



GOV. MSG. NO. 1342

July 12, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

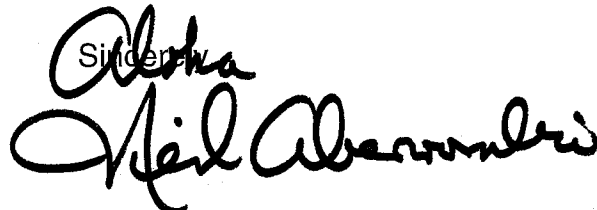
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

I am transmitting herewith HB667 HD1 SD2 CD1, without my approval, and with the statement of objections relating to the measure.

HB667 HD1 SD2 CD1

RELATING TO FOOD SAFETY.

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 12, 2011

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 667

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 667, entitled "A Bill for an Act Relating to Food Security."

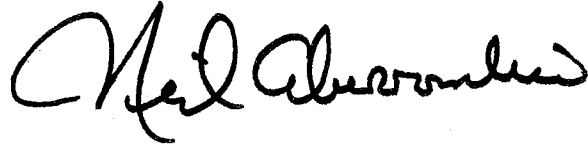
The purpose of this bill is to establish a food safety and security program within the Department of Agriculture.

This bill has a laudable goal of achieving food safety by requiring the Department of Agriculture to establish and operate port facilities where agricultural commodities can be inspected, treated for disease, or destroyed. The department must develop and implement programs to educate the agricultural industry to meet state and federal laws, rules, and regulations. However, the authority to adopt administrative rules for the new program has not been provided and funds have not been appropriated to support this program. This issue is important enough that this Administration will work to put together comprehensive legislation including a funding mechanism for the next legislative session.

STATEMENT OF OBJECTIONS
SENATE BILL NO.
Page 2

For the foregoing reasons, I am returning House Bill
No. 667 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Neil Abercrombie". The signature is fluid and cursive, with the first name "Neil" and last name "Abercrombie" clearly distinguishable.

NEIL ABERCROMBIE
Governor of Hawaii

A BILL FOR AN ACT

RELATING TO FOOD SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Good agricultural practices are guidelines
2 designed by the United States Food and Drug Administration and
3 Department of Agriculture to produce safe products and eliminate
4 potential for product contamination. Good agricultural
5 practices, among other things, include guidance on human
6 hygiene, animals and their manures, water quality for irrigation
7 and produce rinse, and agricultural pesticides. These standards
8 are being adopted by the world's leading farmers, who understand
9 that they have a responsibility to provide the safest food
10 possible to consumers.

11 The Food Safety Modernization Act was recently signed into
12 law. The law authorizes the Food and Drug Administration and
13 the Secretary of Human Services to increase inspections of many
14 domestic food facilities and enhance detection of food borne
15 illnesses.

16 Safe production, distribution, and consumer handling of
17 food requires knowledge of food borne pathogens, chemical
18 toxins, food quality, and labeling. Hawaii's current system of



1 regulation is understaffed, and the remaining staff is
2 unprepared or untrained for the rapid changes that have occurred
3 in risk assessment, production and distribution methodologies,
4 and new foods and emerging pathogens. Food safety programs are
5 also not integrated among government agencies, hampering
6 communication and cooperation.

7 In addition, many of Hawaii's growers are not implementing
8 good agricultural practices. This failure to follow
9 science-based, risk-reducing food production practices is
10 worsened by the existence of the rat lungworm nematode in
11 Hawaii. When consumed, this nematode can cause serious illness,
12 as has happened numerous times during the past few years.

13 The purpose of this Act is to establish a food safety and
14 security program within the department of agriculture.

15 SECTION 2. Chapter 141, Hawaii Revised Statutes, is
16 amended by adding a new part to be appropriately designated and
17 to read as follows:

18 "PART . FOOD SAFETY AND SECURITY PROGRAM

19 §141- Food safety and security program; establishment.

20 There shall be established within the department of agriculture
21 a food safety and security program that shall:



- 1 (1) Provide training, certification, support, and
- 2 assistance to the agricultural industry; and
- 3 (2) Interface with other state and federal agencies to
- 4 meet the requirements of this part.

5 **§141- Objectives; duties.** (a) The objectives of the
6 food safety and security program shall be to:

- 7 (1) Assist the Hawaii agricultural industry in achieving
- 8 food safety and security in a cost-effective and
- 9 efficient manner;
- 10 (2) Provide an integrative system to tie food safety and
- 11 security with other department mandates, including
- 12 biosecurity and quality assurance; and
- 13 (3) Respond effectively to federal rules, regulations, and
- 14 guidelines to minimize harm to Hawaii's agricultural
- 15 industry.

16 (b) To meet the objectives of subsection (a), the
17 department shall:

- 18 (1) Establish, operate, or participate in establishing
- 19 port facilities where agricultural commodities can be
- 20 inspected, quarantined, fumigated, disinfected,
- 21 destroyed, or otherwise treated for any disease;



- 1 (2) Perform all inspections and certifications of
- 2 agricultural commodities in an efficient, effective,
- 3 and expeditious manner; and
- 4 (3) Develop and implement programs to educate and develop
- 5 the agricultural industry to meet state and federal
- 6 laws, rules, and regulations.

7 For purposes of this section, "agricultural commodities"
8 means any grain, livestock, poultry, fruit, plant, timber, or
9 other item produced from agricultural activities and shall
10 include trees, shrubs, herbs, and other plants."

11 SECTION 3. This Act shall take effect on July 1, 2011.

APPROVED this day of , 2011

GOVERNOR OF THE STATE OF HAWAII

