

STAND. COM. REP. NO. 761

Honolulu, Hawaii

FEB 28 2019

RE: S.B. No. 549

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 549 entitled:

"A BILL FOR AN ACT RELATING TO HEALTHY BEVERAGES FOR
CHILDREN,"

begs leave to report as follows:

The purpose and intent of this measure is to require
restaurants that sell children's meals which include a beverage to
make the default beverage a healthy beverage beginning January 1,
2020.

Your Committee received testimony in support of this measure
from the Department of Health; American Heart Association;
American Diabetes Association; Hawai'i Public Health Association;
Hawai'i Public Health Institute; Blue Zones Project-Hawaii; Ka
Ohana O Na Pua; Hawaii Dental Hygienists' Association; Hawai'i
Primary Care Association; Kaho'omiki, Hawai'i Council on Physical
Activity and Nutrition; We Are One, Inc.; Hawaii Children's Action
Network; Hawaii Association for Health, Physical Education,
Recreation, and Dance; fifty-seven individuals; and a petition
signed by two hundred twelve individuals. Your Committee received
comments on this measure from the Hawai'i Restaurant Association
and American Beverage Association.

Your Committee finds that over the past thirty years, Hawaii
has experienced an unprecedented increase in obesity and chronic



conditions like type 2 diabetes, heart disease, liver disease, and tooth decay. Sweetened sugary drinks have been identified by numerous scientific studies as a major contributor to the obesity epidemic, and the Centers for Disease Control and Prevention recommends decreasing sugar sweetened beverages to prevent and reduce obesity. Requiring retail food establishments to provide a healthy default beverage as part of a children's meal encourages healthier choices when families eat outside the home.

Your Committee has amended this measure by:

- (1) Expanding the definition of "restaurant";
- (2) Adding a definition of "one hundred per cent fruit juice or vegetable juice" and including this in the list of default beverages;
- (3) Clarifying the permissible types of milk and non-dairy beverages that may be offered as a default beverage;
- (4) Clarifying that no sugar or corn syrup can be added to the default beverage options of flavored water or fruit;
- (5) Specifying that the Department of Health may levy fines for violations; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 549, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 549, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,

Rosalyn H. Baker

ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* SB 549	Committee Referral: CPH	Date: 2/20/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	X			
CHANG, Stanley (VC)				X
KEOHOKALOLE, Jarrett				X
NISHIHARA, Clarence K.				X
RUDERMAN, Russell E.	X			
THIELEN, Laura H.	X			
FEVELLA, Kurt	X			
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes