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# A BILL FOR AN ACT

RELATING TO HAWAII-GROWN PRODUCE.

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

1           SECTION 1. Chapter 302A, Hawaii Revised Statutes, is  
2 amended by adding three new sections to be appropriately  
3 designated and to read as follows:

4           "§302A- Farm-to-school program. (a) There is  
5 established in the department of agriculture a farm-to-school  
6 program. The purpose of the program is to increase procurement  
7 of locally-grown fruits and vegetables by public schools.

8           (b) Notwithstanding any other provision of law, the farm-  
9 to-school program, in consultation as necessary with the  
10 departments of health, accounting and general services, and  
11 education, shall:

12           (1) Coordinate the identification and development of  
13 policies and procedures to implement and evaluate the  
14 program;

15           (2) Assist in marketing Hawaii-grown produce to schools by  
16 informing Hawaii food growers and distributors of food  
17 procurement opportunities, bid procedures, school  
18 purchasing criteria, and other requirements;



- 1        (3) Assist schools in connecting with Hawaii growers and  
2        distributors by informing the schools of the sources  
3        and availability of Hawaii-grown produce as well as  
4        the nutritional, environmental, and economic benefits  
5        of purchasing Hawaii-grown produce;
- 6        (4) Identify and recommend mechanisms that will increase  
7        the predictability of sales for Hawaii growers and  
8        distributors and the adequacy of supply for purchasing  
9        schools;
- 10       (5) Identify and encourage the use of existing curricula,  
11       programs, and publications to educate students on the  
12       nutritional, environmental, and economic benefits of  
13       preparing and consuming Hawaii-grown produce;
- 14       (6) Support efforts to advance other farm-to-school  
15       connections such as farmers markets on school grounds,  
16       school gardens, and community-supported agriculture;  
17       and
- 18       (7) Seek additional private and public sector funds to  
19       leverage any appropriations.
- 20       (c) As used in this section:
- 21       "Hawaii-grown produce" means fruits and vegetables grown or  
22       raised in the State that are unprocessed, minimally processed,



1 flash frozen, or otherwise prepared and handled to maintain  
2 their fresh nature while providing convenience to the user.

3 "Minimally processed foods" means food that has only been  
4 cleaned, washed, cut, or portioned.

5 **§302A- Hawaii-grown fresh fruit and vegetable program.**

6 (a) The Hawaii-grown fresh fruit and vegetable program is  
7 established in the department of education. The purpose of the  
8 program is to facilitate consumption of Hawaii-produced  
9 nutritious snacks to improve student health and expand the  
10 market for Hawaii-grown fresh fruit and vegetables.

11 (b) The program shall increase the number of school  
12 children with access to Hawaii-grown fresh fruits and vegetables  
13 and shall be modeled after the United States Department of  
14 Agriculture fresh fruit and vegetable program, as described in  
15 42 United States Code Section 1769(g). Schools receiving funds  
16 under the federal fresh fruit and vegetable program are not  
17 eligible for grants under the Hawaii-grown fresh fruit and  
18 vegetable program.

19 (c) To the extent that state funds are appropriated  
20 specifically for the program established by this section, the  
21 department shall solicit applications, conduct a competitive  
22 process, and award one- or two-year grants to eligible schools



1 to enable them to provide free Hawaii-grown fresh fruits and  
2 vegetables throughout the school day. When evaluating  
3 applications and selecting grantees, the department shall  
4 consider and prioritize the following factors:

- 5       (1) The applicant's plan for ensuring the use of Hawaii-  
6           grown fruits and vegetables within the program;
- 7       (2) The applicant's plan for incorporating nutrition and  
8           related agricultural stewardship and environmental  
9           education into the school curriculum; and
- 10       (3) The applicant's plan for establishing partnerships  
11           with state, local, and private entities to further the  
12           program's objectives, such as helping the school  
13           acquire, handle, store, and distribute fresh fruits  
14           and vegetables, and developing educational components  
15           around nutrition and agricultural stewardship.
- 16       (d) The department:
- 17           (1) Shall give funding priority to applicant schools with  
18           any combination of grades kindergarten through eight  
19           that:
- 20                (A) Participate in the National School Lunch Program;  
21                   and



1           (B) Have a student population that comprises fifty  
2           per cent or more of students who are eligible for  
3           free or reduced-price meals under the federal  
4           National School Lunch Act; and

5           (2) May award grants to applicant schools that have a  
6           student population that comprises less than fifty per  
7           cent of students eligible for free or reduced-price  
8           meals if any funds remain after all eligible priority  
9           applicant schools under paragraph (1) have been  
10          awarded grants.

11          (e) The department shall develop and track specific,  
12          quantifiable outcome measures of the grant program, such as the  
13          number of students served by the program and the dollar value of  
14          purchase orders to Hawaii farmers resulting from the program.  
15          With assistance from the department of agriculture, the  
16          department shall track the development of farm-to-school  
17          partnerships that extend beyond the cafeteria.

18          (f) As used in this section:

19          "Hawaii-grown fresh fruits and vegetables" means fruits and  
20          vegetables grown or raised in this State that are unprocessed,  
21          minimally processed, flash frozen, or otherwise prepared and



1 handled to maintain the fresh nature of the fruits and  
2 vegetables while providing convenience to the user.

3 "Minimally processed foods" means food that has only been  
4 cleaned, washed, cut, or portioned.

5 §302A- School gardens. (a) All schools are authorized  
6 to grow food in school gardens for consumption in their school  
7 lunch and as part of Hawaii-grown fresh fruit and vegetable  
8 programs; provided that all food from school gardens used for  
9 consumption shall be food safety certified by the department of  
10 agriculture.

11 (b) Every school garden program shall educate students  
12 about organic and conventional growing methods.

13 (c) The department may adopt rules under chapter 91 to  
14 facilitate the implementation of this section."

15 SECTION 2. Farmers to food banks pilot program. (a) The  
16 department of human services shall establish a pilot program in  
17 cooperation with the department of agriculture to contract with  
18 Hawaii farmers to provide Hawaii-grown produce to low-income  
19 people through designated food banks. The pilot program shall  
20 operate in select pilot site communities statewide.



1 (b) The department of human services shall select the  
2 pilot communities that shall participate in the project. The  
3 selection of pilot communities shall be based on:

4 (1) The percentage of the population in the community  
5 suffering from hunger and food insecurity;

6 (2) The existence and success of the local food bank  
7 program;

8 (3) The potential to engage and contract with local  
9 farmers; and

10 (4) The capacity to leverage private sector funding and  
11 in-kind contributions.

12 (c) Any funds appropriated by the legislature shall be  
13 used by the pilot program to contract with Hawaii farmers to  
14 provide fruits and vegetables for distribution to low-income  
15 people through designated food banks.

16 (d) The department of human services shall report to the  
17 legislature at least twenty days prior to the convening of the  
18 2012 and 2013 regular sessions regarding the progress of the  
19 pilot program.

20 SECTION 3. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$ or so much  
22 thereof as may be necessary for fiscal year 2011-2012 and the



1 same sum or so much thereof as may be necessary for fiscal year  
2 2012-2013 for the Hawaii-grown fresh fruit and vegetable program  
3 established by this Act.

4 The sums appropriated shall be expended by the department  
5 of education for the purposes of this Act.

6 SECTION 4. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on July 1, 2020.





**Report Title:**

Hawaii-Grown Produce

**Description:**

Establishes the farm-to-school program in the department of agriculture to increase the procurement of locally-grown fruits and vegetables. Establishes the Hawaii-grown fresh fruit and vegetable program and appropriates funds for the program to increase school children's access to Hawaii produce. Establishes the farmers to food banks pilot program. Effective July 1, 2020. (HB1380 HD2)

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