

Honolulu, Hawaii

, 2020

FEB 06

RE: H.B. No. 2234
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2234
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 education about food donation liability
protections to be made a part of the health inspection
process so that food establishments are aware and
assured of these provisions;
- (2) Clarifying and expanding liability protections for
good-faith food donors; and
- (3) Expanding liability protections to cover the donation of
perishable or nonperishable food that has exceeded its
labeled shelf life and farm produce if the donor
reasonably believes that the food is fit for human
consumption.

Your Committee received testimony in support of this measure
from the Hawaii Food Industry Association, Surfrider Oahu, Aloha
Harvest, Kokua Hawaii Foundation, and four individuals. Your



Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that despite the high levels of food insecurity in the State and liability protections for donors of food products, Hawaii businesses and residents discard more than 237,000 tons of food waste per year. Your Committee has heard the testimony from the Department of Health, noting that the Department has existing guidelines on food safety and donation and expressing concerns over whether requiring regulatory agents of the Department to provide education on food donation is appropriate. Your Committee understands these concerns and finds that a study on the reasons why more businesses and nonprofit organizations are not donating surplus food is necessary.

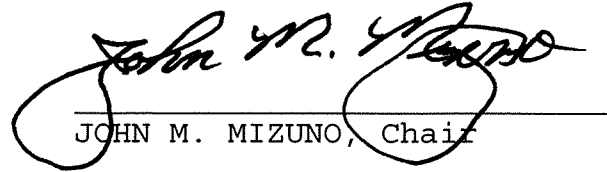
Accordingly, your Committee has amended this measure by:

- (1) Deleting language that required health inspections to include education on food donations; clarified and expanded liability protections for food donation; and permitted the donation of certain food that has exceeded its shelf life;
- (2) Requiring the Department of Health to conduct a study on increasing the number of restaurants and nonprofit organizations donating surplus food and report to the Legislature;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2234, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2234, H.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Health,



JOHN M. MIZUNO, Chair



