

Bill 4
Early Testimony

From: CLK Council Info
Sent: Thursday, January 25, 2018 12:53 PM
Subject: Council Speaker Registration/Testimony

Speaker Registration/Testimony

Name June Chee
Phone 6263186313
Email june.celica@gmail.com
Meeting Date 01-31-2018
Council/PH Committee Council
Agenda Item Bill 4 (2018)
Your position on the matter Support
Representing Self
Organization
Do you wish to speak at the hearing? No
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1



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

Executive Officers

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John Erickson, Meadow Gold Dairies, *Immediate Past Chair*
Toby Taniguchi, KTA Superstores, *Vice Chair*
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Joe Carter, Coca-Cola Bottling of Hawaii, *Secretary / Treasurer*
Stan Brown, Acosta Sales & Marketing, *Advisor*
Paul Kosasa, ABC Stores, *Advisor*
John Shilf, Rainbow Sales & Marketing, *Advisor*
Barry Taniguchi, KTA Superstores, *Advisor*

TO: CITY COUNCIL, CITY AND COUNTY OF HONOLULU
RON MENOR, CHAIR
IKAIKA ANDERSON, VICE CHAIR

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: Wednesday, January 31, 2018
TIME: 10am
PLACE: City Council Chamber

RE: BILL 4 RELATING TO HEALTH (Addressing health concerns with disposable food containers)

Position: Oppose

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 would like to provide council members with access to a study, conducted by Harvard Center for Risk Analysis, which addresses the title of this Bill "addressing health concerns with disposable containers". Please see below excerpt.

From 1999 to 2002, a 12 member international expert panel selected by the Harvard Center for Risk Analysis conducted a comprehensive review of potential health risks associated with workplace and environmental exposure to styrene. The scientists had expertise in toxicology, epidemiology, medicine, risk analysis, pharmacokinetics, and exposure assessment. The complete findings were published in the Journal of Toxicology and Environmental Health (referenced below).

The Harvard study reported that styrene is naturally present in food such as strawberries, beef, and spices, and is naturally produced in the processing of foods such as wine and cheese. The study noted that "federal regulations also permit low concentrations of styrene in food" as an additive.

The scientists reviewed all of the published data on the quantity of styrene contributed to the diet due to migration from food contact packaging. The scientists concluded that there is no cause for concern from exposure to styrene from food or from polystyrene used in food contact applications, such as packaging and foodservice containers.

Reference: "A Comprehensive Evaluation of the Potential Health Risks Associated with Occupational and Environmental Exposure to Styrene", Harvard Center for Risk Analysis, Harvard School of Public Health, Boston, MA (Journal of Toxicology and Environmental Health, Volume 5, Number 1-2, January – June 2002, published quarterly by Taylor & Francis.) Findings also were published in the Harvard Center for Risk Analysis's Risk in Perspective.

We would also like to express concern with the broad wording in this bill in Sec. 41-27.2 (b). While we appreciate that the words "meat & eggs" have been deleted from the bill, we are concerned with the words, "or other food in any polystyrene foam container". We feel this language is overly broad and confusing.

HFIA would also like to share the answer to the question, "Are compostable products marine degradable?" as answered by the manufacturer of these products. Please see below.

"Are your compostable products marine degradable?

No, our products are not certified as marine degradable and we strongly encourage everyone to keep all plastics out of oceans and waterways.

Land-based commercial compost facilities have the ability to maintain ideal composting conditions and sustained heat and moisture needed for Ingeo to break down entirely with the appropriate soil bacteria, yeast, and fungi. The ocean is salty and filled with life that is affected when plastics enter the water. The compost process does not occur there. Additionally, there is more and more research all the time showing the harmful effects of plastics in the ocean, including the impacts on birds that often mistake plastics for fish and eat them. Please help keep our oceans and waterways free of litter and plastic and dispose of any waste responsibly."

Reference: http://www.ecoproducts.com/faqs-composting_and_recycling.html

Thank you for the opportunity to testify.

From: CLK Council Info
Sent: Monday, January 29, 2018 12:06 PM
Subject: Public Works, Infrastructure and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name	Gaven Wu
Phone	8085238668
Email	Gavenwu@gmail.com
Meeting Date	01-31-2018
Council/PH Committee	PublicWorks
Agenda Item	Bill 4
Your position on the matter	Oppose
Representing	Organization
Organization	Papa's cafe
Do you wish to speak at the hearing?	No
Written Testimony	We can not afford the high price material We want a choice of what can we afford
Testimony Attachment	
Accept Terms and Agreement	1

TO: Chair Menor, Vice-Chair Anderson and Council Members

NAME: Dean Otsuki

RE: **TESTIMONY IN STRONG SUPPORT OF BILL 4**
Relating to health.
Testimony for Council meeting on Wednesday 31st January, 2018 at 10AM.

Aloha Chair Menor, Vice-Chair Anderson and Council Members,

I am writing in strong support of Bill 4 which would prohibit the use of polystyrene disposable food containers from food vendors and food packagers on O`ahu.

Manufacturing polystyrene foam is both harmful to people and the environment. Polystyrene foam containers contain the chemical styrene which leaches into hot food and drink. Acidic foods and drinks also causes styrene to migrate out of the foam and into food and drink. Styrene has been linked to cancer, vision and hearing loss, impaired memory and concentration, and nervous system effects.

Polystyrene is made from petroleum and contains benzene which is carcinogenic. Styrene, the chemical in styrofoam, which is also known as ethenylbenzene, vinylbenzene, and phenylethene, is a derivative of benzene. The National Toxicology Program lists styrene as "reasonably anticipated to be a human carcinogen". HFCs (hydrofluorocarbons) are used when manufacturing polystyrene foam which are still linked to depleting the ozone layer and affecting global warming. Workers in the polystyrene plastic industry are known to have higher incidences of cancer and suffer adverse effects from inhaling styrene.

There are better, healthier alternatives like compostable containers for polystyrene food containers on the market today that don't have the toxic chemicals in them like styrene. Compostable containers are 100% plant based so if they do get into the marine environment they will not harm marine life as compostables are non-toxic. Another alternative to polystyrene foam containers is to bring your own reusable container.

Polystyrene foam containers are very light and can easily blow into the ocean where marine life can ingest them. Plastic in the ocean accumulates persistent organic pollutants (POPs) such as DDT, DDE, PCB's, and dioxins on the surface of the plastic up to a million times more than the surrounding sea water making the plastic very toxic. When marine life ingest marine debris those POPs migrate to the fatty tissues of the animal. These POPs bioaccumulate up the food chain where the top of the food chain including humans get the most chemicals. POPs are endocrine disruptors that can interfere with the endocrine (or hormone) system. Endocrine disruptors can cause cancerous tumors, birth defects, and other developmental disorders.

Food vendors and food packagers should not be allowed to substitute polystyrene foam for another type of plastic because researchers have found that all types of plastics 1-7 leach chemicals having estrogenic activity. These chemicals mimic the hormone estrogen and can cause all types of hormonal imbalances in the human body.

Please pass Bill 4 to help keep our ocean environment clean and protect residents and visitors from the toxic chemicals that come from polystyrene foam.

Thank you for your consideration of my testimony.

A handwritten signature in black ink, appearing to read "Dean Otsuki". The signature is fluid and cursive, with a large initial "D" and "O".

Dean Otsuki

From: CLK Council Info
Sent: Monday, January 29, 2018 7:54 PM
Subject: Council Speaker Registration/Testimony

Speaker Registration/Testimony

Name Lisa Bishop
Phone 808 748 1819
Email lisa.fohb@gmial.com
Meeting Date 01-31-2018
Council/PH Committee Council
Agenda Item Bill 4
Your position on the matter Support
Representing Organization
Organization FRIENDS OF HANAUMA bay
Do you wish to speak at the hearing? No

Written Testimony Aloha Council Members, thank you for the opportunity to submit testimony in support of Bill 4. Passage of this bill will yield immediate and long-term benefits to human and environmental health, so we strongly urge its passage. Mahalo,
Lisa Bishop
President
Friends of Hanauma Bay

Testimony Attachment

Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, January 30, 2018 10:15 AM
Subject: Public Works, Infrastructure and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name Eric Wong
Phone 8083710016
Email locomocoewa@gmail.com
Meeting Date 01-31-2018
Council/PH Committee PublicWorks
Agenda Item Bill 4 - ban food containers
Your position on the matter Oppose
Representing Organization
Organization LoCo MoCo Drive Inn -Ewa Beach
Do you wish to speak at the hearing? No
Written Testimony We oppose this bill 4 to ban the use of food containers such as styrofoam. We suggest instead of banning, we as a community find real solutions to our waste problems.
Testimony Attachment
Accept Terms and Agreement 1

From: CLK Council Info
Sent: Tuesday, January 30, 2018 10:27 AM
Subject: Council Speaker Registration/Testimony

Speaker Registration/Testimony

Name Jennifer Milholen
Phone 808 277-7096
Email jennifer@styrophobia.com
Meeting Date 01-31-2018
Council/PH Committee Council
Agenda Item Bill 4
Your position on the matter Support
Representing Organization
Organization Styrophobia
Do you wish to speak at the hearing? No

Written Testimony

Aloha, Council members. I am writing on behalf of Styrophobia to support Bill 4 relating to polystyrene foam containers. We believe that there is sufficient, legitimate medical research on the toxicity of chemicals leached out of EPS containers into foods to support restrictions of this product on Oahu. Please consider passing this bill through into committee for discussion.

Testimony Attachment

Accept Terms and Agreement 1



KYD, Inc. dba k. yamada distributors

An independent leader in packaging and wholesale distribution

P.O. BOX 29669, Honolulu, Hawaii 96820 Phone: (808) 836-3221 Fax: (808) 833-8995

Honolulu City Council
Wednesday, January 31, 2018

10:00 am

Bill 4, Relating to Health

Position: Oppose

Chair Menor, Vice Anderson and Members of the Honolulu City Council:

I am Robert Kline, Senior Account Executive of Hawaii's Finest Products, LLC (HFP) and its sister company, KYD, Inc. HFP is the local manufacturer of polystyrene foam food service containers and together, the companies provide jobs to about 90 men and women. We distribute foam food service and compostable containers as well as other packaging materials throughout the State.

We oppose this proposed measure that calls for the ban of expanded polystyrene food containers.

- The integrity and safety of our locally-manufactured food containers are validated through third-party food safety audit certification.
- After two days of scientific panel presentations and a full discussion, the Maui County Council acknowledged that polystyrene food container products were safe and reference its carcinogenic nature and effects on human safety were deleted from the bill.

As a long-time local business, we share the concern about improper disposal of trash that mar the beauty of our island and makes its way to waterways and the ocean. According to the Keep Hawaii Islands Beautiful and Kupu Oahu Litter Index (September 2017), Oahu is generally a clean island, with identified hot spots, only eight of 90 sites. The identified hot spots include specific roadways, industrial areas, and bulk and construction waste. Open-topped trash receptacles without lids were observed to be a source of litter in recreational and residential areas throughout Oahu.

Instead of piece-meal bans on litter material, let's focus on Honolulu's waste management system improvements that must include practical analysis of recycling, commercial composting and HPower as solutions for reducing Oahu's land-based marine debris. Public/private partnerships for stronger litter prevention, education and enforcement are also elements of such a comprehensive approach.

Thank you for the opportunity to provide this testimony.



From: CLK Council Info
Sent: Tuesday, January 30, 2018 12:23 PM
Subject: Council Speaker Registration/Testimony

Speaker Registration/Testimony

Name Doorae Shin
Phone 8084923954
Email doorae@kokuahawaiiifoundation.org
Meeting Date 01-31-2018
Council/PH Council
Committee
Agenda Item Bill 4
Your position on the matter Support
Representing Organization
Organization KOKUA HAWAII FOUNDATION
Do you wish to speak at the hearing? Yes

Aloha,

My name is Doorae Shin, and I am testifying in full support of Bill 4 on behalf of the Kōkua Hawai'i Foundation, a non-profit founded by Kim & Jack Johnson to provide environmental education to Hawaii.

I first became aware of plastic pollution when I was a student at UH Manoa. I moved here 7 years ago to go to school, and I was humbled by my newfound connection to nature. But in my first years on the island, I noticed so much trash and plastic flying around and littered in the places I love, and Styrofoam was a big offender.

Written Testimony

I organized a campaign at UH Manoa to ban EPS foam, and in April of 2013, the UH Manoa administration passed an official policy banning food vendors from using EPS foam. In the transition period where restaurants switched to alternatives, there was never a single complaint of economic hardship or dissatisfaction about the policy. All of UH's food establishments, ranging from small food trucks to larger businesses, made a smooth transition, and UH has been a foam-free campus ever since. A copy of the policy can be found here:
<http://manoa.hawaii.edu/policies/pdfs/SustainableFoodServiceProducts.pdf>

Global data from the Ocean Conservancy reveals that 9 out of the 10 top items found on our beaches are food and beverage related plastics (the only one that is not is cigarette butts), so reducing single-use plastics such

as foam from foodservice operations is the lowest hanging fruit to mitigate the plastic pollution crisis facing our oceans.

Our overconsumption of plastic is causing unnecessary harm to nature and wildlife, many of those animals being endangered, and this bill is such an important step in slowing these threats to animals and biodiversity in our oceans. Not to mention that the harmful chemicals in plastics accumulate up the food chain, meaning that people eating fish & seafood receive concentrated doses of these chemicals in their bodies.

Above all, the use of styrofoam in foodservice is simply unnecessary and harmful. If something is unnecessary and harmful, then it is a simple solution to end that practice. Single-use plastics, like the foam containers, cups, & plates used at local restaurants, are made from petroleum and are designed for one time use. To design a product to be used for less than 30 minutes that we know will last hundreds of years in the environment is irresponsible and irrational.

There are ever-increasing, cost-competitive alternatives to these products that offer the same shapes, sizes, function & quality that foam does without any of the consequences. All major distributors of EPS foam in Hawaii already distribute eco-friendly and foam-free alternatives, so distributors would not lose any business, and can easily benefit from the transition.

And though we should be aware of a loss of a small number of jobs at KYD), we should be equally aware that these are hazardous jobs. In producing polystyrene foam products, KYD exposes their employees to harmful chemicals like styrene, which is categorized as an animal carcinogen and a suspected human carcinogen (National Institute of Health's 2011 Report on Carcinogens). Another National Institute of Health study found "An excess of spontaneous abortions ... in women whose work included the processing of polystyrene." These are just some of the warnings heeded by scientists that have studied these and many more health effects from exposure to styrene.

So any jobs lost from slowing down foam production will in fact be a blessing to the health and safety of those employees, and with an economic shift towards eco-friendly products, we can easily replace those jobs with ones of a non-toxic nature, by instead producing and distributing disposable foodware made from plant materials, which supports local farmers on top of creating a healthier workplace for local employees.

Knowing that the use of polystyrene foam in restaurants is simply unnecessary and that alternatives are abundant and affordable, I hope you support Bill 4 so our local restaurants can use products that do not pose a threat to our environment, to wildlife, to our food chain, or to the health of our local workers and consumers. The convenience of polystyrene foam does not outweigh the consequence, and we can now find the same conveniences in more sustainable alternatives. Mahalo nui loa for your time & consideration.

Doorae Shin,
Plastic Free Hawaii Program Manager
Kokua Hawaii Foundation

Testimony
Attachment

Accept
Terms and 1
Agreement

From: CLK Council Info
Sent: Monday, January 29, 2018 11:49 PM
Subject: Public Works, Infrastructure and Sustainability Speaker Registration/testimony

Speaker Registration/Testimony

Name	Isaac
Phone	808 735-2492
Email	Sanchezisaac@ymail.com
Meeting Date	01-31-2018
Council/PH Committee	PublicWorks
Agenda Item	Bill 4
Your position on the matter	Oppose
Representing	Organization
Organization	Azteca Restaurant
Do you wish to speak at the hearing?	No
Written Testimony	We should finding better solutions than to banned certain materials.
Testimony Attachment	
Accept Terms and Agreement	1

Beach Environmental Awareness Campaign Hawai'i

P.O. Box 25284 · Honolulu · Hawai'i · 96825

(808) 393 2168 · www.b-e-a-c-h.org

TO: Chair Menor, Vice-Chair Anderson and Council Members

FROM: Suzanne Frazer, President, Beach Environmental Awareness Campaign Hawaii

DATE: Tuesday 30th January, 2018

RE: Testimony for Council meeting on Wednesday 31st January at 10AM

BILL: Bill 4 (2018) - POSITION: SUPPORT
Relating to Health

Aloha Chair Menor, Vice-Chair Anderson and Council Members,

I am writing on behalf of Beach Environmental Awareness Campaign Hawai'i (B.E.A.C.H.) in support of Bill 4 (2018) which will ban the use of polystyrene foam food containers by certain food vendors and packagers in Honolulu County.

Although B.E.A.C.H. supports this bill, we would rather see a stronger ban which was presented in Bill 71. Bill 4 only relates to banning polystyrene foam containers for food. Bill 71 bans polystyrene foam containers for both food and drinks. This is important as getting hot drinks such as coffee or cold drinks such as juice in polystyrene foam causes the leaching of the chemical styrene from the cup to the drink. Hot or acidic or oily foods and drinks facilitate the migration of styrene from the container. Styrene, the chemical from which polystyrene is made from is toxic to the brain and nervous system and has been found to adversely affect red blood cells, liver, kidney, stomach and cause cancer in animal studies.

Another concern is that Bill 4 specifies 3 types of food vendors: restaurant, retail food vendor and non-profit corporations exempt from federal tax, whereas Bill 71 just had "food vendor" with no specifications. The language of Bill 71 is preferred because there may be food vendors who are wholesalers who will be exempt from this ordinance, there may be non-profits that don't have federal tax exempt status yet, and possibly other types of food vendors that will not be covered by the definition in Bill 4. For instance, private schools which are for profit will be exempt. This should not be allowed as all children need protection from toxic chemicals in their school lunches.

Bill 4 does not specify what kind of containers people should use instead of polystyrene foam. The bill only refers to foam and not all polystyrene, therefore food vendors could simply switch to non-foam number 6 plastic which is still polystyrene and will still leach styrene into the food. Other food vendors may decide to switch to number 5 plastic like apparently Zippy's has done. This is still harmful to human health and environmental health as is every other type of petrochemical plastic used for hot food and drinks.

In the study by Yang et. al published in March 2011 in Environmental Health Perspectives, the authors found that chemicals that mimic the action of the hormone estrogen, defined as having

estrogenic activity (or EA) have been found to leach from every type of plastic (numbers 1 - 7) , and even from “BPA free” plastic products. These chemicals are released from plastic when the container is exposed to heat such as hot food, hot drinks, sunlight, microwaving and dishwashing. That means that there is no “safe” plastic and all plastic should be avoided especially for hot food and drinks.

Chemicals that cause EA are those that act like a synthetic form of estrogen or block the action of naturally occurring estrogen in the body and cause endocrine disruption. In humans, chemicals having EA can cause prostate and breast cancer and many reproductive health problems among other diseases including the many autoimmune diseases that are prevalent today. Unborn children, babies and young children are especially sensitive to low doses of chemicals having EA.

In addition, B.E.A.C.H. supports the wording in Bill 71 which banned polystyrene foam for eggs and meat because these kinds of containers are not needed and end up in the environment causing harm. Many times we have found in beach clean-ups, blue foam bait trays left by fishermen on the shorelines in Kahuku and other places. B.E.A.C.H would like to see this bill strengthened by banning foam meat trays and egg cartons. Eggs are just fine in cardboard containers and meat can be wrapped in butchers paper like it used to be.

B.E.A.C.H. supports this bill but would like to see it amended by: banning both the sale and use of polystyrene containers as people could still buy empty polystyrene foam containers and put hot food in them; adding drink containers; include all food vendors by not specifying only 3 types; include meat trays (including bait trays) and eggs containers; and specify the alternatives to be used instead of polystyrene foam. The alternatives do not need to be limited to compostables (as Bill 71 did) but it can include any non-petrochemical plastic alternatives. It is important that this bill does not lead to just a switch from one plastic container to another plastic container as this is not solving the health concerns over plastic used to contain food, nor reducing the plastic load on the environment, which is so necessary for the survival of generations living now and into the future.

Thank you for this opportunity to provide written testimony in support of Bill 4.

Sincerely,



Suzanne Frazer.
President,
B.E.A.C.H.



12 years
2006 - 2018

*Reducing and preventing plastic
marine debris to protect sea life*