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DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Wednesday, February 7, 2018
2:00 p.m.

TESTIMONY ON HOUSE BILL NO. 1711, H.D. 1, RELATING TO HEALTH.

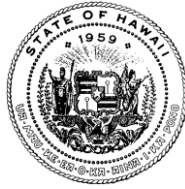
TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE
COMMITTEE:

The Department of Commerce and Consumer Affairs (“Department”) appreciates the opportunity to testify on H.B. 1711, H.D. 1, Relating to Health. My name is Gordon Ito, and I am the Insurance Commissioner for the Department’s Insurance Division. The Department supports this bill.

The purpose of this bill is to require restaurants selling children’s meals that include a beverage for a single price to make the default beverage a healthy beverage.

The Department supports the continuing effort to improve children’s health through an increased awareness that food choices impact childrens’ and grandchildrens’ health. We support public health policies aimed at reversing the prevalence of obesity in Hawaii, which has more than doubled from 10.6% in 1994 to 22.7% in 2015, according to the State’s Department of Health. This trend will result in poorer health outcomes for our communities, higher healthcare costs, and an increase in health insurance premiums.

We thank the Committee for the opportunity to testify on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
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TESTIMONY in SUPPORT of H.B. 1711 HD1
RELATING TO HEALTH

REPRESENTATIVE ROY M. TAKUMI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Hearing Date: February 7, 2018 Hearing Room: 329

1 **Fiscal Implications:** Undetermined staffing capacity and resources required to implement the
2 measure. The cost of support has not been quantified. No appropriation is provided to the
3 Department of Health (DOH) to establish the program.

4 **Department Testimony:** The Department supports House Bill 1711 House Draft 1 (H.B. 1711
5 HD1). H.B. 1711 HD1 would require retail food establishments to offer only water, sparkling
6 water, flavored water with no added natural or artificial sweeteners, milk, or non-dairy milk
7 alternatives as the default beverage option in children's meals. The concept of this bill is based
8 on national recommendations for reducing the consumption of sugar sweetened beverages
9 (SSBs). The Division of Physical Activity, Nutrition and Obesity (DNPAO) at the Centers for
10 Disease Control and Prevention (CDC) recommends decreasing SSBs as an evidence-based
11 strategy for preventing and reducing overweight and obesity. The 2015 Dietary Guidelines for
12 Americans also recommends reducing the intake of SSBs as a method to control calorie intake
13 and manage body weight.

14 Today in Hawaii, more than one in two adults (BRFSS 2016; 57.6%) and over one in four
15 high school students (YRBS 2017; 28.4%) are affected by overweight or obesity. The rate of
16 adults with diabetes in Hawaii is 10.5% and an additional 14.6% have been diagnosed with pre-
17 diabetes (2016 BRFSS). Department estimates that more than 1 in 2 adults have type 2 diabetes
18 and pre-diabetes when these numbers are adjusted for people who are undiagnosed. Hawaii
19 spends an estimated \$470 million on obesity-related medical costs, and \$770 million on diabetes-

1 related medical costs, and \$770 million on diabetes-related medical costs annually.¹ SSBs have
2 been identified by numerous scientific studies as a major contributor to our costly obesity
3 epidemic.² Additionally, drinking sugar-sweetened beverages can significantly contribute to
4 tooth decay. SSB consumption is associated with nearly twice the risk of cavities in children.³
5 More than seven out of ten Hawaii third-graders are affected by tooth decay and one in four have
6 untreated tooth decay.⁴ Hawaii received a failing grade of “F” on three recent oral health report
7 cards by the Pew Center.⁵

8 Nationally, between 1977 and 2001, calorie intake from SSBs increased 135 percent for
9 all age groups.⁶ While overall SSB consumption has decreased in recent years, particularly
10 among children and adolescents, consumption rates remain high.⁷ A recent survey conducted by
11 the DOH found that over half of adolescents in Hawaii (56%) drink SSBs one or more times per
12 day and nearly all teens (94%) drink SSBs at least once a week.⁸ A typical 20-ounce soda
13 contains 14 to 18 teaspoons of sugar and about 240 calories. In comparison, the American Heart
14 Association guideline for daily added sugars is no more than 6 teaspoons for women and
15 children, and no more than 9 teaspoons for men.⁹ A 2015 study found that healthy children’s

¹ Trogon, JG., Finkelstein, EA., Feagan, CW., & Cohen, JW. (2012). State- and payer-specific estimates of annual medical expenditures attributable to obesity. *Obesity*, 20(1): 214-220. doi: 10.1038/oby.2011.169.

² Smith TA, Lin BH, Lee JY. Taxing caloric sweetened beverages: Potential effects on beverage consumption, calorie intake, and obesity. Washington, DC: Economic Research Service (ERS), US Department of Agriculture (USDA); 2010: ERR-100.

³ Sohn W, Burt BA, and Sowers MR. (2006). Carbonated soft drinks and dental caries in the primary dentition. *J Dent Res*, 85(3): 262-266.

⁴ Hawaii State Department of Health. (2015 September 25). Hawaii oral health: Key Findings. Retrieved from http://health.hawaii.gov/about/files/2013/06/Key_Findings_wC.pdf.

⁵ Hawaii State Department of Health. (2016 August). Hawaii smiles 2015: The oral health of Hawaii’s children. Retrieved from <https://health.hawaii.gov/about/files/2013/06/Hawaii-Smiles-Report.pdf>.

⁶ Nielsen SJ and Popkin BM. “Changes in Beverage Intake Between 1977 and 2001.” *American Journal of Preventive Medicine*, 27(3): 205-210, 205, 2004. Available at: www.cpc.unc.edu/projects/nutrans/publications/Beverage%20trends-BP-Samara%202004.pdf.

⁷ Han E. and Powell LM. “Consumption Patterns of Sugar-Sweetened Beverages in the United States,” *Journal of the Academy of Nutrition and Dietetics*, 113 (1): 43-53, 2013. Available at: www.ncbi.nlm.nih.gov/pubmed/23260723.

⁸ Hawaii State Department of Health. (2012, 2013, & 2017). Rethink Your Drink Adolescent Survey, 2012, 2013, & 2017 combined.

⁹ Johnson RK, Appel LJ, Brands, M., Howard, BV, Lefevre, M., Lustig, RH, Sacks, F, Steffen LM, Wylie-Rosett, J. “Dietary Sugars Intake and Cardiovascular Health,” *Circulation* 2009:1011-1020.

1 menu beverage defaults resulted in healthier ordering patterns, without reducing revenue.¹⁰ This
2 suggests that implementing healthy beverage defaults in restaurants can improve child nutrition
3 while ensuring that restaurants remain competitive.¹¹

4 Requiring retail food establishments to provide a healthy default beverage as a part of a
5 children’s meal would encourage families to choose a healthy option when eating outside the
6 home. On average, children consume nearly twice as many calories from a restaurant meal (770)
7 as they do from a home cooked meal (420).¹² Adding SSBs to these meals adds calories and
8 sugar that may contribute to obesity and health problems. Ensuring healthy default options in
9 children’s meals is part of a comprehensive public health prevention strategy to reduce the risk
10 for obesity and type 2 diabetes in Hawaii’s children.

11 Thank you for the opportunity to testify.

12 **Offered Amendments: None**

¹⁰ Anzman-Frasca, S. et. al. “Changes in children’s meal orders following healthy menu modifications at a regional US restaurant chain.” *Obesity*, April 28, 2015; 1055-1062.

¹¹ Anzman-Frasca, S. et. al. “Changes in children’s meal orders following healthy menu modifications at a regional US restaurant chain.” *Obesity*, April 28, 2015; 1055-1062.

¹² Xoumas-Morse C., Rock CL., Sobo EJ., Neuhouser ML. “Children’s Patterns of Macronutrient Intake and Associations with Restaurant and Home Eating.” *J. Am Dietetic Assoc* 2001; 101:923-925.



American Heart Association testimony in support of HB 1711, HD1 “Relating to Health”

The American Heart Association strongly supports HB 1711, HD1, “Relating to Health.” The proposed legislation will reduce the marketing of unhealthy beverages to children by making the default beverage included in kid’s meals milk or water.

Restaurants play a central role in the American diet as people increasingly consume more food away from home. The Rudd Center for Food Policy and Obesity reports that 89 percent of parents report making a purchase from a fast-food restaurant for their children in the previous week. Children now consume about 20 percent of their daily calories at fast food establishments and full-service restaurants. Children and teens who eat at restaurants drink more sodas and less milk than those who eat at home.

Sugary drinks, including soda, energy and sports drinks, and flavored waters, provide the single largest source of calories in the diets of American children. Each additional daily serving of a sugar-sweetened beverage increases a child’s chance of becoming obese by 60 percent. Sugary drinks are also associated with a greater risk of cardiovascular disease and high blood pressure in adolescents, dental cavities in children, and inadequate intake of vitamins and minerals.

An extra-small (ten-ounce, child-size) cola contains approximately 33 grams of added sugars, which exceeds the 25 grams of added sugars that the American Heart Association (AHA) has established as the daily upper limit for children and teenagers. The AHA recommends that children consume no more than eight ounces of sugary drinks per week; kid-sized beverages vary across restaurants, but are usually six to twelve ounces.

In 2009, the state medical cost attributable to obesity was \$470 million dollars, and this figure continues to rise. As many as 1 in 3 adults could have diabetes by 2050 if current trends continue. Without changes in this trajectory, Hawaii’s healthcare costs will be unsustainable for Hawaii’s businesses and families. Removing sugary drinks from children’s menus can send a signal that they are not appropriate everyday beverages for children and help to establish a healthier next generation. We urge you to support HB 1711, HD1 and help to lead our state in becoming healthier.

Respectfully submitted,

Donald B. Weisman
Hawaii Government Relations/Communications Director

*“Building healthier lives,
free of cardiovascular
diseases and stroke.”*

life is why™ es por la vida™ 全为生命™

Please remember the American Heart Association in your will.





Date: February 6, 2018

To: The Honorable Roy Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

From: Trish La Chica, Policy and Advocacy Director, Hawai'i Public Health Institute

Re: STRONG SUPPORT for HB1711 HD1, Relating to Health

Hrg: February 7, 2018 at 2:00pm at Conference Room 329

Thank you for the opportunity to testify in **strong support** of HB1711 HD1, which would require retail food establishments to only offer water or milk as the default beverage served with children's meals.

Created by the legislature in 2012, the Obesity Prevention Task Force is comprised of over 40 statewide organizations, and works to make recommendations to reshape Hawai'i's school, work, community, and health care environments, making healthier lifestyles obtainable for all Hawai'i residents. The Hawai'i Public Health Institute (HIPHI) convenes the Task Force and supports and promotes policy efforts to create a healthy Hawai'i.

Offering healthy beverages as the default option helps to keep our keiki healthy

Restaurants that offer children's menus typically serve refillable sugary drinks like sodas and fruit punch with their advertised kids' meals. Sugary drinks are the single largest source of added sugars in our kids' diets, making up half of all sugars consumed. This measure helps to support parents in keeping their kids' healthy. Instead of getting a sugary drink without asking for one, kids will have the opportunity to start their meal with a healthy beverage, such as water or milk. With more and more families grabbing a meal on the run or dining out, making the healthy choice can often be challenging. That's why it's so important that restaurants and food establishments serve as venues to promote healthy beverage options as part of the bundled kids' meal.

SSBs contribute to a poor diet and are associated with obesity, type 2 diabetes, and tooth decay

Sugar-sweetened beverages have become a staple item in our diet, primarily because they are inexpensive and heavily marketed, especially to kids. SSBs do not deliver any nutrition and studies have shown that consumption of SSBs is associated with obesity, type 2 diabetes, cardiovascular disease, and tooth decay. Drinking just one 8-oz sugary drink per day increases a child's odds of becoming obese by 60%.

Soft drinks are the most common kids' meal beverage, offered by 74% of top chain restaurants. The next most frequent beverage offerings are low fat milk (69%) and fruit juice (65%)¹. According to a survey done in 2014 by the National Restaurant Association, 72% of consumers say that they would be more

¹ Center for Science in the Public Interest, 2017

likely to visit a restaurant that offers healthful options². A few large chains including Subway, McDonalds, Wendy's, Burger King, Applebee's, Dairy Queen, Jack in the Box, and IHOP have been offering healthier drinks as a part of their kids' meals. The trend has started with a few large chains and it is time for all restaurants to help our keiki and offer healthier beverage choices.

An educational campaign must be accompanied by policy change

Although public health education is key, policy change is necessary to truly affect consumption and make it easier for people to make the healthy choice and to say "no" to unhealthy drinks. Parents simply want more healthy choices for their kids and to cut down on those familiar requests for sugary drinks. This "healthy-by-default" beverage measure makes it easier for parents to provide a healthy beverage for their kids and gives us an opportunity to engage restaurants, community groups and the public around the importance of offering healthy beverage options to young children. It's a step in the right direction. HIPHI is willing and able to partner with the State Department of Health to educate the public on the implementation of this law.

The culture of sugary drinks leads to poor health. In the last two years, there have been eight jurisdictions that have already enacted healthy by default beverage legislation.

HB1711 HD1 is an important step in the right direction and helps parents and kids make healthy decisions about what to drink. We respectfully ask you to pass this measure out of committee.

Mahalo,



Trish La Chica
Policy and Advocacy Director

² National Restaurant Association, 2014

Wednesday, February 7th, 2018 at 2:00PM
Conference Room 329

House Committee on Consumer Protection & Commerce

To: Representative Roy M. Takumi Chair
Representative Linda Ichiyama, Vice Chair

From: Michael Robinson
Vice President & Government Relations

Re: Support for HB 1711 HD 1 – Relating to Health

My name is Michael Robinson, Vice President & Government Relations at Hawai'i Pacific Health. Hawai'i Pacific Health is a not-for-profit health care system with over 70 locations statewide including medical centers, clinics, physicians and other caregivers serving Hawai'i and the Pacific Region with high quality, compassionate care. Its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox – specialize in innovative programs in women's health, pediatric care, cardiovascular services, cancer care, bone and joint services and more. Hawai'i Pacific Health is recognized nationally for its excellence in patient care and the use of electronic health records to improve quality and patient safety.

I support HB 1711 HD 1, which requires restaurants to make the default beverage included in children's meals a healthy beverage.

This measure will make it easier for Hawai'i families to opt in to healthy choices. Medical evidence shows that building healthy lifestyle habits from a young age can reduce risk of obesity-related health conditions such as type 2 diabetes, heart disease, high blood pressure, high cholesterol, and asthma. Reducing the rate at which young residents of Hawai'i consume sugar-sweetened beverages will positively affect their long-term health outcomes and lower healthcare-related costs in our community.

Hawai'i Pacific Health is dedicated to improving the health and well-being of the people of Hawai'i and therefore we stand in support of this measure.

Thank you for your consideration of this testimony in support of HB 1711 HD 1.



American Cancer Society
Cancer Action Network
2370 Nuʻuanu Avenue
Honolulu, Hawaiʻi 96817
808.432.9149
www.acscan.org

House Committee on Consumer Protection and Commerce
Representative Roy Takumi, Chair
Representative Linda Ichiyama, Vice Chair

HB 1711, HD1 – RELATING TO HEALTH

Cory Chun, Government Relations Director – Hawaii Pacific
American Cancer Society Cancer Action Network

Thank you for the opportunity to provide testimony in support of HB 1711, HD1, which requires restaurants that sell children's meals that include a beverage for a single price to make the default beverage a healthy beverage.

The American Cancer Society Cancer Action Network (ACS CAN) is the nation's leading cancer advocacy organization. ACS CAN works with federal, state, and local government bodies to support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem.

Excess body weight increases the risk for several common cancers, including breast, colorectal, uterus, kidney, adenocarcinoma of the esophagus, pancreatic, ovarian, liver, gastric cardia, gall bladder, and thyroid cancer as well as meningioma and multiple myeloma. The biological link between excess weight and cancer is believed to be related to multiple factors including fat and sugar metabolism, immune function, hormone levels and proteins that affect them, and other factors related to cell growth.

Despite the evidence linking excess weight, poor nutrition, and physical inactivity to increased cancer risk, most Americans are not meeting recommended nutrition and physical activity targets. Reversing obesity trends and reducing the associated cancer risk will require a broad range of strategies that include policy and environmental changes that make it easier for individuals to regularly make healthy diet and physical activity choices.

The purpose of this measure is to make the healthy beverage choice the easy choice for children eating meals designed and marketed to them. This measure focuses on high caloric and sugary beverages that provide excess and empty calories, since sugary beverages have no nutritional benefits.

Thank you for the opportunity to provide testimony on this important matter.

Petition to Submit Testimony in Support of HB1711 HD1

Petition summary and background:	As Registered Dental Hygienists in the state of Hawaii, we are in SUPPORT of HB1711 HD1. We routinely see Hawaii's keiki with a high rate of dental decay which is exacerbated by exposure to a high sugar diet. This measure will offer families a choice to choose healthier beverage alternatives which will ultimately help to reduce dental decay in our keiki.
Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now to SUPPORT HB1711 HD1 and offer families a choice to choose healthier beverage alternatives, helping to reduce dental decay in Hawaii's keiki.

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Audra Dennis, RDH	oceanbreeze@gci.net		
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February 4, 2018

House Committee on Consumer Protection and Commerce

HB 1711, HD1

Ellie Kelley-Miyashiro, RDH, BS

Hawaii Dental Hygienists' Association, Regulations and Practice Chairperson

Chairperson Takumi, Vice Chair Ichiyama and Committee Members:

The Hawaii Dental Hygienists' Association (HDHA) fully supports **HB 1711 HD1**. We would like to congratulate you on your leadership in initiating this important discussion during this legislative session. Having one of the worst dental decay rates in the nation, Hawaii's children can only benefit from legislation such as this.

Tooth decay, like most other health problems starts with diet. Increased sugar exposure throughout the day cumulatively effects decay rates, so limiting sugar intake wherever possible can only benefit our children's overall oral health.

As the largest association representing Hawaii's licensed dental hygienists', HDHA strongly **supports HB1711 HD1** to address the prevention of dental disease among Hawaii's children.

Thank you for your consideration.



**Testimony to the House Committee on Consumer Protection and Commerce
Wednesday, February 7, 2018; 2:00 p.m.
State Capitol, Conference Room 329**

RE: SUPPORTING HOUSE BILL NO. 1711, HOUSE DRAFT 1, RELATING TO HEALTH.

Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 2056, House Draft 1, RELATING TO HEALTH.

The bill, as received by your Committee, would:

- (1) Require restaurants that sell a children's meal to make the default beverage offered with the children's meal either:
 - (A) Water, sparkling water, or flavored water, with no added natural or artificial sweeteners; or
 - (B) Milk or non-dairy milk alternative.
- (2) Require restaurants to complete an initial self-certification of compliance, and clarify that the bill be "liberally construed to accomplish its purposes";
- (3) Provide that all laws and parts of laws heretofore enacted that are in conflict with the provisions of this bill be amended to conform with this bill;
- (4) Provide for severability if any provision or application of this bill is invalidated; and
- (5) Take effect on July 1, 3000.

Federally Qualified Health Centers (FQHCs) provide desperately needed medical services at the frontlines in rural communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of health.

As a member of the Obesity Prevention Task Force, the HPCA joins the Hawaii Public Health Institute and other advocates in support of efforts to reduce the consumption of sugar in the marketplace.

From a technical standpoint, it is unclear how SECTION 4 of the bill as it is presently drafted would be applied by the Revisor of Statutes, especially in the case where the bill is silent. For example, as presently drafted, there is no penalty provision found for violations. However, Section 321-20, Hawaii Revised Statutes (HRS), already provides the Director the authority to levy fines not to exceed \$1,000 for each day of violation of any provision in Chapter 321, HRS. Does SECTION 4 mean that the Director of Health does not have the statutory authority to levy fines for violations of this bill, even though it would be made part of Chapter 321, HRS?

Also, because SECTION 4 is session laws language, this particular language would not be codified in Chapter 321, HRS, so there would be no way for the general public to know that this requirement applies unless they research the underlying Act that enacted this statutory language.

If it is your Committee's desire to not make the provisions of Section 321-20, HRS, applicable for violations of this new section, one way of doing this would be to add prefatory language in Section 321-20, HRS, so that it would read:

"Except as otherwise provided in Section 321-B, . . ."

That would make clear that the Legislature does not intend for the penalty provision to apply for violations of the new law. Once enacted, it would be made clear to the Department of Health and the general public how this law should be enforced.

It is in the spirit of collaboration that we share these observations in the hopes that these issues can be rectified so that real, meaningful reforms can be implemented.

In advance, thank you for your consideration of our testimony.



February 7, 2018

To: Representative Roy M. Takumi, Chair
Representative Linda Ichiyama, Vice Chair
House Committee on Commerce, Consumer Protection & Commerce

From: Mandy Finlay, Director of Public Policy
Hawaii Children's Action Network

Re: **H.B. 1711 H.D. 1, Relating to Health — Strong Support**
Hawaii State Capitol, Room 329, February 7, 2018, 2:00 PM

On behalf of Hawaii Children's Action Network (HCAN), we are writing in support of H.B. 1711, H.D. 1, which would require restaurant kids' meals to offer a healthy beverage—rather than soda or sugary drinks—as the default option.

Sugary drinks are the single largest source of added sugars in our kids' diets, contributing to health and dental issues. In Hawaii, more than one in four kindergartners are overweight or obese. As a state, we spend an estimated \$470 million annually on obesity-related medical costs. Additionally, Hawaii's children have the highest rate of tooth decay in the nation. These figures underscore the need to provide nutritious food and beverage options to ensure that the children of Hawaii can make healthy choices to prevent obesity and dental decay.

H.B. 1711 is intended to promote healthier options in restaurant kids' meals. While many restaurants offer healthy beverages as an option for kids' meals, this bill encourages kids to make healthy choices and would stop kids from receiving a sugary drink when they didn't specifically ask for one.

For these reasons, HCAN respectfully requests the Committee to support this measure.

HCAN is a Hawaii based non-profit committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education.



Tyler Roukema, Chairman – Outback Steakhouse **Kelii Gouveia, Incoming Chair** – Hula Grill
Hide Sakurai, Vice Chair – Diamond Dining **Dirk Koeppenkastrop, Secretary** – Il Gelato
Ben Dowling, Treasurer – Ocean House **Michael Miller, Past Chair** – Tiki's Grill & Bar

Gregg Fraser, Executive Director **Sunny Obrey**, Executive Assistant **Holly Kessler**, Director of Membership Relations

2017 - 18 Board of Directors:

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To: Rep. Roy M. Takumi, Chair
Rep. Linda Ichiyama, Vice Chair
Members of the Committee on Consumer Protection & Commerce

From: Victor Lim, Legislative Chair
Hawaii Restaurant Association

Subj: HB1711, HD1

Date: February 6, 2018

The Hawaii Restaurant Association with 3,500 restaurants here in Hawaii will like to share the committee with status and suggestions on this bill.

Since 2015, major restaurants brands led by McDonald's, Wendy's, Subway, and Burger King have stopped offering soda as the default beverage for the children's meals.

An example of what happens when a parent comes to McDonald's to order a Happy Meal, our staff's second question should be "will that be with milk or juice?" and if it's milk, is that the 1% low fat white milk or the fat free chocolate milk. the juice that we also offer is the Organic Apple Juice.

We will also like to suggest that on the Default Beverages in the children's meal, the committee add Fruit Juice (not fruit drink) as a third alternative.

Thanks you for giving us the opportunity to share our comments.

Aloha.



January 22, 2018

Representative Mizuno, Chair
Representative Kobayashi, Vice Chair
Honorable Members of the House Committee on Health & Human Services

RE: Strong Support of HB1711

Aloha Chair, Vice-Chair and Members of the Committee:

Thank you for the opportunity to testify in support of HB1711, which will make the default beverage offering in keiki meals the healthier choice of either water or milk. This action helps to achieve the goal of a happier, healthier Hawaii.

Soda and sugar filled juices, like fruit punch are typically the default offering with a child's meal in a restaurant. By changing the dynamic and offering the healthy choice of water or milk as the initial option, we are helping families to more easily make the healthy choice.

As many have stated, sugary drinks are the single largest source of added sugars in our children's diets, making up half of all sugars consumed. Sugary drinks have been shown to be a major contributor to the obesity epidemic. Consuming just one sugary drink a day significantly increases a child's risk for type 2 diabetes, becoming overweight, tooth decay, as well as numerous other chronic diseases, which are linked to our escalating healthcare costs. Supporting healthy behaviors in our community benefits everyone.

Nationally, more than 12 million children are obese with that number only trending upward. In Hawaii, we can do better for our keiki. HB1711 is the we can do that. Passage of this bill will make Hawaii the first healthy by default state. It will support families who want healthy, happy lives for their children.

Thank you for this opportunity to testify in support of HB1711.

Sincerely,

Peggy Mierzwa

Peggy Mierzwa
Statewide Policy Lead
Blue Zones Project—Hawaii

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Date: February 5, 2018

To: The Honorable Roy Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection and Commerce

Re: Strong Support of HB1711 HD1

Hrg: February 7, 2018 at 2:00 PM at Conference Room 329

Aloha House Committee on Consumer Protection and Commerce,

I am writing in strong support HB1711 HD1, which promotes healthful meal options by making the default beverage offered in restaurants with children's meals a healthful drink.

Sugary drinks are the single largest source of added sugars in our kids' diets, making up half of all sugars consumed. Soda and fruit punch contain too much sugar for kids, yet are usually the default beverages served with children's meals.

Consuming just one sugary drink a day significantly increases a child's risk to type 2 diabetes, becoming overweight, and developing tooth decay. With restaurants and fast-food establishments becoming a convenient and popular option for many families, dining out options affect children's diets, **making the policy contained in HB1711 HD1 particularly effective in improving the health of our keiki.**

HB1711 HD1 will help support families by offering a healthful beverage as part of the kids' meal. Instead of getting a sugary drink without asking for one, parents will be given water or milk. It is never too early for children to learn and practice healthful habits, including eating well and exercising regularly. Food establishments are an ideal venue for children to practice these healthful habits and to make it easy for families to make healthful choices.

Passage of HB1711 HD1 will make Hawai'i the first healthful-by-default state. Several cities and counties in California have already passed healthful default ordinances with many more are considering similar legislation.

Our keiki are sweet enough. This is a step in the right direction to support parents' efforts to protect their children's health.

I strongly support HB1711 HD1 and respectfully ask you to pass this out of committee.

Mahlo nui for your consideration,

Forrest Batz, PharmD

Kea'au, HI

This is form testimony submitted by multiple individuals:

Christopher La Chica

Maria Moreno-Chow

Tenya Jackman

Lisa Kehl

Michelle Gray

Marilyn Gagen

Tracy Harris

Allison Seales

Kathyrn Braun

Valerie Yontz

Dennis Miller

Michael Kellar

Debbie Apolo

Bev Brody

Lee Buenconsejo-Lum

Jenny Welham

Michele Nihipali

Jen Azuma Chrupalyk

Diane Omura

Maren Anka

Shay Chan Hodges

May Okihiro

Kendra Medeiros

From: cricketlachica@everyactioncustom.com on behalf of Christopher La Chica
<cricketlachica@everyactioncustom.com>
Sent: Monday, February 5, 2018 3:16 PM
To: CPCtestimony
Subject: Strong Support of HB1711 HD1, Relating to Health

Dear House Committee on Consumer Protection and Commerce,

The Honorable Roy Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair Members of the House Committee on Consumer Protection and Commerce

Hrg: February 7, 2018 at 2:00 PM at Conference Room 329 I strongly support HB1711 HD1, which promotes healthy meal options by making the default beverage offered in restaurants with children's meals a healthy drink.

Sugary drinks are the single largest source of added sugars in our kids' diets, making up half of all sugars consumed. Soda and fruit punch are already too high in sugar for kids, yet it is usually the default beverage served with children's meals. Consuming just one sugary drink a day significantly increases a child's risk to type 2 diabetes, becoming overweight, and developing tooth decay. With restaurants and fast-food establishments becoming a convenient and popular option for many families, dining out options can affect a child's diet, making this policy particularly effective in improving children's health.

This measure will help support families by offering a healthy beverage as part of the kids' meal. Instead of getting a sugary drink without asking for one, parents will be given water or milk. It is never too early for children to practice healthy eating habits such as eating well and exercising regularly. Food establishments are an ideal venue for children to practice these healthy habits and to make it easy for families to make the healthy choice.

Passage of HB1711 HD1 will make Hawai'i the first healthy by default state. Several cities and counties in California have already passed healthy default ordinances with many more considering similar legislation. Our keiki are sweet enough. This is a step in the right direction to support parents' efforts to protect their children's health.

I strongly support HB1711 HD1 and respectfully ask you to pass this out of committee.

Sincerely,
Christopher La Chica
Mililani, HI 96789

HB-1711-HD-1

Submitted on: 2/6/2018 9:12:27 AM

Testimony for CPC on 2/7/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Katie Folio		Support	No

Comments:

Aloha, my name is Katie Folio and I am submitting this testimony as a private citizen in STRONG support of HB1711, which would make the default drink in kids fast food meals either water or milk, rather than a sugar sweetened beverage. It is devastating that Hawaii's children and youth are facing an obesity epidemic, especially when it is entirely preventable! A default healthy beverage makes the healthy choice the easy choice, for both kids and parents and is a stepping stone in the right direction. Let's lead the way and be the first state to pass this kind of legislation and help protect our keiki from obesity and diabetes!

Mahalo nui loa,

Katie Folio

Kula, HI

HB-1711-HD-1

Submitted on: 2/5/2018 5:25:20 PM

Testimony for CPC on 2/7/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez		Support	No

Comments:

HB-1711-HD-1

Submitted on: 2/5/2018 5:17:59 PM

Testimony for CPC on 2/7/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
C. Azelski		Support	No

Comments:

Please support HB1711 to help us move towards a healthier future.

Date: February 6, 2018

To: The Honorable Roy Takumi, Chair

The Honorable Linda Ichiyama, Vice Chair

Members of the House Committee on Consumer Protection and Commerce

Re: Strong Support of HB1711 HD1, Relating to Chapter 245, Hawaii Revised Statutes

Hrg: February 7, 2018 at 2:00pm at Conference Room 329

Thank you very much for your time and consideration as I present my testimony in **strong support** of HB1711 HD1, which promotes healthy meal options by making the default beverage offered in restaurants with children's meals a healthy drink. My name is Maggie Morris and I am a Master of Public Health student at the University of Hawaii at Manoa.

Sugar in liquid form, commonly found in sodas and fruit-flavored drinks, is the leading single source of added sugar in the United States which contributes to 36% of the added sugar consumed nationally.¹ Seen throughout studies and the growing literature, sugar sweetened beverages are the most dangerous added sugar to consume because simply drinking a regular can of soda per day can increase an individual's mortality of cardiovascular disease by one third.² Additionally, a person is at a 26% higher risk of developing type 2 diabetes if they consume one to two sugar-sweetened beverages per day.³ Lastly, in Hawai'i there are over 600,000 individuals living with prediabetes or diabetes, affecting 1 in 3 individuals.⁴

Restaurants and fast-food establishments are a convenient and popular option for many families. In Hawai'i, sugary drinks are a huge part of our keikis' diets because of how frequently families are automatically served soda in the children's meals. As mentioned before on the effects of sugary drinks per day, families who eat fast food on a regular basis increase their child's risk to type 2 diabetes, becoming overweight, and developing tooth decay. This bill will help families make the easy choice by replacing the typical sugary drink with water or milk.

Although several cities and counties throughout several states have already passed healthy default ordinances, HB1711 HD1 would make Hawai'i the first healthy by default

¹ U.S. Department of Agriculture, U.S. Department of Health and Human Services. (2010). Dietary Guidelines for Americans, 2010. Retrieved from <http://www.health.gov/dietaryguidelines/dga2010/DietaryGuidelines2010.pdf>

² Yang, Q., Zhang, Z., Gregg, E., Flanders, D., Merritt, R., & Hu, F. (2014). Added Sugar Intake and Cardiovascular Diseases Mortality Among US Adults. *JAMA Intern Med*, 174 (4), 516-524. <http://archinte.jamanetwork.com/article.aspx?articleid=1819573>

³ Malik, V.S. (2012). Sweeteners and Risk of Obesity and Type 2 Diabetes: The Role of Sugar-Sweetened Beverages. *Curr Diab Rep*, 12, 195-203. <http://link.springer.com/article/10.1007/s11892-012-0259-6>

⁴ American Diabetes Association. <http://www.diabetes.org/in-my-community/local-offices/honolulu-hawaii/>

state. Our keiki should not have to suffer from the easy options made available. We can support parents' efforts to protect their children's health by making it an easy choice.

I strongly support HB1711 HD1 and ask you to pass this out of committee.

Mahalo,
Maggie Morris

HB-1711-HD-1

Submitted on: 2/6/2018 7:06:29 PM

Testimony for CPC on 2/7/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Normand Dufresne		Support	No

Comments:

Please support this bill and the health of our children!

mahalo