

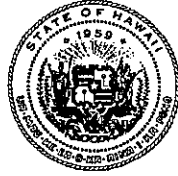
**LATE
TESTIMONY**

SB2476

**HTH, CPN
Committee Hearing
02/13/2012**

LATE

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
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 Health

SB2476, Relating to Health

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

**Monday, February 13, 2012
1:15 pm**

1 **Department's Position:** The Department understands the intent of this bill but has concerns regarding
2 this proposal; therefore, respectfully opposes this bill.

3 **Fiscal Implications:** The Department will need to expend resources to monitor and enforce any new
4 regulation proposed.

5 **Purpose and Justification:** This bill amends HRS Chapter 328 to prohibit the sale or distribution in the
6 State of any product containing aspartame unless the product label contains the following statement:

7 "This product contains aspartame, which may cause brain cancer and birth defects in pregnant women."

8 We understand the intent of this measure and respect the concerns of Hawaii's consumers to
9 have an informed choice. The Department of Health does not support this measure because aspartame is
10 considered GRAS (Generally Recognized As Safe), by the U.S. Food and Drug Administration (FDA).
11 Aspartame is one of the most thoroughly tested and studied food additives the agency has ever
12 approved. The agency has reviewed more than 100 (scientifically valid) toxicological and clinical
13 studies and it had concluded that aspartame is safe for the general population. The current position by
14 FDA, Centers for Disease Control (CDC) and the National Institutes of Health (NIH) state that
15 aspartame is safe.

1 Therefore, based on current information, we feel there is not enough scientific evidence to
2 legislate such mandatory labeling of any product containing aspartame.

3 Currently, aspartame is consumed by over 200 million people worldwide and is found in more
4 than 6, 000 products including carbonated soft drinks, powdered soft drinks, chewing gum, confections,
5 gelatins, dessert mixes, puddings and fillings, frozen desserts, yogurt, tabletop sweeteners, and some
6 pharmaceuticals such as vitamins and sugar free cough drops.

7 Public health would be better served if the department's resources were dedicated to food safety
8 inspections and recalls of adulterated foods rather than monitoring or removal of foods which are
9 already considered safe.

10 Thank you for this opportunity to testify.

LATE



Senator Josh Green, Chair
Senator Clarence Nishihara, Vice Chair
Committee on Health
State Capitol, Honolulu, Hawaii 96813

HEARING Monday, February 13, 2012
 1:15 pm
 Conference Room 229

RE SB2476, Relating to Health

Chair Green, Vice Chair Nishihara, 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. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

RMH strongly opposes SB2477, which requires all cellular telephones, including refurbished and remanufactured cellular telephones, sold or leased by a retailer in the State to bear a label that warns consumers of the potential dangers of electromagnetic radiation emitted by cellular phones.

A Fact Sheet from The National Cancer Institute's website reveals the following:

- Cell phones emit radiofrequency energy, a form of non-ionizing electromagnetic radiation, which can be absorbed by tissues closest to where the phone is held.
- The amount of radiofrequency energy a cell phone user is exposed to depends on the technology of the phone, the distance between the phone's antenna and the user, the extent and type of use, and the user's distance from cell phone towers.
- **Studies thus far have not shown a consistent link between cell phone use and cancers of the brain, nerves, or other tissues of the head or neck.** More research is needed because cell phone technology and how people use cell phones have been changing rapidly.

<http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones>

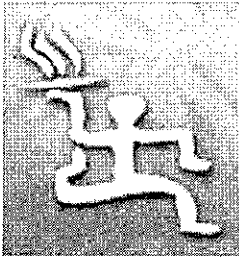
Requiring that retailers in Hawaii who sell or lease cellular phones add a label that "warns consumers of the potential dangers of electromagnetic radiation emitted by cellular phones" is mandating the proliferation of information that is not scientifically accurate.

We respectfully request that you hold SB2477. Thank you for your consideration and for the opportunity to comment on this measure.

Carol Pregill, President

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People
Serving
People



Hawaii Restaurant Association

LATE

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Executive Director **Roger Morey**

February 12, 2012

Senate Bill 2476 Relating to Health Aspartame Labeling

Hearing on February 13, 2012 at 1:15PM in room 229

Testimony provided by the Hawaii Restaurant Association in opposition

Since its accidental discovery in 1965 and its introduction to the mass market in 1974 aspartame is widely touted as the most tested food additive in history. Whether or not it really is the most widely tested food additive there is no doubt that it has been closely scrutinized and found safe. The Food and Drug Administration has concluded that aspartame is safe, and there are no strong data to refute that.

Current evidence does not support the idea that aspartame could cause cancer, or that it is unsafe. According to the American Dietetic Association, aspartame's safety is documented in numerous objective scientific studies. Further, it is approved as safe in more than 100 countries and is used by more than 100 million people around the world. Aspartame safety has been extensively researched and more than 200 studies have been conducted.

To require special labeling with a cautionary statement is unnecessary. Likewise, it is unreasonable to expect companies located on the U.S. mainland and in foreign countries to have different labels for products shipped to Hawaii. Given the size of our consumer market it is likely that many companies would simply quit selling their products here. Certainly, that is not a good thing for our economy.

Respectfully submitted,

Roger Morey
Executive Director



LATE

February 10, 2012

Chairman Josh Green M.D.
Hawaii State Capitol, Room 222

RE: SB 2476 – **OPPOSE**

Dear Chairman Green:

The Grocery Manufacturers Association¹ (GMA) and its more than three hundred members respectfully oppose SB 2476 mandating the labeling of products containing aspartame. Aspartame is a safe food ingredient already regulated by the federal government and its presence in foods is already disclosed. Therefore SB 2476 is unnecessary.

ASPARTAME IS SAFE

Aspartame is a sweetening ingredient in approximately 6,000 food and beverage products worldwide and has been approved for use by the United States Food and Drug Administration since 1981. Regulatory authorities in over 100 countries have approved aspartame for human consumption and all major food safety authorities and expert committees have concluded it is safe, including the Joint Expert Committee on Food Additives of the Food and Agricultural Organization / World Health Organization, Scientific Committee on Food of the European Commission, Health Canada, United Kingdom's Food Standards Agency, French Food Safety Agency and Food Standards Australia New Zealand. In addition, the FDA has affirmed the safety of aspartame 26 times over a period of 23 years.

In addition to these scientific authorities The National Cancer Institute of the National Institutes of Health has published the findings of a study in which approximately 500,000 men and women were monitored over a five-year period

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.

GROCERY MANUFACTURERS ASSOCIATION

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www.gmaonline.org



to determine the association between aspartame and cancer. Researchers concluded that there was no increased risk of hematopoietic or brain cancers from aspartame consumption. The authors examined aspartame consumption data in relationship to leukemias, lymphomas and brain tumors. The researchers found that consumption of aspartame containing beverages did not increase the risk of leukemias, lymphomas or brain tumors.

Finally, several scientific literature reviews have been conducted, including a recent review of more than 500 studies that was published in the September 2007 issue of the peer-reviewed journal *Critical Reviews in Toxicology*. After an exhaustive review the peer reviewed journal found no credible evidence exists that aspartame causes or promotes cancer, or in general, that aspartame in the diet has any impact on the nervous system, learning, or behavior. As such, the legislative findings contained in SB 2476 are unfounded and unsubstantiated.

FEDERAL LABELING ALREADY EXISTS

In a small subset of the population there is an inability to absorb the amino acids that comprise aspartame. This rare genetic disorder called phenylketonuria (PKU) is inherited and is easily diagnosed at birth. For the small subset of those with PKU, the FDA mandates that products containing aspartame include a prominently displayed label on the product. Therefore the labeling mandate of SB 2476 are duplicative and unnecessary.

ASPARTAME IS A HEALTH MANAGEMENT TOOL

Aspartame provides a low calorie choice for those individuals who must control sugar intake for health reasons, such as the control of diabetes and excessive weight. With more than 65 percent of the population overweight, aspartame and products sweetened with aspartame can help people reduce and control calories. Foods and beverages sweetened with aspartame offer people with diabetes a much wider variety of products from which to choose and greater flexibility in budgeting their carbohydrate intake. Thus, it can help them follow nutrition recommendations while enjoying good-tasting foods.

For these reasons, GMA respectfully opposes SB 2824.

Sincerely,

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

John Hewitt
Western Region Director
Grocery Manufacturers Association

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