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GOVERNOR

MIKE MCCARTNEY
DIRECTOR

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

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Statement of
MIKE MCCARTNEY
Director

Department of Business, Economic Development, and Tourism
before the

SENATE COMMITTEE ON WAYS AND MEANS

Thursday, March 28, 2019

10:20 AM

State Capitol, Conference Room 211

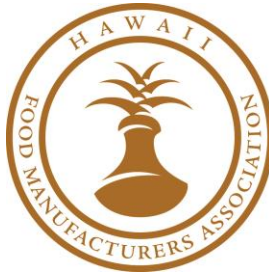
In consideration of
HB 1229, HD1, SD1
RELATING TO FOOD SAFETY.

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee.

The Department of Business, Economic Development and Tourism (DBEDT) **offers comments** on HB 1229, HD1, SD1, which seeks to ensure the continued viability of the State's sea salt manufacturing industry by providing education and support to local businesses regarding the Food and Drug Administration's industry guidance on colored sea salt provided that Hawaii sea salt industry companies will collectively pay for half of the cost to conduct the study.

DBEDT believes that to obtain FDA approval of the color additives used by Hawaii sea salt companies will be a lengthy and costly endeavor. Detailed research, studies and analysis by science and industry experts must be conducted and submitted to the FDA for review. DBEDT estimates the cost of engaging in this process would be a minimum of \$150,000. Finally, DBEDT has concerns as to how to collect half of the cost from the salt trade industry when there is no association or professional organization to assist. The question as to who will pay and how much is of concern. DBEDT also does not have the technical expertise to assess what is required of a study or evaluate its findings.

Thank you for the opportunity to testify.



Testimony to the Senate Committee on Ways and Means
Thursday, March 28, 2019 at 10:20 AM
Conference Room 211, State Capitol

RE: HOUSE BILL 1229 HD1 SD1 RELATING TO FOOD SAFETY

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Hawaii Food Manufacturer's Association (HFMA) **supports** HB 1229 HD1 SD1. HFMA is a non-profit organization of approximately 150 members that have been promoting Hawaiian grown or manufactured products since 1977. HFMA works to increase the understanding and appreciation of the unique flavors, quality, and care that go into the production of Hawaii's fine foods and beverages represented by our membership.

FDA mandates for required testing of an already established food safe product will put a number of Hawaii's small businesses, their employees, and Hawaii's economy at risk for loss of income. It is likely that many of the HFMA members affected will likely not survive without financial assistance as the cost of \$150,000 for the required testing is not something most businesses would be able to endure. HFMA members like Hawaii Kai Corporation and For J's Hawaii and Salty Wahine help account for millions in revenue. This bill provides necessary support to keep these sustain these companies in Hawaii – it is imperative that Hawaii does not lose another industry to foreign competition.

Thank you for the opportunity to testify.

Salty Wahine Gourmet Hawaiian Sea Salts

Retail Store: 808-378-4089 • Fax: 808-442-1230
info@saltywahine.com • www.saltywahine.com



Retail Warehouse: 1-3529 Kaunualii Highway, Unit 2B, Hanapepe, Kaua'i
Mailing Address: Post Office Box 829, Hanapepe, Kaua'i, Hawai'i 96716

Testimony for the Legislative Bill of State of Hawaii HB1229 Year2019

Our company, Salty Wahine Gourmet Hawaiian Sea Salts LLC, 1-3529 Kaunualii Highway, Hanapepe, Hawaii 96716, is a producer of premium quality Hawaiian Sea Salt products and traditional Hawaiian Black and Red sea salts. We started our operation on Kauai in 2008 and very quickly gained national and international recognition and 33 international product awards. Our business continues to grow every year and the success of premium Hawaiian Black and Red Alaea salt created employment opportunities for many businesses in the state of Hawaii. Salty Wahine lost her Black Salt and Red Alaea Salt orders from the Kauai Costco in 2016 due to the new requirement to get a Color Additive Petition for Red Alaea and pharmaceutical grade charcoal. The Costco Lihue salt shelves are packed with Himalayan Salt now. Salty Wahine has participated in Hawaii on the Hill for the last five years and kept all Hawaii Senators and Congressional representative apprised of the situation with Red Alaea and Hawaiian Black Sea Salt each year.

The FDA has not shut down manufacture of Black Salt and Hawaiian Red Alaea Salt due to the efforts of Hawaii Kai and Salty Wahine to pursue the submission of the two Color Additive Petitions. Hawaii Kai and Intertek have been communicating with the FDA to determine final testing requirements for the CAP inputs.

Hawaii Kai and Salty Wahine will have no competitive advantage in the production of Black Salt and Hawaiian Red Alaea Salt. The completion of the two CAP's will allow all Salt Companies to produce Black Salt and Hawaiian Red Alaea. The majority of all Salt Companies on the mainland no longer sell or produce Black Salt or Hawaiian Red Alaea due to the FDA's policy guidance from Sept 2015 as follows:

Guidance for Industry: Colored Sea Salt

Additional copies are available from: Office of Food Additive Safety, HFS-200 Center for Food Safety and Applied Nutrition Food and Drug Administration 5001 Campus Drive College Park, MD 20740 (Tel) 240-402-1200

<http://www.fda.gov/ForIndustry/ColorAdditives/GuidanceComplianceRegulatoryInformation/ucm153033.htm>

You may submit written comments regarding this guidance at any time. Submit written comments on the guidance to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. All comments should be identified with the title of the guidance document.

U.S. Department of Health and Human Services Food and Drug Administration Center for Food Safety and Applied Nutrition September 2015

Contains Nonbinding Recommendations 2

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Contains Nonbinding Recommendations **Guidance for Industry:**

Colored Sea Salt

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1 This guidance has been prepared by the Office of Food Additive Safety, Division of Petition Review in the Center for Food Safety and Applied Nutrition at the U.S. Food and Drug Administration.

2 See also 21 CFR 70.3(f).

I. Introduction

This guidance document is intended for manufacturers of colored sea salt products. This document describes the regulatory requirements for the use of color additives to color sea salt. FDA's guidance documents, including this guidance, do not establish legally enforceable responsibilities. Instead, guidances describe our current thinking on a topic and should be viewed only as recommendations, unless specific regulatory or statutory requirements are cited. The use of the word *should* in FDA guidances means that something is suggested or recommended, but not required.

II. Discussion

Colored sea salt products containing added charcoal or red clay are sometimes referred to as "Hawaiian Sea Salt." These colored sea salt products are being marketed to consumers and industry for food use in the United States.

Under section 201(t) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C. 321(t)), a color additive is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source, and when added or applied to a food, drug, or cosmetic, or to the human body or any part thereof, is capable (alone or through reaction to another substance) of imparting color thereto.² When substances such as charcoal and red clay are added to sea salt, these substances meet the statutory definition of a color additive under the FD&C Act because these substances impart color to the salt. **1**

This guidance represents the current thinking of the Food and Drug Administration (FDA or we) on this topic. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. To discuss an alternative approach, contact the FDA staff responsible for this guidance as listed on the title page. *Contains Nonbinding Recommendations* **4**

Section 721(a) of the FD&C Act (21 U.S.C. 379e(a)) defines conditions under which a color additive is deemed unsafe. A color additive used in or on a food will be deemed unsafe unless: (1) there is a regulation listing such color additive; (2) the regulation allows that particular use; and (3) the color additive and its use conform to the regulation. Neither charcoal nor red clay is listed for safe use by FDA under section 721(a) of the FD&C Act. In addition, charcoal and red clay are not otherwise exempt from such listing. Furthermore, neither charcoal nor red clay is listed in FDA's regulations for use in coloring food, including sea salt (see section 721(b) of the FD&C Act (21 U.S.C. 379e(b))).³ Therefore, any food that contains these color additives is adulterated under section 402(c) of the FD&C Act (21 U.S.C. 342(c)). The introduction or delivery for introduction into interstate commerce of any food that is adulterated is a prohibited act.⁴ FDA can take enforcement action against an adulterated food product, consistent with our priorities and resources.

³ Charcoal was provisionally listed as a color additive for use in food in 1960, but because no evidence was submitted that scientific investigations were under way to establish safety, the provisional listing was terminated by FDA in 1964 (see 29 FR 17089; December 15, 1964).

⁴ Section 301(a) of the FD&C Act (21 U.S.C. 331(a)).

<http://www.fda.gov/Food/IngredientsPackagingLabeling/FoodAdditivesIngredients/default.htm>.

Manufacturers of sea salt that intend to add color additives that are not currently approved for food use to their products, such as charcoal or red clay, must first obtain approval for the use of these substances through the color additive petition process. Color additive petitions must be submitted to FDA's Office of Food Additive Safety, HFS-200, 5001 Campus Drive, College Park, MD 20740. The information required for color additive petitions is outlined in 21 CFR 71.1. There are guidance documents available on our website that address the administrative, chemistry, toxicological, and environmental information that should be included in support of a color additive petition.⁵

⁵ <http://www.fda.gov/Food/IngredientsPackagingLabeling/FoodAdditivesIngredients/default.htm>.

Manufacturers of sea salt that intend to add color additives that are not currently approved for food use to their products, such as charcoal or red clay, must first obtain approval for the use of these substances through the color additive petition process. Color additive petitions must be submitted to FDA's Office of Food Additive Safety, HFS-200, 5001 Campus Drive, College Park, MD 20740. The information required for color additive petitions is outlined in 21 CFR 71.1. There are guidance documents available on our website that address the administrative, chemistry, toxicological, and environmental information that should be included in support of a color additive petition.⁵

Your assistance in saving the Hawaiian Black Salt and Hawaiian Red Alaea Salt industry is greatly appreciated. We are requesting your support to save this Hawaii Industry. Many Hawaii jobs will depend on this. Salty Wahine is willing to pay our fair share in completing the two Color Additive Petitions.

Sincerely,

Laura Cristobal Andersland
Salty Wahine Gourmet Hawaiian Sea Salts



MOLOKAI CHAMBER OF COMMERCE

P.O. Box 515
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March 26, 2019

THE SENATE
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2019

COMMITTEE ON WAYS AND MEANS

Thursday, March 28, 2019 @ 10:20 AM
Conference Room 211
State Capitol, 415 South Beretania Street

SUPPORT HB 1229 HD1 SD1, RELATING TO FOOD SAFETY.

Aloha Honorable Chair Dela Cruz, Vice Chair Keith-Agaran and Committee Members:

As a representative organization of the neighbor-island of Molokai with dozens of members who employ hundreds of our neighbors, friends and families, we are respectfully submitting testimony to **SUPPORT** HB 1229 HD1.

The sea salt industry plays an important role in the business community here on Molokai and this measure would provide assistance to help it grow by providing resources to help obtain FDA approval for certain local ingredients and additives.

The best way for an industry to grow and maintain a stable presence is to innovate, and the resources identified in this bill would do just that by helping the industry fund studies and analyses and provide technical resources to assist in obtaining these approvals.

The sea salt industry also acts as a brand ambassador for Hawaii by selling it's products worldwide and this measure would help it get new products to market and expand its reach, thereby promoting Hawaii as a source for innovative quality products with local, natural ingredients.

Please note our following suggested revisions of the measure:

- According to previous testimony by DBEDT, the cost of the required studies to obtain the approval for these additives would be a minimum of \$100,000.00 so we suggest placing a figure of at least \$100,000 or more on page 2 line 2.
- Page 2, line 11 has an effective date of July 1, 2112 which is far beyond the dates when the requested funds is being asked. We suggest an effective date of July 1, 2019.

We support our working families and our business community provides the jobs to do so. Please help us to continue supporting the financial health and well being of our island business community and residents by supporting this measure.

For these reasons, among others we humbly ask you to approve this bill with the suggested revisions and pass it through your committee.

Sincerely,

Robert Stephenson, President & CEO



**Testimony to the Senate Committee on Ways and Means
Thursday, March 28, 2019 at 10:20 A.M.
Conference Room 211, State Capitol**

RE: HB1229 HD1 SD1, RELATED TO FOOD SAFETY

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports** HB 1229 HD1 SD1, which appropriates funds to the Department of Business, Economic Development, and Tourism to provide education and support to local businesses regarding the Food and Drug Administration (FDA)'s industry guidance on colored sea salt; provided that Hawaii sea salt industry companies will collectively pay for half of the cost to conduct a study regarding the FDA's approval of color additives used in Hawaii sea salt.

The Chamber is Hawaii's leading statewide business advocacy organization, representing 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Additionally, as the exclusive representative in Hawaii for the National Association of Manufacturers, the Chamber has created the Manufacturing in Hawaii Initiative. This initiative is led by the Manufacturing in Hawaii Group and made up of business leaders from various fields and industries. Its mission is to enhance the opportunities and competitiveness of doing business in Hawaii by becoming an advocate and voice for the manufacturing industry in the State of Hawaii.

Back in 2015, the FDA issued a guideline that required the two colorants in Hawaiian black sea salt and red sea salt to be added to the list of approved colorants. However, this also includes having to file out the Color Additive Petition application with the FDA, a process which can be very expensive, especially for small manufacturers of sea salt here in Hawaii.

Since this guideline was issued, the Hawaiian black and red sea salt business has suffered a gradual decline, and some companies, have had to resort to developing non-Hawaiian related products to insure continued growth of their companies. HB1229 HD1 SD1 would be a first step in helping these companies return to selling these two very important products at their stores.

Thank you for the opportunity to testify.



1928 Republican Street Honolulu, HI 96819 Phone: (808) 845-9868 Fax: (808) 848-7848

Aloha Chair Dela Cruz, Vice Chair Keith-Agaron, and Members of the Committee on Ways and Means,

My name is Jimmy Chan and I own and operate the Hawaiian Chip Company. I support HB 1229 because the FDA rules will hinder export revenue for Hawaii food. The manufacturers of the Red and Black Hawaiian salts have the opportunity to generate millions in export revenue as it is a superior product to a similar product, from Himalaya infiltrating, our big box stores around the world and even in Hawaii.

Not having the funding to have the Red and Black clays tested for FDA approval will eliminate companies like the Salty Wahine, Hawaii Kai, and For J's to name a few. While my company does not use this product it will suffer indirectly because the aforementioned companies generate a lot of traffic for the Hawaii food sections in many of the national and international trade shows I attend with them. Neal Arakaki of Jaxie Corporation organizes many of the trade shows in Japan to promote Hawaii export opportunities to a market with huge potential for sales. He feels that there are millions of dollars in export revenue for just the Red and Black Hawaiian Salts alone. He also recognizes the importance and sees the benefit of having such high demand products in the Hawaii pavilions that have been set up.

Thank you for the opportunity to testify.

Mahalo,

Jimmy Chan

Testimony for the Legislative Bill of State of Hawaii

HB 1229

Year 2019

My name is Pamela Brousseau, I have been an Independent Sales Representative to the spice and seasoning food Industry for over ten years. My customers are suppliers and distributors of premium spice and herb products to Hawaiian, US markets and export markets. I have been selling genuine Hawaiian Black and Hawaiian Red sea salt products to Hawaiian manufacturers and suppliers. Our customers love the products.

However, due to the FDA guideline issued in 2015 I have lost significant and promising opportunities to sell Hawaiian Black and Red sea salts. And the FDA Guidance has caused my Hawaiian customers; retailers, distributors, food service, ingredient co-packers, to also loose income and the ability to sell a much loved local Hawaiian sea salt product.

The FDA guideline issued in November 2015 requires the two colorants in Hawaiian black sea salt and Red sea salt (Activated Charcoal & Hawaiian Red Alaea Clay) to be added to the list of approved food colors. This process requires filing the Color Additive Petition (CAP) application with the FDA by the manufacturer and suppliers. This process requires extensive and expensive lab tests and analysis, which are specified by FDA policies.

Hawaiian sea salts are very popular in Hawaii and around the world, which are markets I serve. The Hawaiian Black Sea Salt and Hawaiian Red Sea Salt are the two most popular sea salt products I represent.

Due to the Guidance many of my Hawaiian customers are reluctant to buy these two very popular Hawaiian products due to a procedural technical requirement from FDA. This is an indication that if we do not comply with FDA's requirements, these two products will be soon banned forever. We will lose these very safe, excellent and consumer accepted products, and it will definitely be replaced by other sea salt products from a different region.

I do see great demand and opportunity for the Hawaiian Black and Red sea salt products, and, I do encourage and support this FDA process, and very much looking forward to continuing and increasing my business with Hawaiian Black sea salt and Hawaiian red sea salt.

If you need to contact us, please feel free to do so.

Name: Pamela Brousseau Phone: 1-619-246-3259

Testimony for the Legislative Bill of State of Hawaii HB1229 HD1,SD1

Year 2019

I currently work for H.K. Enterprise Group, Inc. (dba: Hawaii Kai Corporation), 100 Ulili St, Kaunakakai, HI 96748 as the Operations Manager. I started with the company back in 2004.

I also wear the hat of an independent salt farmer for our business called Psalty Acres which was set up by Hawaii Kai Corporation under the Salt Master Guild program. The idea was to help equip and train those with large parcels of lands not being utilized, for example leased land from Department of Hawaiian Homelands, to start a salt farm business and diversify their land use and income. Because we had homestead lands, my wife and I decided to sign up for the program. With the approval of DHHL we now have 200 salt boxes (evaporators) on our property that produced about 1000#s of salt a month on sunny months.

In the past we'd normally hire about 2 workers to help us on the salt farm when production was in full swing. Later as the demand grew, we expanded to about 500 salt boxes that would yield about 2500#s a month and hired about 4 workers.

A company that hires 2-4 workers may not seem like a lot but everything is relative. With Molokai's oppressed economic state, with a high percentage on government assistance, limited job opportunities and limited small businesses, every job counts and has an impact on people's lives.

In the past several years the salt demand has become less and less largely due to the FDA requirement for the Black and Red salts of Hawaii Kai Corp. These two salts are the leading sales for the company.

As of today, we are not producing any salts at all for Hawaii Kai Corporation. All 500 boxes have been put on hold and shut down for

production. We are basically in a maintenance mode which is unfortunate.

As a side note, 2 of my brothers and I just recently opened up a restaurant called Hiro's Ohana Grill on the grounds of Hotel Molokai on July 17, 2017. We currently employ about 40 employees at the restaurant, mostly part time and I am able to see firsthand the kind of impact it has on people's lives, especially in Molokai. By the way, we also use Hawaii Kai Corporation salts at our restaurant.

All that to say, one job lost on Molokai is way too much to begin with and that we cannot afford.

I strongly urge the State to consider helping to fund this FDA application process. I believe it will benefit us and the many other businesses impacted because of this.

Thank you for your consideration and approval of this bill.

Below is my contact information:

Cameron K. Hiro
PO Box 414, Hoolehua, Molokai, HI 96729
808-658-0433

Testimony for the Legislative Bill of State of Hawaii

HB 1229

Our company, H.K. Enterprise Group, Inc. (dba: Hawaii Kai Corporation), 100 Ulili Street, Kaunakakai, Molokai, HI 96748, is one of the largest producers of premium quality and traditional Hawaiian Black and Red sea salts. We started our operation on Molokai in 2004 and very quickly gained national and international repute and recognition, and we grow our business every year. This huge success of premium Hawaiian Black and Red sea salt created employment opportunities for many businesses in the State of Hawaii:

- (1) many jobs in Molokai
- (2) many jobs Kuai
- (3) many jobs in Oahu
- (4) successful many other distribution, retail, co-packing, restaurant and ingredient business within the state of Hawaii.

These businesses serve Hawaii's tourism, export and mainland markets, and have built up a very loyal customer base for the genuine Hawaiian Black and Hawaiian Red sea salt products.

In November 2015, FDA issued a guideline requiring the two colorants in Hawaiian black sea salt and Red sea salt (Activated Charcoal & Hawaiian Red Alaea clay) to be added to the list of approved colorants, which requires filing the Color Additive Petition (CAP) application with the FDA by the sea salt producers & suppliers. This will involve extensive FDA required lab tests and analysis, which are very expensive.

Note: These colorants have been used by consumers for centuries without any harmful effects to human consumption and were considered Generally Recognized as Safe.

FDA in their above-mentioned guidelines specifically called for "colorants" for "Hawaiian Black & Red sea salts", and specifically requires approval for coloring Hawaiian sea salts.

FDA's own tests conducted on many samples of our black & red sea salts showed no harmful elements present. However, we have to go through the long and expensive process of approval.

Since 2015, when the FDA guidance was first issued, the Hawaiian Black and Red sea salt business has suffered a gradual decline. If we do not comply with the FDA requirements this business will be completely destroyed in time, resulting in adversely affecting employments and export business for the state of Hawaii. (for all the opportunities mentioned in the first paragraph)

Everyone is waiting for the approval by the FDA so that they can continue buying genuine Hawaiian Black and Red sea salt - including influential retailers such as Amazon, Whole Foods, and many others who doesn't want to get in trouble with FDA.

Hawaii Kai Corporation itself has suffered substantial drop in its revenue and hence reduced its employment in Hawaii and also abandoned future plans for expansion and additional employments.

The cost of a successful CAP application process with FDA is very expensive. For small businesses such huge cash outlay will be very impractical and destructive, especially with the major revenue drop that the Hawaiian salt industry is suffering resulting from the current restrictive guidelines by FDA on the Black and Red Hawaiian sea salts.

Thank you for your kind consideration and approval of this bill to save two of Hawaii's popular and traditionally important products.

Following is our contact information, if you need clarification any points or need more explanation.

CONTACT INFORMATION:

George Joseph
Mobile: (858) 405-8284
gjoseph@hawaiiikaico.com

Molokai Operations
100 Ulili Street, Kaunakakai, HI 96748

Attachments:

1. Estimated Cost of CAP Application Process and Comments
2. Another Testimony from one of the influential distributors

**Hawaiian Red and Black Sea Salt
Color Additive Petition (CAP) Application
Estimated Expense**

As of Feb 27, 2019

Detailed Lab testing of Activated Charcoal and Red Alaea (as specified by FDA)	\$128,894
CAP application fees to FDA (\$3,000 per application)	\$6,000
Review, study, evaluation and submission	\$15,000
Approximate Total	\$149,894

Note:

This is the estimated total cost to have Hawaiian Red Alaea and Activated Charcoal listed as approved colorants for Hawaiian Black and Red sea salts. Even though these items have been consumed safely by humans for centuries without any known adverse health issues, FDA insists these items to be added to the approved colorants, **specifically referring to Hawaiian Black and Red Sea salts**, by going through a very expensive and tedious CAP process.

If we fail to take care of this now, it is possible that Hawaiian Red and Black sea salts will be banned from usage by the FDA forever. Consumers in Hawaii and in other places will be deprived of two of their favorite products.

Consequently, it will adversely affect a few businesses and employments, which each business will overcome in time.

However, the traditionally and culturally important two Hawaiian products will become prohibited items, and will disappear from the culture forever.



Testimony for the Legislative Bill of State of Hawaii

HB 1229

Year 2019

Our company, Woodland Foods, 3751 Sunset Ave, Waukegan, IL 60087, is one of the largest suppliers and distributors of premium dry agricultural product, spices and herbs to the US markets in the food service and retail food markets. We have been buying genuine Hawaiian Black and Hawaiian Red sea salt products from Hawaiian manufacturers and suppliers and has been an important part of our portfolio of products from around the globe.

However, due to the sensitivity to the FDA guideline issued in 2015 we started feeling the impact of losing large and promising opportunities to sell Hawaiian Black and Red sea salts. A recent such loss was a large long-term opportunity to sell to one of the largest retailers in the world. The FDA guideline issued in November 2015 requires the two colorants in Hawaiian black sea salt and Red sea salt (Activated Charcoal & Hawaiian Red Alaea) to be added to the list of approved food colors. This process requires filing the Color Additive Petition (CAP) application with the FDA by the manufacturer and suppliers. This process requires extensive and expensive lab tests and analysis, which are specified by FDA policies.

Hawaiian sea salts are very popular in the USA and around the world, which markets we serve. The Hawaiian Black Sea Salt and Hawaiian Red Sea Salt are two most popular sea salt products.

This large, popular retailer influences trends around the world and are reluctant to buy these two very popular Hawaiian products due to a procedural technical requirement from FDA. This is an indication that if we do not comply with FDA's requirements, these two products will be soon banned forever. We will lose these very safe, excellent and consumer accepted products, and it will definitely be replaced by other sea salt products from a different region or country.

We do see opportunities for the Hawaiian Black and Red sea salt products, and, we do encourage and support this FDA process, and very much looking forward to continuing and to increasing our business with Hawaiian Black sea salt and Hawaiian red sea salt.

If you need to contact us, please feel free to do so.

Name: Paul Nagy, VP Supply Chain, Phone: 1-847-693-7575

LATE

HB-1229-SD-1

Submitted on: 3/27/2019 10:24:21 AM

Testimony for WAM on 3/28/2019 10:20:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nina Ann Tanabe	Individual	Comments	No

Comments:

Testimony for the 2019 Legislative Bill of the State of Hawaii

HB 1229 – Relating To Food Safety

As a food industry professional, I have worked with many businesses, some which produce colored salts. Most of these businesses are very, very small.

I applaud the Legislature's efforts to keep the red and black colored salts in commerce. The Food and Drug Administration (FDA) has been very patient with the industry as it tries to obtain FDA approval.

But if there is no activity towards obtaining approval, the FDA will have no choice but to deny approval. In that case, the red and black salts will no longer be legal in the United States.

The scientific process to obtain certification is well over \$100,000. While, it would be prudent to have the industry bear some of the costs, expecting 50% is quite high when there are not that many companies to share the expense, not to mention that most of them are considered very small manufacturers.

I encourage the Legislature to reconsider the 50% match as a requirement.

Thank you.

Nina Ann Tanabe, MS, CFS

Pacific Food Technology

ntanabe@pfthi.com

808-938-6701