

Honolulu, Hawaii

January 31, 2018

RE: H.B. No. 1806  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 1806 entitled:

"A BILL FOR AN ACT RELATING TO FOOD DONATION,"

begs leave to report as follows:

The purpose of this measure is to discourage food waste and encourage food donation to needy recipients by:

- (1) Requiring that education about food donation liability protections be made a part of the health inspection process of food establishments to promote awareness of the food donation liability protections;
- (2) Expanding liability protection for food donors to include donations of food and similar donations made directly to needy persons; and
- (3) Extending liability protections to the donation of expired food and of farm produce when the donor believes in good faith that the food is fit for human consumption.

The Department of Health, Hawaii Food Industry Association, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Kokua Hawaii Foundation, and Surfrider Foundation



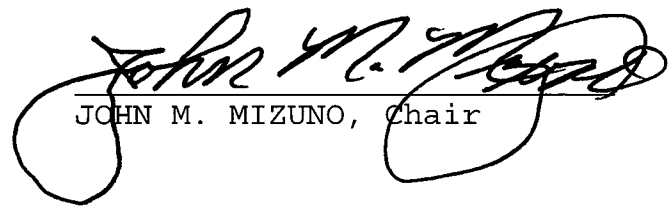
Oahu Chapter supported this measure. Hawaii Association for Justice submitted comments.

Your Committee notes that concerns were raised that the protections proposed by this measure may be overly broad and place the health and safety of the donated food recipients at risk. One of the liability protections created by this measure is for those who donate food directly to a needy person. There is concern a person who donates directly to an individual may lack the experience and knowledge required to accurately judge food safety that an organization formed for this purpose would be likely to have.

Your Committee has amended this measure by changing its effective date to July 1, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1806, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1806, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Health & Human  
Services,

  
JOHN M. MIZUNO, Chair



