



MAUI BREWING CO

February 19, 2021

Senate Committee on Commerce and Consumer Protection
SB348 SD1 Relating to Bottled Water
Weds, February 24th, 2021 at 9:30am

Re: **IN SUPPORT OF SB348 SD1**

Aloha Chair Senator Baker, Vice Chair Senator Chang, and members of the Committee on Commerce and Consumer Protection

My name is Garrett W. Marrero, I live in Kihei, HI. Maui Brewing Co. has locations on Maui in Lahaina and Kihei, and on Oahu in Waikiki and Kailua. We distribute across the Hawaii, 23 other States, and 13 countries. We began in 2005 with 26 team members and have added more than 500 to our team. I was also selected as the National Small Business Person of the year in 2017 for my work at Maui Brewing Co. I am writing on behalf of myself and our local family-operated business in support of **SB348** which amends the current unnecessary restrictions on packaging water into bottles and cans.

Hawaii is currently the only State that requires water bottles or cans be filled on a dedicated filling line. Not only is this enormously expensive (minimum \$3,000,000 – \$5,000,000) but also highly unnecessary. Additionally, water carries some of the lowest, if not the lowest, margins in the beverage industry making investments such as this a ludicrous business decision.

Why is this important? Plastic! We have far too much plastic being generated from single-use bottles. It is never too late to do the right thing. I believe this applies here because we absolutely need to address the plastic pandemic. This starts by reducing and hopefully one day eliminating single use plastics. Hawaii has an aluminum can plant that can meet the needs of packaged water in the State. There are several fillers here that would be able to fill water into these cans provided they have made the appropriate investments in the right equipment. We are prepared to commit to the environment and the State to launch a Filtered Canned Water line to help in this pursuit.

The Maui Brewing Co. family of brands is built on sustainability and this past year we became nearly grid-independent for electrical energy. Our manufacturing processes always take into account how we can lead by example in responsible manufacturing and sustainability. We will be proud to lead the charge into canned water.

Mahalo for your consideration. We urge you to pass this bill. Thank you for the opportunity to provide testimony in support of **SB348**.

Mahalo

Garrett W. Marrero
CEO/Founder

Handcrafted Ales & Lagers Brewed with Aloha
605 Lipoa Parkway, Kihei, HI 96753
808.213.3002



1050 Bishop St. PMB 235 | Honolulu, HI 96813
P: 808-533-1292 | e: info@hawaiiifood.com

Executive Officers

Joe Carter, Coca-Cola Bottling of Hawaii, *Chair*
Charlie Gustafson, Tamura Super Market, *Vice Chair*
Eddie Asato, The Pint Size Corp., *Secretary/Treas.*
Lauren Zirbel, HFIA, *Executive Director*
John Schlif, Rainbow Sales and Marketing, *Advisor*
Stan Brown, Acosta Sales & Marketing, *Advisor*
Paul Kosasa, ABC Stores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*
Beau Oshiro, C&S Wholesale Grocers, *Advisor*
Toby Taniguchi, KTA Superstores, *Advisor*

TO:
Committee on Commerce and Consumer Protection
Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: February 24, 2021
TIME: 9:30am
PLACE: Via Videoconference

RE: SB348 SD1

Position: Support

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.

HFIA is in support of this measure. Many people don't know that the canned and bottled drinks that they enjoy here in Hawaii are local products. Internationally and locally known drinks are bottled and canned right here on Oahu.

Current statute hurts our beverage manufacturers' ability to can and bottle water. This bill would pave the way for more local beverage manufacturing. The piece of statute removed by this bill is not law in any other state and there is no reason to keep it on the books.

We urge you to pass this measure and we thank you for the opportunity to testify.



NATIONAL MARINE TEAM

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

February 3, 2021 1:00PM Via Videoconference

In SUPPORT of SB 348: Relating to Bottled Water

Aloha Chair Gabbard, Vice Chair Nishihara, and members of the committee,

On behalf of our over 1 million members and supporters nationally, the Sierra Club's Marine Team **strongly supports SB 348**, which would repeal the requirement that noncarbonated bottled water to be transported, stored, processed, or bottled through lines or equipment through which only water is passed, thereby necessitating separate equipment for canning water separately from existing infrastructure in place for other canned beverages.

Plastic bottles are rarely recycled, and plastics pose a dire threat to our oceans, to our marine life, and contributes to our *opala* problem and reliance on unsustainable disposal practices. Less than 10% of plastic bottles are ever recycled. The rate is considered to be even lower in Hawai'i. As a beautiful island culture, we must consider everything we put into the environment. Aluminum cans are 100% recyclable, infinitely recyclable without losing integrity, recycled at over twice the rate of other materials, and 75% of aluminum ever put into production is still in use. Aluminum is a far more environmentally friendly alternative to petroleum-based plastic.

Importantly, as the country and world moves away from plastics, and plastic bottled water becomes more and more obsolete, it will be imperative for Hawai'i to have the practical infrastructure in place to can our own water, lest we remain reliant on the excessive, CO₂-heavy, and expensive practice of importing products from the mainland. Furthermore, the COVID-19 pandemic has highlighted that it's more important than ever to have manufacturing independence and capabilities to avoid reliance on supply and distribution problems.

Thank you very much for this opportunity to provide testimony in **support of SB 348**. I am available to answer any questions you may have or work with you on this bill.

Mahalo,
Leilei Joy Shih, Ph.D.
Chair, National Marine Team, the Sierra Club
joy.shih@gmail.com



Ball Corporation
2111 Wilson Blvd.
Arlington, VA 22201

February 22, 2021

The Honorable Rosalyn H. Baker
Chair, Senate Committee on Commerce and Consumer Protection

The Honorable Stanley Chang
Vice Chair, Senate Committee on Commerce and Consumer Protection

SUBJECT: S.B. 348 Relating to Bottled Water -- SUPPORT

Dear Chair Baker and Vice Chair Chang,

On behalf of Ball Corporation, thank you for the opportunity to submit testimony in support of S.B. 348, relating to bottled water for the hearing to be held by the committee on February 24, 2021.

Headquartered in Colorado, Ball Corporation was founded in 1880 and supplies innovative, sustainable aluminum packaging solutions for beverage, personal care and household produce customers. As the world's largest aluminum beverage can manufacturer, we employ 18,300 people globally, 46 people work at our plant in Kapolei.

Today, our Kapolei plant supplies cans for more than 20 locally based businesses including Maui Brewing Company, Hawaiian Sun, Honolulu Beerworks and many others. Current law does not allow beverage companies interested in putting water into aluminum cans to use the same filling equipment, lines and process used for other beverages such as carbonated soft drinks, juices and beer. This is unique to Hawaii. No other state imposes this restriction. Lifting this constraint would allow beverage companies in Hawaii to expand their businesses by putting still water in aluminum cans meeting the growing demand for water in sustainable packaging while continuing to invest in the local economy.

Passage of S.B. 348 will not jeopardize the health and safety of the end consumer. Using antimicrobial agents such as ozone in the filling process eliminates the potential for microbiological contamination when water is filled in aluminum cans on the same lines as other beverages.

Aluminum cans are infinitely recyclable with 75% of all aluminum ever produced still in use today. This compares with only 9% of plastic ever having been recycled once. Putting water in aluminum cans gives consumers greater choice, offers a sustainable alternative to single use plastics and takes a step in protecting the Hawaiian Islands against the long-term impacts of plastic pollution.

February 22, 2021

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The passage of this bill would create positive impact; both supporting local businesses and the Hawaiian economy while also providing a local solution to a challenging environmental problem.

Thanks you again for this opportunity to submit testimony and for your work on this important issue. If you have questions, please contact me at 703-284-5414.

Respectfully Submitted,

John Campbell

John Campbell
Vice President, Government Relations
Ball Corporation



**Testimony of Sweetie Nelson, Director of Destination Marketing
Ko Olina Resort Operators Association**

February 24, 2021

**RE: Senate Bill 348 SD1
Committee on Commerce and Consumer Protection
Wednesday, February 24, 2021 @ 9:30 a.m.**

Aloha Chair Baker, Vice Chair Chang and Committee Members,

My name is Sweetie Nelson. I am the director of destination marketing for the Ko Olina Resort Operators Association, representing the hotels, resorts and commercial businesses at Ko Olina.

Ko Olina Resort believes it is our kuleana to malama our ocean and our 'aina, to choose to reduce, rescue and recycle at every opportunity and to be mindful of the importance of the environment to Hawaii's culture.

Ko Olina Resort is in strong support of Senate Bill 348 which repeals the requirement that noncarbonated bottled water be transported, stored, processed or bottled through lines or equipment through which only water is passed. Currently, the law discriminates against the most recycled and sustainable package in the marketplace – aluminum beverage cans.

Aluminum is the future for a plastic-free environment. Putting water in cans gives consumers greater choice and supports a transition from the single use plastics widely used throughout the industry today to a more sustainable alternative. We are aware of the global environmental problems that single use plastics, including plastic bottles, have given rise to and we look forward to doing our part in ensuring a cleaner, viable future for our oceans and Hawai'i's aina.

This change will also allow local beverage companies to expand their business in Hawaii while meeting the increased demand for sustainably packaged water.

Mahalo for the opportunity to offer this testimony and for your consideration,

With Aloha,

Sweetie Nelson
Director of Destination Marketing
Ko Olina Resort Operators Association



Ball Corporation
91-320 Komohana St
Kapolei, Hawaii 96707

February 22, 2021

The Honorable Rosalyn H. Baker
Chair, Senate Committee on Commerce and Consumer Protection

The Honorable Stanley Chang
Vice Chair, Senate Committee on Commerce and Consumer Protection

SUBJECT: S.B. 348 Relating to Bottled Water -- SUPPORT

Dear Chair Baker and Vice Chair Chang,

On behalf of Ball Corporation, thank you for the opportunity to submit testimony in support of S.B. 348, relating to bottled water.

Ball Corporation, founded in 1880, is the world's largest aluminum beverage and aluminum aerosol can manufacturer, supplying innovative, sustainable and infinitely recyclable packaging solutions to customers worldwide employing 18,300 people globally, 46 work at our plant in Kapolei.

Current law does not allow beverage companies interested in putting water into aluminum cans to use the same filling equipment, lines and process used for other beverages such as carbonated soft drinks, juices and beer. This is unique to Hawaii. No other state imposes this restriction.

Passage of S.B. 348 will in no way jeopardize the health and safety of the end consumer. Using antimicrobial agents such as ozone in the filling process eliminates the potential for microbiological contamination when water is filled in aluminum cans on the same lines as other beverages.

Passage of this bill would give fillers interested in putting water into aluminum cans the same flexibility that currently exists on the mainland and will support local businesses in their ability to grow and thrive.

Aluminum cans are infinitely recyclable as evidenced by the fact that of all the aluminum ever produced, nearly 75% is still in use today. Putting water in aluminum gives consumers greater choice and offers a sustainable alternative to single use plastics so widely used today.

Thanks you again for this opportunity to submit testimony and for your work on this important issue.

February 1, 2021
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If you have questions, please contact me at 808-682-1200

Respectfully Submitted,

Jeff Matthijssen

Jeff Matthijssen
Plant Manager – Hawaii Can Plant

SB-348-SD-1

Submitted on: 2/19/2021 2:29:20 PM

Testimony for CPN on 2/24/2021 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Milholen	Individual	Support	No

Comments:

Mahalo for supporting this measure that removes unnecessary restrictions, and facilitates plastic-free innovation in production and distribution.



February 24, 2021

9:30 a.m.

Conference Room 229

To: Senate Committee on Commerce and Consumer Protection

Sen. Rosalyn H. Baker, Chair

Sen. Stanley Chang, Vice Chair

From: Grassroot Institute of Hawaii

Joe Kent, Executive Vice President

RE: SB348 — RELATING TO BOTTLED WATER

Comments Only

Dear Chair and Committee Members:

The Grassroot Institute of Hawaii would like to offer its comments on SB348, which would repeal the requirement that noncarbonated bottled water be transported, stored, processed, or bottled through lines or equipment through which only water is passed.

We commend the Legislature for examining ways in which to reduce unnecessary regulation and provide new opportunities for local businesses.

In ["Road map to prosperity,"](#) our report on strategies to rebuild the state's economy following the COVID-19 emergency and lockdowns, we emphasized the importance of implementing regulatory reforms that would help local businesses innovate, explore different products and services, and reach new customers. We also suggested soliciting feedback from local businesses so as to better understand what reforms would be most useful in our current economy.

The reforms envisioned in this bill are exactly the kind of change that we recommend in that report. Testimony from local businesses suggests that this bill will allow them to expand into new products. In addition, any concerns about public health and safety are addressed by the adherence to FDA standards.

In short, SB348 would be a good step towards encouraging economic growth and helping local business.

Thank you for the opportunity to submit our comments.

Sincerely,
Joe Kent
Executive Vice President, Grassroot Institute of Hawaii