

HB

388

SENATE COMMITTEE REPORT

FURTHER

LABOR AND COMMERCE
FINANCE

DATE TURNED INTO OFFICE _____

4/30/88
Mr. President:

_____ HESS _____ Committee considered _____ CSHB 388 (HESS) _____

irradiated food

and recommended

replace with _____ CS _____) same title
 or adopt _____ CS _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Chairman signature and recommendation

Committee Backup attached

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 388 (HESS)
PUBLISH DATE: HOUSE 2/24/88

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to irradiated food.
Sponsor: Peter Goll and Randy Phillips
Requestor: Randy Phillips

Agency Affected: Environmental Conservation
BRU: Environmental Health

Components: Sanitation

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-	14.9	14.9	14.9	14.9	14.9
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	2.0	2.0	2.0	2.0	2.0
SUPPLIES	-	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	-	-	-	-	-	-
LAND & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	0	17.9	17.9	17.9	17.9	17.9

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	17.9	17.9	17.9	17.9	17.9
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	17.9	17.9	17.9	17.9	17.9

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	1	1	1	1	1
TEMPORARY	-	-	-	-	-	-

ANALYSIS : (Attach a separate page if necessary)

Attached.

Prepared by: Douglas C. Donegan Phone: 465-2609
Division: Environmental Health Date: 2/2/88

Approved by Commissioner: Dennis D. Kelso Date: February 2, 1988
Agency: Environmental Conservation

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

Position Title Environmental Sanitarian II		No. of Positions 1	Range/Step 16/A	Barg. Unit G
Time Status F	Staff Months Four (4).	Location Anchorage, Ak.		Election District 7
		Justification		
Type of Expenditure		Amount		
1	2	3		
Salary	11.2			
Benefits	3.7			
Premium Pay	-			
Other	-			
Total Personal Services		14.9		
Travel		-		
Contractual		2.0		
Commodities		1.0		
Equipment		-		
Other		-		
Total Cost		17.9		
Funding Source for Total Cost				
Federal Receipts	1002	-		
G. F. Match	1003	-		
General Fund	1004	17.9		
GF Programs Receipts	1005	-		
Other		-		

This position is required to support the implementation of HB 388 "An Act relating to irradiated food." Approximately 500 retail markets would be inspected to ensure that prohibited products were not being sold. All retail markets would be contacted and notified of the new law. It is estimated that the inspection of these facilities would require approximately 2 hours each, including travel time.

The additional inspection effort would amount to a total of 602 hours per year or about four months per year.

**Request For
New Position**

Agency Environmental Conservation
 BRU Environmental Health
 Component Sanitation

Page 2 of 2
 Revised Date

FY 89

No. 1
 CSHB 388 (HESS)
 HOUSE 2/24/88

POSITION PAPER
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

House Bill No. 338

February 2, 1988

"An act prohibiting the sale of irradiated food."

Department position:

The Department has not taken a position on this bill for the following reasons. The Department has no staff with training and experience in the irradiation of food. The Department's expertise regarding food products is inspecting the sanitary operations of food production facilities. There is a large amount of information and scientific data on this issue. Although review and analysis of the available data are beyond the Department's current capacity to effectively review and analyze, we are pleased to assist the committee in identifying useful information, including the following background.

FDA Requirements

The treatment of certain food products and spices with ionizing radiation is approved by the U.S. Food and Drug Administration (FDA). FDA has approved the following application dosages: for foods which can comprise more than 0.01% of the daily diet, the dosage cannot exceed 1 kilogray (K Gy); for foods which can comprise less than 0.01% of the daily diet, dosage cannot exceed 50 K Gy.

FDA Approved Sources of Irradiation

Approved irradiation sources include: radioactive isotopes (Cobalt-60 or Cesium-137) and machines (x-ray or electron beam).

FDA Foods Approved for Irradiation

FDA has approved the application of irradiation to the following foods: fruits/vegetables (slow growth and ripening and control insects); dried spices and herbs (kill insects and control microorganisms); pork (control trichinosis); white potatoes (growth and maturation inhibition); and wheat and wheat flour (control insects).

FDA Labeling Requirements

Labeling requirements have also been imposed by FDA to ensure that the consumer is aware that food they are consuming has been irradiated. Treated products contain a label statement that contains the international irradiation process logo (tulip) and

the statement "treated with radiation" or "treated by irradiation". On April 18, 1988 the requirement for the written warning is scheduled to be withdrawn. This action would leave only the international irradiation process logo on retail packages. FDA has informed DEC that this will probably not occur since the average consumer probably does not know what the logo symbolizes.

Enforcement

The department would enforce the provisions of this bill by inspecting food distributors, warehouses, and retail and wholesale outlets for food labeled with the federally required irradiation symbol and product statement. If irradiated food was found during the course of inspection, the department would embargo the product under the authority in 17.020.230 and require that it be destroyed or returned to an out-of-state distributor.



**STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS**

DEPARTMENT Environmental Conservation	DIVISION Environmental Health	BILL NUMBER HB 388	SPONSOR Peter Goll and Randy Phillips
SHORT TITLE OF BILL "An Act relating to irradiated food"			
DEPARTMENT POSITION The passage of HB 388 would require that the Department expand it's inspection activities at approximately 500 retail markets to ensure that irradiated products were not being sold. The additional time per inspection is estimated to be approximately (Continued)			
PREPARED BY Douglas C. Donegan	DATE 2/2/88	COMMISSIONER'S SIGNATURE Dennis D. Kelso	DATE

SUMMARY

OTHER AGENCIES AFFECTED BY BILL	CONSTITUENT GROUP(S) AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

ANALYSIS OF BILL/PROGRAM EFFECTS

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

one (1) hour per inspection. These facilities are inspected once per year.

The Department would begin inspecting 51 retail markets in the Municipality of Anchorage, which are not currently inspected by the department. It is estimated that the inspection of these markets would be approximately 2 hours including travel time.

This inspection effort would amount to a total of 602 hours/year or about four months/year.

STATE OF ALASKA
1988-LEGISLATIVE SESSION

BILL VERSION: CSHB 388 (HESS)
PUBLISH DATE: HOUSE 4/25/88

FISCAL NOTE

REQUEST:

Revision Date: 1/22/88
Title: An Act relating to irradiated food.
Sponsor: Phillips and Goll
Requestor: _____

Agency Affected: Health & Social Services
BRU: State Health Services
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

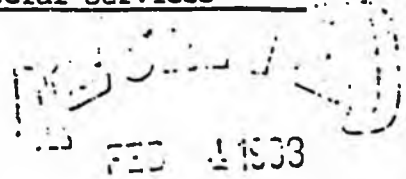
ANALYSIS : (Attach a separate page if necessary)

The enactment of HB 388 would have no direct fiscal impact on the Department of Health and Social Services.

Prepared by: Elizabeth Ward, Director *Elizabeth Ward* Phone: 465-3090
Division: Public Health Date: 2-2-88

Approved by Commissioner: Mika M. Munson *Mika M. Munson* Date: 2-2-88
Agency: Department of Health & Social Services

- Distribution (by preparer):
- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)



Position Paper

CS HB 388 (New)

For an Act entitled: "An Act relating to irradiated food."

HB 388 prohibits the sale of irradiated food including spices and food that contains an irradiated ingredient unless the only irradiated ingredient is a spice. While it appears passage of this bill would have economic impact due to the long established practice of irradiating spices, the scope of this position paper is limited to the health considerations of irradiated food.

Background

The health aspects of irradiated food have been studied for many years. The Food and Drug Administration (FDA) has conducted exhaustive reviews of all available studies and has determined that irradiated food is safe for human consumption. The FDA has concluded there is no scientific evidence meeting FDA standards for toxicological studies that shows adverse effects on health from the consumption of irradiated food. Results of studies used to support claims of harmful effects have been rejected due to lack of adequate scientific controls or design, including radiation doses far in excess of those considered acceptable for food processing. In its conservative approach, the FDA has approved the irradiation of certain foods only, and it has limited the radiation doses to one-tenth of those shown to be safe. This position is supported by such diverse groups as the Council for Agricultural Science and Technology, the World Health Organization, the Food and Agricultural Organization of the United Nations, the American Medical Association, and the International Atomic Energy Agency.

In addition to the FDA, numerous national and international organizations recognized in health, food technology, and radiation safety have closely examined claims of harmful effects presently being made by those opposed to food irradiation. In every case, these organizations have judged irradiated food to be safe for human consumption.

Position

Without acceptable scientific evidence showing that irradiation is harmful to health, the department believes it is inappropriate to forbid the sale of irradiated food in the state. Proper labeling of irradiated foods will allow those opposed to it to exercise their choice in the foods they purchase.

The Department of Health and Social Services opposes passage of HB 388.

POSITION PAPER/Department of Health & Social Services

Recommended by: *Elizabeth Ward*
Elizabeth Ward, M.N.
Director
Division of Public Health

Date: *February 3, 1988*

Approved by: *Myra M. Munson*
Myra M. Munson
Commissioner
Department of Health and
Social Services

Date: *Feb 2 1988*