



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Committee on Health**

**HB 2723, RELATING TO FOOD SAFETY**

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

**February 2, 2010  
10:00 a.m.**

1 **Department's Position: Oppose**

2 **Fiscal Implications:** Funding for additional food education sanitarians and support staff will be  
3 necessary to properly and adequately implement this special program.

4 **Purpose and Justification:** This bill intends to amend the food safety consultative and education  
5 program to include information, education and maintaining records regarding food allergies and  
6 anaphylaxis.

7 This bill is well intentioned, but the department must **oppose** it because it would require  
8 additional staff and funds to implement and we are already challenged to meet existing duties. There is  
9 a mechanism already in place to bring issues and concerns relating to food protection to the food  
10 industry's and the department's attention. Until more resources are available, the concern relating to  
11 allergens would be better addressed through the Advisory Council On Food Protection than creating  
12 additional statutes.

13 Thank you for the opportunity to testify.

February 2, 2010

**WRITTEN  
ONLY**

The Honorable Ryan I. Yamane  
Chair, House Committee on Health

My name is Tracy H. Okubo and I am writing in support of House Bill 2723-Relating to Food Safety.

As a long-time former food server at two different award winning restaurants, I have seen firsthand how a restaurant's ability to provide knowledgeable information about their menu and ingredients can make the difference in a diner's restaurant experience, particularly when the diner has food allergies. It is my belief that a restaurant's ability to provide consumers with detailed information about their menu and ingredients will enable people who would normally choose to stay home and eat due to high sensitivity to foods to enjoy a dining experience outside of the home, and assist in generating more business for our restaurant industries.

For example, I once had a customer, vacationing from Washington, D.C. who had a young child that was highly allergic to several types of foods. Rather than staying at their in-laws home for every meal, this young couple did choose to pack a separate meal for their child and brought it with them to the restaurant. Though this is preferable to the alternative of them not even coming out to eat in the first place, had a law like this been in place it would provide assurance to this couple and others who suffer from food allergies and anaphylaxis and made their dining experience even the more enjoyable.

This bill is based on a similar landmark bill that was signed into law in Massachusetts by Governor Deval Patrick last year, which was developed by Chef Ming Tsai, chef and restaurateur, whose son also suffers from food allergies.

According to the Food Allergy and Anaphylaxis Network (FAAN), more than 12 million Americans have food allergies, 3 million of which are estimated to be children. FAAN believes that approximately 150 deaths and 50,000 emergency room visits a year are attributable to food-related anaphylaxis. The growing prevalence of food allergies and the associated anaphylaxis is on the rise and that's what makes it all the more important that we take the upfront, precautionary and educational steps to make our restaurants "food allergy friendly" for residents and visitors alike.

I respectfully request that you pass this measure. Thank you for the opportunity to testify on this measure,