

**HB 667, HD1**



State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512

TESTIMONY OF RUSSELL KOKUBUN  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON AGRICULTURE AND  
ECONOMIC DEVELOPMENT AND TECHNOLOGY  
MARCH 17, 2011  
3:15 P.M.

HOUSE BILL NO. 667 HD 1  
RELATING TO FOOD SAFETY

Chairperson Nishihara, Chairperson Fukunaga and Members of the Committee:

Thank you for the opportunity to testify on House Bill 667 relating to food safety. The Department of Agriculture supports the intent of the proposed bill.

The bill seeks to require the Department of Health, with the cooperation of the department of agriculture and the Department of Business, Economic Development, and Tourism to develop a detailed plan of action to simplify and consolidate permitting and licensing requirements for the production and processing of food production and processing facilities to comply with food safety requirements.

With the recent passage and signing of the Food Safety Modernization Act, the Food and Drug Administration (FDA) is now empowered to develop standards and rules intended to update and strengthen food safety regulations through the entire food supply chain.

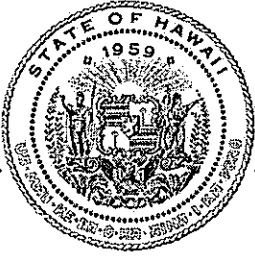
The Department of Agriculture in cooperation with the various FDA committees, University of Hawaii, the Hawaii Farm Bureau Federation and the tourism industry is responsible for providing food safety certification audits at the farm, packer and distribution levels. It is imperative that any State plan is aligned with the newly evolving



federal requirements in order to eliminate conflicts and provide clear direction to State food supply businesses. Members of the department are involved with the development of federal food manufacturing and information technology submission standards. The department has also initiated electronic food traceability pilot projects in cooperation with a number of Hawaii's farms, distributors and retail outlets.

The Department is willing to cooperate in this multi-agency effort and defers to the Department of Health with respect to resources needed to carry out this task.

Thank you for the opportunity to testify on this measure.



NEIL ABERCROMBIE  
GOVERNOR

RICHARD C. LIM  
INTERIM DIRECTOR

## DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804  
Web site: [www.hawaii.gov/dbedt](http://www.hawaii.gov/dbedt)

Telephone: (808) 586-2355  
Fax: (808) 586-2377

Statement of  
**RICHARD LIM**  
Interim Director  
Department of Business, Economic Development, and Tourism  
before the

### SENATE COMMITTEE ON AGRICULTURE AND ECONOMIC DEVELOPMENT AND TECHNOLOGY

Thursday, March 17, 2011  
3:15 PM  
State Capitol, Conference Room 229

in consideration of  
**HB 667, HD1**  
**RELATING TO FOOD SAFETY.**

Chairs Nishihara and Fukunaga, Vice Chairs Kahele and Wakai and Members of the Senate Committees on Agriculture and Economic Development and Technology.

The Department supports the intent of HB 667, HD1, which directs the Department of Health to develop a detailed plan of action to simplify and consolidate permitting and licensing requirements for processed food production with the cooperation of the Department of Agriculture and the Department of Business, Economic Development and Tourism.

While DBEDT will cooperate with the Department of Health, we must point out that DBEDT does not have the core competency to analyze and evaluate compliance and safety issues related to food production, food health and safety, and agricultural processing.

Thank you for the opportunity to offer these comments.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.  
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Committee on Agriculture**  
**Committee on Economic Development and Technology**

**H.B. 667, H.D. 1, RELATING TO FOOD SAFETY**

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.**  
**Interim Director of Health**

**March 17, 2011**  
**3:15 p.m.**

1 **Department's Position:** Oppose.

2 **Fiscal Implications:** This bill would require resources that the department currently does not have.

3 **Purpose and Justification:** This bill proposes that the department be the lead in establishing a detailed

4 action plan to simplify and consolidate permitting and licensing requirements for food production and

5 processing facilities. The department does not have the resources to develop detailed action plans that

6 need to be coordinated with DBEDT and DOA as well as any other state or federal agencies to develop

7 this plan. DBEDT is responsible for streamlining commerce, and coordinating with other agencies. The

8 sanitation branch is regulatory in nature and may have conflicts of interest in promoting businesses. The

9 sanitation branch presently reviews the building plans for permits of the above food facilities within 48

10 hours. Once the facility is built, the sanitation branch will inspect within 24 hours and will issue the

11 approval to operate if all departmental requirements are met at the time of inspection. The sanitation

12 branch have refined, simplified and streamlined the process in the past six years to assist the business

13 community. The sanitation staffs' daily functions have been prioritized to ensure that businesses are not

1 delayed by our regulatory function and we have not received a formal complaint in the past five years  
2 that the sanitation branch is the reason for any delay in new business openings.

3 Thank you for the opportunity to testify.



Poamoho Organic Produce  
PO Box 728  
Waialua HI 96791  
808-637-4555  
[info@poamoho-organic.com](mailto:info@poamoho-organic.com)  
March 15, 2011

To: Senate Committee on Agriculture and  
Senate Committee on Economic Development and Technology  
Re: Hearings on March 17th, 3:15 pm, Rm 229  
Subject: Testimony Regarding HB 667

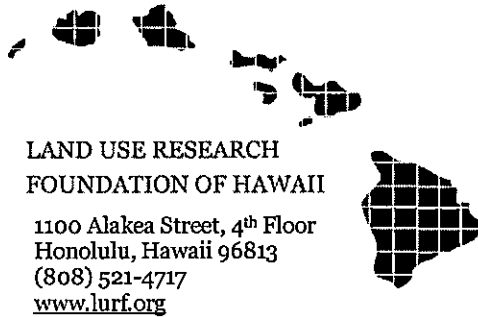
Aloha Committee Chairs and Committee Members,

I am an organic farmer on the North Shore of Oahu and President of the Hawaii Center for Organic Farming. Please accept my testimony on the subject Bill.

In regard to HB 667: To Develop a Plan for Food Safety, I support the intent to create a Hawaii State Food Safety Certification Program; I am concerned that the wording of this bill does not provide sufficient guidance to the Departments to do so. For the past two years, my farm has been food safety certified and I am currently scheduled for my 2011 inspection next week. I can speak from this experience, that the current system is onerous and ineffective. As presently implemented by our Department of Agriculture only 40 farms (out of 7500) are certified, that is a mere one-half of one percent of our farms. That number combined with the unilateral declarations of our large corporate grocery store and hotel chains that will only accept fresh produce from a food safety certified producer means that 99.5% of our farmers are excluded from these markets. This is completely unsatisfactory. It is not only important but imperative that it be changed, however I am not certain that the words in the Bill will accomplish that desired outcome.

By now you have learned that the new Food Safety Modernization Act was recently signed by President Obama. So, I believe the words of Bill 667 should be amended to include guidance from this Act. I also know we need a Hawaii State food safety system that is science-based, that includes vs excludes our farmers and leads us to food security and sustainability. Bill 667 should further direct our Departments of Health and Agriculture to design such a system that is practical yet prudent and meets not just the needs of retailers, but also those of our local farmers and local consumers.

Al Santoro



March 17, 2011

Senator Clarence K. Nishihara, Chair and Senator Gilbert Kahele, Vice Chair  
Senate Committee on Agriculture  
Senator Carol Fukunaga, Chair and Senator Glenn Wakai, Vice Chair  
Senate Committee on Economic Development and Technology

**Support of HB 667, HD1, Relating to Food Safety. (Food Production/Processing Safety Plan; DOH Report.)**

**Thursday, March 17, 2011 at 3:15 p.m. in CR 229**

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

LURF **supports HB 667, HD1**, which requires State departments to work collaboratively to develop a detailed plan of action to simplify and consolidate requirements for the production and processing of food in order to comply with food safety requirements.

**HB 667, HD1.** This bill proposes to require the State Department of Health (DOH) to work in cooperation with the State Department of Agriculture and the State Department of Business, Economic Development, and Tourism, to develop a detailed plan of action to simplify and consolidate permitting and licensing requirements for the production and processing of food by food production and processing facilities to comply with food safety requirements recently promulgated by the passage of the Federal Food Safety Modernization Act. The bill provides that DOH may consult with any other state or federal agency it deems appropriate to develop the plan, and shall submit its report to the legislature, including any necessary proposed legislation no later than twenty days prior to the convening of the regular session of 2012.

**LURF's Position.** Food safety is vital for the safe sale, distribution and consumption of food products, including locally grown produce in Hawaii, and this bill will result in the development of a detailed plan of action and proposals for legislation necessary to simplify the permitting and licensing requirements for the processing of food by production and processing facilities to comply with food safety requirements.

LURF understands that such a plan and proposals are necessary on a local level in order that the State may ensure that local food safety regulations and certifications conform to the recently enacted Federal Food Safety Modernization Act (pursuant to which the Food and Drug Administration has been empowered to develop and strengthen nation-wide food safety



Senate Committee on Agriculture  
Senate Committee on Economic Development and Technology  
March 17, 2011  
Page 2

standards and rules), and that State agencies have already initiated work on standards in cooperation with a number of Hawaii's farms, distributors and retailers.

Based on the above, LURF supports **HB 667**, **HD 1**, and respectfully urges your favorable consideration of the bill.

Thank you for the opportunity to present testimony regarding this matter.