

Honolulu, Hawaii
Feb 4, 2010

RE: H.B. No. 1932
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1932
entitled:

"A BILL FOR AN ACT RELATING TO FOOD LABELING,"

begs leave to report as follows:

The purpose of this bill is to protect consumers of fish
purchased in local markets by providing penalties for those whose
mislabeling of fish causes the consumer to become ill.

The Hawaii Teamsters and Allied Workers, Local 996 supported
this bill. The Department of Health (DOH) and the Department of
Budget and Finance opposed this measure.

Your Committee finds that instances have occurred when
improper labeling of fish products have left consumers unaware
that the type of fish being eaten may cause illness if eaten in
certain quantities. This bill does not intend to increase the
workload on DOH food inspectors, but only seeks to provide DOH
with additional powers to address the misbranding of fish
products. Currently, if an inspector receives a complaint, an
investigation may be initiated. This bill allows fines to be
imposed on a person who is found to have placed incorrect
information on a fish product. This bill would also allow DOH to
increase its revenues as the funds collected would be placed into
a Food Misbranding Special Fund administered by DOH.

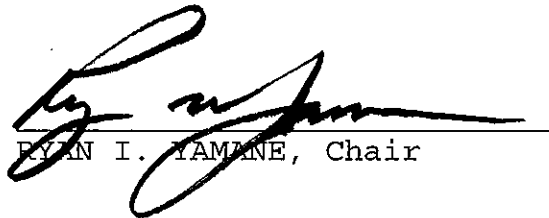


Your Committee has amended this bill by:

- (1) Requiring that confirmation of illness be made by a physician licensed under Chapter 453, Hawaii Revised Statutes;
- (2) Providing DOH with discretionary powers to determine whether a fine is warranted if a misbranding violation is confirmed;
- (3) Changing the fines for misbranding fish products to unspecified amounts; and
- (4) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1932, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1932, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,


RYAN I. YAMANE, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 112-10

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1932	Committee Referral: HLT, CPC/JUD, FIN	Date: February 2, 2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. BELATTI, Della Au				/
4. BERTRAM, Joe, III	/			
5. BROWER, Tom	/			
6. CARROLL, Mele				/
7. MIZUNO, John M.	/			
8. SHIMABUKURO, Maile S.L.	/			
9. FINNEGAN, Lynn			/	
TOTAL (9)	6		1	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				