

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**LATE TESTIMONY**

LORETTA J. FUDDY, A.C.S.W., M.P.H.  
ACTING DIRECTOR OF HEALTH

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

In reply, please refer to  
File:

**Committee on Hawaiian Affairs**

**S.B. 101, S.D. 1, RELATING TO HEALTH**

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Acting Director of Health**

**March 2, 2011  
9:30 a.m.**

- 1 **Department's Position:** The department supports this bill with reservations and suggestions.
- 2 **Fiscal Implications:** The bill would require additional resources to meet with and coordinate discussion
- 3 with various Hawaiian cultural groups and organizations.
- 4 **Purpose and Justification:** This bill would exempt hand-pounded poi from food safety regulations.
- 5 The hand pounding of poi would not be required to be done in a permitted food establishment, and
- 6 would not be required to obtain a food establishment permit from the department. The department feels
- 7 that the intent of the bill could be better addressed in changing the Hawaii Administrative Rule (HAR),
- 8 Chapter 12, Food Establishment Sanitation, which governs the sale and distribution of food. A new
- 9 draft version of Chapter 12 is nearly complete as the department has been working on updating our
- 10 somewhat archaic food rules to be more in line with National standards (FDA 2009 Food Code), and
- 11 exemptions to/regarding hand-pounded poi can be easily included in the revision.
- 12 The DOH would like to offer the following changes:
- 13 1) The statute used should be to HRS 321. Hand pounding of taro would be regulated by
- 14 HAR Chapter 12, Food Establishment Sanitation which is based on HRS 321. Food
- 15 establishment permits and the definitions are in HAR Chapter 12. It is preferable to change the

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1 Hawaii Administrative Rule than the HRS for specific enforcement. HRS gives the broad  
2 authority to create rules governing food establishment. The specific regulations and enforcement  
3 is in HAR Chapter 12.

4 2) The Consumer Advisory statement should be: "This Hand Pounded Taro Product was  
5 not prepared in a Department of Health approved facility, and may increase your risk of food  
6 borne illness."

7 3) If HRS 321 is amended it should also have the following provision:

8 "If the DOH receives complaints of public health concern, especially food borne illness  
9 complaints, the DOH may issue a cease and desist notice to terminate any distribution or sale of  
10 the taro product in question." The provisions of Chapter 91 (right to a hearing) shall apply.

11 4) The DOH does not know the intent of, and cannot determine what is meant by "Abides  
12 by community best practices."

13 Thank you for the opportunity to testify.

clee2 - Matt

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:43 AM  
**To:** HAWtestimony  
**Cc:** joanlarcom@yahoo.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: joan Larcom  
Organization: Individual  
Address:  
Phone:  
E-mail: [joanlarcom@yahoo.com](mailto:joanlarcom@yahoo.com)  
Submitted on: 3/2/2011

Comments:

clee2 - Matt

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:45 AM  
**To:** HAWtestimony  
**Cc:** tutudi08@yahoo.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: D. Duffey  
Organization: Individual  
Address:  
Phone:  
E-mail: [tutudi08@yahoo.com](mailto:tutudi08@yahoo.com)  
Submitted on: 3/2/2011

Comments:  
Support cultural practices without all the Western influences.

clee2 - Matt

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:47 AM  
**To:** HAWtestimony  
**Cc:** julie@kanuhawaii.org  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: Julie Hasegawa  
Organization: Individual  
Address:  
Phone:  
E-mail: [julie@kanuhawaii.org](mailto:julie@kanuhawaii.org)  
Submitted on: 3/2/2011

Comments:

clee2 - Matt

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:50 AM  
**To:** HAWtestimony  
**Cc:** lml\_2214@yahoo.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: Lauren Leavitt  
Organization: Individual  
Address:  
Phone:  
E-mail: [lml\\_2214@yahoo.com](mailto:lml_2214@yahoo.com)  
Submitted on: 3/2/2011

Comments:

clee2 - Matt

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:53 AM  
**To:** HAWtestimony  
**Cc:** gidamail@gmail.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: Gida Snyder  
Organization: Individual  
Address:  
Phone:  
E-mail: [gidamail@gmail.com](mailto:gidamail@gmail.com)  
Submitted on: 3/2/2011

Comments:

clee2 - Matt

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:53 AM  
**To:** HAWtestimony  
**Cc:** islandangel62@gmail.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: Ola Jenkins  
Organization: Individual  
Address:  
Phone:  
E-mail: [islandangel62@gmail.com](mailto:islandangel62@gmail.com)  
Submitted on: 3/2/2011

Comments:  
E ola Haloa!



clee2 - Matt

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:54 AM  
**To:** HAWtestimony  
**Cc:** riarazzauti@gmail.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: Ria Razzauti  
Organization: Individual  
Address:  
Phone:  
E-mail: [riarazzauti@gmail.com](mailto:riarazzauti@gmail.com)  
Submitted on: 3/2/2011

Comments:

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**LATE TESTIMONY**

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:55 AM  
**To:** HAWtestimony  
**Cc:** manumaunupau@hotmail.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: manu maunupau  
Organization: Individual  
Address:  
Phone:  
E-mail: [manumaunupau@hotmail.com](mailto:manumaunupau@hotmail.com)  
Submitted on: 3/2/2011

Comments:

**clee2 - Matt**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 02, 2011 8:57 AM  
**To:** HAWtestimony  
**Cc:** nawaa2000@gmail.com  
**Subject:** Testimony for SB101 on 3/2/2011 9:30:00 AM

**LATE TESTIMONY**

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Testimony for HAW 3/2/2011 9:30:00 AM SB101

Conference room: 329  
Testifier position: support  
Testifier will be present: No  
Submitted by: Na Wa'a Hanakahi Education and Culture Organization  
Organization: Canoe-paddling organization  
Address:  
Phone:  
E-mail: [nawaa2000@gmail.com](mailto:nawaa2000@gmail.com)  
Submitted on: 3/2/2011

Comments:  
E ola Haloa!



**SAN FRANCISCO  
STATE UNIVERSITY**

COLLEGE OF THE HUMANITIES  
DEPARTMENT OF ENGLISH

1600 Holloway Avenue  
San Francisco, CA 94132

Tel: 415/338-1720

March 2, 2011

Dear Senators,

I write to you today in ardent support of the legalization of traditional taro/*pa`i`ai* pounding and sale in Hawai`i. As a scholar and as a Native Hawaiian woman, **I urge your support of SB101—a bill to create specific health & consumer safety rules and procedures for hand-produced poi**—for very important practical and cultural reasons.

The activity of *ku`i kalo* (taro pounding) with natural implements, such as solid wood boards and volcanic stone pounders, is essential to one of the most fundamental activities of Hawaiian cultural and spiritual beliefs: transforming the “older brother” Haloa—the taro root—into life-sustaining food for the “younger brothers/sisters” of human kind. While it may seem that such a transformation of root into food may adequately be addressed through machine milling and processing of taro, what gets left out of such an industrialized approach to this activity is the essential humanity of pounding taro and the vital importance of *ku`i kalo* to the maintenance and strengthening of Hawaiian community relationships and bonds.

Personally, I have been very, very impressed with the work of Native Hawaiian men who have championed traditional pounding of *poi* as a form of Native Hawaiian masculinity. These men know deeply that it was Native Hawaiian men’s traditional responsibility under the older kapu system to prepare all of the food for their families and communities. Rather than finding masculinity in taking on a warrior mentality, these young men today are upholding their *kuleana* (responsibilities) to us by using their hands, their minds, their hearts to literally transform the taro root into that which helps us live. There is no substitute for taro in the world; it is hypoallergenic, it is amply growable in the Hawaiian islands, it has a very low glycemic index (making it a critical carbohydrate source for diabetics), and research indicates that large populations were sustained in the islands for hundreds of years because of taro. I have seen the light of interest and a sense of pride kindled in the eyes of children—Native Hawaiian and non-Native Hawaiian alike—when they actually learn how to work the steamed taro roots on the wooden board with the stone pounder into food to take home to feed their parents and their siblings. This kind of hand-production of *poi* needs to be shared not only in cultural workshops but should also be shared through commercial outlets like stores and restaurants so that more people can learn through consuming the *poi* about the important cultural and communal effects of traditional *poi* making.

If one cannot connect with an important Hawaiian spiritual relationship to making *poi* with traditional implements or with the cultural/communal effects of this kind of *poi*-making, I encourage you to understand hand-pounding *poi* as an important artisanal technique that, like traditional French cheese-making—which often proceeds without pasteurization—deserves to be nurtured and maintained because of its unique place in the diverse food-cultures of the world. This is not only an ethical and cultural consideration. For if any of you have ever looked at the prices for traditional, hand-made French cheeses, you know that the effort and rarity of those techniques cause the price for such cheeses to increase dramatically, and food-connoisseurs pay top dollar for the ability to eat such tasty cheeses. If the State of Hawaii legalizes traditional *poi* making and sales, there will be economic benefit not simply to the artisanal *poi* producers but also to the state's larger economic development of a locally-based, sustainable food economy in the islands.

We Hawaiians are known world-wide for our hospitality, our aloha, our care for those who come to our homes, especially our island home. That hospitality, that aloha, lives in many forms. Today, I urge you to see the act of preparing one of the most important staples of our diet by hand, with traditional implements, as a foundational act that makes aloha real, substantial, literally body and life sustaining. If businesses and restaurants want to share the *mana* of hand-made *poi*, if the Department of Health and artisanal, traditional *poi* makers are willing to work together to safe-guard consumers and bring us health-sustaining *poi*, then please support SB101 to make that happen.

With sincere regards and aloha,

Lehua Yim, Ph.D.  
Assistant Professor

## LATE TESTIMONY

Aloha kakou,

I am writing in support of SB101. I support this bill for several reasons.

First, this bill honors the indigenous culture of Hawai'i and shows that the state government acknowledges the importance, validity and value of the things that Hawaiians have practiced for generations. This legislation provides a way for people to eat traditionally produced pa'i 'ai and allows those who produce it to provide for their communities while at the same time providing for their own families.

Second, this bill acknowledges the necessity to change with the times. In "traditional" Hawai'i, pa'i 'ai would probably not have been sold for money. However, it might have been bartered for other goods. Most likely, though, the production of pa'i 'ai would have been something that whole families and communities were involved in, in the same way that families and communities cared for taro patches and fishponds and helped build canoes and houses. While there is still some of this kind of community organization present today, the reality is that there are not many communities or families who have the time, resources or inclination to produce pa'i 'ai. This bill allows those families to have access to pa'i 'ai while at the same time ensuring that those who do produce pa'i 'ai are still able to survive in this modern society. Bartering is a good system as well, but the reality is that bartering does not allow for people to pay the electric bill or mortgage.

Third, on a more personal level, I have seen the positive effects that pa'i 'ai has had on people. When people are given pa'i 'ai, not only are they introduced to one of the most healthful foods on the planet, but it often helps change their mindset about what they eat. I have had students involved in the preparation of pa'i 'ai, and afterwards, they reflect on the importance of eating well. They talk about how special it is to know where their food has come from, how good they feel making food that they know is healthy for their family, how they will now think twice about going through a drive-through and getting fast food just because it's "easy." I would like to know that when these young Hawaiians grow up, if they decide they want to provide pa'i 'ai for their families and communities, that they will be able to either purchase or

sell it. I do not want them to have to look for "loopholes" in a law or buy or sell pa'i 'ai "illegally."

This bill will provide for the future health of Hawai'i's people physically, nutritionally and economically. It is for these reasons that I STRONGLY support SB101.

Me ka ha'aha'a,

Alohi Ae'a