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GOVERNOR OF HAWAII



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In reply, please refer to:  
File:

**HOUSE COMMITTEE ON HEALTH**

**HCR 43, REQUESTING THE DEPARTMENT OF HEALTH TO INVESTIGATE  
HAZARDS POSED BY POLYSTYRENE FOOD CONTAINERS AND TO  
ESTABLISH STANDARDS FOR BIODEGRADABLE PLASTIC FOOD  
CONTAINERS AND GROCERY BAGS.**

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

**February 24, 2009  
9:30am**

1 **Department's Position:** The department respectfully opposes this measure.

2 **Fiscal Implications:** Undetermined. Each of the actions contained in the resolution would require  
3 funding and potentially personnel.

4 **Purpose and Justification:** This resolution requests that the Department of Health adopt rules  
5 requiring the labeling of polystyrene food containers warning of the dangers of heating the food in the  
6 containers; study the safety of such containers; and establish minimum standards for the  
7 biodegradability of plastic grocery bags and food containers.

8 While acknowledging concerns over the use of plastics and their impacts on health and the  
9 environment, the Department opposes this measure, as various aspects of it are unnecessary, beyond our  
10 means, or both. First, preparing a report on the safety of polystyrene food containers is not warranted at  
11 this time, as available data are insufficient. We do note that the U.S. Food and Drug Administration  
12 (FDA) regulates the safety of food-contact packaging, and FDA regulations allow the use of polystyrene

1 as a food-contact packaging material. This measure would require state government agencies to control  
2 certain consumer products where federal government agencies do not.

3       Regarding the establishment of biodegradability standards, we note that considerable resources  
4 would be required for the Department to either, analyze and adopt an existing standard(s), or to develop  
5 standard(s) on its own. Developing standards is typically undertaken by independent organizations that  
6 are devoted solely to testing and standards development.

7       The Department will work with other states and federal government agencies to monitor new  
8 legislation and emerging health information on the safety of polystyrene food containers.

9       Thank you for the opportunity to testify on this measure.

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