



LATE

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

In reply, please refer to:
File:

Committee on Health

HCR 236, 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 PUBLIC HEALTH

Testimony of Linda Rosen, M.D., M.P.H.
Director of Health

March 21, 2014
9:00 a.m.

1 **Department's Position:** The department respectfully opposes this resolution.

2 **Fiscal Implications:** Passage of this resolution will require substantial resources. The department does
3 not have the resources to conduct "challenge studies" to determine food safety.

4 **Purpose and Justification:** The department respectfully opposes this resolution for the following
5 reasons:

6 1) The department does not have a definition of the long-standing practice of sun-drying fish. In
7 order to do an analysis of any food operation to determine safety, specific processes, recipe and
8 equipment must be prescribed. For example:

- 9 • The type of fish and how it is prepared must first be spelled out.
- 10 • Is it whole, sliced, cubed, or filleted?
- 11 • How long does the preparation process take?
- 12 • How long does the drying take?
- 13 • What temperatures are used in the process?

- 1 • What volume of fish is being processed?
- 2 2) The Department of Health, Laboratory Branch does not have the resources to conduct “challenge
- 3 studies” to determine safety or stability of food processes. A challenge study is an intentional
- 4 inoculation of food with a battery of typical food pathogens (Staph, Salmonella, E. coli,
- 5 Bacillus, and in the case of dried fish, histamine production.). These challenge studies are
- 6 conducted by private industry laboratories, and are very costly. The challenge studies are also
- 7 based on very specific foods, formulas, and processes.
- 8 3) The department is not allowed to extend temporary food establishment permits for sun-dried fish.
- 9 To do so would clearly violate the new adopted food safety rules. The variance process is
- 10 available for those individuals who wish to apply for the variance, but approval of the variance
- 11 will require submission of challenge studies. It is doubtful that any sun-dried fish operation will
- 12 be able to comply with our current food rules.
- 13 4) Commercial operators process fish products within required time limits for food safety, or
- 14 process at temperatures that comply with food regulations.

15 For the above reasons, the department respectfully requests that the legislature not pass this

16 resolution.

17 Thank you for the opportunity to testify.

TESTIMONY IN SUPPORT OF HCR 236

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 HEALTH OF THE PUBLIC

HOUSE COMMITTEE ON HEALTH

Friday, 3/21/2014; 9:00 am; Room 329

Aloha Madame Chair Belatti and members of the Health Committee. I am Shane Nelsen of the Kuakini Hawaiian Civic Club of Kona, one of 60 chartered clubs under the Association of Hawaiian Civic Clubs. Today, I testify in **SUPPORT OF HCR 236**.

Dried fish is a staple income and also a staple food product for many local families. A delicacy, if prepared correctly, may be of a health benefit instead of a risk. In these modern times, various types of traditional food preparations are under scrutiny by the Department of Health to protect the public from health risks and disease. We understand these implications, but also urge this Legislation to encourage the Department of Health in seeking methods that would preserve the indigenous culture just as they do in other States of this Country. We appreciate this Legislation in mitigating this conflict that would support continuation of cultural practices rather than an absolute prohibition.

Mahalo for allowing me to testify in support of this measure.



Association of Hawaiian Civic Clubs

P. O. Box 1135
Honolulu, Hawai`i 96807

**HCR236 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 HEALTH OF THE PUBLIC**

HOUSE COMMITTEE ON HEALTH

Friday, 3/21/14; 9:00 am; Room 329

Aloha Madam Chair Belatti, vice chair Morikawa and members of the House committee on Health. I am Soulee Stroud president of the Association of Hawaiian Civic Clubs(AHCC) here to support this resolution to try and solve yet another dilemma of ancient cultural practice vis-à-vis contemporary society.

We are here as evidence of the sun dried fish and pa`i`ai poi culture of our ancestors. And as 21st century Hawaiians we also understand the problems of trying to protect and maintain the health of the State's entire population. House Concurrent Resolution 236 cites exemptions that were made for pa`i`ai poi and solutions that allow the practice to continue.

We appreciate this kind of flexibility by the Department of Health to try and find ways to preserve indigenous culture in Hawaii, much as Alaskan natives have found ways to preserve and sell their dried salmon "squaw candy." We further appreciate the legislative attempt to solve this quandary rather than prohibiting it altogether.

Thank you for the opportunity to support this measure.

Contact: jalna.keala2@hawaiiantel.net



KAKO'O 'ŌIWI

LATE

March 20, 2014

To: Representative Della Au Belatti, Chair
Representative Dee Morikawa, Vice Chair, and
Members of the House Committee on Health

Date: Friday, March 21, 2014
Time: 09:00 a.m.
Place: Conference Room 329, State Capitol

From: Janice-Renee Yoshioka, Chief Financial Officer
Kāko'o 'Ōiwi, a non-profit organization

**RE: H.C.R. 236 – RELATING TO THE STUDY ON THE HAWAIIAN CULTURAL
PRACTICE OF SUN-DRYING FISH**

Honorable Chair Au Belatti, Vice-Chair Morikawa, and Members of the House Committee on Health:

Kāko'o 'Ōiwi, a native Hawaiian 501(c)(3) non-profit organization, **strongly supports** H.C.R. 236 which requests the State Department of Health (DOH) to conduct a study on the long-standing Hawaiian practice of sun-drying fish to determine ways to preserve this cultural practice while preserving public health.

Kāko'o 'Ōiwi's mission is to perpetuate the cultural and spiritual practices of native Hawaiians. In 2010, our organization, with the support of local area kūpuna and community members, acquired a 38-year lease for 405-acres in the wetlands of He'eia, Ko'olaupoko, O'ahu to restore cultural, ecological and agricultural resiliency to this important landscape. Among the priorities identified by the community for this property was the restoration of traditional wetland lo'i (irrigated fields used for the cultivation of taro) once prevalent in this region for the purpose of increasing the production of taro (*Colocasia esculenta*; kalo) and revitalizing the cultural practices of poi and pa'i'ai production.

In 2011, exemptions were made for the production of hand-pounded pa'i'ai following a decision that Hawaiian practices such the production of poi and pa'i'ai should be recognized and encouraged and the State of Hawai'i should contribute to the renaissance of Native Hawaiian cultural practices.

Similar to the practice of traditional poi and pa'i'ai production, the practice of salting and sun-drying fish has played a role in Hawai'i's heritage. Beyond contributing income to the households of small-scale fishers and their 'ohana, the practice of producing and distributing dried fish enables the perpetuation of the traditions, practices and protocols related to the proper harvesting, preparing and drying fish to both new generations of fishers and to those who choose

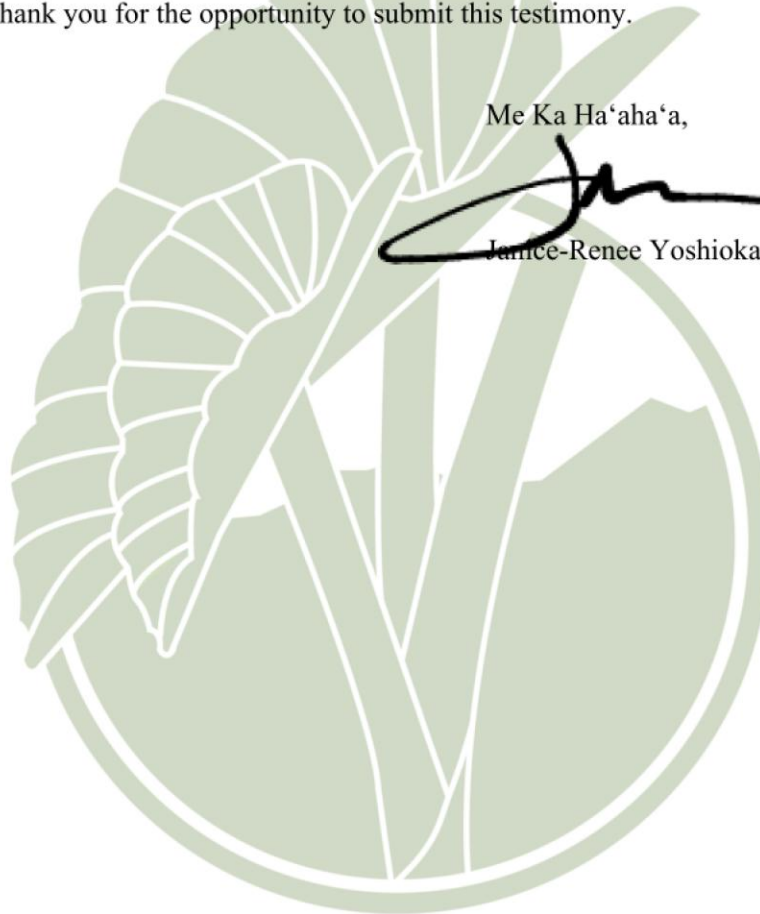
to purchase and consume these items. As with taro, enabling fishers to produce and distribute traditional food products to local consumers also promotes greater awareness of the importance of managing the natural resources that enable communities to sustain themselves.

For this reason, our organization respectfully urges the House Committee on Health to support H.C.R. 236 and work with the Department of Health to examine and identify ways to perpetuate the practice of sun-drying fish for local consumption and distribution while protecting public health. Thank you for the opportunity to submit this testimony.

Me Ka Ha'aha'a,



Janice-Renee Yoshioka





LATE

Kona Hawaiian Civic Club

"Serving community and education for 62 years"

March 20, 2014

Aloha mai Madame Chair and members of the Health Committee,

The Kona Hawaiian Civic Club strongly supports House Concurrent Resolution 236.

One of the primary purposes of the The Kona Hawaiian Civic Club is advocacy for protection and perpetuation of constitutionally-protected Native Hawaiian traditional and customary practices.

Sun-drying fish is a Native Hawaiian traditional and customary practice that contributes to the sustainability of the local economy and creates economic independence for many Hawaiian ohana and individuals.

While public health is a concern to us all, sun-dried fish has proven to be a safe, healthy, and popular product for centuries, not only in Hawai'i, but in countries and cultures around the world.

Please vote "aye" without reservations for HCR 236.

Mahalo,

Charles Flaherty

Government Relations

morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 19, 2014 9:13 AM
To: HLTtestimony
Cc: paul.bueltmann@gmail.com
Subject: Submitted testimony for HR186 on Mar 21, 2014 09:00AM

Follow Up Flag: Follow Up
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HR186

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

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

Comments: I support HR186 Mahalo pb

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morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 19, 2014 1:57 PM
To: HLTtestimony
Cc: changkwaix@aol.com
Subject: Submitted testimony for HCR236 on Mar 21, 2014 09:00AM

HCR236

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Chang	Individual	Support	No

Comments: Viva ka po'e o Hawai'i!!!! Let them eat fish!!!

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To: HLTtestimony
Cc: dakatz@aol.com
Subject: *Submitted testimony for HCR236 on Mar 21, 2014 09:00AM*

HCR236

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Godfrey	Individual	Support	No

Comments:

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morikawa2-Joanna

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Cc: kahelek@gmail.com
Subject: *Submitted testimony for HCR236 on Mar 21, 2014 09:00AM*

HCR236

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kaialii Kahele	Individual	Support	No

Comments:

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morikawa2-Joanna

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To: HLTtestimony
Cc: kapinapalacat@gmail.com
Subject: *Submitted testimony for HCR236 on Mar 21, 2014 09:00AM*

HCR236

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kapina	Individual	Support	No

Comments:

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March 19, 2014

To: Representative Della Au Bellati, Chair
Representative Dee Morikawa, Vice Chair
House Committee on Health

From: Robert Leslie, III
Commercial fisherman and Owner
Robert's Dried Fish

RE: **Testimony in Support of HCR 236/HR 186**, on Friday, March 21, 2014, 9a.m.,
Capitol Room 329

I am writing in strong support of HCR 236/HR 186, requesting the Department of Health (DOH) to conduct a study on the long-standing cultural Hawaiian practice of sun-drying fish. I come from a family of fishermen, who have been fishing in Kona for over 100 years. The methods I currently utilize, from catching to preparing sun-dried fish, have been passed down in my family for generations. Sun-dried fish is a traditional Native Hawaiian food, a common staple in the diet of Native Hawaiians before western contact and enjoyed by many others from different ethnic groups today. The art of traditionally sun-drying fish is one that is not commonly known or utilized, as its practice has slowly faded with each passing generation.

I've been selling both fresh and sun-dried fish for over 40 years, to customers throughout the state of Hawai'i, as well as to those on the U.S. mainland. Last year my food establishment permit was retracted by the DOH due to federal laws that requires the fish to be dried in 4 hours or less, not nearly enough time required to adequately dry it in the sun. In order to resume selling dried fish, DOH suggested other options be used, including "pickling" the fish with vinegar, using electronic drying methods, adding artificial preservatives to the fish, or increasing the salt content to the fish while it is being processed. While all these options would meet the guidelines, the result would be a non-traditional food product that does not even closely resemble or taste like the traditional sun-dried fish. This, in turn, would restrict others from obtaining a traditional food that defines them as a culture. Additionally, it would discourage others from perpetuating this dying art.

As the majority of my income is through the sales of dried fish, I have already experienced a significant decrease in income in the short period that my permit has been revoked. Considering that this has been the main source of my livelihood for most of my life, I have no other type of trade or business on which to turn to or fall back on. In addition, given my age (I am now 71 years old), learning a new trade and building a new business would be challenging for me.

Mahalo for the opportunity to submit this testimony. I appreciate your consideration in this matter and humbly ask for your support of HCR 236/HR 186. This HCR/HR will be

a major step towards preserving Native Hawaiian cultural practices, as well as small businesses, like my own, who want to continue these traditional practices.

If you need more information or have questions, please do not hesitate to contact me at jhleslie1@msn.com or at 808-443-6099.

March 19, 2014

HOUSE COMMITTEE ON HEALTH
Representative Della Au Bellati, Chair
Representative Dee Morikawa, Vice Chair

Testimony in Support of HCR 236/HR 186
Friday, March 21, 2014, 9a.m., Capitol Room 329

I am in strong support of HCR 236/HR 186, "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".

I am a Native Hawaiian physician, employed at the West Hawaii Community Health Center. In my practice here, I see countless patients with chronic diseases and related conditions, such as heart disease, type II diabetes, cancer, obesity, high blood pressure, and high cholesterol. All of these diseases can be better managed or treated with a healthy diet and lifestyle. I educate my patients on the benefits of following a traditional Hawaiian diet, one that incorporates fish, as opposed to red meat and chicken. Sun-dried fish is a traditional food that is healthful for people, as it contains many key nutrients and is prepared with zero fat, oil, and artificial preservatives.

Educating people on the benefits of consuming a traditional Hawaiian diet is useless if the food needed to practice it is unavailable. Having sun-dried fish that is readily available to my patients would be helpful for them in improving their diet and ultimately their health.

Thank you for the opportunity to express my support of HCR 236/HR 186. Your consideration of this testimony is much appreciated

Mahalo,

Leon Matsuo, MD

morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 19, 2014 5:38 PM
To: HLTtestimony
Cc: wctanaka@gmail.com
Subject: Submitted testimony for HCR236 on Mar 21, 2014 09:00AM

HCR236

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne	Individual	Support	No

Comments: Please pass this resolution that would support small businesses dedicated to perpetuating a cultural tradition of local and sustainable food production that has shown no indication of adverse health effects over many generations of practice. Mahalo nui! Wayne Tanaka 96744

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To: HLTtestimony
Cc: paulakomarajr@yahoo.com
Subject: *Submitted testimony for HCR236 on Mar 21, 2014 09:00AM*

HCR236

Submitted on: 3/19/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Paul A. komara, Jr.	Individual	Oppose	No

Comments:

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Hawaii State Legislature
House Committee on Health

Re: HCR 236 / HR 186

Hearing date: March 21, 2014, 9am

Aloha,

My name is Tammy Leslie and I would like to share my personal experience of a cultural practice that was passed on to me through my father of fishing and drying of 'opelu.

I was raised in a family of fishermen. My father, Robert Leslie III, is a commercial fisherman and has fished all of his life dating back to his youth as he fished for his father. Throughout my youth, he taught me the cultural techniques used in drying fish using Hawaiian salt and drying it in the sun in addition to the actual fishing techniques. I, in turn, have shared this practice not only with my son, but also have taught this ancient Hawaiian practice with the children of Hawaii through Kamehameha School's Ho'olauna Summer Explorations program for over 6 years. As a teacher in the State of Hawaii for over 18 years, I am passionate in sharing the cultural practices of our ancestors with the youth and would hate to see this practice come to an end.

The new requirements or suggestions for drying the fish is unacceptable as one requires the use of sodium nitrate, a known carcinogen. Another requires basically cooking the fish while yet another requires heavily salting it and leaving it on. This too creates a major health risk to our people here in Hawai'i who already suffers from health complications due to high sodium intake.

As for myself, I have continued this cultural practice of the preparation of dried fish with my father up to the time the Department of Health ordered him to cease this practice last year. The new rules has created an impact on my parent financially and emotionally. I also assist in managing his business finance and noted a significant drop of income once he stopped processing dried fish.

If you have any questions, please feel free to contact me on my cell at (808) 937-7493.

Mahalo,
Tammy Leslie

morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 20, 2014 3:27 PM
To: HLTtestimony
Cc: ds.pups08@gmail.com
Subject: *Submitted testimony for HCR236 on Mar 21, 2014 09:00AM*



HCR236

Submitted on: 3/20/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn Tanimoto	Individual	Support	No

Comments:

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morikawa2-Joanna

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Sent: Thursday, March 20, 2014 9:41 PM
To: HLTtestimony
Cc: makuakane57@gmail.com
Subject: Submitted testimony for HCR236 on Mar 21, 2014 09:00AM



HCR236

Submitted on: 3/20/2014

Testimony for HLT on Mar 21, 2014 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Lois Shirai	Individual	Comments Only	No

Comments: We the people of Hawaii would want to preserve the cultural practice of sun drying Opelu for future generations. When you sun dry opelu the curing process takes 10 to 12 hours which enhances the taste and appearance of the fish. If you try to speed up the process with mechanical means will encrust the surface of the flesh of the opelu which restricts the moisture from escaping which might increase the histamine level in the meat and the excessive heat will cook the fish and the color of the fish will have the cooked appearance and not taste the same as being sun dried.

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