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Lauren Zirbel, Executive Director

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TO: COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION
Representative Chris Lee, Chair
Representative Nicole E. Lowen, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: Tuesday, January 31, 2017
TIME: 8:30 a.m.
PLACE: Conference Room 325

RE: HB 600 RELATING TO ENVIRONMENT, HB 819 RELATING TO OXYBENZONE & HB 818 RELATING TO OXYBENZONE

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

Sunscreen is a first line of defense for individuals seeking protection from the sun's cancer causing UV rays. Banning the use of oxybenzone, an important UV filter ingredient, in Hawaii will drastically reduce the selection of sunscreen products available to Hawaii residents and visitors. The combination of reduced choice and less effective products could have the dangerous consequence of individuals using less protective sunscreens or worse no longer using sunscreen, thereby causing more skin damage and potentially increasing skin cancer rates.

Oxybenzone Background

Oxybenzone is a safe and effective ingredient found in some of the most popular sunscreens and lotions on the market today. It is a sunscreen ingredient that protects users from both ultraviolet A (UVA) and ultraviolet B (UVB) rays that often contribute to skin cancer.

In addition to avoiding sun exposure and covering up when in direct sun light, sunscreens are a vitally important tool for individuals seeking to protect their skin against sun damage and to reduce the risk of America's most common cancer – melanoma. Oxybenzone containing sunscreens also protect against other forms of skin cancer. Some popular sunscreen products containing oxybenzone include: Coppertone, ChapStick, Blistex, Hawaiian Tropic Lotion Sunscreen, Aveeno Moisturizing Lotion, SoftLips Cube, Neutrogena lotions and sunscreen.

The Food and Drug Administration (FDA) has approved 16 sunscreens, of which only 2 provide effective UVA protection. Oxybenzone has been widely used in sunscreens for decades. Oxybenzone is effective in screening against UVB rays which are associated with sunburns, especially in areas near the equator and with high elevations, such as some areas in the Hawaiian Islands.

Cumulative exposure to UVA and UVB rays is known to cause skin cancer so it is important to use sunscreens that protect against both – like Oxybenzone. The FDA acknowledges the research that shows sunscreens aid in decreasing the risk of developing skin cancers and early skin aging.

The Impacts of Skin Cancer

Over 5 million cases of non-melanoma skin cancer are treated in more than 3 million Americans every year. Every year there are more cases of skin cancer than the combined incidents of breast cancer, prostate cancer, lung cancer, and colon cancer combined.

Over the last 30 years, more people have experienced skin cancer than all other cancers combined. One out of five Americans will develop skin cancer in their lifetime. One person dies of melanoma every hour. Melanoma accounts for less than 1 percent of skin cancer cases, but accounts for the vast majority of skin cancer deaths. The sun causes the vast majority of melanomas. A person's risk of melanoma doubles if he or she has had more than five sunburns. Hawaii has about 200 new cases of melanoma a year, and about 20 people die from it annually. Hawaiian tourism is one of the state's largest industries, and these numbers do not include cases observed amongst those visitors.

Oxybenzone And The Environment

The exposure of the environment to cosmetic and personal care products is relatively low compared to contaminants from other industrial sectors. There is no scientific evidence that sunscreen ingredients, including oxybenzone, contribute to the decline of native coral reef colonies. **According to the U.S. National Oceanic and Atmospheric Administration's (NOAA) Coral Reef Conservation Program, coral reefs are threatened by an increasing array of impacts – primarily from global climate change, unsustainable fishing and other factors. Increasing ocean temperature and acidification, overfishing, coastal development and pollution are well known stressors on coral reefs.** They may induce coral bleaching, a process by which corals lose their symbiotic microalgae.

Ultimately, corals may die when these stressful environmental conditions last too long. Weakened corals, more susceptible to infectious diseases, show poor resilience from episodic bleaching events. Some studies have reported that certain UV filters contained in sunscreens lotions and washed off by swimmers, could contribute to coral bleaching. Studies have shown that five weeks of chronic exposure to these UV filters at concentrations above those reported in natural sea waters, did not induce coral bleaching nor reduce the photosynthetic efficiency of the symbiotic micro-algae.¹

A higher standard of evidence must be met before the legislature bans products, which help individuals easily wear sunscreen every day to prevent skin cancer. Oxybenzone is an extremely effective ingredient that rubs in clear and is contained in many of consumer's favorite every day choices for sunscreen. Thank you for the opportunity to testify.

¹ 26th Annual Meeting of the Society of Environmental Toxicology and Chemistry (SETAC), conducted at La Cité Nantes Congress Center in Nantes, France, from 22 - 26 May 2016

Predictive laboratory methodology to assess coral bleaching: application to UV filters

J. Fel, L'Oréal Research & Innovation, Aulnay-sous-Bois, France / Environmental Research; M. Leonard, L'Oréal SA

Increasing ocean temperature and acidification, overfishing, coastal development and pollution are well known stressors on coral reefs. They may induce coral bleaching, a process by which corals lose their symbiotic microalgae (zooxanthellae). Ultimately, corals may die when these stressful environmental conditions last too long. Weakened corals, more susceptible to infectious diseases, show poor resilience from episodic bleaching events. Some studies have reported that certain UV filters (mostly 4-methylbenzylidene-camphor, benzophenones and octylmethoxycinnamate) contained in sunscreens lotions and washed off by swimmers, could contribute to coral bleaching. Media took it for granted and suspicion has been extended to all organic UV filters present in sunscreens products. The present study was aimed at clarifying the potential effect that organic UV filters (such as Avobenzone, Octocrylene, Terephthalylidene-dicamphor sulfonic acid, Silatrizole, etc...) may have on different coral species. Two herbicides (Monuron and Diuron) were used as positive references. First a preliminary laboratory screening test was developed to assess potential adverse effect of short exposure (48h) to elevated concentrations (from 1 to 100 mg/L) of the compounds. As a sublethal endpoint predictive of coral bleaching, chlorophyll photosynthetic efficiency of the symbiotic micro-algae (zooxanthellae) was monitored with PAM (Pulse Amplitude Modulated) fluorimetry on nubbins of hard coral species *Seriatopora caliendrum* and *Stylophora pistillata*. In a second step, coral nubbins of *Stylophora pistillata* (hard coral) and *Turbinaria reniformis* (soft coral) were exposed for 5 weeks at lower concentrations in 15 liters aquariums, under semi static conditions with weekly solution renewal. **A specific analytical methodology was developed, combining automated solid phase extraction with UPLC-UV detection, to monitor the compounds concentrations in sea water and analyze large number of samples. 5 weeks of chronic exposure to these UV filters at concentrations above those reported in natural sea waters, did not induce coral bleaching nor reduce the photosynthetic efficiency of the symbiotic micro-algae.**



HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Tuesday, January 31, 2017 8:30 AM Room 325

COMMENTS ON HB 819 Relating to Oxybenzone

Aloha Chairman Lee and members of the Energy and Environmental Protection Committee,

The Sierra Club of Hawai'i would like to provide comments on HB 819, which would require labeling of products containing oxybenzone to say "Oxybenzone, when used in nearshore waters, poses serious hazards to coral and reef health." While we support the intention of this Bill to educate consumers about the harmful effects that oxybenzone has on our reef ecosystems, we believe that labeling these products are insufficient in decreasing the amount of oxybenzone that will ultimately enter our beaches and waterways.

Oxybenzone damages coral DNA and inhibits its ability to reproduce, causes deformities on the coral, makes coral more susceptible to bleaching, and initiates endocrine disruption.¹ These pathologies can occur at concentrations as low as 62 parts per trillion, but some beaches in Hawai'i have oxybenzone levels higher than 700 parts per trillion², a major concern when our reef system annually generates about \$800 million in gross revenues.³

The Department of Land and Natural Resources already has an educational and outreach campaign to curb the usage of oxybenzone products and promote reef-safe alternatives. If this Bill is passed, there is currently no regulatory agency to screen labeled sunscreens and no standards to ensure that sunscreens labeled "reef-safe" are in fact safe. What the state needs is more than labeling, we need a ban of these products to ensure that these harmful chemicals are not sold and distributed in Hawai'i.

Thank you very much for this opportunity to provide testimony on this important issue.

Mahalo,

Martha Townsend
Director

¹ Downs CA, Kramarsky-Winter E, Segal R, et al. Toxicopathological Effects of the Sunscreen UV Filter, Oxybenzone (Benzophenone-3), on Coral Planulae and Cultured Primary Cells and Its Environmental Contamination in Hawaii and the U.S. Virgin Islands. *Arch Environ Contam Toxicol* 2015 Oct 20. doi: 10.1007/s00244-015-0227-7.

² <http://www.marinesafe.org/blog/2016/05/12/how-sunscreen-is-putting-coral-reefs-at-risk/>

³ http://www.hawaii.edu/ssri/cron/files/econ_brochure.pdf

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 12:52 PM
To: EEPtestimony
Cc: mz@conservehi.org
Subject: Submitted testimony for HB819 on Jan 31, 2017 08:30AM

HB819

Submitted on: 1/30/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Ziegler	Conservation Council for Hawai'i	Support	No

Comments: We support the intent of HB 819, which is to protect our coral reefs, however, we prefer HB 600 and a straight out ban of the sale of sunscreens containing oxybenzone. Not all consumers read sunscreen labels and may inadvertently purchase one containing oxybenzone. A ban is simpler and more effective. There are other products to choose from. Mahalo nui loa for the opportunity to testify.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 8:24 AM
To: EEPtestimony
Cc: kkburdt@gmail.com
Subject: *Submitted testimony for HB819 on Jan 31, 2017 08:30AM*

HB819

Submitted on: 1/30/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Koba-Burdt	Hawaii Association for Behavior Analysis	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 8:36 AM
To: EEPtestimony
Cc: banillavean@yahoo.com
Subject: *Submitted testimony for HB819 on Jan 31, 2017 08:30AM*

HB819

Submitted on: 1/30/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Prior	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 8:32 AM
To: EEPtestimony
Cc: vicepresident@hawaiiaba.org
Subject: *Submitted testimony for HB819 on Jan 31, 2017 08:30AM*

HB819

Submitted on: 1/30/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Penland	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Sunday, January 29, 2017 1:17 PM
To: EEPtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB819 on Jan 31, 2017 08:30AM*

HB819

Submitted on: 1/29/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

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

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 27, 2017 10:37 PM
To: EEPtestimony
Cc: williamrandysmith@gmail.com
Subject: *Submitted testimony for HB819 on Jan 31, 2017 08:30AM*

HB819

Submitted on: 1/27/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William R Smith	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 27, 2017 5:21 PM
To: EEPtestimony
Cc: mkhan@hawaiiantel.net
Subject: Submitted testimony for HB819 on Jan 31, 2017 08:30AM

HB819

Submitted on: 1/27/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Oppose	No

Comments: Aloha, I oppose this bill because I favor a complete ban on the sale, offer for sale, or distribution for sale of sunscreen or personal care products containing oxybenzone as proposed by HB600. The reality is few people will read and heed warning labels, and as it is, researchers have found oxybenzone concentrations in some Hawaiian waters at more than thirty times the level considered safe for corals. The Hawaiian Kumulipo, a Hawaiian Creation chant, tells us that the first organism born was the coral polyp, a very small and simple organism that was the basic building block for life in the seas. Thus, we must protect the coral. Let's place protection of the environment over economic gain. Respectfully, Leimomi Khan

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Sent: Friday, January 27, 2017 4:07 PM
To: EEPtestimony
Cc: cchaudron08@gmail.com
Subject: Submitted testimony for HB819 on Jan 31, 2017 08:30AM

HB819

Submitted on: 1/27/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Camila Chaudron	Individual	Support	No

Comments: Hi, my name is Camila Chaudron, and I live in the Manoa/Makiki area. I support this measure to protect our oceans against this harmful chemical. All the data indicates that oxybenzone is harmful to the environment, and it has unknown effects on the human body. Given that Hawaii relies on the health of its oceans for tourism and food, this will also be a protection for our tourism economy. For the sake of the health of our community, thank you for supporting this measure. Mahalo.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 10:39 AM
To: EEPtestimony
Cc: rfurst808@gmail.com
Subject: Submitted testimony for HB819 on Jan 31, 2017 08:30AM

HB819

Submitted on: 1/30/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Furst	Individual	Comments Only	No

Comments: I support a full ban on sunscreen products containing oxybenzone. Protection of our natural resources like coral reefs is essential to our economy, especially for tourism in Hawaii. I do not feel that labeling alone is going to be effective enough to protect our ocean resources.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2017 11:22 AM
To: EEPtestimony
Cc: mark.gordon333@gmail.com
Subject: Submitted testimony for HB819 on Jan 31, 2017 08:30AM

HB819

Submitted on: 1/30/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Gordon	Individual	Support	No

Comments: Aloha All ! I do Support HB 819 which will require labeling for sunscreen products that do contain oxybenzone, but only as a temporary measure. I strongly believe that sunscreens with oxybenzone be banned from Hawaii, as is be stated in HB 600. Respectfully, Mark Gordon Waikoloa HI.

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LATE



PERSONAL CARE
PRODUCTS COUNCIL

STATEMENT OF THE PERSONAL CARE PRODUCTS COUNCIL

ON: HEARING ON HB 600, HB 818, HB 819

TO: HAWAII HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY & ENVIRONMENTAL
PROTECTION

FROM: MIKE THOMPSON, SENIOR VICE PRESIDENT,
GOVERNMENT AFFAIRS

DATE: JANUARY 31, 2017

Before the Committee on Energy & Environmental Protection
Hawaii House of Representatives
Statement of the Personal Care Products Council

January 31, 2017

The Personal Care Products Council (Council) is the leading national trade association representing the cosmetic and personal care products industry. The Council's approximately 600 member companies manufacture and distribute the vast majority of products marketed in the US. As the makers of a diverse range of products that consumers rely on daily, from sunscreen, shampoo, and toothpaste to antiperspirant, moisturizer and lipstick, personal care product companies are global leaders committed to safety, quality and innovation.

On behalf of the Council, we are writing to express opposition to House Bill 600, House Bill 819 and House Bill 818:

- HB 600 would ban the sale, offer for sale, or distribution for sale of sunscreen or personal care products containing oxybenzone effective July 1, 2018.
- HB 819 prohibits the sale, offering for sale, or distribution of any sunscreen containing oxybenzone in the State, unless the sunscreen label contains a warning that the use of oxybenzone in nearshore waters poses serious hazards to coral and reef health effective July 1, 2017.
- HB 818 requires advertisements or displays for sunscreen containing oxybenzone in the State to include a conspicuously displayed statement that the use of oxybenzone in nearshore waters poses serious hazards to coral and reef health effective July 1, 2017.

These pieces of legislation lack sufficient scientific evidence connecting a sunscreen ingredient to coral bleaching. The proposed ban is based on a laboratory experiment which does not demonstrate sufficient cause for policymakers to ban sunscreens. The experiment's conclusions are based on preliminary research conducted under exaggerated laboratory conditions, which do not accurately reflect the complexity of the natural marine environment. According to noted scientists, coral requires an elaborate ecosystem to survive. Transporting it to an artificial setting, such as a laboratory, makes it less viable and likely to die in the face of any disturbance. Several prominent scientists around the world have stated publicly that the experiment's findings were "inconclusive."

The threat to the world's coral reefs is a very serious concern. According to the U.S. National Oceanic and Atmospheric Administration's (NOAA) Coral Reef Conservation Program, coral reefs are impacted by an increasing array of hazards – primarily from global climate change, ocean acidification, and unsustainable fishing practices.

Climate change and ocean warming are the most notable culprits for reef bleaching. According to NOAA, coral bleaching events have occurred as the world's oceans temperatures have increased to the warmest levels recorded since measuring began in the late 19th century.

Oxybenzone is a safe and effective active ingredient in over-the-counter sunscreens approved by the U.S. Food and Drug Administration (FDA) and is designed to protect skin against the damaging effects of ultraviolet light. It is a critical ingredient that provides broad-spectrum protection from both UVA and UVB rays. In addition to the FDA, Health Canada, Australian Government (TGA), and the European Union have approved the use of oxybenzone as a safe and effective sunscreen ingredient.

The FDA, the Centers for Disease Control and Prevention (CDC), the U.S. Surgeon General, the American Academy of Dermatology (AAD), the Skin Cancer Foundation and health care professionals worldwide emphasize that using sunscreens is a critical part of a safe sun regimen. The dangers of sun exposure are clear and universally recognized by public health professionals and dermatologists. The National Institutes of Health Report on Carcinogens identifies solar UV radiation as a 'known human carcinogen.' A single bad burn in childhood doubles the risk of developing skin cancer later in life.

These pieces of legislation, although well intended, lack sufficient scientific evidence demonstrating that sunscreen ingredients are responsible for coral bleaching. Skin cancer is the most common cancer in the United States today. This legislation will create confusion, put consumers' health at risk and potentially discourage the use of sunscreens. Since this legislation is based on one laboratory experiment, it would seem appropriate to support further research, and not rush to judgement on a potentially lifesaving product.

Please vote NO on HB 600, HB 819, and HB 818.

Thank you for consideration of our views.

January 30, 2017

The Honorable Chris Lee
Chairman, Energy & Environmental Protection
Hawaii State Capitol, Room 436
415 South Beretania Street
Honolulu, HI 96813

RE: Opposition to HB 600 – relating to environment
Opposition to HB 819 – relating to oxybenzone
Opposition to HB 818 – relating to oxybenzone

Dear Chairman Lee:

On behalf of the Consumer Healthcare Products Association (CHPA), I am writing to express strong opposition to HB 600, HB 819, and HB 818 – all of which are under consideration by the House Energy & Environmental Protection Committee on Tuesday, January 31st. These three pieces of legislation restrict and/or ban the use and sale of oxybenzone, a Food and Drug Administration (FDA) approved ingredient found in many personal care products including sunscreen. While we applaud attempts to limit coral decline in Hawaii, we have strong reservations of doing so by limiting access to an ingredient which has proven benefits against deadly skin cancers.

CHPA is the 135-year-old national trade association representing the leading manufacturers and marketers of over-the-counter (OTC) medicines and dietary supplements. Every dollar spent by consumers on OTC medicines saves the U.S. healthcare system \$6-\$7, contributing a total of \$102 billion in savings each year. CHPA is committed to empowering consumer self-care by preserving and expanding choice and availability of consumer healthcare products.

Oxybenzone is a safe, and effective ingredient approved by the FDA in 1978 and found in nearly 2000 personal care products on the market today including some of the most popular sunscreens, lip balms, and lotions designed to guard against sun damage. In fact, oxybenzone offers broad spectrum protection against both ultraviolet A (UVA) and ultraviolet B (UVB) rays that often contribute to skin cancer. Some popular sunscreen products containing oxybenzone include Coppertone, ChapStick, Blistex, Hawaiian Tropic Lotion Sunscreen, Aveeno Moisturizing Lotion, SoftLips Cube, Neutrogena lotions and countless other shampoos, conditioners, lipsticks, body washes, hairsprays, aftershaves, and more.

Importance of Protection Against Skin Cancer

The most common form of cancer is skin cancer. Every year there are more cases of skin cancer in the United States than the combined incidents of breast cancer, prostate cancer, lung cancer, and colon cancer combined. In fact, over the last 30 years, more people have experienced skin cancer than all other cancers combined. One out of five Americans will develop skin cancer in their lifetime, and one person dies of melanoma (the deadliest form of skin cancer) every hour. The vast majority of melanomas are caused by the sun, and a person's risk of melanoma doubles if he or she has had more than five sunburns. When used as directed, sunscreens containing oxybenzone on the market today have proven to be very effective in protecting skin against the sun's harmful rays. The FDA has acknowledged research that shows sunscreens aid in decreasing the risk of developing skin cancers and early skin aging. The FDA recommends use of a broad spectrum sunscreen with sun protection factor (SPF) values of 15 or higher regularly and as directed to protect against ultraviolet A sun rays as provided by oxybenzone sunscreen products. In order to get ultra-high SPF, oxybenzone is required to serve as a stabilizer for other sunscreen ingredients in sunscreen. Without it, high SPF may not be achieved.

Oxybenzone and the Environment

Despite recent headlines highlighting coral decline and the impacts of oxybenzone on that deterioration, there is disagreement within the scientific community on the linear relationship between the two. A number of studies have examined coral reef bleaching and have concluded a number of factors at fault for global coral reef decline. Some

of the primary reasons include climate change (ocean temperature)¹, and pollution runoff.² Even Craig Downs of the Haereticus Environmental Laboratory in Virginia and primary author of a study on coral reef decline published in the Archives of Environmental Contamination and Toxicology admitted in an interview that “agriculture run-off and sewage are probably responsible for the historical collapse of coral reefs for the past 40 years.”³ Ultimately, global climate change presents the greatest stress to the world’s coral reef. Other factors like over-fishing, agricultural practices, and sewage are also to blame. Terry Hughes, director of the Australian Research Council Centre of Excellence for Coral Reef Studies at James Cook University suggests that extrapolations asserting sunscreen is damaging the world’s coral “are a bit of a stretch.”⁴ He continues, “the conclusion from the media is sunscreen is killing the world’s coral, and that’s laughable.”⁵

There is no scientific evidence that under naturally-occurring environmental conditions, sunscreen ingredients are contributing to coral degradation. According to the U.S. National Oceanic and Atmospheric Administration’s (NOAA) Coral Reef Conservation Program, coral reefs are threatened by an increasing array of impacts – primarily from global climate change, unsustainable fishing and other factors. Increasing ocean temperatures, acidification, overfishing, coastal development and pollution are well known primary stressors of coral reef.

Opportunity Cost

Over-the-counter sunscreen containing oxybenzone is an affordable, accessible first line of defense for individuals seeking protection from the sun’s cancer causing UV rays. Banning the use of oxybenzone, an important UV filter ingredient, in Hawaii will drastically reduce the selection of sunscreen products available to residents and tourists. The combination of reduced choice and less effective products could have the dangerous consequence of individuals using less protective sunscreens or worse –not using sunscreen at all – thereby, causing more skin damage and potentially increasing skin cancer rates.

Conclusion

No state has taken the drastic action of banning or restricting oxybenzone’s sale or use beyond what is already mandated by the FDA. Since there have been no studies published to date that scientifically prove any sunscreen active ingredient is a hazard to coral reefs, CHPA respectfully requests the Hawaii legislature oppose HB 600, HB 818, and HB 819. A greater standard of evidence must be considered before such a valuable product to people’s health be removed from the market.

Should you have any questions for CHPA, please contact me directly or our local counsel, Ms. Lauren Zirbel at 808-294-9968 or laurenzirbel@gmail.com.

Respectfully submitted,



Carlos I. Gutiérrez
Vice President, State & Local Government Affairs
Consumer Healthcare Products Association
(202) 429-3521 cgutierrez@chpa.org

cc: Members, House Energy and Environmental Protection

¹ Mydlarz et. al., 2010; Aeby et al., 2016.

² Fabricius, 2005; Messina and Biggs, 2016.

³ No, your sunscreen isn't killing the world's coral reefs. <http://mashable.com/2015/11/10/sunscreen-killing-coral-reefs/>.

⁴ Ibid.

⁵ Ibid.

LATE

From: mailinglist@capitol.hawaii.gov
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To: EEPtestimony
Cc: pulermq@gmail.com
Subject: *Submitted testimony for HB819 on Jan 31, 2017 08:30AM*

HB819

Submitted on: 1/31/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
RuthMarie Quirk	Individual	Support	No

Comments:

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Tuesday, January 31, 2017 8:30 AM Room 325

In SUPPORT **HB 600** Relating to the Environment

Aloha Chairman Lee and members of the House Energy & Environmental Protection Committee,

My name is Mika Eisen and I am in support of HB 600 I was born and raised on the island of Maui. My childhood consists of many fond memories playing in the reefs surrounding the island. I remember my first experience at Molokini, a small island off the coast of Maui that embodies the shape of a crescent moon. The unique geography of the island was not its only attribute. In the bay of its shell, Molokini had arguably some of the most amazing reef life on the planet. The moment I plunged into the glossy water for the first time, I gazed at the world below me, and couldn't believe that it was real. Schools of fish swam around me and created a colorful society that represented pure natural balance. The vibrant coral reef was home to hundreds of thousands of fish and marine life. That was my senior year of high school in 2013.



Molokini Crater (Figure 1.1)

Three years later, I visited the same sight on a commercial snorkel cruise out of the Lahaina Harbor. I was excited to show my out-of-state friends the amazing marine life at Molokini. It was slightly overcast, but I was optimistic that the snorkeling would be worth it. I was shocked to discover a dull and barren reef. I saw fewer than 10 fish swimming above the grey sand. My heart shattered as I surfaced and looked around in confusion. What had gone wrong? A sheen of oily sunscreen coated the surface of the entire bay. Only one's ignorance could ignore its presence.



Then (Figure 1.2)



Now (Figure 1.3)

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HB819

Submitted on: 1/31/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rene Umberger	For the Fishes	Oppose	No

Comments: Aloha Chair Lee, Vice-chair Lowen and Committee members, As a Hawaii non-profit working to protect Hawaii's coral reefs and wildlife, we are opposed to this bill. It is indisputable that oxybenzone and other chemicals pose serious threats to our coral reefs and therefore it is up to us to prevent them from entering the ocean. This bill with it's labeling requirement sends the wrong message about our care commitment to our natural resources.

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HB819

Submitted on: 1/31/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
michele matsuo	Individual	Support	Yes

Comments: Good Morning Chair Lee, Vice Chair Lowen, and members of the Energy and Environmental Protection Committee ! Thank you for this opportunity to testify. I thank Rep Quinlan, Rep Thielen, and the other introducers for this bill. I am generally very supportive of this bill and really like the educational component of the bill. But I am concerned that the bill does not go far enough. Oxybenzone is a very common ingredient in cosmetic products. Oxybenzone can be washed off in baths as well, enter the sewer water system and be discharged into the ocean. Is it possible to ban the chemicals, or the use in the State generally, rather than just near shore ? Thank you for your consideration! Aloha Michele Matsuo

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HB819

Submitted on: 1/31/2017

Testimony for EEP on Jan 31, 2017 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Christina Comfort	Individual	Comments Only	No

Comments: Aloha, I am Christina Comfort, the oceanographer from University of Hawaii (Makiki resident) who testified today at the hearing on HB600. I would like to submit additional comments regarding the two bills 818 and 819. Labeling can be helpful, but my concern with labeling is that it is an insufficient measure to address oxybenzone harm to marine organisms. Multiple studies, by multiple authors (for example, Downs et al., 2015, McCoshum et al., 2016) have shown that oxybenzone has acute toxic effects on hard corals, diatoms (base of food chain), flatworms, anemones, and soft corals. We have other alternative sunscreens available. Zinc oxides and titanium dioxides have not been shown to have toxic effects in marine organisms except at very high concentrations, whereas oxybenzone has detrimental and even lethal effects at VERY low concentrations (as low as 22 ug/l). Additionally, oxybenzone sunscreens used only on land will still be washed into the ocean through the sewer system when users shower. Oxybenzone is harmful for humans as an endocrine disruptor; the Environmental Working Group has documented this thoroughly. Between being conclusively toxic to marine organisms, damaging in the human endocrine system, the commercial availability of effective, safer, alternative, and the fact that coral reefs are being hammered from all sides by various different stressors, I find that labeling is insufficient and we should implement measures that limit the discharge of oxybenzone into our coastal waters more directly (such as HB600). It is a directed action we can do to improve coral reef resiliency to the multitude of stressors they face here in Hawaii. Oxybenzone will still be brought in by tourists, so concurrent education programs along with the sales ban will be most effective at reducing oxybenzone concentrations in our nearshore environment.

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