



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

In reply, please refer to:
File:

House Committee on Consumer Protection and Commerce

HB 1888, RELATING TO FISH LABELING

**Testimony of Gary L. Gill
Acting Director of Health**

**January 27, 2014
2:10pm**

1 **Department's Position:** We respectfully oppose the bill's amendment of HRS Chapter 328.

2 **Fiscal Implications:** The creation of the special fund would require additional time and effort to
3 manage and track for a purpose that the department does not support.

4 **Purpose and Justification:** The bill amends HRS Chapter 328 by introducing new language levying
5 fines for the misbranding of fish and fish products that have caused illness, and that these fines would be
6 deposited into a special fund to cover costs associated with implementation of this measure.

7 We appreciate the concern that some consumers have become ill after eating fish or fish products
8 that may have been misbranded. However, we believe the proposed changes to HRS Chapter 328 are
9 unnecessary because HRS Section 328-10 already addresses the proper labeling of food products, and
10 HRS Section 328-30 also provides administrative penalties up to \$10,000 for each separate offense.

11 Unfortunately due to competing priorities, such as addressing foodborne illness risk factors and
12 determining the sources of possible adulteration and contamination during food processing, the
13 misbranding of fish and fish products may not be routinely addressed. However, consumer complaints

1 will be investigated; and if violations are found, we will ensure that they are addressed and corrected by
2 the firm.

3 We believe continued efforts to address misbranding violations derived through routine
4 inspections and/or by consumer complaints, and through education of industry and the public, make this
5 measure unnecessary.

6 We thank you for the opportunity to testify.

kawakami3-Benigno

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 23, 2014 1:10 PM
To: CPCtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB1888 on Jan 27, 2014 14:10PM*

HB1888

Submitted on: 1/23/2014

Testimony for CPC on Jan 27, 2014 14:10PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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kawakami3-Benigno

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To: CPCtestimony
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Subject: Submitted testimony for HB1888 on Jan 27, 2014 14:10PM

HB1888

Submitted on: 1/27/2014

Testimony for CPC on Jan 27, 2014 14:10PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jasmine Ramos	Individual	Support	No

Comments: I stand in strong support of HB1888, because this is a consumer protection issue. The people of Hawaii have a right to truth in labeling fish. In fact, Escolar has been sold in Hawaii as "Butterfish" which is false and misleading. If we had this law, such practices would be restricted with fines to be assessed for falsely selling unsafe fish and seafood.

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HB1888

Submitted on: 1/27/2014

Testimony for CPC on Jan 27, 2014 14:10PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kanani Souza	Individual	Support	No

Comments: I support HB1888 as this provides for fines for fish which are falsely labeled. Certain stores may sell fish as "fresh cod" which could be "frozen Pollock." In Hawaii Escolar, a fish which has been banned in Japan, has been mislabeled as "butterfish". Misl abeling, whether by ignorance or deceit is hazardous and may lead to potential health concerns. Escolar is extremely oily and has wax ester which cause stomach cramps, nausea, vomiting, and other illnesses. This measure will help Hawaii residents and tourist stop eating fraudulent fish.

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HB1888

Submitted on: 1/27/2014

Testimony for CPC on Jan 27, 2014 14:10PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Unmani Cynthia Groves	Individual	Support	No

Comments:

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