-trust laws to dictate what type of products each store should use. That being said, we are more than willing to provide information of the effects that government bans and regulation on trans fats would have on the supply of products available as well as their impact on cost.

We are mindful that many products are produced on a national or international scale and that Hawaii is a relatively small market for these producers. We ultimately believe that the issue of health and dietary selection is an individual choice that should be left to consumers, as many people enjoy guilty pleasures in moderation. Individuals are very capable of reading the well-marked levels of trans fats on food products sold in grocery stores. Banning or heavily regulating trans fats may have broad ranging consequences on the availability of many well-loved products.