

STAND. COM. REP. NO.

639

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 132  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 132, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WATER POLLUTION,"

begs leave to report as follows:

The purpose and intent of this measure is to preserve marine ecosystems by, beginning on January 1, 2023, banning the sale, offer of sale, or distribution in the State of any sunscreen that contains avobenzene or octocrylene, or both, without a prescription issued by a licensed healthcare provider.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, The Kohala Center, Surfrider Foundation, Malama Pūpūkea-Waimea, Hawaii Coral Reef Stakeholders Hui, Haereticus Environmental Laboratory, College of Charleston, Chemists Without Borders, Ben-Gurion University of the Negev, Institute of Geophysics - University of Tehran, Shandong Agricultural University, Tel Aviv University, Napili Bay and Beach Foundation, Safe Sunscreen Council, Sorbonne Université, Hanauma Bay Snorkel Adventures, Hawaii Reef and Ocean Coalition, Maui Ocean Center, Safe Sunscreen Coalition, and forty individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association, Chamber of Commerce Hawaii, Retail Merchants of Hawaii, American Chemistry Council, Consumer Healthcare Products Association, Personal Care Products Council, Public Access to SunScreens Coalition, and one



individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that since the enactment of Act 14, Session Laws of Hawaii 2018, which prohibits the sale and distribution of sunscreen containing oxybenzone and octinoxate in the State, octocrylene and avobenzone are common sunscreen chemicals that have also been shown to cause harm to marine life and human health. The environmental contamination of octocrylene is a daily occurrence, as swimmers and beachgoers apply sunscreens containing these chemicals then swim in the ocean waters. Evolving science around the world clearly demonstrates that these ubiquitous and pervasive reef toxins irreversibly interfere with the life cycles of Hawaii's marine ecosystems. Furthermore, long-term exposure to avobenzone and octocrylene has been found to be lethal for some organisms living in freshwater environments. Therefore, additional regulations are necessary to ensure these chemicals are kept out of our marine environment.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 132, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 132, S.D. 2.

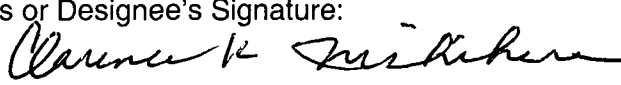
Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,

  
\_\_\_\_\_  
ROSALYN H. BAKER, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>HB132 SD1</b>	Committee Referral: <b>AEN, CPN</b>	Date: <b>02.23.2021</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
CHANG, Stanley (VC)				/
MISALUCHA, Bennette E.	/			
NISHIHARA, Clarence K.		/		
RIVIERE, Gil	/			
SAN BUENAVENTURA, Joy A.	/			
FEVELLA, Kurt	/			
<b>TOTAL</b>	<b>5</b>	<b>1</b>	<b>-</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes