

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 615
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Energy and Environment, to which was referred S.B. No. 615 entitled:

"A BILL FOR AN ACT RELATING TO LABELING,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the sale of genetically engineered fish or genetically engineered fish products in the State beginning January 1, 2014, unless appropriately labeled as genetically engineered or produced or partially produced with genetic engineering.

Your Committee received testimony in support of this measure from Label It Hawaii; Hawaii Organic Farming Association; Ililani Media; Asia-Pacific Center for Regenerative Design; Seeds of Truth; Haiku Aina Permaculture Initiative; Hawaii Wildlife Fund; GMO Free Maui; GMO Free Oahu; GMO Free Big Island; Sierra Club, Hawaii Chapter; GMO Free Kauai; Hawaii SEED; Down to Earth Organic and Natural; Mehana Consulting; Hawaii Organic Farming Association; and seventy-nine individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association, Hawaii Crop Improvement Association, Hawaii Aquaculture and Aquaponics Association, and one individual. Your Committee received comments on this measure from Animal Rights Hawaii, Lanalani Farm, and three individuals.

Your Committee finds that more than thirty-five species of genetically engineered fish are under experimental development. These fish are engineered with various traits intended to, for



example, give the fish the ability to grow more rapidly or resist certain diseases. In 2002, a committee of the National Academy of Sciences released a report on the potential risks and benefits of genetically engineered animals. The report found that salmon genetically engineered to grow more rapidly raised unique concerns, including the risk of negatively impacting populations of wild salmon. If genetically engineered fish escape containment they could pose additional environmental risks to stressed wild fish populations and coastal ecosystems by, among other things, imposing new competitive pressures for food and space, interfering with effective breeding and reproduction, and spreading disease.

Your Committee further finds that concerns about genetically engineered food include but are not limited to human health risks, negative environmental impacts on wildlife and ecosystems, and religious, ethical, and cultural dietary restrictions.

Your Committee further finds that proper labeling of genetically engineered food is a significant concern in Hawaii. In addition to locally grown food, Hawaii imports and consumes significant quantities of food from the mainland and from foreign countries. Given the potential sale of genetically engineered food, labeling of genetically engineered food should be addressed immediately. Hawaii's citizens have the right to know whether the food they purchase are produced with genetic engineering so they can make informed purchasing decisions. Accurate and truthful labeling describing whether or not food is genetically engineered is the easiest and most protective practice, and it would provide additional transparency in the State's food supply chain so that individuals can protect their health and Hawaii's environment.

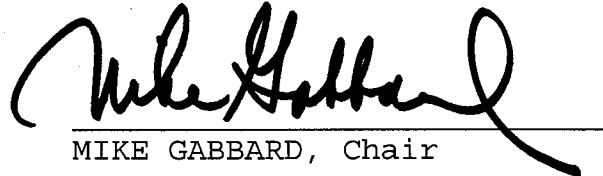
Your Committee has amended this measure by deleting its contents and inserting language to:

- (1) Prohibit the sale, offering for sale, or distribution of any genetically engineered whole food intended for human consumption within the State unless the genetically engineered whole food is labeled as such;
- (2) Specify labeling requirements;
- (3) Create exemptions for certain foods; and
- (4) Add definitions for "genetically engineered" and "genetically engineered whole food".



As affirmed by the record of votes of the members of your Committee on Energy and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 615, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 615, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

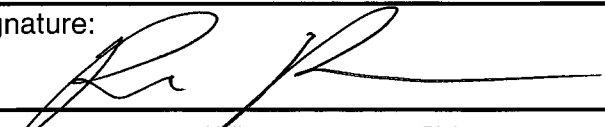
Respectfully submitted on
behalf of the members of the
Committee on Energy and
Environment,


MIKE GABBARD, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Energy and Environment
ENE

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 615	ENE, CPN	1/31/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RUDERMAN, Russell E. (VC)	X			
CHUN OAKLAND, Suzanne	X			
IHARA, Jr., Les	X			
SLOM, Sam		X		
TOTAL	4	1	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em; margin-top: 10px;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes