

STAND. COM. REP. NO.

1280

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 1611  
H.D. 2  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 1611, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LABELING OF MEAT AND FISH PRODUCTS,"

begs leave to report as follows:

The purpose of this measure is to improve food safety by requiring the accurate labeling of meat and fish products that have been gas-treated to enhance product color or to approximate the appearance of freshness.

Your Committee received testimony in support of this measure from Hawaii Teamsters and Allied Workers, Local 996 and one private citizen. Testimony with comments on this measure was received from the Department of Agriculture, the Department of the Attorney General, and Wal-Mart Stores, Inc. Testimony in opposition to this measure was received from the Department of Health and the Grocery Manufacturers Association. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that gas treatment, while not itself harmful, may alter the color of packaged meat or fish in such a way that makes it difficult for a consumer to tell whether the product is actually fresh or merely appears to be so. Your Committee notes that packaged meat or fish may contain high bacteria levels indicative of spoilage even though it has not



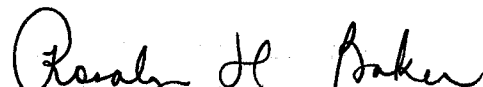
passed the "use, sell, or freeze by" date stamped on the package. Your Committee notes the testimony of the Department of Agriculture and the Department of the Attorney General that meat inspection is the responsibility of the United States Department of Agriculture and that no state meat inspection program currently exists. However, your Committee further finds that there is merit to enforcing quality controls of the food supply at the state level.

Your Committee has amended this measure by:

- (1) Requiring the Department of Agriculture to post notice of the labeling requirement contained in this measure on its website;
- (2) Adding a severability clause;
- (3) Deferring the implementation of this measure to August 1, 2009 to allow producers, retailers, the Department of Health, and the Department of Agriculture sufficient time for compliance; and
- (4) Making nonsubstantive technical changes for the purpose of clarity and accuracy in its language.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1611, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1611, H.D. 2, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,

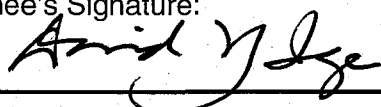


ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1611 HD2 SD1	WTL, CPN	4/2/2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les				✓
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
<b>TOTAL</b>	<b>5</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes