

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 640

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 Health, to which was referred S.B. No. 640  
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit the manufacture, sale, or distribution of child care products and toys for young children that contain bisphenol-A or phthalates beginning on January 1, 2014;
- (2) Require manufacturers to choose safe alternatives for bisphenol-A or phthalates for child care products and toys for young children;
- (3) Prohibit the use of packages and packaging containing lead, cadmium, mercury, and hexavalent chromium beginning on January 1, 2014; and
- (4) Prohibit the Hawaii Health Systems Corporation from purchasing and using vinyl intravenous solution bags and vinyl tubing beginning on January 1, 2014.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from the American Chemistry Council.



Your Committee finds that there is a need to protect young children from exposure to phthalates and bisphenol-A, persistent and potentially toxic compounds. In July 2012, the United States Food and Drug Administration banned the use of bisphenol-A in infant feeding bottles and spill-proof cups. Previously, the National Toxicology Program at the National Institutes of Health and the Food and Drug Administration have expressed some concern about the potential effects of bisphenol-A on the brain, behavior, and prostate gland in fetuses, infants, and young children. The American Medical Association recently developed a policy supporting industry action to stop producing baby bottles and infant feeding cups containing bisphenol-A and supports a ban on the sale of such products.

Your Committee further finds that amounts of cadmium, lead, mercury, and hexavalent chromium from packaging are entering the municipal solid waste stream and ending up in landfills and incinerators. Nineteen states have already enacted legislation against toxics in packaging.

Your Committee has heard testimony expressing the advantages of including the additives in children's products, which allows the products to harden and over time become unbreakable to help prevent injury and reduce choking hazards for children. Others are concerned about the health impacts from the additives to children's products. Your Committee finds that this issue raises concerns and merits further consideration and requests that your Committee on Commerce and Consumer Protection further examine those concerns if it chooses to schedule this measure for a hearing.

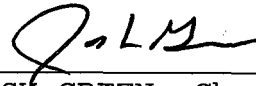
Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 640, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 640, 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 Health,



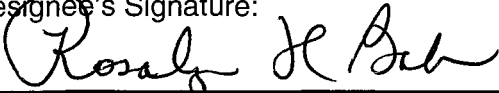
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JOSH GREEN, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <b>SB 640</b>	Committee Referral: <b>HTH, CPN</b>	Date: <b>02/11/2013</b>		
<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
GREEN, Josh (C)	✓			
BAKER, Rosalyn H. (VC)		✓		
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.		✓		
SLOM, Sam		✓		
<b>TOTAL</b>	<b>2</b>	<b>3</b>	<b>—</b>	<b>—</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes