

SB1086

Measure Title: RELATING TO CONSUMER INFORMATION.

Report Title: Fresh and Frozen Bread Labeling

Description: Requires bread products that have been baked and then frozen to be labeled "previously frozen". Prohibits bread that has been frozen to be labeled or advertised as "fresh".

Companion:

Package: None

Current Referral: CPN



Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Committee on Commerce & Consumer Protection

HEARING Friday, February 25, 2011
 9:00 am
 Conference Room 229
 State Capitol, Honolulu, Hawaii 96813

RE: **SB1086, Relating to Consumer Information**

Chair Baker, Vice Chair Taniguchi, 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 SB1086, which requires bread products that have been baked and then frozen to be labeled "previously frozen," and prohibits bread that has been frozen to be labeled or advertised as "fresh."

As with other products for human consumption, bread making and handling procedures must conform to federal standards to ensure safety and quality. Adding yet another requirement will result in increased costs 1) to the manufacturer to produce a product specific to Hawaii; and 2) to consumers because added costs must be passed on.

With due respect to Hawaii's bakeries, it is unrealistic to not rely on imported sources of bread products to satisfy our residents' demands. A 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 SB1086. Thank you for your consideration and for the opportunity to submit testimony.

Carol Pregill, President

RETAIL MERCHANTS OF HAWAII
1240 Ala Moana Boulevard, Suite 215
Honolulu, HI 96814
ph: 808-592-4200 / fax: 808-592-4202



February 22, 2011

The Honorable Rosalyn H. Baker
Chair, Senate Commerce and Consumer Protection Committee
Hawaii State Capitol, Room 229
Honolulu, HI 96813

VIA-ELECTRONIC MAIL ONLY

RE: SB 1086 – OPPOSE

Dear Chair Baker:

On behalf of the Grocery Manufacturers Association (GMA¹) I am writing to express our opposition to Senate Bill 1086 because it imposes unnecessary costs on bread products and creates an unfunded regulatory mandate for the State.

As currently proposed, SB 1086 requires "bread products that are baked and then frozen before sale shall be packaged with prominent labeling or printing that reads 'previously frozen'." To the best of GMA's knowledge, this mandatory labeling requirement would be unique to Hawaii and require special labeling to occur. This labeling will require additional labor and materials which in turn will make otherwise healthy and wholesome food products more expensive to Hawaii consumers. In short, SB 1086 serves as an interstate tariff by artificially

¹ Based in Washington, D.C., the Grocery Manufacturers Association is the voice of more than 300 leading food, beverage and consumer product companies that sustain and enhance the quality of life for hundreds of millions of people in the United States and around the globe.

Founded in 1908, GMA is an active, vocal advocate for its member companies and a trusted source of information about the industry and the products consumers rely on and enjoy every day. The association and its member companies are committed to meeting the needs of consumers through product innovation, responsible business practices and effective public policy solutions developed through a genuine partnership with policymakers and other stakeholders.

In keeping with its founding principles, GMA helps its members produce safe products through a strong and ongoing commitment to scientific research, testing and evaluation and to providing consumers with the products, tools and information they need to achieve a healthy diet and an active lifestyle.

The food, beverage and consumer packaged goods industry in the United States generates sales of \$2.1 trillion annually, employs 14 million workers and contributes \$1 trillion in added value to the economy every year.

increasing the price of bread products coming from the mainland without adding any value to the consumer.

SB 1086 also raises some questions that include, but are not limited to:

- What does this labeling mean to the consumer?
- Does this labeling requirement create unnecessary confusion in the marketplace?
- Will this requirement conflict with federal labeling requirements?
- Who will pay for the enforcement of SB 1086?

The current system of food labeling provides standardized information to the consumers and adequately allows for product distinction by permitting bakery items to be labeled as "fresh." Furthermore, imposing the type of labeling contemplated in SB 1086 provides no meaningful information to the consumer. Rather, we believe it is intended to merely create the mistaken impression that the product is of lesser quality and artificially increase its cost. In fact, when a similar legislative measure was considered in 2005, Hawaii Director of Health Chiyome Leinaala Fukino, M.D., stated in written testimony that "From a health standpoint, we do not see a need to label thawed, baked goods, such as bread, cookies, and pies..."

Consumer knowledge and product safety is paramount to GMA and its members because it is the foundation of consumer trust and product loyalty. Unfortunately, SB 1086 will create unnecessary confusion in the marketplace, artificially increase product prices, and otherwise impose a punitive labeling requirement on otherwise healthy and wholesome bread products. As such, the Grocery Manufacturers Association must respectfully oppose SB 1086.

Sincerely,

John Hewitt
Western Region Director
Grocery Manufacturers Association



February 21, 2011

To: Senator Rosalyn Baker, Chair Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria Senator Josh Green, M.D.
Senator Clarence Nishihara Senator Sam Slom

Committee on Commerce and Consumer Protection

Fm: Chad Buck 
Owner
Hawaii Foodservice Alliance LLC

Re: Opposition to SB1086

Foodservice Alliance LLC is a Hawaii owned company employing 180 people with staff in Oahu, Maui, Hilo, Kona, and Kauai.

HFA distributes national bakery brands including Oroweat, Thomas English Muffins, Sara Lee, and Kings Hawaiian.

In addition to the national brands, HFA also distributes bread and baked goods for the following local bakeries:

- Punaluu Bakery - Naalehu
- Anis's Bakery - Halawa
- Golden Coin - Honolulu
- Mauna Kea Bakery Company - Kalihi
- Watanabe Bakery - Mapunapuna
- Fresh Start Bakery - Waipahu.

All of the above listed programs and products handled by HFA are frozen, shipped then thawed for retailers, grocers, clubs or restaurants throughout the state.

All of these programs allowed each of these local bakeries to add jobs and expand their businesses from Naalehu to Honolulu.

HB1545 would cause HFA and all of the bakeries listed above to increase pricing, lower production and as a result, lay off employees.

All of these freeze and thaw programs for these local companies are according to specifications and standards based on scientific research and recommended as best practices for ensuring quality and freshness by the American Institute of Baking and the American Baking Association. These organizations are staffed with the leading industry experts and PHDs. All procedures are based on scientific research.



Unlike uncooked chicken, fish, pork or beef that require notification of previous freezing by law for health reasons, bakery goods are formulated and designed to freeze to preserve quality, especially in transportation. This is why there is **NO law in any state of the nation regarding labeling previously frozen bread or baked goods.**

The consumer's only references to "previously frozen" are in cases where there is a health reason. This proposed sticker or label, or sign, will mislead and discourage consumers from purchasing products from local companies, who created local jobs by following industry guidelines and standards to preserve quality and freshness.

Adding additional labeling will increase costs for every Hawaii consumer and mislead consumers to think that these products are of lesser quality or worse, it is likely to be perceived as a warning.

These frozen and thaw programs for local and mainland products in my company alone account for approximately **eleven million to twelve million units per year here in Hawaii.**

If you add on Hostess, Little Debbie's, Mary Ann's, Love's Bagels, Loves' English Muffins and the multitude of in-store grocery programs here in Hawaii, the number of frozen baked goods in Hawaii sold annually quickly multiplies.

Benefits of Competition:

In 2003, the Honolulu Advertiser featured an article comparing HFA's lower cost of bread and quoted me as saying "I sleep good at night knowing that I am driving down the prices for Hawaii consumers, because consumers in Hawaii take such a beating".

Today, if you shopped at Costco Kona, Kauai or Maui today, a double pack of my product would save you 35% off your purchase compared to a same size double pack of my competitors.

We do our very best, day in and day out to keep the prices of staple goods affordable for Hawaii's families, especially in times like we are living in today.

Rather than open thrift shops like others who try to recoup losses with coded products from grocers, HFA donates 100% of these items to the Hawaii Foodbank, River of Life and an assortment of organizations to feed Hawaii's hungry.

In 2010, HFA donated over a million dollars worth of these types of donations.

It is my guess that not every bakery in Hawaii is happy with our downward pressure on pricing or happy that we donate this amount of baked goods for free to those in need.



In 2005, the Director of the Hawaii State Department of Health testified that there was NO health reason to label previously frozen bread. The Director followed up in her written testimony that this bill could be a Hawaii bakery wanting protection from competition.

The Director's statement regarding protection from competition is what every grocer, retailer and club in this state believe is the real reason for this bill.

If this is the case, please consider that according to Hawaii Business Magazine's Top 250, in 2002, Loves revenue was \$37M. In 2010, Loves' revenue was posted at \$56M. Adding \$19M in revenue is great growth by any standard and hardly seems to merit needing protection from my Hawaii company and other local bakeries through legislation.

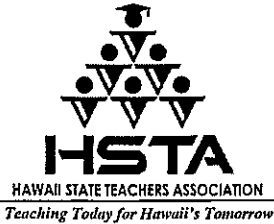
I think everyone would agree with the bill in regards to not allowing previously frozen products to state "fresh" or "fresh baked" on packaging. However this too might prove to be a challenge when the state's largest bakery freezes their own products for holiday preparation or when production runs are greater than immediate need.

While I agree that the word fresh should not be allowed on previously frozen bakery items, I firmly believe that this bill as written will:

- Hurt numerous local bakeries that have expanded their work forces and distribution areas through industry standard frozen programs
- Decrease jobs for Hawaii's workforce
- Stifle healthy competition that benefits consumers
- Increase Pricing to the Hawaii Consumer
- Restrain inter-state commerce and
- Conflict with Federal Law.

I respectfully ask this honorable committee to hold or significantly alter this bill to ensure that bread and baked goods pricing does not increase for the Hawaii consumer

Thank you for allowing me to testify on this important measure.



1200 Ala Kapuna Street λ Honolulu, Hawaii 96819
Tel: (808) 833-2711 λ Fax: (808) 839-7106 λ Web: www.hsta.org

Wil Okabe
President

Karolyn Mossman
Vice President

Joan Kamila Lewis
Secretary-Treasurer

Alvin Nagasako
Executive Director

**TESTIMONY BEFORE THE SENATE COMMITTEE ON
COMMERCE & CONSUMER PROTECTION**

RE: SB 1086 – RELATING TO CONSUMER INFORMATION.

February 25, 2011

**WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION**

Chair Baker and Members of the Committee:

The Hawaii State Teachers Association supports SB 1086 that requires labeling of previously frozen and thawed cooked bread before sale.

This measure would be valuable to the consumers, especially in these times when consumers have become interested and conscious of not only nutrition but when and how the food they purchase was prepared. Labeling and selling previously frozen bread as fresh baked bread is a misrepresentation of food. This bill will provide the consumers with accurate and proper labeling to make an informed decision when they buy a product.

HSTA supports this bill because it supports local companies that hire local people. As much as possible, we should buy local so that people in Hawaii can support themselves, their families, and our local economy.

Thank you for the opportunity to testify



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA
Executive Director
Tel: 808.543.0011
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The Twenty-Sixth Legislature, State of Hawaii
The Senate
Committee on Commerce & Consumer Protection

Testimony by
Hawaii Government Employees Association
February 25, 2011

S.B. 1086 - RELATING TO CONSUMER INFORMATION

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 1086, which requires bread products that have been baked and then frozen to be labeled "previously frozen" and prohibits bread that has been frozen to be labeled or advertised as "fresh".

The Hawaii Government Employees Association is the State's largest labor union, representing more than 29,000 public employees. Our members work and live in communities throughout the State. The measure to require truthful labeling and advertising benefits consumers, local businesses and their employees, which will in turn positively impact our economy and community as a whole.

Thank you for the opportunity to testify in support of S.B. 1086.

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director



Randy Ferreira
President

HAWAII STATE AFL-CIO

320 Ward Avenue, Suite 209 • Honolulu, Hawaii 96814

Telephone: (808) 597-1441

Fax: (808) 593-2149

The Twenty-Sixth Legislature, State of Hawaii
Hawaii State Senate
Committee on Commerce and Consumer Protection

Testimony by
Hawaii State AFL-CIO
February 25, 2011

S.B. 1086 – RELATING TO CONSUMER INFORMATION

The Hawaii State AFL-CIO supports the purpose and intent of S.B. 1086 which requires bread products that have been baked and then frozen to be labeled "previously frozen" and prohibits bread that has been frozen to be labeled or advertised as "fresh".

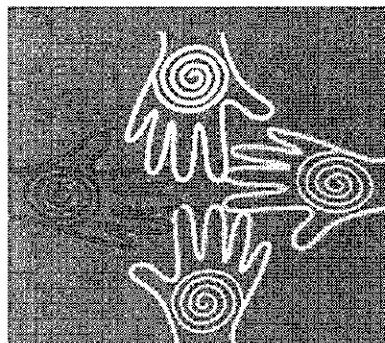
We consider this measure to be important for consumers to make informed purchasing decisions.

Thank you for the opportunity to testify.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Ferreira".

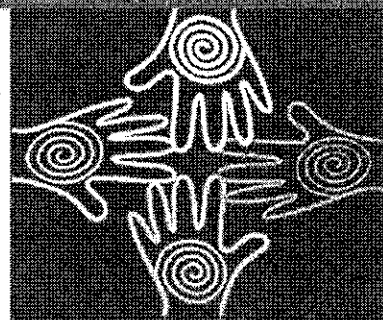
Randy Ferreira
President



PRIDE AT WORK

Hawai'i

LESBIAN, GAY, BISEXUAL, & TRANSGENDER LABOR



PO Box 22416 Honolulu, HI 96822
(808) 543-6054

prideatworkhawaii@hawaiiantel.net
www.hawaiflcio.org/PAWHI

February 23, 2011

Hawaii State Senate
Committee on Commerce and Consumer Protection
Chair, Sen. Baker

Testimony in favor of SB1086 – Relating to Consumer Information

Pride At Work Hawai'i, as an affiliate of the Hawai'i State AFL-CIO which works to mobilize lesbian, gay, bisexual, and transgender (LGBT) workers and their supporters for full equality and to build mutual support between the labor movement and the LGBT community, supports SB 1086, which will require bread that has been "previously frozen" to be identified as such before being sold and prohibits bread that has been "previously frozen" from being marketed as "fresh."

We believe consumers have a right to know if bread they are considering buying has been previously frozen. Freezing bread affects the quality of the product. If the consumer does not know it's been previously frozen and decides to freeze it again, the quality of the bread will be compromised. In addition, we should support local companies that employ people in Hawaii. Love's Bakery, for example, employs more than 300 people, who live and work in Hawaii. They are part of our community; they pay taxes and support our economy.

Thank you for the opportunity to testify in support of SB1086.



United Food & Commercial
Workers Union, Local 480

2305 S. Beretania Street
Honolulu, Hawaii 96826
Phone: (808) 942-7778

Patrick K. Loo
President

Gwen K. Rulona
Secretary-Treasurer

DATE: February 23, 2011

TO: Representative Robert Herkes, Chair
House Committee on Consumer Protection and Commerce (CPC)

Senator Rosalyn Baker, Chair
Senate Committee on Commerce and Consumer Protection (CPN)

FROM: Gwen K. Rulona, UFCW Local 480
2305 S. Beretania Street, Honolulu, HI 96826

RE: H.G. 1545 and S.B. 1086 – Relation to Consumer Information

I am writing in support of H. B. 1545, which will be heard by the House CPC Committee on Wednesday, and S. B. 1086, which will be heard by the Senate CPN Committee on Friday. The bills require the words “previously frozen” to be printed on the package of any bread that is previously frozen then thawed before sale.

I buy bread for myself and my family. As a consumer, I’d like to know if bread was asked someplace else, then shipped here frozen and allowed to thaw out before being sold. That information would help me decide what to buy. Otherwise it’s misleading to have previously frozen bread side-by-side with fresh baked bread. The consumer may mistakenly think all of the bread is fresh. I may end up buying the frozen bread anyway, but give me the information I need to make an informed choice.

I also support this bill because it supports local companies that hire local people. As much as possible, we should buy local so that people in Hawaii can support themselves, their families, and our local economy.

I hope your committees will support these bills.

Thank you very much.

A Union Preparing Today for the Needs of Tomorrow



The Twenty-Sixth Legislature
Regular Session of 2011

THE SENATE
Committee on Commerce and Consumer Protection
Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair

State Capitol, Conference Room 229
Friday, February 25, 2011; 9:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 1086
RELATING TO CONSUMER INFORMATION**

The ILWU Local 142 strongly supports S.B. 1086, which requires bread products that have been baked and then frozen to be labeled "previously frozen" and prohibits bread that has been frozen to be labeled or advertised as "fresh."

The ILWU represents almost 300 members who work at Love's Bakery in production, driver-sales, office clerical work, and the thrift stores. Many of them have worked at the bakery for many years under various owners. Today, the company is owned and managed by a local team that invested its own money. They have a vested interest in seeing that the company remains competitive and can keep this 160-year-old company viable.

Love's Bakery has struggled mightily to put fresh bread on our table. However, when Hawaii Food Alliance began bringing in bread baked on the mainland then frozen and later thawed before sale, the consumer was not informed that this bread was previously frozen. Thus, the consumer did not have the information needed to make an informed choice.

This lack of information gives previously frozen bread an unfair advantage.

In 2005, the Legislature considered a bill to require "previously frozen" information be provided to bread consumers. At that time, however, the requirement was watered down to signage on the store shelf listing all bread that was previously frozen. The bill passed, but was vetoed and not overridden.

Since then, Love's Bakery has lost 20-25% of its market share, likely related to an increase in the volume of frozen bread on supermarket shelves. The advantage provided to previously frozen mainland bread that is not required to disclose its previously frozen state will likely continue to eat into market share for any local company that bakes fresh bread.

S.B. 1086 will require that packaging of bread previously frozen be imprinted with the words "previously frozen." With this information, consumers can ask their own questions, then make an informed decision about which bread to purchase. Will previously frozen bread retain the same quality as fresh bread? What might happen if I re-freeze bread that was previously frozen? What kind of preservatives may be in the bread to extend the shelf life of previously frozen bread? How long has it been since the bread was baked?

S.B. 1086 not only addresses the issue of consumer information but also the issue of jobs in Hawaii. A number of bakeries in Hawaii have expressed concerns about this bill because they freeze their bread for shipment to other islands. We support these Hawaii companies and offer a proposed SD that would: (1) impose the requirement for printing only on sliced, sandwich-style bread not produced in Hawaii and frozen then thawed before sale; and (2) place the language of the bill under HRS 328, Food, Drugs, Cosmetics. The bill as it currently reads is under HRS 486, Measurement Standards. A copy of the proposed amended language is attached.

With this amendment, the ILWU urges passage of S.B. 1086. Thank you for hearing this bill and considering our testimony on this matter.

PROPOSED S.B. 1086, SD1

RELATING TO CONSUMER INFORMATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 328, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

"S328- **Previously frozen bread; identification.** Sliced, sandwich-style bread that is not produced in the State of Hawaii but is baked, frozen, then thawed before sale shall be prominently identified on its packaging with the words "previously frozen." The type size of the print on the packaging shall be no less than a twenty-four point font.

S328- **Fresh bread; advertising.** No bread shall be advertised or marketed with the term "fresh" unless the bread has been maintained in an unfrozen state at all times."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect on January 1, 2012.

February 17, 2011

To: Senate Committee on Commerce and Consumer Protection

From: Susan Houghton, Director of Public Affairs and Government Relations

Re: Safeway Opposition to SB 1086

I am writing to notify you of Safeway's strong opposition to SB 1086.

As you are aware, Safeway operates 19 stores in Hawaii – including two that are currently under construction in Hilo and Honolulu.

I have attached secondary testimony from our Quality Assurance Manager, Nathan Smith that illustrates that the proposed labeling of bread that has been previously frozen could actually imply to the consumer that the quality of the product was somehow inferior – when it is not.

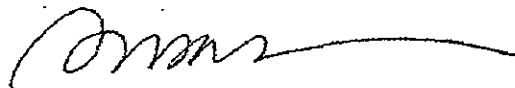
As you will note by his testimony, the freezing process does not degrade quality. Rather, the process of freezing bread and dough is now considered an industry norm –and can, in many cases, actually help prevent product from becoming stale or susceptible to mold.

We believe our customers have benefited from these standard industry processes. Our labeling and bread making procedures meet applicable federal standards – ensuring the very best in quality for the Hawaii consumer.

I urge you to consider the wealth of businesses and industries that would be significantly impacted by passage of this legislation – as well as higher prices it could mean for the consumer. For that reason alone, we urge opposition.

Thank you for your consideration of our opinion on this important legislation. Please do not hesitate to contact me at (925) 467-2212 or our Hawaii District Manager, George Glukfeld at (808) 524-4554 if you desire further information.

Sincerely,



Susan M. Houghton
Director of Public Affairs and Government Relations

February 8, 2011

To: Senate Committee on Commerce and Consumer Protection
Re: SB 1086 + SB 1093

As the Quality Assurance Manager for Safeway's Bakery Business Unit, I wanted to share my opinion on the suggestion of labeling how a product is produced or processed along with the ingredient declaration.

For many years, bakeries have produced product that is frozen prior to distribution. Bakery products are often frozen either when production capacities are limited or when shipping distances are long. A common example would be the accumulation and freezing of hamburger and hot dog buns needed for high demand holidays such as Memorial Day, Independence Day, and Labor Day. Another example of the need to freeze bakery products is the increased use of centralized production facilities followed by long interstate transportation. Use of frozen products has expanded as the baking industry, similar to other industries, has consolidated with smaller less efficient and less profitable production facilities closing and moving production to larger high-speed locations.

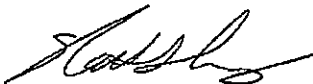
It is important to point out that properly freezing bread and other bakery products does not result in a degradation of quality due to carefully controlled freezing and thawing conditions and dramatically improved ingredient technology that has evolved over the last decades.

Previously frozen bread is non-distinguishable to never been frozen product. In fact, freezing product is a preferred storage method to refrigerated storage or storage in an excessively warm environment. Bakery products "stale" (get firm) most quickly when held at refrigerated temperatures. These temperatures draw out the moisture resulting in dry, poor quality product in a short amount of time. Warm storage dramatically slows staling, however the products may mold more quickly. Freezing, however, has the effect of essentially stopping the staling and molding process. Natural enzymes developed in the late 1980's, have been found to eliminate any product degradation during the freezing and thawing process.

One such example is orange juice, where consumers must be informed if it is made from frozen concentrate. That product, when produced from frozen concentrate, is notably different from that which is produced from non-concentrated freshly squeezed juice. Another example is that consumers must be informed if their dairy products have been pasteurized or not. Pasteurization makes a notable change in the product as well is preferred by most consumers as a critical food safety processing step. In these cases it has become standard to include processing information on the packaging.

Application of a statement on the label that the product had been previously frozen could actually be interpreted as deceptive in that it would improperly imply product of a poorer quality than product that had never been frozen. The freezing process does not chemically change or in any other manner degrade quality when properly executed. I hope this information has been helpful to you – but from my perspective, there is absolutely no decrease in quality for the consumer with bread that has been previously frozen.

Sincerely,



Nathan L. Smith
Quality Assurance Manager
Safeway Inc. – Bakery Business Unit

J. Hara Store

Hwy 11, Kurtistown, HI 96760
808-966-5462



February 16, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom
Committee on Consumer Protection & Commerce

From: Darlene Villena
J. Hara Store
Kurtistown, Hawaii

Re: Please OPPOSE SB 1086

Our Kurtistown customers appreciate the savings and quality that previously frozen breads and baked goods offer them. They all come with a 100% money back guarantee but the customers continue to purchase these products as their products of choice, week after week.

These items help provide local jobs for the local company providing them and savings to Hawaii consumers. Labels or signs would discourage sales and hurt competition.

Please hold SB1086.

Thank you.



PUKALANI SUPERETTE

Phone: (808) 572-7616 • FAX: (808)-572-7733
15 Makawao Avenue • Pukalani • Hawaii • 96768

Opposition to The Bread Bill SB 1086

February 12, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Jerry Masaki
General Manager
Pukalani Superette

Please oppose bill SB1086.

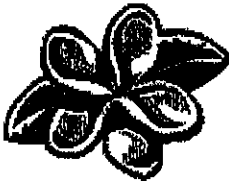
At Pukalani Superette, our customers enjoy the variety and quality of our previously frozen baked goods. These products have provided variety and many healthy versions of bakery products that would otherwise not be available to our customers.

Any labeling or signage would discourage and mislead our customers to thinking that something was inferior about these products when quite often, the quality is better than their other options.

These products are provided by a local company employing local people. This bill would hurt the company and local jobs.

Please oppose SB1086.

Thank you



Hawaiian Isle Distributors

851 Eha Street, Suite C, Wailuku, Maui, Hawaii, 96793

Tel: 808.244-9019

February 14, 2011

To: Senator Rosalyn Baker, Chair Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria Senator Josh Green, M.D.
Senator Clarence Nishihara Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Mark Ito
Branch Manager
Hawaiian Isle Distributors Maui

Opposition to Bread Bill SB 1086

Dear Committee on Commerce and Consumer Protection,

Please hold SB1086 on the grounds that this bill is anti-competitive and if made law, this bill would decrease the amount of baked good variety we now enjoy in the state and increase the price of baked goods to Hawaii consumers.

I have enjoyed these products for many, many years here on Maui.

These products are delivered and supported by local companies who create local jobs.

Please hold SB1086.

Thank you

Island Catering

"Integrity In The Art of Gourmet"

February 14, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Luis Fuentes
Island Catering
Maui, Hawaii

Re: Opposition to SB1086

I am a small business owner on the island of Maui and I would like to ask you to please oppose SB1086.

We have used previously frozen bread and baked goods for many years to ensure a quality product and value for our customers.

Please oppose SB1086. This bill would hurt business, jobs and decrease the variety of choices for quality baked goods.

Thank you

Luis Fuentes
Island Catering
Maui, Hawaii

RECEIVED
FEB 14 2011

129 Lahainaluna Road, Lahaina, Maui, HI 96761-2412 - (808) 667-5683

Kilauea General Store

Volcano Village
808.967.7555

February 9, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Ola Tripp
Kilauea General Store, Volcano Village Big Island

Opposition to The Bread Bill SB 1086

Kilauea General Store provides many local families with previously frozen bakery products. These families continue to choose these products because they appreciate the lower pricing, quality and selection that these products have to offer. Without these products, which are provided by a local company, with local employees, our other vendor would have no reason to be competitive in pricing.

Additional labeling would be misleading and discourage competition and selection.

Please vote NO on SB1086.

Thank you,


Ola Tripp
Kilauea General Store
Volcano Village, Hawaii



Waianae Store

85-863 Farrington Highway, Waianae, HI 96792
Tel: 808-696-7411

February 15, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Kit Okimoto
Waianae Store

Re: Please OPPOSE SB1086

Waianae Store is a family business that has served the community in Waianae for many years. We sell previously frozen bread and baked goods because our customers enjoy the quality and the pricing.

These products are provided and serviced by a local company with local employees.

Signage or labeling would only confuse our customers and mislead them to thinking something was wrong with the product. Freezing baked goods is industry standard to maintain freshness. Even Kings Hawaiian ships their products from the mainland to Hawaii. Everyone loves Kings Hawaiian.

Additional labeling would mislead the Hawaii consumer and raise prices at a time that our customers need to save on their grocery bill.

Please vote NO on SB1086.

Thank you for the opportunity to testify.



February 5, 2011

**To: Senator Rosalyn Baker, Chair Senator Brian Taniguchi, Vice Chair
 Senator Brickwood Galuteria Senator Josh Green, M.D.
 Senator Clarence Nishihara Senator Sam Slom**

Committee on Commerce and Consumer Protection

**From: Jerry Takata
 Takata Store, Hawi, Hawaii
 The Big Island**

Opposition to SB 1086

Takata Store in Hawi on the Big Island Opposes SB1086 for the following reasons:

We offer a wide variety of bread and bakery products that have been previously frozen and thawed. Over the past 10 years, our sales of previously frozen bakery items have grown. Our customers have enjoyed these products for the past decade and have greatly appreciated the variety and pricing that we are able to offer them.

- ◆ All products are sold with a unconditional money-back guarantee.**
- ◆ Additional labeling requirements would only increase the cost of these products to our customers.**
- ◆ We cannot afford any additional and unnecessary costs.**
- ◆ Additional labels would mislead the consumer into thinking that the product was inferior.**

For these reasons, we oppose SB1086.

Thank you for the opportunity to testify.

Thank you,

**Jerry Takata
Owner
Takata Store
Hawi, Big Island**

**54-3627 AKONI PULE HWY, PO BOX 159 HAWI, HI 96719
(808) 889-5261**

MOUNTAIN VIEW MINI MART

**P.O. BOX 208
MOUNTAIN VIEW, HI 96771**

February 3, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Kelly Rapoza
Mountain View Mini Mart, Mountain View, Hawaii

Re: **Opposition to The Bread Bill SB1086**

Aloha,

At Mountain View Mini Mart, we have seen our customers repeat their purchases of previously frozen bread and bakery items week after week. Our customers appreciate the value and the quality of the products, especially during these difficult economic times. Our customers don't need protection or additional labeling, they could change their mind at anytime and choose another brand and get their money back on the products they decided they no longer wanted, no questions asked.

This bill might confuse or mislead a consumer but it wont protect them, they have nothing to be protected from. They choose these items week after week.

This bill seems designed to protect a monopoly and ensure high prices to the Hawaii consumer.

Please vote NO on SB1086.

Thank you,


Kelly Rapoza
Mountain View Mini Mart
Mountain View, Hawaii

The Men's Shop Inc.

111 E Puainako St, Ste 450,
Hilo, HI 96720

Opposition to The Bread Bill SB 1086

February 3, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Kevin Akiyama
Owner, The Men's Shop, Hilo Hawaii

As a business owner, I see this bill as discouraging competition in the marketplace and driving the cost of a staple food item to Hawaii consumers.

As a person who enjoys Oroweat and Sara Lee products week after week at my choosing, I cannot imagine how a bill like this would protect me or anyone. If I didn't like the bread, I would get 100% of my money back from my grocer and choose another brand. I can, however, imagine how additional labeling would drive up pricing.

Please vote NO on SB1086.

Thank you,



Kevin Akiyama
Owner
The Men's Shop
Hilo, Hawaii

Frankie's Cafe Maui Style Local Food

Loco Moco - Kalua Pork - Lau Lau - Hawaiian Plate - Chicken Katsu - Burgers - and more!
331 Hookahi St # 201, Waialuku, Maui HI 96793-1465 Tel: (808) 242-7200

February 14, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Dawn Fukutomi
Owner
Frankie's Café, Maui Hawaii

Re: Opposition to SB1086

Aloha!

I am writing as a small business owner on the island of Maui to ask you to please oppose SB1086.


We utilize previously frozen bread and baked goods to ensure a quality product and value for our customers. We have enjoyed these types of items for years. These products keep our customers happy and keep our costs low.

We are serviced through a local company, with local employees.

Please help us keep our costs low and our quality high.

Please oppose SB1086. This bill would hurt business, jobs and decrease the variety of choices for quality baked goods

Thank you


Dawn Fukutomi
Frankie's Café
Maui, Hawaii

Kaimomi Distributing Co., Inc.
P.O. Box 8 Kaunakakai, HI 96748
Phone #: (808) 553-5833

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

Fm: Porter Hodgins
Kaimomi Distributing Co.

Date: January 26, 2011

Subject: **Opposition to SB1086 Relating to Fresh and Previously Frozen Bread**

Kaimomi Distributing opposes SB1086 for the following reasons:

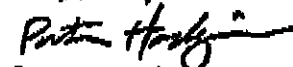
Kaimomi Distributing services the remote island of Moloka'i. We offer a wide variety of bread and bakery products that have been previously frozen and thawed. Our customers have enjoyed these products for the past decade and have greatly appreciated the variety and pricing that we are able to offer them.

All products are sold with an unconditional money-back guarantee. All items that we offer under these programs are already labeled according to Federal Law. Additional labeling requirements would only increase the cost of these products to our customers. Freight and handling costs to Moloka'i are already challenging – we cannot afford any additional unnecessary costs.

For these reasons, we highly oppose SB1086.

Thank you for the opportunity to testify.

Respectfully,


Porter Hodgins
Owner
Kaimomi Distributing

Lava Rock Cafe

**Old Volcano Rd, Volcano, Island of Hawaii, HI 96785
808.967.8526**

February 15, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Ola Tripp
Lava Rock Cafe, Volcano Village Big Island

Opposition to The Bread Bill SB 1086

Lava Rock Café sells previously frozen baked goods because they provide a great value and quality for our customers. If these items had any issues at all, I would be crazy to use them in our own products or sell them.

I see no reason whatsoever to legislate anything regarding previously frozen products unless your goal is to raise the prices to Hawaii consumers and help the state be monopolized by one bakery.

Additional labeling would costly and confusing.

Please vote NO on SB1086.

Thank you,



Ola Tripp
Lava Rock Cafe
Volcano Village, Hawaii



P.O. Box 655 • Naalehu, Hawaii 96772 • Phone (808) 929-7343 • Fax (808) 929-8214 • www.punaluubakeshop.com

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Arnie Koss
Punaluu Bake Shop Na'alehu Big Island

Date: January 26, 2011

Subject: **Opposition to SB1086 and SB1093 Relating to Fresh and Previously Frozen Bread**

Punaluu Bake Shop Na'alehu on the Big Island opposes SB1086 for the following reasons:

Over the past several years, Punaluu Bake Shop has expanded our sales of our bread products out to Oahu and the neighboring islands of Kauai and Maui. We have done so through a frozen and thaw program. This frozen and thaw program has enabled us to increase production and sales for our company and staff here in Na'alehu while making customers happy throughout the state with our delicious products from the Big Island.

Like any baked product in our distribution system, all products come with a full, money back guarantee if the customer doesn't like the product for any reason. We have sold these products through this program for years and continue to see the consumers increase their demands for our goods! This program is good for business in Na'alehu and good for consumers throughout the islands of Hawaii. Additional labeling requirements would only confuse the customer and increase the cost of these products to our customers. Business in Na'alehu is challenging enough – we cannot afford any additional unnecessary costs.

For these reasons, we oppose SB1086 and SB1093

Thank you for the opportunity to testify.

Respectfully,

Arnie Koss
Managing Partner

Hirano Store

Glenwood, Hawaii

February 12, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Eric Inouye
Owner, Hirano Store, Glennwood Hawaii

Opposition to The Bread Bill SB 1086

As a grocer in the town of Glennwood, I appreciate the value and quality that previously frozen bread and baked goods provide for my customers. Week after week, many of my customers choose these products for their families.

These brands have also encouraged competition from our vendors which is always good for my customers. This bill would encourage the monopolization of the industry by Loves Bakery. Monopolies drive up costs and drive down service levels and selection for the consumers.

Additional labeling would be meaningless and would probably mislead the consumer in to thinking that the product is second rate rather than the quality products that they really are. This bill would be a disservice to the Hawaii consumer.

Please vote NO on SB1086.

Thank you,



Eric Inouye
Owner
Hirano Store
Glennwood, Hawaii

BURT KAMIGAKI / OCEAN VIEW STORE
OCEAN VIEW, HAWAII

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Burt Kamigaki
Ocean View Store, Ocean View, Big Island

Date: January 26, 2011

Subject: **Opposition to SB1086** **Relating to Fresh and Previously Frozen Bread**

Ocean View Store in Ocean View on the Big Island opposes SB1086 following reasons:

We offer a wide variety of bread and bakery products that have been previously frozen and thawed. Our customers enjoy these products and value the variety and pricing that we are able to offer them.

All products are sold with an unconditional money-back guarantee. Additional labeling requirements would only increase the cost of these products to our customers. We cannot afford any additional and unnecessary costs. Additional labels would mislead the consumer into thinking that the product was inferior.

For these reasons, we oppose SB1086

Thank you for the opportunity to testify.

Respectfully,


Burt Kamigaki
Owner
Ocean View Store
Ocean View, Big Island



Maui Coffee Co. • Lahaina • Hawaii • 96761 Toll Free: (800)-909-5662 • Fax: (808) 661-9314

February 14, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Kim Kosunoki
Sales
Maui Coffee Company

Opposition to The Bread Bill SB 1086

I believe this bill will hurt local jobs and local bakery producers who freeze their baked goods to ensure quality and freshness and enables them to increase their production, expand business and create jobs as they distribute throughout all of the islands.

Please hold SB1086.

Kim Kosunoki - Stanillo

Thank you for the opportunity to testify!



A/C Warehouse Inc. Maui

300 Hukilike St. # E
Kahului, Maui, Hawaii 96732
Tel: 808-871-8615

February 18, 2011

To: Senator Rosalyn Baker, Chair Senator Brian Taniguchi, Vice Chair
 Senator Brickwood Galuteria Senator Josh Green, M.D.
 Senator Clarence Nishihara Senator Sam Slom

Committee on Consumer Protection & Commerce

Re: Opposition SB 1086

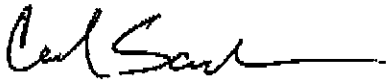
Dear Committee on Commerce and Consumer Protection,

As a business person, this bill worries me. I believe this bill is anti-competitive and if made law, this bill would decrease the amount of baked good variety we now enjoy in the state and increase the price of baked goods to Hawaii consumers.

These products are delivered and supported by local companies who create local jobs.

Please hold SB1086.

Thank you



Carl Sanahira
Manager
Air Conditioning Warehouse Inc. Maui



Opposition to The Bread Bill SB 1086

February 14, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Rosanne Sample
The Plantation Inn Bed and Breakfast

Re: Opposition to SB1086

Aloha!

I am writing to ask you to please oppose/hold SB1086.

We utilize previously frozen bread and baked goods to ensure a quality product and value for our customers. We have enjoyed these types of items for years including previously frozen locally produced products from bakers throughout the islands.

Please oppose SB1086. This bill would hurt business, jobs and decrease the variety of choices for quality baked goods

Thank you,

A handwritten signature in black ink that reads "Rosanne Sample". The signature is written in a cursive, flowing style.



Kahului Trucking & Storage, Inc.

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Call Us! 808-877-5001

February 17, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Mel Kawano
Kahului Trucking & Storage, Inc.

Opposition to SB 1086

Dear Committee on Commerce and Consumer Protection,

SB1086 is unnecessary and will confuse and mislead consumers in to thinking that the industry standard somehow lessens the products quality. We have enjoyed these products on Maui and throughout the state for over a decade now. Making consumers think that now there is something wrong or that these products are sub par is misleading and unfair to the consumer.

Many of these products are healthier for the consumer like the double fiber products or the products with Omega 3 benefits. These products have to be made in state of the art bakeries not available here in Hawaii. Labeling these products will discourage people from buying them. Including the consumers who could benefit from them.

Additional labeling would be misleading and discourage competition and selection.

Please vote NO on SB1093.

Thank you,


Mel Kawano

Kahului Trucking and Storage, Inc.

Mr. Sub

129 Lahainaluna Rd. #101, Lahaina, Maui, HI 96761
Call Us! (808) 667-5683



February 17, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Amy Fuentes
Mr. Sub Sandwiches
Lahaina, Maui, Hawaii

Re: Opposition to SB1086

Dear Committee on Commerce and Consumer Protection,

Please oppose SB1086.

We use previously frozen bread and baked goods to ensure a quality product for our customers. These products are great and allow us to keep our sandwiches fresh and tasty for our customers.

My business depends on the quality and value of these items.

Please oppose SB1086. This bill would hurt business, and jobs for local companies like mine.

Thank you

Amy Fuentes
Maui, Hawaii



Menehune Bottled Water Company Inc.

330 Hooehana St # 7 , Kahului, HI 96732-3606 Tel: (808) 873-6022



Opposition to SB 1086

February 12, 2011

**To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair

Committee on Commerce and Consumer Protection**

**From: Broox Hoyt
Maui General Manager
Menehune Bottled Water**

Please oppose bill SB1086.

Dear Senators,

Thank you for allowing me to testify.

As a business person and as an individual who enjoys the variety and healthy choices of baked goods that are available in Hawaii through a freeze and thaw program, I am concerned that any labeling or signage would hurt local business and mislead customers in to thinking that something was inferior with these products.

These products are provided by a local company employing local people. This bill would hurt the company, local jobs.

Please oppose SB1086.



FOUR SEASONS RESORT
Maui at Wailea

February 18, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Brenden Lee
Head Purchaser
Four Seasons Resort, Wailea, Maui, Hawaii

Re: Opposition to SB1086

Dear Committee on Commerce and Consumer Protection,

Please hold SB1086.

We use previously frozen bread and baked goods to ensure a quality product for our customers. Product quality is of utmost importance to us.

We are serviced by a local company with local employees and appreciate the level of service and quality products that they supply us with.

Please hold SB1086.

Thank you

TEL: (808) 874-8000

3900 Wailea Alanui Drive, Wailea, Maui, Hawaii, U.S.A., 96753

February 12, 2011



To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

Fm: Lloyd Fujino
Owner Standard Bakery Keauhou, HI 96739

Subject: **Opposition to SB1086 Relating to Previously Frozen Bread Labeling**

Aloha,

My name is Lloyd Fujino. I am the owner of Standard Bakery in Keauhou on the Big Island. We have served our island community here with quality baked goods for many years. Our customers depend on our quality products and value pricing to feed their families.

When I heard that the legislature was considering requiring previously frozen bread products to have special labeling, I immediately thought that the proposed bill had everything to do with trying to protect Loves Bakery from competition than anything to do with quality or consumer reasons. Some of the items I sell are previously frozen. My customers choose to continue to buy them for their families week after week. They appreciate the quality and the value that these previously frozen items provide for them. I appreciate the fact that I can keep them frozen to protect the quality and freshness. I cant imagine how any customer who continues to buy the same item week after week by their free choice needs to be protected from anything.

I worked for Loves Bakery as a manager here in West Hawaii. Most businesses would love to have a monopoly in their area of business. This bill would help Loves strengthen their monopoly here in Hawaii. Monopolies are never good for the consumer and the consumer doesn't need this bill

With this in mind, Standard Bakery is opposed to SB1086.

We ask that the honorable committee to hold SB1086.

Thank you for the opportunity to testify.

A handwritten signature in black ink, appearing to be "Lloyd Fujino", written in a cursive style.

Lloyd Fujino
Owner
Standard Bakery
Keauhou, Hawaii

WATANABE BAKERY LLC

2065 S. BERETANIA ST. STE 100, HON HI 96826

TEL: (808) 946-1074 FAX: (808) 946-1739 FAX



February 17, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Kosei Watanabe
Owner, Watanabe Bakery LLC

Re: **Opposition to The Bread Bill SB1086**

Watanabe Bakery specializes in local favorites and Japanese Style breads for customers throughout the state of Hawaii including Zippy's Restaurants, Tokyo Bento, and many grocers on all islands.

We follow strict guidelines and quality controls including freezing breads for transportation to provide best product for our demanding customers.

We are a small local business hoping to continue to grow and provide delicious products for our customers and jobs for our employees.

This bill will punish us and make our customers think that something is wrong with the bread because we would need a special label or sign. We do what bakery associations and industry standards demand for quality and freshness. Our customers love our breads. Please vote no on SB1086.

Thank you very much for hearing my testimony.

Kosei Watanabe

A handwritten signature in black ink, appearing to read 'Kosei Watanabe', is written over the typed name.



99-840 Iwaiwa St. Aiea, HI - Ph (808) 488.2193

February 5, 2011

To: Senator Rosalyn Baker, Chair Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria Senator Josh Green, M.D.
Senator Clarence Nishihara Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Max Tanaka
Ani's Bake Shop, Aiea

Opposition to The Bread Bill SB 1093

Ani's Bake Shop is a longtime Oahu small business. We were able to expand our business and hire new employees by servicing the neighbor islands through a frozen/thaw/serve program.

As a result of our frozen program, we have many happy neighbor island customers!

This bill would cause us to lose business and have to lay off staff as we cut back our local operations.

Please vote NO on SB1093.

Thank you,

Max Tanaka
President
Ani's Bake Shop
Aiea

RECEIVED

FEB 11 10:29 AM '11

SEN. CLARENCE NISHIHARA



Date: January 26, 2011

To: Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence K. Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Bimbo Bakeries USA

Subject: **Opposition to SB1086 Relating to Fresh and Previously Frozen Bread**

Bimbo Bakeries USA is a leader of the baking industry in quality baked goods for the U. S. Marketplace.

In order to ensure that all of our customers receive the very best in quality control and competitive pricing, we demand that all of our goods are produced in our state of the art, award winning, company owned bakeries. As a result, several of the areas to which we provide baked goods are serviced under a frozen and thaw program. This practice allows us to guarantee the best quality for all of our customers throughout the nation.

Our Hawaii program is serviced under a thaw and serve program and has continued to grow from the very beginning due to increased demand for our quality products. Our freezing process is standard operating procedure in our industry to ensure product safety and preserve freshness for our customers.

We firmly believe that any additional labeling or signage would confuse the customer and most likely increase the cost to the Hawaii consumer.

With this in mind, Bimbo Bakeries USA is opposed to SB1086.

We respectfully ask the honorable committee to hold SB1086.

Thank you for the opportunity to testify.

Respectfully yours,

Richard W. Vail
Bimbo Bakeries USA
Vice President Sales

Sara Lee Corporation
3500 Lacey Road
Downers Grove, IL 60515-5424

Phone +1.630.598.8548
Fax +1.630.598.8535
Email heidi.rudolph@saralee.com

Heidi Rudolph
Vice President Government and Legal Affairs



To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

Fm: Heidi Rudolph, Sara Lee Corporation

Date: February 11, 2011

Subject: **Opposition to SB1086 Relating to Fresh and Previously Frozen Bread**

Sara Lee Corporation opposes SB1086. We take our product quality, safety and consumer satisfaction very seriously.

A properly executed frozen bread process does not chemically change, or in any manner harm or degrade, product quality. Moreover, the processes are standard operating procedure in our industry for safety and freshness.

For the Hawaiian consumer, the process and frozen bread program can result in lower prices.

With this in mind, Sara Lee Corporation is opposed to SB1086.

We ask that the honorable committee to hold SB1086.

Thank you for the opportunity to testify.



DATE: February 2, 2011

TO: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

FROM: Fresh Start Bakeries, Inc. – Waipahu, Hawaii

SUBJECT: **Opposition to SB1086 Relating to Fresh & Previously Frozen Bread Labeling**

Dear Honorable Committee Members:

Fresh Start Bakeries, Inc. is a bread supplier to many of the largest restaurant companies in the world and has operated a bakery in Hawaii for over 30 years. Fresh Start Bakeries has received awards and certificates of excellence for our product quality, sanitation and product handling.

Our state-of-the-art plant in Waipahu provides baked goods to restaurant chains, foodservice, grocery and retail enterprises in the islands. We distribute either fresh or frozen product, in accordance with customer specifications.

Fresh Start Bakeries opposes SB1086 for the following reasons:

Freezing baked goods is a standard industry practice worldwide to ensure product safety and preserve freshness when the time frame from bakery to consumer significantly diminishes the "fresh" shelf life of normal bread products.

Our existing labeling already meets all federal standards. Any additional labeling changes or requirements will result in an increase in the costs to the Hawaii consumer.

For these reasons, Fresh Start Bakeries is opposed to SB1086. We ask that the honorable committee hold SB1086.

Thank you for the opportunity to testify, and I remain respectfully yours,

William D. Robles
Vice President, Logistics & Customer Support



To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

Fm: Dan Giraudo, President, Gold Coast Baking Company

Date: January 26, 2011

Subject: Opposition to SB1086 Relating to Fresh and Previously Frozen Bread

Gold Coast Baking Company opposes SB1086 for the following reasons:

Gold Coast produces several unique high quality bakery products for the West Coast retail market. Retailers with stores on the mainland and in Hawaii requested we place these items into the Hawaii market.

After due diligence and research we decided the best way to ensure the quality and integrity of our product and provide a value for the Hawaii consumer was to produce these items in our state of the art facility. We ship the bread frozen to the island under a thaw and serve program. This decision was based on the fact no bakery in Hawaii could meet our quality standards.

Our decision has given the Hawaii consumer a high quality product, a variety of choices and a value that otherwise would not be available to them.

All of our labeling meets federal standards. Any additional labeling will only increase the cost and erode the value available to the Hawaii consumer.

There are an abundance of thaw and sell programs on the mainland and I know of no requirement for labeling as proposed by SB1086.

With this in mind, Gold Coast Baking Company is opposed to SB1086

We ask that the honorable committee to hold SB1086.

Thank you for the opportunity to testify.

Very truly yours,
Gold Coast Bakery

Dan Giraudo
President

Golden Coin Food Industries
1814 Colburn Street, Honolulu Hawaii 96819

February 9, 2011

**To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green
Senator Clarence Nishihara
Senator Sam Slom**

Committee on Consumer Protection & Commerce

From: Golden Coin Food Industries Oahu

Re: Opposition to The Bread Bill SB 1086

The process of freezing our product immediately after production allows us to service more customers throughout the state. The only way to meet our customer demands is by freezing products and thawing just before delivery. We cannot afford to lose business that would result from the passage of this bill.

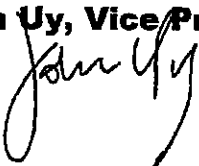
I value the employees at Golden Coin Bakeries and do not want to be forced to cut back on operations and our labor force.

With this in mind, Golden Coin Foods is opposed to SB1086

We ask the honorable committee to HOLD SB1086

Thank you for the opportunity to testify.

John Uy, Vice President, Golden Coin Food Industries, Honolulu.





February 7, 2011

Senator Baker, Consumer Protection Committee Chair
Senator Taniguchi, Consumer Protection Committee Vice Chair

Re: Opposition to SB1086

Honorable Chair Baker,

We appreciate the opportunity to submit our testimony and express our opposition to proposed legislation effecting "fresh and frozen labeling" (SB1086).

It is the opinion of Times Supermarket that this proposal creates an unnecessary burden given existing federal laws and health standards, currently in place. Furthermore, we believe that an additional "labeling" requirement will require retailers to educate customers on what "previously frozen" means and why a product they have been purchasing is now having an appearance of being second rate rather than "fresh".

Times Supermarket provides a variety of thaw and serve programs that offer our customers choices. Like any consumer, our customers value choice and they value cost savings, which this proposed legislation seeks to limit. Being mandated to display additional labeling is going to increase cost of production for suppliers, thereby forcing retailers to increase cost on a given product. In these economic times, it is important to Times Supermarket to be able to provide the products our customers demand, at the best possible cost.

It is important to understand that it is "choice" that also offers our customers access to products made in Hawaii with local supplies. While we have an extensive thaw and serve program we also provide locally baked products that don't require the same distribution logistics as our frozen foods vendors. Our customers require access to both which is why we believe that this mandate will disrupt the balance of offerings we provide.

In closing it is the opinion of Times Supermarket that this proposed legislation is an unnecessary duplication of maintaining consumer awareness on frozen products and would request a no vote on the legislation. We believe that the current method of health safety standards are well placed and well enforced to ensure our customers are not provided unsafe products. We thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Bob Gutierrez".

Bob Gutierrez
Times Supermarket
Government Affairs Department.



3375 Koapaka Street, D-108 • Honolulu, HI 96819 • (808) 831-0811

January 27, 2011

Attn: Senator Baker, Committee Chair
Senator Taniguchi, Committee Vice Chair
Committee on Commerce and Consumer Protection

Re: SB1086

Senator Baker,

We appreciate the opportunity to submit our testimony and express our opposition to proposed legislation effecting "fresh and frozen labeling" (SB1086/HB1545).

It is the opinion of Times Supermarket that this proposal creates an unnecessary burden given existing federal laws and health standards, currently in place. Furthermore, we believe that an additional "labeling" requirement will require retailers to educate customers on what "previously frozen" means and why a product they have been purchasing is now having an appearance of being second rate rather than "fresh".

Times Supermarket provides a variety of thaw and serve programs that offer our customers choices. Like any consumer, our customers value choice and they value cost savings, which this proposed legislation seeks to limit. Being mandated to display additional labeling is going to increase cost of production for suppliers, thereby forcing retailers to increase cost on a given product. In these economic times, it is important to Times Supermarket to be able to provide the products our customers demand, at the best possible cost.

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In closing it is the opinion of Times Supermarket that this proposed legislation is an unnecessary duplication of maintaining consumer awareness on frozen products and would request a no vote on the legislation. We believe that the current method of health safety standards are well placed and well enforced to ensure our customers are not provided unsafe products. We thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to be "R. A. G.", is written over a faint, larger version of the same signature.

Times Supermarket
Government Affairs Department.

Hawaiian Food Services Group LLC

808-756-5081

Opposition to The Bread Bill SB 1086

February 14, 2011

To: Senator Rosalyn Baker, Chair
Senator Brian Taniguchi, Vice Chair
Senator Brickwood Galuteria
Senator Josh Green, M.D.
Senator Clarence Nishihara
Senator Sam Slom

Committee on Commerce and Consumer Protection

From: Michael J. Silva
Member / Manager
Hawaiian Food Services Group LLC

Re: Opposition to SB1086

Dear Honorable Chair Baker,

As a resident of Hilo, I am writing to ask you to HOLD SB1086 when heard.

These bills are a waste of taxpayer money and would only increase the cost of my grocery bill. Please stop this type of wasteful legislation. Instead, please focus on bills that will drive business and the economy in Hawaii.

Legislation that adds to the cost of Hawaii products is no protection to the consumer. HOLD SB1086.

Thank you for the opportunity to be heard.



	ILWU Local 142	Support
Gwen K. Rulona	United Food & Commercial Workers Union	Support
Wil Okabe	Hawaii State Teachers Association	Support
Randy Ferreira	Hawaii State AFL-CIO	Support
	Pride At Work Hawaii	Support
John Hewitt	Grocery Manufacturers Association	Opposes
Chad Buck	Hawaii Foodservices Alliance LLC	Opposes
Susan M. Houghton	Safeway	Opposes
Nathan L. Smith	Safeway	Opposes
John Uy	Golden Coin Food Industries	Opposes
Bob Gutierrez	Times Supermarket	Opposes
	Times Supermarket	Opposes
Michael J. Silva	Hawaiian Food Service Group LLC	Opposes
Dan Girauda	Gold Coast Baking Company	Opposes
Carol Pregill	Retail Merchants of Hawaii	Opposes
William D. Robles	Fresh Start Bakeries, Inc.	Opposes
Heidi Rudolph	Sara Lee Corporation	Opposes
Richard W. Vail	Bimbo Bakeries USA	Opposes
Max Tanaka	Ani's Bake Shop	Opposes
Kosei Watanabe	Watanabe Bakery LLC	Opposes
Lloyd Fujino	Standard Bakery Inc.	Opposes
Brenden Lee	Four Seasons Resort Maui	Opposes
Broox Hoyt	Menehune Bottled Water Company Inc.	Opposes
Amy Fuentes	Mr. Sub Sandwiches	Opposes
Mel Kawano	Kahului Trucking & Storage Inc.	Opposes
Rosanne Sample	The Plantation Inn	Opposes
Darlene Villena	J. Hara Store	Opposes
Jerry Masaki	Pukalani Superette	Opposes
Mark Ito	Hawaii Isle Distributors Maui	Opposes
Luis Fuentes	Island Catering	Opposes
Ola Tripp	Kilauea General Store	Opposes
Kit Okimoto	Waianae Store	Opposes
Jerry Takata	Takata Store	Opposes
Kelly Rapoza	Mountain View Mini Mart	Opposes
Kevin Akiyama	The Men's Shop Inc.	Opposes
Dawn Fukutomi	Frankie's Café	Opposes
Porter Hodgins	Kaimomi Distributing	Opposes
Ola Tripp	Lava Rock Café	Opposes
Arnie Ross	Punaluu Bake Shop	Opposes
Eric Inouye	Hirano Store	Opposes
Burt Kamigaki	Ocean View Store	Opposes
Kim Kosunoki	Maui Coffee Company	Opposes
Carl Sanahira	Air Conditioning Warehouse Inc. Maui	Opposes

214 Private Individuals; 203 Opposition; 11 Support

John Naihe Jr.	Private Individual	Opposes
Aaron Kalili	Private Individual	Opposes

Aileen Chang	Private Individual	Opposes
Alida Blanco	Private Individual	Opposes
Alvin Pilar	Private Individual	Opposes
Anagene Rivera	Private Individual	Opposes
Andrew Andrew	Private Individual	Opposes
Andrew Chun	Private Individual	Opposes
Ann M. Sakamoto	Private Individual	Opposes
Annie Navarro	Private Individual	Opposes
Armando F. Blanco Sr.	Private Individual	Opposes
Arnando F. Blanco Jr.	Private Individual	Opposes
Aurelia Blanco	Private Individual	Opposes
Ben Clinger	Private Individual	Opposes
Benn Dyda	Private Individual	Opposes
Billie Jay Keanu-Blanco	Private Individual	Opposes
Brad Balberdi	Private Individual	Opposes
Brett Nahaku-Horio	Private Individual	Opposes
Brian Unten	Private Individual	Opposes
Brian Villasista	Private Individual	Opposes
Carlos Gacusan	Private Individual	Opposes
Caroline Kajiwara	Private Individual	Opposes
Caryn Yee	Private Individual	Opposes
Chad Masumoto	Private Individual	Opposes
Chanell Tubon	Private Individual	Opposes
Charlene Saggpao	Private Individual	Opposes
Charles Iuli	Private Individual	Opposes
Charlotte Sakamoto	Private Individual	Opposes
Cheyne Hirota	Private Individual	Opposes
Chris Chun	Private Individual	Opposes
Clarence Nascimento	Private Individual	Opposes
Clarence Souza	Private Individual	Opposes
Clarence Tadeo	Private Individual	Opposes
Clifford Marrotte	Private Individual	Opposes
Conrad Cullio	Private Individual	Opposes
Dan Asuao	Private Individual	Opposes
Dandres Cabiles	Private Individual	Opposes
Daniel Cabiles	Private Individual	Opposes
Danny Sabado	Private Individual	Opposes
Darin Merry	Private Individual	Opposes
Darryl Fukutomi	Private Individual	Opposes
David Damasco	Private Individual	Opposes
David Nagata	Private Individual	Opposes
Dean Ortiz, Jr.	Private Individual	Opposes
Dennis I. Oshiro	Private Individual	Opposes
Dennis Rodrigues	Private Individual	Opposes
Derek Okimoto	Private Individual	Opposes
Derrick Cabiles	Private Individual	Opposes
Devin Miles	Private Individual	Opposes

Dexter Agustin	Private Individual	Opposes
Dominic Kin Choy	Private Individual	Opposes
Duc Lu	Private Individual	Opposes
Duk Jin Murata	Private Individual	Opposes
Dustin Ortiz	Private Individual	Opposes
Elaine Okimoto	Private Individual	Opposes
Ellen Irvine	Private Individual	Opposes
Elvin Shields	Private Individual	Opposes
Emily Miller	Private Individual	Opposes
Eric Shishido	Private Individual	Opposes
Ernantes Francis	Private Individual	Opposes
Faafouina Taumua	Private Individual	Opposes
Faustino Zulueta	Private Individual	Opposes
Federico Lorenzo	Private Individual	Opposes
Fertune Mesik	Private Individual	Opposes
Florence Kapali	Private Individual	Opposes
Francis Y. Okimoto	Private Individual	Opposes
Fredie Anguya, Jr.	Private Individual	Opposes
Frezno Pias	Private Individual	Opposes
Garrett Iha	Private Individual	Opposes
Gary Asato	Private Individual	Opposes
George Tadeo	Private Individual	Opposes
Gladys Thomas	Private Individual	Opposes
Glenn Abalos	Private Individual	Opposes
Glenn Hashimoto	Private Individual	Opposes
Gregory Sagarang	Private Individual	Opposes
Henry Solina	Private Individual	Opposes
Isiah Teruya	Private Individual	Opposes
Jackie Baysinger	Private Individual	Opposes
James Delima	Private Individual	Opposes
James Kashiwamura	Private Individual	Opposes
James Kong	Private Individual	Opposes
Jameson Kupihea	Private Individual	Opposes
Jamie Kamaka	Private Individual	Opposes
Jasrin K. Nethon	Private Individual	Opposes
Jeffrey Loo	Private Individual	Opposes
Jeffrey Siaris	Private Individual	Opposes
Jennifer Wiemer	Private Individual	Opposes
Jessica Leialoha	Private Individual	Opposes
Jhony Pagala	Private Individual	Opposes
Jim Ibanez	Private Individual	Opposes
Jim Ibanez	Private Individual	Opposes
Jody Lauro	Private Individual	Opposes
Joey Pulemia	Private Individual	Opposes
John Coryea	Private Individual	Opposes
John Jose III	Private Individual	Opposes
John Lester Pascual	Private Individual	Opposes

John Ueda	Private Individual	Opposes
John Ueda	Private Individual	Opposes
John Williams	Private Individual	Opposes
Joji Labiano	Private Individual	Opposes
Jolei Naihe	Private Individual	Opposes
Jon Kinoshita	Private Individual	Opposes
Jonathan Amano	Private Individual	Opposes
Jose Asuncion, Jr.	Private Individual	Opposes
Joshua Pang-Ching	Private Individual	Opposes
Kahea Kalani	Private Individual	Opposes
Kamuella Kalauli	Private Individual	Opposes
Kawika Souza	Private Individual	Opposes
Kay Sana	Private Individual	Opposes
Kenn Dyda	Private Individual	Opposes
Kennedy Luis	Private Individual	Opposes
Kilihea Kaniho	Private Individual	Opposes
Kilohi Kaniho	Private Individual	Opposes
Kody Dacalio-Spenser	Private Individual	Opposes
Kristopher Kato	Private Individual	Opposes
Lance Fukuzono	Private Individual	Opposes
Lance Kunishige	Private Individual	Opposes
Laurie Chun	Private Individual	Opposes
Lawrence Chun	Private Individual	Opposes
Learthur Sanders Li	Private Individual	Opposes
Leonara Deboma	Private Individual	Opposes
Lilian Chun	Private Individual	Opposes
Lisa Asato	Private Individual	Opposes
Lisa Watanabe	Private Individual	Opposes
Louie Bravo	Private Individual	Opposes
Lyle Yamashita	Private Individual	Opposes
Madeline Naihe	Private Individual	Opposes
Manuel Pantuca Aquino	Private Individual	Opposes
Marcelino Francis	Private Individual	Opposes
Mariann Bautista	Private Individual	Opposes
Mark Tonini	Private Individual	Opposes
Mary Grace Aragon	Private Individual	Opposes
MD Rivera	Private Individual	Opposes
Melissa Dalbert-Weiss	Private Individual	Opposes
Micah Ednilao	Private Individual	Opposes
Micah Hanamaikai	Private Individual	Opposes
Michael Cadiente	Private Individual	Opposes
Michael Patton	Private Individual	Opposes
Paul Espinda, Jr.	Private Individual	Opposes
Randal Yamamoto	Private Individual	Opposes
Randy Asher	Private Individual	Opposes
Randy Lopez	Private Individual	Opposes
Raymon Yagong Weber	Private Individual	Opposes

Reece Kakuda	Private Individual	Opposes
Reginald Billaber	Private Individual	Opposes
Rena Horio	Private Individual	Opposes
Reupena Ah-Key	Private Individual	Opposes
Richard Ho	Private Individual	Opposes
Richard Sakamoto	Private Individual	Opposes
Ricky Kenui	Private Individual	Opposes
Rodney Chang	Private Individual	Opposes
Rodrigo Ganoy	Private Individual	Opposes
Roel Andrei Huertas	Private Individual	Opposes
Roland Dagan	Private Individual	Opposes
Romeo Palaylay	Private Individual	Opposes
Ron Wade	Private Individual	Opposes
Roy Taira	Private Individual	Opposes
Rusty D. Matias	Private Individual	Opposes
Ruth Tanaka	Private Individual	Opposes
Ryan Grace	Private Individual	Opposes
Ryan Nomura	Private Individual	Opposes
Samuel Barrionuevo	Private Individual	Opposes
Sandra N. Blanco	Private Individual	Opposes
Santos Vicens	Private Individual	Opposes
Sarah Miller	Private Individual	Opposes
Sean Beasktol	Private Individual	Opposes
Shad Navarez	Private Individual	Opposes
Sheldon Hiramoto	Private Individual	Opposes
Stanley Nakama	Private Individual	Opposes
Stephanie Quinn	Private Individual	Opposes
Steve Richards	Private Individual	Opposes
Steven Tanaka	Private Individual	Opposes
Sun Inayoshi	Private Individual	Opposes
Tammy Tamai	Private Individual	Opposes
Tamra Nagata	Private Individual	Opposes
Terence Q.L. Young	Private Individual	Opposes
Terrence Kelly	Private Individual	Opposes
Terrence Q.L. Young	Private Individual	Opposes
Thora Miller	Private Individual	Opposes
Tiffany Carlson	Private Individual	Opposes
Timothy Moulson	Private Individual	Opposes
Timothy Young	Private Individual	Opposes
Toby Misech	Private Individual	Opposes
Tony Galang	Private Individual	Opposes
Tracie Padama-Kinere	Private Individual	Opposes
Travis Nobriga	Private Individual	Opposes
Trent Smithson	Private Individual	Opposes
Tricia Kashiwamura	Private Individual	Opposes
Tumato Tadeo	Private Individual	Opposes
Tuvale Papu	Private Individual	Opposes

Viorna Bryan Reikis	Private Individual	Opposes
Voloaga Tui	Private Individual	Opposes
Walter Tanaka	Private Individual	Opposes
Warney Hanamaikai	Private Individual	Opposes
Wayne Lapinid	Private Individual	Opposes
Wayne Nakamura	Private Individual	Opposes
Wayne-Justin Kamaka	Private Individual	Opposes
Wendy Asato	Private Individual	Opposes
Willie Tanuvasa	Private Individual	Opposes
Winston Labiano	Private Individual	Opposes
Yvonee Brillhart	Private Individual	Opposes
Zachary Ayson	Private Individual	Opposes
Barrett Hayashi	Private Individual	Support
Carey Oshiro	Private Individual	Support
Cecelia Calpito	Private Individual	Support
Cory Aiwahi	Private Individual	Support
Dorothy Sakamoto	Private Individual	Support
Dorrie Michioka	Private Individual	Support
Herbert Okamura	Private Individual	Support
Lynden Koerte	Private Individual	Support
Melvin Chang	Private Individual	Support
Michael Machado	Private Individual	Support
Pamela Green	Private Individual	Support
Patrick De Costa Jr.	Private Individual	Support
R.C. Shiraki	Private Individual	Support