

Honolulu, Hawaii

, 2018

MAR 23

RE: S.B. No. 2571
S.D. 2
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 Energy & Environmental Protection, to which was referred S.B. No. 2571, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION,"

begs leave to report as follows:

The purpose of this measure is to preserve marine ecosystems, including coral reefs, by banning the sale, offer for sale, and distribution in Hawaii of sun protection factor sunscreen protection personal care products containing oxybenzone and octinoxate without a prescription issued by a licensed healthcare provider.

The Office of Hawaiian Affairs, Council Member representing District 4 of the County of Hawaii, Hawaii Kai Neighborhood Board, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Hawaiian Civic Club of Honolulu, LOST FISH Coalition, Aloha Boardshop, Hawaii Fishing & Boating Association, Hawaiian Affairs Caucus of the Democratic Party of Hawaii, Napili Bay and Beach Foundation, Inc., Wipeout Crew, Little Hands Hawaii, Student Ohana for Sustainability, The Humane Society of the United States, Humane Society International, Friends of Hanauma Bay, Sierra Club of Hawai'i, The Garden Club of Honolulu, Hawaii Farmers Union United Kona Chapter, We Are One, Inc., Keiko Conservation, Haereticus Environmental Laboratory, Hawai'i Wildlife Fund, For the



Fishes, Eyes of the Reef Network, Surfrider Foundation, Surfrider Foundation's O'ahu Chapter, OceanCare, Animal Welfare Institute, Hawai'i Reef and Ocean Coalition, and numerous individuals supported this measure. Bayer, Hawaii Food Industry Association, American Chemistry Council, Personal Care Products Council, and Retail Merchants of Hawaii opposed this measure. The Department of Land and Natural Resources, Department of Health, Hawaii Dermatological Association, Pegasus Foundation, and an individual provided comments.

Your Committee has amended this measure by:

- (1) Replacing the phrase "SPF sunscreen protection personal care product" with the word "sunscreen";
- (2) Requiring that the ban on the sale, offer of sale, or distribution of sunscreen in the State shall begin on July 1, 2021; and
- (3) Prohibiting the counties from further banning or otherwise regulating sunscreens containing oxybenzone or octinoxate, or both, or other ingredients approved by the United States Food and Drug Administration.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2571, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2571, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Energy &
Environmental Protection,



CHRIS LEE, Chair



