



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB1643**  
**RELATING TO WASTE REDUCTION**

REPRESENTATIVE NICOLE E. LOWEN, CHAIR  
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION  
Hearing Date: 2/3/2022 Room Number: Via Videoconference

1 **Fiscal Implications:** Costs to implement this measure will impact the priorities identified in the  
2 Governor's Executive Budget Request for the Department of Health's (Department)  
3 appropriations and personnel priorities. The Department estimates that one enforcement position  
4 should be established and funded annually to implement this proposal.

5 **Department Testimony:** HB1643 expands the City and County of Honolulu's disposable  
6 service ware ordinance statewide and requires food vendors to provide disposable service ware  
7 to customers only upon request. Disposable service ware is one of many single-use products that  
8 contribute to waste in the State and reducing the distribution will provide benefits to our  
9 environment.

10 The Department respectfully requests funding and the establishment of one new position  
11 to enforce HB1643. The Department estimates that it will need an enforcement position to  
12 receive complaints and inspect businesses identified as distributing disposable service ware in  
13 violation of HB1643 after the proposal is enacted. In addition to conducting enforcement actions  
14 and dispensing citations, this position would also manage public outreach and education efforts  
15 with the affected business community.

16 **Offered Amendments:** The Department requests the following amendment:

17 (d) Any food vendor violating subsection (a) or any rule adopted pursuant to this section may  
18 [~~shall~~]:

1 (1) Be ordered to discontinue the distribution of disposable service ware prohibited by  
2 this section; and

3 (2) [~~If continuing the distribution despite the order, be~~] Be subject to a civil fine of no  
4 less than \$100 nor more than \$1,000 for each day of violation.

5 Additions appear as underlined and deletions appear as strikeouts.

6 Thank you for the opportunity to testify on this measure.



**Greg Maples, Chairman** – Polynesian Cultural Center    **Ryan Tanaka, Incoming Chair**- Giovanni Pastrami

**Ave Kwok, Vice Chair**- Jade Dynasty    **Tambara Garrick, Secretary** – Hawaii Farm Project

**Kahili Soon, Treasurer** – Hukilau Marketplace    **Tom Jones, Past Chair** – Gyotaku

**Sheryl Matsuoka**, Executive Director    **Chivon Garcia**, Executive Assistant    **Holly Kessler**, Director of Membership Relations

Date:                    February 1, 2022

To:                      Rep. Nicole E. Lowen, Chair  
Rep. Lisa Marten, Vice Chair  
Committee on Energy & Environmental Protection

From:                  Victor Lim, Legislative Lead

Subj:                    HB 1643 Relating to Waste Reduction

The Hawaii Restaurant Association representing 3,400 restaurants stand in support of HB 1643 requiring food vendors to provide or distribute disposal service ware for prepared food or for a beverage only upon request or affirmative response of a customer or person being provided the prepared food or beverage, or in a self-service area or dispenser.

City and County of Honolulu and City and County of Maui currently have these ordinances in place and we don't for see any major difficulty in doing it state wide.

Thank you for giving us this opportunity to share our comments with you.





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#### **Executive Officers**

**Charlie Gustafson**, Tamura Super Market, *Chair*  
**Eddie Asato**, Pint Size Hawaii, *Vice Chair*  
**Gary Okimoto**, Safeway, *Secretary/Treas.*  
**Lauren Zirbel**, HFIA, *Executive Director*  
**John Schliff**, Rainbow Sales and Marketing, *Advisor*  
**Stan Brown**, Acosta Sales & Marketing, *Advisor*  
**Paul Kosasa**, ABC Stores, *Advisor*  
**Derek Kurisu**, KTA Superstores, *Advisor*  
**Toby Taniguchi**, KTA Superstores, *Advisor*  
**Joe Carter**, Coca-Cola Bottling of Hawaii, *Immediate Past Chair*

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TO: Committee on Energy and Environmental Protection  
Rep. Nicole E. Lowen, Chair  
Rep. Lisa Marten, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: February 3, 2022  
TIME: 9:05am  
PLACE: Via Videoconference

RE: HB1643 Relating to Waste Reduction

Position: Comments

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 supports the goal of reducing unnecessary waste. We urge the Committee to allow adequate time for implementation and urge the department to strongly prioritize thorough outreach and education for both customers and food service employees if this measure is enacted.

In general customers expect things like forks to be provided with takeout food, and especially for a straw to be provided when they order a lidded to-go drink. Food service employees are accustomed to providing these things. It takes time to change these habits. For customers, especially those coming from other places these rules are new. It may be challenging for many businesses and customers to successfully make the transition with less than a year's notice. Ensuring that outreach and education for employees and customers is thorough will reduce the need for enforcement when the measure is implemented.



2/3/2022

EEP Committee  
Hawai'i State Capitol  
Honolulu, Hawai'i 96813

Dear Chair Lowen, Vice Chair Marten, and Members of the House Committee on Energy and Environmental Protection,

**Position: Support HB1643.**

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

Giving out utensils, straws, condiments, napkins, and bags only when a customer really needs it helps restaurants reduce resources, storage space and money. In fact, Clean Water Action [calculated](#) business costs for each takeout and delivery order to range between \$0.25 and \$0.85 of single-use food service, money that can easily be saved considering that 98% of takeout and delivery is consumed at home or at work where utensils are already available. It is estimated that 40 billion plastic utensils are being wasted per year in the U.S. alone, so restaurants are not only saving money, they are also helping to reduce unnecessary waste.

In 2019, the Surfrider Foundation's O'ahu Chapter and our coalition partners successfully passed Bill 40 (now known as Disposable Foodware Ordinance 19-30) in the Honolulu City & County Council to comprehensively phase out single-use plastics, one of the strongest single-use plastic bans in the nation. Since its implementation on April 1, 2021, restaurants across the island have been complying and providing utensils only upon the request of the customer, saving the businesses both money and resources.

Additionally, the Surfrider Foundation's national Ocean Friendly Restaurants program has seven mandatory criteria, one of which is single-use utensils, straws, condiments, and other accessory items are provided only upon request for takeout and to-go orders. There are over 100 registered Ocean Friendly Restaurants in Hawai'i, all of which are food establishments that comply with these seven criteria and have effectively reduced or eliminated single-use plastics from their restaurants. Our Ocean Friendly Restaurants range from small local businesses to hotels, and have all found acceptable, affordable replacements for single-use plastics, and have successfully implemented this "upon request" policy which is required by law on O'ahu.

Thank you for your consideration of this testimony in support of HB1643, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and all of our members who live in the state and visit to enjoy the many coastal recreational opportunities offered by all of the islands' coastlines.

Sincerely,

Camile Cleveland  
Volunteer Policy Coordinator  
Surfrider Foundation, O'ahu Chapter

**HB-1643**

Submitted on: 2/2/2022 8:56:56 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Suzanne Frazer	B.E.A.C.H.	Support	Yes

Comments:

B.E.A.C.H. supports this bill but would like to see please a ban added on disposable plastic utensils throughout the state similar to Bill 40 on Oahu.



February 2, 2022

**To:** The Honorable Nicole Lowen, Chair  
Members, House Committee on Energy and Environmental Protection

**From:** Tim Shestek, Senior Director  
State Affairs

**RE:** **HB 1643 – Comments; Suggested Amendments**

The American Chemistry Council (ACC) appreciates the opportunity to provide comments on HB 1643, legislation that would require food vendors to only provide disposable service ware to their customers upon request or in a self-service area or dispenser.

Attention is rightly turning to the overall volume of consumer waste generated by the way in which we use products, and many are looking for ways to reduce or eliminate wasteful uses of products. Consumer attention has recently focused on situations where straws and utensils are automatically provided as an area where unnecessary use could be reduced.

There are many circumstances in which the use of drinking straws will enhance safety and promote sanitary conditions. Some examples include beverages consumed while driving, hospital use, daily living for people with physical impairments or recovering from injury, seniors and others who may have difficulty lifting a drink and travelling with small children. However, there are also circumstances when a drinking straw is automatically provided in a drink before the consumer has asked for one. The same rationale could be applied to customers picking up food “to go” who plan to eat their food at home thus not requiring disposable utensils.

The policy as proposed in HB 1643 can help curb unnecessary waste. As restaurants and other food establishments attempt to recover from the COVID-19 pandemic, attempting to comply with a patchwork of rules and regulations can exacerbate those challenges. To that end, ACC urges you to consider including language that would establish a single uniform state “upon request” policy to help reduce compliance burdens on the restaurant community.

Thank you in advance for considering our views. If you have any questions, please do not hesitate to contact me at 916-448-2581 or via email at [tim\\_shestek@americanchemistry.com](mailto:tim_shestek@americanchemistry.com). You may also contact ACC’s Hawaii based representative Ross Yamasaki at 808-531-4551 or via email at [ryamasaki@808cch.com](mailto:ryamasaki@808cch.com)



**HB-1643**

Submitted on: 2/1/2022 8:27:23 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Tabatha Knudson	Individual	Support	No

Comments:

I strongly support this bill! This would create such an important cultural shift that is more efficient and less harmful to the environment.



**HB-1643**

Submitted on: 2/1/2022 2:24:16 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Gerard Silva	Individual	Oppose	No

Comments:

You people are just plain Dum!!

**HB-1643**

Submitted on: 2/1/2022 11:31:26 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jennifer Navarra	Individual	Support	No

Comments:

House Representatives,

Most of us have it in our kitchen. A drawer full of single-use plastic cutlery from takeout that we were given unsolicited, sometimes, even if we took the effort to ask not to. Conscious consumers are often given unwanted plastic waste even after requesting not to receive it. Others don't request, but don't need or use these items. Lets stop this unnecessary waste with this simple measure to cut out the cutlery.

Jennifer Navarra  
Coordinator  
Zero Waste Hawai'i Island

**HB-1643**

Submitted on: 2/2/2022 8:57:59 AM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ted Bohlen	Individual	Support	No

Comments:

support

**HB-1643**

Submitted on: 2/2/2022 12:21:15 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
James Trujillo	Individual	Support	No

Comments:

mahalo for the opportunity to provide testimony in support of HB1643  
we are facing a solid waste crisis and legislation like this is necessary to reduce the impact of plastic in society. steps like this will help move us towards a more sustainable future in Hawai'i  
please vote in favor of reducing plastics and non compostable or recyclable food service ware in our waste stream.

with respect and aloha,

james g trujillo  
po box 33  
kapa'a, HI

**HB-1643**

Submitted on: 2/2/2022 2:54:21 PM

Testimony for EEP on 2/3/2022 9:05:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Daniel Amato	Individual	Support	No

Comments:

Support