



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

In reply, please refer to:
File:

HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

S.B. 1133, S.D.2, RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM

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

**March 12, 2013
8:30 a.m.**

1 **Department's Position:** The Department of Health strongly supports this measure.

2 **Fiscal Implications:** Undetermined. This measure is not intended to enhance revenue.

3 **Purpose and Justification:** This bill proposes to eliminate the exemption for dietary supplements from
4 the Deposit Beverage Container (DBC) Program.

5 If passed, this measure will bring previously uncovered products into the DBC Program. It is not
6 intended to enhance revenue, but is instead addressing an administrative issue regarding dietary supplements
7 that costs the program a disproportionate amount of time and resources and creates uncertainty regarding
8 product determinations. The department has no data on the amount of products that would be affected due in
9 part to the continually changing nature of the dietary supplement market.

10 We note that the exemption for drugs, medical food and infant formula remains in the law. The
11 department has no intention of modifying these exemptions.

12 Our goal is to create social and physical environments that promote and support good health for all.

13 Thank you for the opportunity to testify on this measure.

14

15



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

March 12, 2013, 8:30 A.M.
(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF SB 1133 SD2

Chair Lee and members of the Committee:

The Sierra Club, Hawaii Chapter, with over 10,000 dues paying members and supporters statewide, respectfully *supports* SB 1133 SD2. This measure establishes closes a loophole in the tremendously successful deposit beverage container program.

Hawaii's bottle law has proven to be an overwhelming success for Hawaii's environment, with *over 930 million bottles and cans diverted from Hawaii's landfills annually*. Beyond waste diversion, our recycling law reduces litter, creates jobs, and provides opportunities for churches, charities, and schools to fundraise. The recycling program proves that a little change can make a big difference.

Despite its success with redeeming over four billion beverage containers, *the bottle law can be improved*. Some drinks are utilizing a loophole -- a "dietary supplement" exemption -- in order to evade complying with our beverage container (HI-5) law. There is no logical basis to exempt these beverages from our incredibly successful recycling program and to allow certain distributors to have an advantage in the marketplace.

If we want to move Hawaii to a sustainable future and help solve our growing landfill crisis, we need to start taking the "small changes" necessary to eliminate our problems. Including dietary containers would be a start.

We respectfully ask this Committee to change the effective date on this measure and move it forward. Mahalo for the opportunity to testify.

thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 08, 2013 5:57 PM
To: EEPtestimony
Cc: mz@conservehi.org
Subject: *Submitted testimony for SB1133 on Mar 12, 2013 08:30AM*

SB1133

Submitted on: 3/8/2013

Testimony for EEP on Mar 12, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Ziegler	Conservation Council for Hawai'i	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013**

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Chris Lee, Chair
Rep. Cynthia Thielen, Vice Chair

COMMITTEE ON HEALTH

Rep. Della Au Belatti, Chair
Rep. Dee Morikawa, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, March 12, 2013 - TIME: 8:30AM
PLACE: Conference Room 325, State Capitol

SB 1135, SD2 -RELATING TO RECYCLING.

Amends and expands the Electronic Waste and Television Recycling program. Effective date is 7/1/50. (SD2)

SB 1133, SD2 - RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM.

Removes the exemption for dietary supplements in amounts greater than one ounce from the deposit beverage container program. Effective 7/1/50. (SD2)

SB 1131, SD2 - RELATING TO RECYCLING.

Establishes a tiered glass advance disposal fee based on the capacity of the glass container. Effective 7/1/50. (SD2)

SB 1131 - Relating To Recycling

Zero Waste Kauai, a local non-profit organization advocating sustainable solid waste management policies strongly supports this measure.

This proposal would increase the existing glass Advance Disposal Fee from the current 1.5 cents per container to 3 cents for smaller containers and 6 cents for containers over 12 oz. This increase would provide additional resources to help keep glass out of the proposed mixed curbside recyclables.

The glass Advance Disposal Fee (ADF) program was created in 1994 to assist in the diversion of glass containers. Under the program, the DOH collects a fee of 1.5 cents per container from the distributors of non-deposit glass container sold in the state. The majority of funds are passed through to the counties, in amounts proportional to population, for the operation of non-redemption glass recycling programs.

The funding provided through the ADF has allowed the Counties to cover a portion of the cost of collecting and recycling glass in their Recycling Programs, increasing the ADF would enable the DOH to increase funding to all counties to bolster their glass recycling efforts.

Here on Kauai it would help expand the recycling of glass generated by commercial operations (hotels, restaurants and bars), and as we move towards curbside recycling assist in minimizing glass contamination at our processing facility.

SB 1133 - Relating to the Deposit Beverage Container Program

Zero Waste Kauai, a local non-profit organization advocating sustainable solid waste management policies supports this measure.

This proposal would eliminate the exemption for dietary supplements in the Deposit Beverage Container program. The revenue impact of this change may be minor, but it would help reduce confusion to the consumer regarding DBC program acceptance which currently impacts convenience and would allow for more efficient operation of the redemption centers (less time spent sorting containers to pull out a few rejects).

SB 1135 – Relating to Recycling

Zero Waste Kauai, a local non-profit organization advocating sustainable solid waste management policies supports this measure with recommendations.

This proposal would revise and expand the State's electronic waste and television recycling program to require manufacturers and importers to provide a more convenient and efficient collection system for consumers. The Bill was originally intended to expand the range of electronic devices covered by the current law to include a majority of electrically powered small appliances and devices.

It would create a much needed registration and reporting system, set mandatory collection and recycling goals for manufacturers, and foster a collaborative programmatic framework for the State to work with both manufacturers and the counties in implementing the program.

Zero Waste Kauai requests the Committee to revise the current draft to return the definition of covered electronic devices to include other small electronics besides computers and televisions, as it was originally intended by the task force.

thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 7:31 PM
To: EEPtestimony
Cc: ndavlantes@aol.com
Subject: *Submitted testimony for SB1133 on Mar 12, 2013 08:30AM*

SB1133

Submitted on: 3/9/2013

Testimony for EEP on Mar 12, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Support	No

Comments:

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thielen3 - Charles

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, March 10, 2013 1:09 PM
To: EEPtestimony
Cc: alohashellservice@hawaii.rr.com
Subject: Submitted testimony for SB1133 on Mar 12, 2013 08:30AM

SB1133

Submitted on: 3/10/2013

Testimony for EEP on Mar 12, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Hanada	Individual	Support	No

Comments: Aloha. Please support this bill to encourage recycling. Thank you.

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