
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON THE LONG-STANDING CULTURAL HAWAIIAN PRACTICE OF SUN-DRYING FISH TO DETERMINE WHAT CAN BE DONE TO PRESERVE THIS CULTURAL PRACTICE WHILE PROTECTING THE PUBLIC HEALTH.

1 WHEREAS, the ancient Hawaiian practice of sun-drying fish
2 by first salting, then laying the fish out in the sun, is still
3 used today to prepare fish for consumption and sale; and
4

5 WHEREAS, the traditional practice of sun-drying fish, as it
6 has been done in Hawaii for thousands of years, requires salting
7 the fish to remove as much moisture as possible before any
8 drying by the sun occurs, then after the salting of the entire
9 fish is complete, placing the fish in covered drying boxes that
10 are constructed with screens to protect the fish from outside
11 debris; and
12

13 WHEREAS, a number of small commercial fishing businesses in
14 Hawaii encourage the preservation and appreciation for
15 traditional sun-drying methods by producing and distributing
16 fish dried by this method to stores and customers throughout the
17 State and beyond; and
18

19 WHEREAS, the demand for traditionally sun-dried fish is so
20 great that many small or family businesses depend upon the sale
21 of sun-dried fish for the majority of their income; and
22

23 WHEREAS, the United States Food and Drug Administration and
24 the Hawaii State Department of Health consider the practice of
25 keeping fish between the temperatures of 46 and 139 degrees
26 Fahrenheit for longer than four hours to be potentially
27 dangerous; and
28

29 WHEREAS, the United States Food and Drug Administration
30 requires the water activity in fish to be below 0.85 to prevent
31 the possibility of microbiological contamination, in addition to
32 ensuring that fish are properly protected from any outside
33 contaminants while they are in the drying process; and



1
2 WHEREAS, the Department of Health has noted that the
3 traditional Hawaiian practice of sun-drying fish, such as
4 locally caught opelu, does not comport with federal regulations,
5 specifically, full drying of fish using the sun requires more
6 time than the four-hour time limit allowed for certain
7 temperatures; and

8
9 WHEREAS, local small businesses producing and selling sun-
10 dried fish have been unable to renew their food establishment
11 permits at the time of their permit's expiration based upon the
12 noted position of the Department of Health; and

13
14 WHEREAS, in 2011, exemptions were made for the production
15 of hand-pounded pa'i'ai following the decision that cultural
16 Hawaiian practices should be recognized and encouraged and that
17 the State of Hawaii should contribute to the renaissance of
18 Native Hawaiian cultural practices; and

19
20 WHEREAS, this exemption for hand-pounded pa'i'ai applies if
21 producers sell directly to consumers, prepare the poi adjacent
22 to permanent or temporary hand-washing facilities, and comply
23 with rules adopted by the Department of Health to protect the
24 health and safety of the public; and

25
26 WHEREAS, the significant cultural relevance of the practice
27 of sun-drying fish for both cultural preservation and as a
28 legitimate means to prepare food for consumption as it has been
29 done for thousands of years should be recognized by the State
30 and federal governments; now, therefore,

31
32 BE IT RESOLVED by the House of Representatives of the
33 Twenty-seventh Legislature of the State of Hawaii, Regular
34 Session of 2014, that the Department of Health is requested to
35 conduct a study on the long-standing cultural Hawaiian practice
36 of sun-drying fish to determine what can be done to preserve
37 this cultural practice while protecting the public health; and



1 BE IT FURTHER RESOLVED that the Department of Health is
2 requested to extend relevant food establishment permits for
3 affected sun-dried fish businesses while this study is being
4 conducted; and

5
6 BE IT FURTHER RESOLVED that the Department of Health submit
7 a report of its findings and recommendations, including any
8 proposed legislation, to the Legislature no later than 20 days
9 before the convening of the Regular Session of 2015; and

10
11 BE IT FURTHER RESOLVED that certified copies of this
12 Resolution be transmitted to the Commissioner of the United
13 States Food and Drug Administration, Director of Health, Chief
14 Executive Officer of the Office of Hawaiian Affairs, and the
15 President of the Retail Merchants of Hawaii.

16
17
18

OFFERED BY: Richard Cruz
Brend Kofani
Cindy Evans
Hakshema
[Signature]

MAR 07 2014