

STAND. COM. REP. NO.

487

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 1344
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1344, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this bill is to preserve the availability of poi prepared through customary and traditional Hawaiian cultural food-preparation practices by exempting an individual producer of hand-pounded poi from state food-safety laws when selling directly to consumers as long as the producer abides by specified conditions.

The Office of Hawaiian Affairs, Environmental Caucus of the Democratic Party of Hawaii, Sierra Club-Hawaii Chapter, Papa Ola Lokahi, and many concerned individuals supported this bill. A concerned individual opposed this measure. The Department of Health (DOH) and a concerned individual provided comments.

Your Committee has amended this bill by:

- (1) Including definitions for "hand-pounded", "pahaku kui ai", and "papa kui ai";
- (2) Authorizing DOH to issue a cease and desist notice to terminate any distribution or sale of poi if DOH

HB1344 HD2 HSCR HLT HMS 2011-2172

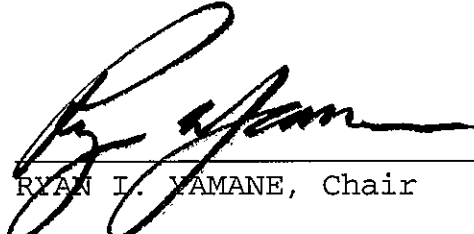


receives complaints of a public health concern after a public hearing is conducted;

- (3) Requiring that working sinks be maintained at hand pounding sites;
- (4) Changing the consumer advisory statement to read, "This hand pounded taro product was not prepared in a Department of Health approved facility, and may increase your risk of food borne illness";
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1344, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Consumer Protection & Commerce in the form attached hereto as H.B. No. 1344, H.D. 2.

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



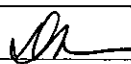
RYAN I. YAMANE, Chair



HSCR 487

State of Hawaii
House of Representatives
The Twenty-sixth Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1344 HD1	Committee Referral: HAW, HLT, CPC	Date: 2/11/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. MORIKAWA, Dee (VC)	✓			
3. BELATTI, Della Au				✓
4. HANOHANO, Faye P.	✓			
5. JORDAN, Jo	✓			
6. LEE, Chris	✓			
7. MIZUNO, John M.	✓			
8. WOOLEY, Jessica	✓			
9. CHING, Corinne W.L.	✓			
10. PINE, Kymberly Marcos				✓
TOTAL (10)	8			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				