

LINDA LINGLE
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DEPARTMENT OF AGRICULTURE
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**TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
WEDNESDAY, FEBRUARY 3, 2010
8:30 A.M.
ROOM 312**

**HOUSE BILL NO. 2083
RELATING TO MILK LABELING**

Chairperson Tsuji and Members of the Committee:

Thank you for this opportunity to provide testimony on House Bill No. 2083 relating to milk labeling. This bill proposes to require the date of pasteurization or packaging on milk or soy milk beverages. The department has concerns that this bill inappropriately modifies our chapter.

The Department of Health currently regulates milk processing and food processing. We defer to the Department of Health's extensive experience and expertise in this area.



HAWAII TEAMSTERS AND ALLIED WORKERS, LOCAL 996

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Rep. Clift Tsuji, Chair
Rep. Jessica Wooley, Vice-Chair

Committee on Agriculture
Wed., Feb. 3, 2010, at 8:30 AM
Conference Room312

The Hawaii Teamsters Local 996 supports, HB2083, Relating to Milk Labeling.

Due to the advances in scientific processes to increase the shelf life of processed milk / dairy products and soy products, large processers are distributing to a large market share throughout the Country. Some processers that use ultra-pasteurization or ultra high temperature (UHT) claim that the shelf life can be up to six without refrigeration. Pasteurization and homogenizing milk products affect nutritional values of processed milk.

The purpose of this bill is to inform the consumer when the product is packaged for consumption by requiring that the package have a "born on " date as well as the expiration date. Only then can the consumer make an educated determination of how fresh a product could be and if it should be given to their family. With the current labeling policies the consumer has no idea how long the milk products have been in the retail world before being bought.

The Soy product that I buy and use in cereal has an expiration date of Dec. 1, 2010. I know when I see the Meadow Gold, that the tells me that the product was made locally within 30 days of the expiration date.

The Hawaii Teamsters Local 996 supports, HB 2083, Relating to Milk Labeling.

Thank you for allowing me to testify.

Glenn Ida
Representative



Representative Clift Tsuji, Chair
Representative Jessica Wooley, Vice Chair
Committee on Agriculture

HEARING Wednesday, February 3, 2010
 8:30 am
 Conference Room 312
 State Capitol, Honolulu, Hawaii 96813

RE: **HB2083, Relating to Milk Labeling**

Chair Tsuji, Vice Chair Wooley, and Members of the Committee:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii.

RMH opposes HB2083, which requires milk and soy milk beverages to be labeled with the date of pasteurization or the date of packaging.

As with most products for human consumption, milk products are comprehensively and stringently regulated at both federal and state levels to ensure its safety and quality. Adding yet another requirement will result in increased costs: 1) to the bottler to produce a product specific to Hawaii; 2) to consumers because added costs must be passed on; and 3) to the State to enforce the new provision.

Milk products already are marked with "produced" date or "best by" date or "expiration" date on the labels, caps or shoulders. This information is far more critical for consumption than a "packaged by" date.

A milk labeling requirement unique to Hawaii discourages interstate and international commerce, as well as national labeling uniformity. A unique label for product sold in Hawaii would require completely separate Hawaii-only inventories at manufacturing and distribution levels, at a substantial additional cost to the manufacturers and distributors, and ultimately, consumers.

We urge you to hold HB2083. Thank you for your consideration and for the opportunity to submit testimony.

Carol Pregill, President

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February 3, 2010

Representative Clift Tsuji, Chair
House Committee on Agriculture

Hawaii State Capitol
Conference Room 312
415 South Beretania Street
Honolulu, Hawaii 96813

Re: HB 2083 - Relating to Milk Labeling

Chair Tsuji, Vice Chair Wooley, and members of the Committee:

My name is Gary Yoshioka, Vice President & General Manager of The Pepsi Bottling Group of Hawaii ("Pepsi"), testifying in opposition to HB 2083, which requires milk and soy milk beverages to be labeled with the date of pasteurization or the date of packaging. The additional milk labeling requirement set forth in this legislation is unnecessary and would be unnecessarily costly and burdensome to milk producers and the beverage manufacturers that bottle milk products.

Through a joint venture between Starbucks and PepsiCo, Pepsi has bottled Starbucks Frappuccino coffee drink since 1996. The coffee drink is blended with milk.

Milk products are currently labeled with "sell by" dates, which consumers use to determine the freshness of their beverage. "Sell by" dates are based on and reflect our expertise as to the life of our products. A "pasteurized/packaged on" date would leave that evaluation subject to someone else. As the bottler for Starbucks Frappuccino and hundreds of other beverages enjoyed around the world, Pepsi is best suited to determine the shelf life of its products.

On behalf of The Pepsi Bottling Group Hawaii, thank you for the opportunity to testify.

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I was encouraged to submit a testimonial against HB2083. This bill would require a labeling of pasteurization dates on the cartons of milk. I don't know if this would be of much help to consumers if the cartons already have a date listed for when the milk should be consumed. There are many factors that affect when the pasteurized milk will spoil. Consumers can tell when the milk is going bad by the smell and taste. At that point, they should stop drinking the milk.

There is a way to extend the life of milk so that it will have better keeping qualities. In many parts of the world, they sell and consume fermented milk products because they have better keeping qualities and are safer to consume than pasteurized milk. These products can be easily produced by adding a microbial culture to unprocessed, raw milk. After the culture is added to the milk, the milk mixture is allowed to sit at room temperature for a short period of time such as 1 to 2 days. After this process is completed, you have a tart, sour product which is called sour milk, yogurt or kefir.

I would encourage you to spend your time developing a bill that would legalize the sale of fresh and fermented raw milk products. Consumers should have the choice of both pasteurized and raw milk.