

GEOF Walker commercial fisherman and Processor in Kona Hawaii since 1981. I am speaking for many other local fishermen here on this issue.

**WHEREAS, some retailers of frozen fish have mislabeled their previously frozen fish as fresh fish after treating the fish with carbon monoxide to preserve the color, but not the quality, of the fish; and WHEREAS, part III of chapter 328, Hawaii Revised Statutes, requires that previously frozen food products be clearly labeled with the words “previously frozen”;**

I can speak from my experience with Foodland aka SacknSave in Kona Hawaii. ( I have also called DOH on Safeway who is in very loose compliance i.e. small labels, not stating that it is imported, and Costco, who voluntarily discontinued using gassed tuna)A couple years ago I saw their product labeled “Ahi Poke” was previously frozen carbon monoxide treated tuna, I call gassed tuna or GT. I called Alvin at Health department 808-322-1507. He went down and got it labeled properly as Previously frozen, treated with CO(legally I think it should be labeled imported if they use the Hawaiian name Ahi, but that is another issue). Then several months later I went in again, it had no labels so I call state again. This went on and on, at least 5 times. Finally asked if there was a fine and I was told yes, to call back. When I did I was told that there was no fine because this is a state rule, not a regulation, then was told as long as the violator complies when the violation is brought to their attention, they are in compliance, and there is no ticket or fine, no matter how many times they violate. As for labeled clearly, their labels, when the labels are on the product they are anything but clear. The print is about 1/4” high, and really hard to find. I feel this is a deceitful practice. I have a lot more to say on this and if the bill goes past this stage I and others will submit more

testimony. I wish when I got a ticket for talking on the phone while driving or speeding that I had the same leeway as the people do who have to lie and deceive to sell a potentially dangerous product to the public.

From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, March 31, 2016 3:37 PM  
To: CPCtestimony  
Cc: mendezj@hawaii.edu  
Subject: \*Submitted testimony for HCR72 on Apr 4, 2016 14:00PM\*

**HCR72**

Submitted on: 3/31/2016

Testimony for CPC on Apr 4, 2016 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)