

Honolulu, Hawaii

FEB 07

, 2020

RE: H.B. No. 2248

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. 2248
entitled:

"A BILL FOR AN ACT RELATING TO PRODUCTS CONTAINING SUN
PROTECTION FACTOR INGREDIENTS,"

begs leave to report as follows:

The purpose of this measure is to prohibit the sale, offer
for sale, or distribution in the State of any sunscreen that
contains any active ingredient not classified by the United States
Food and Drug Administration as a category I, generally recognized
as safe and effective, beginning January 1, 2023.

Your Committee received testimony in support of this measure
from a member of the Hawaii County Council; Surfrider Oahu;
Friends of Hanauma Bay; Hawaii Reef and Ocean Coalition; Hawaii
Advocates for Consumer Rights; Coastal Planners, LLC; Fair Wind
Cruises; Kona Sunrise Charters Inc.; Haereticus Environmental
Laboratory; Activities & Attractions Association of Hawaii; and
five individuals. Your Committee received testimony in opposition
to this measure from the Hawaii Food Industry Association,
Personal Care Products Council, American Chemistry Council,
Consumer Brands Association, and Consumer Healthcare Products
Association. Your Committee received comments on this measure
from the Department of Health.



Your Committee has heard the testimony presented by the Department of Health, recognizing the benefits of the recent legislation prohibiting the sale of oxybenzone and octinoxate containing sunscreen products and sharing the concerns about potential impacts of some sunscreen chemicals on coral reefs and human health. Your Committee also understands the concerns raised by the Department, that restricting the sale and distribution of sunscreens to only two approved active ingredients has the potential to increase the risk of skin cancer to Hawaii's residents and visitors.

Your Committee therefore concludes that establishing a task force to conduct a study is warranted before further limiting sun protection factor ingredients in sunscreens available for use in the State. Your Committee finds that a sun protection factor task force would allow an examination of policy recommendations for the Legislature, which balance the health and safety of the public, ocean and reef life, and the environment.

Your Committee has amended this measure by:

- (1) Removing language that would have prohibited the sale, offer for sale, or distribution in the State of sunscreens that do not contain certain active ingredients;
- (2) Establishing a task force within the Department of Health to conduct a study on sun protection factor ingredients and the feasibility of further limiting these ingredients' use in sunscreens in the State;
- (3) Requiring the task force to report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2021;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) 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.



2248, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2248, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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



JOHN M. MIZUNO, Chair



