

STAND. COM. REP. NO.

43

Honolulu, Hawaii

FEB 08 2011

RE: S.B. No. 101
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 101
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to exempt the
preparation of poi using traditional Hawaiian cultural food
preparation practices from Department of Health regulations
regarding food safety and to require the Director of Health to
adopt rules necessary to carry out this exemption.

Your Committee received testimony in support of this measure
from Hawaii SEED and twelve private citizens. Your Committee
received testimony in opposition to this measure from the
Department of Health. Your Committee received comments on this
measure from the Office of Hawaiian Affairs and one private
citizen.

Your Committee finds that this exemption is necessary to
protect Hawaiian cultural practices. Your Committee finds that an
amendment to this measure is necessary to impose labeling
requirements indicating that poi is processed outside a certified
food processing establishment so that consumers can make an
informed decision regarding poi purchases. Your Committee also
finds that in the interest of safety, additional food safety
requirements should be imposed on producers preparing poi outside
of certified food processing establishments.




Accordingly, your Committee has amended this measure by:

- (1) Adding language requiring all commercially sold hand-pounded poi that is processed outside of a certified food processing establishment be labeled accordingly and identify the producer's name and address and the date of preparation;
- (2) Imposing certain food safety standards for the poi producers;
- (3) Inserting an effective date of January 1, 2050, to facilitate further discussion of the measure; and
- (4) Making technical nonsubstantive amendments for purposes of clarity and consistency.

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 S.B. No. 101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 101, S.D. 1, and be placed on the calendar for Third Reading.

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



JOSH GREEN, M.D., Chair



