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Thursday, February 12, 2015

Senate Committee on Health
Senator Josh Green, Chair
Senator Glenn Wakai, Vice-Chair

RE: Senate Bill 1270 - RELATING TO BEVERAGES.

Dear Chair Green, Vice Chair Wakai, and members of the Committee:

We appreciate the opportunity to testify on SB 1270, and respectfully submit the following written testimony in **OPPOSITION** to the bill. Times Supermarket is based on Oahu and operates 26 stores with locations in Maui, Kauai and Oahu. Our operations employ a multitude of workers, serve a vast general public, and participate in an industry that would be disproportionately impacted by the intention of this measure.

SB 1270 requires any person who sells, distributes, or offers all sweetened beverages, as well as those owning, leasing, or controlling property where a vending machine or soda fountain is located to post or place a safety warning on the available beverages. Since the enactment of the Nutrition and Labeling Act of 1990, provisions have already been put in place at the Federal level outlining proper nutritional information on all food products, including beverages. The content of the labels proposed in this measure is not substantive, but rather may be misleading – that is, it may lead consumers to believe that avoiding products with these labels will completely eliminate the targeted health risks, when consumption of these products is only one aspect of an individual's overall health.

The consequences and costs of placing the burden of public health with businesses are also unclear. Consumer choice is an important part of commerce, and this measure may, rather than positively inform choices, in effect simply limit them. Thus, we ask that you hold this bill for further discussion.

Thank you for the opportunity to testify.

Respectfully,

Bob Gutierrez
Director of Government Affairs
Times Supermarket



L & L FRANCHISE, INC.
931 University Avenue, Suite 202
Honolulu, Hawaii 96826
Tel. (808) 951-9888; Facsimile (808) 951-0888
www.hawaiianbarbecue.com

RE: SB1270 – Testimony in Opposition – HTH 2/13/15 – Rm. 414 1:35 p.m.

Chair Green, Vice Chair Wakai and Members of the Committee:

L & L Franchise and its family of brands (L & L Hawaiian Barbecue, L & L Drive-Inn, L & L Hawaiian Grill, and Chopsticks Express) stand in **opposition of SB1270**, which requires a warning label on all containers containing sugar-sweetened beverages that such beverage contributes to obesity, diabetes, and tooth decay.

Although L & L appreciates the intent of HB1438, L & L believes such a warning label obfuscates and oversimplifies the causes behind obesity, diabetes, and tooth decay. Consumers should be made aware of all risk factors that cause these conditions, instead of singling out sweetened beverages. Factors like exercise, portion control, overall diet, caloric intake awareness, metabolism, and genetics all play a role in varying degrees in the development of these physical conditions. Any warning label failing to mention these factors and how to address them simply scapegoats the problem and misleads consumers without providing the opportunity to become educated in avoiding these physical conditions.

L & L believes in a holistic approach to educating the public including its own customers regarding obesity, diabetes, tooth decay, and other physical conditions. Since 2010, L & L has voluntarily posted the caloric content of every menu item even before any mandate. By simply glancing at the menu, L & L customers know how many calories are contained in each item and can make informed choices.

Simply saying a certain product may cause obesity, diabetes, and tooth decay does not promote informed choices; it is merely a scare tactic. Consumption in moderation is the key; a fact that is ignored by this bill. Unlike tobacco, sugar is not necessarily in and of itself harmful to one's health if consumed in moderation. Overconsumption of any item can be harmful to one's health. Every day, our environment and the foods we eat potentially contain hazardous ingredients. Where do the labels end?

How effective are these labels in deterring consumption given that sugar-sweetened beverages is only one factor in causing the physical conditions at issue? Do the benefits of the labels outweigh the costs in implementing them? Businesses, especially small businesses do not have unlimited resources to change their menus and menu boards. Many will need to make modifications with the new federal labeling law. Will they need to redo them again to comply with this mandate?

For these reasons, we respectfully **oppose SB1270**.

THE SENATE

Senator Josh Green, Chair

Senator Glenn Wakai, Vice Chair

State Capitol, Conference Room 414

Friday, February 13, 2015; 1:35 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 1270
RELATING TO BEVERAGES**

The ILWU Local 142 **opposes** S.B. 1270, which requires all sweetened beverages to contain a warning label. The bill proposes that a “safety warning” be placed on each container of sweetened beverages, which will read: “Drinking beverages with added sugar contributes to obesity, diabetes, and tooth decay.”

S.B. 1270 is not necessary. Putting a warning label on a package has not caused cigarette smokers to stop smoking, and it will not stop people from drinking sweetened beverages. For one thing, they may not read the label. How often have you read the label on a package of food? Even if they do read the label, they will likely ignore it if they want to drink that beverage. And placing a label on a vending machine or a fountain dispensing machine is almost certain to be ignored.

S.B. 1270 clearly discriminates against sweetened beverages. Why are sweetened beverages targeted for this warning label when any number of other food products contain as much or more sugar? Maybe it is because labeling a can of soda is far easier to do than labeling a donut. Yet the fact is that donuts, other pastries, and candy contribute to obesity, diabetes, and tooth decay the same as sweetened beverages do.

The warning label is intended to educate the public about the dangers of consuming sugar-sweetened beverages. By identifying the label as a “safety warning,” it is intended to make consumers fearful of the hazards of sweetened beverages. This is putting a can of soda on the same level as cigarettes. However, a written warning by itself is not an effective means of changing behavior. A warning label on a can may just as easily be ignored as a listing of ingredients.

A warning label may lead consumers to believe that something is wrong with the sweetened beverage when, in fact, it is made with ingredients that are approved by the federal government and, in some cases, natural sugar. The label itself may be considered a misrepresentation.

Many workers in Hawaii make their livelihood on sweetened beverages—from the worker who produces the beverage to the worker who makes the can in which the beverage is contained to the worker who distributes the beverage to a grocery store to the store clerk who sells the beverage to the consumer. They are proud of the work they do and the product they provide to the public. They would not want their product sullied by misrepresentations that will likely not serve as a deterrent anyway.

Sweetened beverages are an easy target but tackling the larger problem of obesity, diabetes, and tooth decay requires changes in behavior that can best occur with more education, better marketing, and alternatives to sweetened beverages and other sweets.

The ILWU respectfully urges that S.B. 1270 be deferred indefinitely. Thank you for considering our views and concerns.

From: mailinglist@capitol.hawaii.gov
To: [HTHTestimony](#)
Cc: kbraun2000@gmail.com
Subject: Submitted testimony for SB1270 on Feb 13, 2015 13:35PM
Date: Friday, February 13, 2015 3:37:33 AM

SB1270

Submitted on: 2/13/2015

Testimony for HTH on Feb 13, 2015 13:35PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Kathryn Braun	Individual	Comments Only	No

Comments: Date: February 11, 2015 To: The Honorable Josh Green, Chair The Honorable Glenn Wakai, Vice Chair Members, Senate Committee on Health Re: Strong Support for SB 1270, Relating to Health Hrg: Friday, February 13, 2015 at 1:35 pm, Room 414 Thank you for the opportunity to submit testimony in strong support of SB 1270. I strongly support mandating a warning label on all sugar-sweetened beverages (SSBs). Warning labels would will help educate all consumers of the possible effects of drinking sugar sweetened beverages and which beverages contain added sugar. SSBs are beverages that contain added caloric sweeteners (of any kind) and include sweetened fruit juices, fruit drinks, carbonated sodas, sports drinks, and energy drinks. Between 1977 and 2001, caloric intake from SSBs increased 135 percent for all age groups. Reductions in SSB consumption are significantly associated with weight loss. Health warnings increase knowledge of health risks and reduce consumption of products such as tobacco, alcohol, and unhealthy food. Evidence also suggests that signs and labels at point of purchase impacts buying behavior. As we continue to learn from the successes of reducing tobacco rates, we know that prominent health warnings on the face of cigarette packages can increase health knowledge and perceptions of risk, promote smoking cessation among youth adults, and discourage non-smokers from wanting to smoke. With new SSB products on the market all the time it is important that we educate all consumers and potential consumers of the possible risks associated with the beverage. Please help create a healthier Hawaii and pass SB 1270. Mahalo, Kathryn Braun

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.

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Hawaii Chapter

February 13, 2015

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Written Testimony from Michael Hamilton, President RE: Strong Support for SB 1270 Relating to Obesity Prevention Senate Health

Thank you for the opportunity to testify in strong support of SB 1270 will require all sugar sweetened beverages to contain a warning label, "drinking beverages with added sugar contributes to obesity, diabetes, and tooth decay."

We are proud members of the American Academy of Pediatrics, Hawaii Chapter, a non-profit professional organization of more than 200 pediatricians and pediatric medical and surgical subspecialists and nurses dedicated to the health, safety and well-being of children and adolescents in Hawaii.

Childhood obesity and the development of obesity-related chronic diseases are epidemic in the US and in Hawaii. Obesity affects every organ in the body. Healthcare costs are now skyrocketing. In 2006, an estimated \$147 billion dollars were spent on obesity-related medical care expenditures – about 9.1% of total annual medical expenditures.

More importantly, obesity is making our kids and young adults sick. For children, the impact begins early and makes children susceptible to debilitating chronic diseases, such as diabetes. We are now seeing many more adolescents with prediabetes and now Type 2 diabetes. So what happens to the 10 year old with prediabetes? We don't really know. This phenomenon, while widespread, is new in children and largely unstudied, especially among Asian, Native Hawaiian and Pacific Island children. But among adults, we know that the about 11% of those with prediabetes will develop diabetes each year. Research on Native American children has shown that early onset diabetes is associated with increased rate of end stage kidney disease or death in middle age.

We understand that obesity is not just about sugary beverages. But sugary beverages are the number one source of calories and sugar in our diets. Tackling the epidemic of chronic disease will take a coordinated, comprehensive plan that is as sophisticated, persuasive, responsive and effective as the most ambitious marketing and business campaign. Doctors are doing their best to educate parents and children about healthy lifestyles. Parents want their children to be happy and healthy and are doing their best to make the best choices for their families. But the epidemic is only worsening. Aggressive marketing has convinced people that being sedentary and eating large amounts of sugary, high fat foods and beverages every day is okay.

This bill will not completely solve the obesity and chronic disease epidemic. However, if passed the warning labels will remind consumers, including parents, kupuna and teens, about products that have been proven to be harmful to the public's health.

We URGE you to bring to pass this bill.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Michael Hamilton".

R. Michael Hamilton, MD, FAAP
President

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February 13, 2015

The Honorable Josh Green, Chair
The Honorable Glenn Wakai, Vice Chair
Hawaii State Capitol
Honolulu, Hawaii 96813

Dear Chair Green, Vice Chair Wakai and members of the Senate Committee on Health:

On behalf of the Community Leadership Board of the American Diabetes Association (ADA), and the over 500,000 individuals who have prediabetes or diabetes in Hawaii. I am writing to ask for your full support of SB 1270.

Re: Strong Support for SB 1270, Relating to Health

Thank you for the opportunity to submit testimony in **strong support of SB 1270**. I strongly support mandating a warning label on all sugar-sweetened beverages (SSBs). Warning labels will help educate all consumers of the possible effects of drinking sugar sweetened beverages and which beverages contain added sugar.

SSBs are beverages that contain added caloric sweeteners (of any kind) and include sweetened fruit juices, fruit drinks, carbonated sodas, sports drinks, and energy drinks. Between 1977 and 2001, caloric intake from SSBs increased 135 percent for all age groups.

Reductions in SSB consumption are significantly associated with weight loss. Health warnings increase knowledge of health risks and reduce consumption of products such as tobacco, alcohol, and unhealthy food. Evidence also suggests that signs and labels at point of purchase impacts buying behavior.

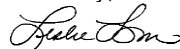
As we continue to learn from the successes of reducing tobacco rates, we know that prominent health warnings on the face of cigarette packages can increase health knowledge and perceptions of risk, promote smoking cessation among youth adults, and discourage non-smokers from wanting to smoke. With new SSB products on the market all the time it is important that we educate all consumers and potential consumers of the possible risks associated with the beverage.

Please help create a healthier Hawaii and pass SB 1270.

I would greatly appreciate your deep consideration and urge you to support this important measure and invite your colleagues to do the same.

Please feel free to contact me to discuss your concerns or questions. I am available at llam@diabetes.org or 808.947.5979.

Sincerely,



Leslie Lam, Executive Director
American Diabetes Association

