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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1           SECTION 1. The legislature finds that it is an important  
2 priority to encourage beekeeping operations of all sizes  
3 throughout the State to ensure the continued viability of  
4 honeybee stocks both in managed apiaries and in the wild. Honey  
5 bees are a primary pollinator of food crops essential for many  
6 agricultural and horticultural operations. However, honeybee  
7 populations are declining at a rapid rate due to disease and  
8 predators. Varroa mites, small hive beetles, and nosema have  
9 decimated honeybee populations throughout Hawaii and the  
10 mainland United States.

11           The legislature further finds that the best way to make  
12 beekeeping an attractive proposition in Hawaii is to make it  
13 easier and financially viable for beekeepers to legally extract,  
14 bottle, and sell their honey by minimizing the administrative  
15 and bureaucratic requirements in ways that will not affect  
16 public safety. Honey is antiseptic, antibiotic, antifungal, and  
17 antibacterial -- it never spoils and does not host harmful  
18 bacteria. There is a well-priced market for raw, local



1 artisanal honey in Hawaii, and beekeepers will overcome today's  
2 difficult environmental obstacles to farming bees if they can  
3 successfully sell their honey.

4 Most small beekeepers cannot successfully navigate the  
5 current regulatory hurdles required to operate a certified food-  
6 processing establishment on their own premises for the  
7 extraction and bottling of honey. Currently, if located in  
8 remote areas without chlorinated county water, beekeepers are  
9 required to carry the frames of honey away from their farms in  
10 bee boxes to an existing certified kitchen, a practice that can  
11 endanger healthy bees. Many have given up beekeeping, and  
12 others game the system by utilizing paper commissary agreements  
13 to fulfill the regulatory hurdle.

14 The purpose of this Act is to encourage beekeeping  
15 operations in the State by exempting certain producers of  
16 agricultural products from processing the product in a certified  
17 honey house or food-processing establishment, or obtaining a  
18 permit from the department of health.

19 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
20 amended by adding a new section to be appropriately designated  
21 and to read as follows:



1           "§321-       Agricultural producers without access to  
2 municipal water; exemption. (a) A producer of agricultural  
3 products, including but not limited to raw unprocessed or  
4 processed honey as defined in sections 147-21 and 147-51,  
5 respectively, in areas without access to municipal water  
6 supplies or infrastructure, shall not be required to process the  
7 agricultural product in a certified food-processing  
8 establishment or be required to obtain a permit from the  
9 department of health, if the producer:

- 10           (1) Sells the agricultural product directly to consumers;
- 11           (2) Prepares the agricultural product adjacent to  
12           permanent or temporary hand-washing facilities; and
- 13           (3) Uses water for washing that has been treated  
14           equivalent to municipal potable water standards.

15           (b) The department may adopt rules pursuant to chapter 91  
16 to effectuate this section no later than December 31, 2012."

17           SECTION 3. Section 328-79, Hawaii Revised Statutes, is  
18 amended to read as follows:

19           "~~+~~§328-79~~+~~ **Home-based agricultural producer of honey;**  
20 **exemption.** A home-based agricultural producer of honey shall  
21 not be required to process honey in a certified honey house or

1 food processing establishment, or be required to obtain a permit  
2 from the department of health, if the producer:

3 (1) Sells less than [~~fifty~~] five hundred gallons of honey  
4 a year;

5 (2) Sells the honey directly to consumers[+] or directly  
6 to a retail store on the same island that in turn  
7 sells the honey directly to consumers; and

8 (3) Labels each container of honey sold with:

9 (A) The name and address of the producer;

10 (B) The net weight and volume of the honey, by  
11 standard measure;

12 (C) The date the honey was produced; [~~and~~]

13 (D) The statement, "Honey should not be consumed by  
14 infants under one year of age." in clear and  
15 conspicuous print; and

16 [~~(D)~~] (E) The statement, "This product is home-  
17 produced and processed." in clear and conspicuous  
18 print."

19 SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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# H.B. NO. 1787

**Report Title:**

Agricultural Products; Honey; Exemption

**Description:**

Exempts producers of agricultural products in areas without access to municipal water supplies or infrastructure from processing the product in a certified food-processing establishment or obtaining a permit from the DOH. Increases the exemption threshold for producers of honey.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

