

Honolulu, Hawaii

APR - 7 2006

RE: H.B. No. 2796
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Water, Land, and Agriculture and Health,
to which was referred H.B. No. 2796, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HONEY,"

beg leave to report as follows:

The purpose of this measure is to provide honey-labeling
requirements for honey products sold in Hawaii.

Testimony in support of this measure was submitted by C&H
Farms and the Hawaii Farm Bureau Federation. Testimony in
opposition to this measure was submitted by the Department of
Health. Comments were submitted by the Department of Agriculture.

Your Committees have amended this measure by replacing its
contents with the contents of S.B. No. 3049, S.D.1, which:

- (1) Requires specific labeling requirements for:
 - (a) Honey products produced solely within one country;
 - (b) Honey products produced with more than one
country's honey;
 - (c) Honey products blended with additional sweeteners;
and



- (d) Honey products produced with honey subjected to ultra-filtration and reconstitution processes;
- (2) Adds language that allows all honey products subject to this measure one year to comply with the labeling requirements;
- (3) Adds definitions for "honey style" and "imported honey"; and
- (4) Makes technical, nonsubstantive changes for style and clarity.

Your Committees noted testimony from the Department of Agriculture expressing some concerns regarding rules the department is required to adopt to establish and enforce a program certifying that honey sold in the State is not adulterated within the meaning of section 328-9, which addresses situations that deem foods as adulterated. This section, however, falls under the jurisdiction of the Department of Health, and the Department of Agriculture is concerned because it does not have the authority to adopt rules to enforce a Department of Health statute.

Your Committees further noted the Department of Agriculture's testimony that honey industry members have been invited to meet with both the Departments of Agriculture and the Department of Health to address some of these issues. The departments and the invitees are hoping to meet sometime in April. Thus, although there are concerns regarding the jurisdiction and authority to implement this measure, your Committees are moving this measure forward to encourage the Department of Agriculture, the Department of Health, and all of the honey stakeholders to meet in April and to work toward an agreeable solution.

As affirmed by the records of votes of the members of your Committees on Water, Land, and Agriculture and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2796, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2796, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committees on Water, Land, and
Agriculture and Health,

Rosalyn H Baker

ROSALYN H. BAKER, Chair

Russell S. Kokubun

RUSSELL S. KOKUBUN, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Water, Land and Agriculture
(Bills and Resolutions)

Measure:* <i>HB 2796 #D)</i>	Committee Referral: <i>WLA/HTH</i>	Date: <i>3/31/06</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <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	Ayes	Ayes(WR)	Nays	Excused
KOKUBUN, Russell S. (C)	/			
HOOSER, Gary L. (VC)				/
ENGLISH, J. Kalani				/
FUKUNAGA, Carol	/			
HEMMINGS, Fred	/			
TOTAL	<i>3</i>			<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Russell S. Kohn</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.

The Senate
 Twenty-Third Legislature
 State of Hawaii

Record of Votes of the
 Committee on Health
 (Bills and Resolutions)

Measure:* <i>HB 2796 HD1</i>	Committee Referral: <i>WLA/HTH</i>	Date: <i>3/31/06</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to:				
<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	Ayes	Ayes(WR)	Nays	Excused
BAKER, Rosalyn H. (C)	✓			
CHUN OAKLAND, Suzanne (VC)	✓			
HANABUSA, Colleen	✓			
TSUTSUI, Shan S.				✓
WHALEN, Paul				✓
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Suzanne Chun Oakland</div>				
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