



March 13, 2012

The Honorable Ryan Yamane
Chairman, House Health Committee

RE: SB 2824 – OPPOSE

Dear Chairman Yamane:

The Grocery Manufacturers Association¹ (GMA) and its more than three hundred members respectfully oppose SB 2824, which would amend the existing beverage deposit law to include dietary supplement beverage containers because these products by definition do not have the same use as other covered products such as juice and soda and their inclusion would be **unnecessarily prejudicial**.

The United States Food and Drug Administration regulates nearly all aspects of nutritional supplements including the packaging through the implementation of Dietary Supplement Health and Education Act (DSHEA) of 1994. DSHEA defines a dietary supplement as a product taken by mouth that contains a "dietary ingredient" intended to supplement the diet. The "dietary ingredients" in these products may include: vitamins, minerals, herbs or other botanicals, amino acids, and substances such as enzymes, organ tissues, glandulars, and metabolites. Dietary supplements can also be extracts or concentrates, and may be found in many forms other than liquids such as tablets, capsules, softgels, gelcaps, bars, or powders. Whatever their form may be (solid, liquid, or other), DSHEA places dietary supplements in a special category under the general umbrella of "foods" and removing their exemption from the bottle deposit law **is inconsistent with how they are treated under federal law**.

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

1350 I Street, NW :: Suite 300 :: Washington, DC 20005 :: ph 202-639-5900 :: fx 202-639-5932 ::

www.gmaonline.org

In summary, nutritional supplements are federally regulated health products often recommended by doctors or nutritionists and used, for example, as meal replacements to combat obesity and provide nutrients to people with health issues. Their inclusion in the bottle deposit program would be **an inequitable tax assessment** and in some instances the equivalent of charging a redemption fee for the plastic packaging of a meal replacement bar.

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 style with a large initial "J" and "H".

John Hewitt
Western Region Director
Grocery Manufacturers Association

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SHELL SERVICE
110 South Puunene Avenue
Kahului, Hawaii 96732
808-877-5894

March 11, 2012

Re: strongly support SB2824

Aloha Chaiman Yamane, Vice Chair Morikawa and members of the HLT committee,

Aloha Shell Service has been a certified deposit beverage container (DBC) redemption center since March of 2005. We were the first and only retailer in the State of Hawaii to support and embrace the program for the first three years. We, along with our employees, our families and our customers, strongly support this bill.

The intent of the program was to recycle and it has done a tremendous job in doing so. We live on an island and cannot keep burying our waste, especially when we have a good system in place to collect and recycle. Including more containers in the program will keep more material from entering the waste stream.

The initial cost to the consumer is 6 cents. They can redeem the container for 5 cents making the end cost a penny per container. It is a small price to pay to keep our island clean.

Please be aware that Red Bull, Monster, other energy drinks, Vitamin Water, orange juice, apple juice, V-8, other fruit and vegetable juice containers are deposit beverages. However, Joint Juice and similar products are not. Unfortunately, wine and hard spirits bottles are also NOT included.

Please help to encourage more recycling by including more containers in the DBC redemption program by supporting SB2824. .

Thank you.

Paul Hanada
Owner

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 9:53 AM
To: HLTtestimony
Cc: ndavlantes@aol.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Categories: Green Category

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Nancy Davlantes
Organization: Individual
E-mail: ndavlantes@aol.com
Submitted on: 3/12/2012

Comments:

I support every effort to get recyclable containers out of our landfills and boilers. Not only should the exemption for so-called dietary supplements be removed, but wines and hard liquor should also be part of the H5 program. There's no reason, other than extensive lobbying by those respective lobbies, that these beverages have been exempt, and that should be changed.

Nancy Davlantes
Kaneohe

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 9:20 AM
To: HLTtestimony
Cc: brilana@gmail.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Categories: Green Category

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Brilana Silva
Organization: Individual
E-mail: brilana@gmail.com
Submitted on: 3/12/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 9:04 AM
To: HLTtestimony
Cc: Sheila_sar@hotmail.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Categories: Green Category

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Sheila Sarhangi
Organization: Individual
E-mail: Sheila_sar@hotmail.com
Submitted on: 3/12/2012

Comments:

Wine and spirit bottles should be included for redemption, and loopholes for beverages with recyclable containers should be closed. As an island state, recycling what we can should be top priority.

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 8:50 AM
To: HLTtestimony
Cc: mfsleh@ulukanu.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Categories: Green Category

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Michal Stover
Organization: Individual
E-mail: mfsleh@ulukanu.com
Submitted on: 3/12/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 10:59 AM
To: HLTtestimony
Cc: palmtree7@earthlink.net
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Categories: Green Category

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: janice palma-glenie
Organization: Individual
E-mail: palmtree7@earthlink.net
Submitted on: 3/12/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 11:14 AM
To: HLTtestimony
Cc: mendezj@hawaii.edu
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Javier
Organization: Individual
E-mail: mendezj@hawaii.edu
Submitted on: 3/12/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 12:01 PM
To: HLTtestimony
Cc: mdeycaza@yahoo.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Michael deYcaza
Organization: Individual
E-mail: mdeycaza@yahoo.com
Submitted on: 3/12/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 11:45 AM
To: HLTtestimony
Cc: babyjean@hotmail.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Ronnie Perry
Organization: Individual
E-mail: babyjean@hotmail.com
Submitted on: 3/12/2012

Comments:

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 1:34 PM
To: HLTtestimony
Cc: inunyabus@gmail.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Oppose
Testifier will be present: No
Submitted by: E. Dunbar
Organization: Individual
E-mail: inunyabus@gmail.com
Submitted on: 3/12/2012

Comments:

There should be no exemption for these commercial and heavily marketed 'health' drinks. They are no healthier than any others as it is just a marketing ploy so should be recycled as all others.

And why is there no bottle deposit for wine and alcohol spirit bottles? They should not be exempted either.

You tax cigarettes again and again to punish smokers under the guise of making them quit which hasn't worked. You need to tax and add bottle deposit to these alcohol categories as well but then many people in the legislature drink alcohol but don't smoke so that could explain the inconsistency.

If you play with this sort of thing, it should be uniform.

This is another ridiculous bill where companies are trying to get preferential treatment resulting in unfairness to the ones that play by the rules.

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 12, 2012 1:11 PM
To: HLTtestimony
Cc: redahi@hawaii.rr.com
Subject: Testimony for SB2824 on 3/13/2012 9:00:00 AM

Testimony for HLT 3/13/2012 9:00:00 AM SB2824

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: B.A. McClintock
Organization: Individual
E-mail: redahi@hawaii.rr.com
Submitted on: 3/12/2012

Comments:

No one should get a pass on environmental problems. Please support this bill.