

---

---

# HOUSE CONCURRENT RESOLUTION

URGING THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AND STATE DEPARTMENT OF HEALTH TO ASCERTAIN THE SAFETY OF  
REPASTEURIZED UNREFRIGERATED MILK SHIPPED TO HAWAII FROM  
THE MAINLAND.

1           WHEREAS, while there were once over 40 dairy farms in  
2 Hawaii, most of them have shut down over the past 25 years, with  
3 only Clover Leaf Dairy and Island Dairy on the Island of Hawaii  
4 still in production, and with Meadow Gold as the only remaining  
5 major milk processor; and

6  
7           WHEREAS, there are many challenges to running a dairy farm  
8 in Hawaii: the negative effect of tropical heat on milk  
9 production, herd health problems, and conception concerns; the  
10 difficulty of obtaining affordable feed due to the high cost of  
11 land to produce feed crops, and high costs of transporting  
12 imported feed from the mainland; and high cost of animal waste  
13 removal; and

14  
15           WHEREAS, there is a daily milk shortage of more than 40,000  
16 gallons on Oahu, resulting in 70 to 80 percent of the milk sold  
17 in Hawaii to be shipped in from the mainland - primarily from  
18 California; and

19  
20           WHEREAS, as the milk makes its way over to Hawaii, taking  
21 over a week to ship, and close to a month from milking prior to  
22 placement on the market shelves, according to the State  
23 Department of Agriculture (DOA), it is stored in huge tanks that  
24 are unrefrigerated as long as the temperature at the plant is  
25 below 45 degrees, then the milk is repasteurized when it arrives  
26 in Hawaii, before it is bottled and placed on the store shelves;  
27 and

28



1           WHEREAS, a University of Hawaii study found that milk sold  
2 on Oahu exceeded federal regulatory limits for bacterial counts  
3 five days prior to expiration; and  
4

5           WHEREAS, consumers frequently find that imported milk  
6 spoils before the stamped expiration date; and  
7

8           WHEREAS, the Milk Control Act, of 1967, when the dairy  
9 industry in Hawaii was flourishing, was established to protect  
10 the local dairy industry from the fluctuations of the market and  
11 ensure the availability of milk, and was not intended to ensure  
12 that milk shipped over long distances was safe to consume; now,  
13 therefore,  
14

15           BE IT RESOLVED by the House of Representatives of the  
16 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
17 of 2010, the Senate concurring, that the United States  
18 Department of Health and Human Services and State Department of  
19 Health in cooperation with DOA, are urged to determine whether  
20 milk shipped to Hawaii from the mainland in unrefrigerated bulk  
21 containers taking more than ten days, and repasteurized upon its  
22 arrival, prior to bottling:  
23

24           (1) Poses any safety risks;

25           (2) Is safe for human consumption; and  
26

27           (3) Should be further reviewed to establish whether the  
28 labeling or shipping process should be changed;  
29  
30

31 and  
32

33           BE IT FURTHER RESOLVED that certified copies of this  
34 Concurrent Resolution be transmitted to the Secretary of the  
35 United States Department of Health and Human Services, Director  
36 of Health, and the Chairperson of the Board of Agriculture.

