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

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



1 difficult environmental obstacles to farming bees if they can
2 successfully sell their honey.

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

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

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

21 "§321- Agricultural producers of honey without access
22 to municipal water; exemption. (a) An agricultural producer of



1 honey, including raw unprocessed or processed honey as defined
2 in sections 147-21 and 147-51, respectively, in areas without
3 access to municipal water supplies or infrastructure, shall not
4 be required to process honey in a certified food-processing
5 establishment or be required to obtain a permit from the
6 department of health, if the agricultural producer of honey:

- 7 (1) Sells the honey directly to consumers;
8 (2) Prepares the honey adjacent to permanent or temporary
9 hand-washing facilities; and
10 (3) Uses water for washing that has been treated
11 equivalent to municipal potable water standards.

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

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

16 "~~§~~**§328-79** **Home-based agricultural producer of honey;**
17 **exemption.** A home-based agricultural producer of honey shall
18 not be required to process honey in a certified honey house or
19 food processing establishment, or be required to obtain a permit
20 from the department of health, if the producer:

- 21 (1) Sells less than ~~[fifty]~~ five hundred gallons of honey
22 a year;



- 1 (2) Sells the honey directly to consumers[+] or directly
2 to a retail store on the same island that in turn
3 sells the honey directly to consumers; and
4 (3) Labels each container of honey sold with:
5 (A) The name and address of the producer;
6 (B) The net weight and volume of the honey, by
7 standard measure;
8 (C) The date the honey was produced; [~~and~~]
9 (D) The statement, "Honey should not be consumed by
10 infants under one year of age." in clear and
11 conspicuous print; and
12 [~~(D)~~] (E) The statement, "This product is home-
13 produced and processed." in clear and conspicuous
14 print."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Agricultural Products; Honey; Exemption

Description:

Exempts agricultural producers of honey in areas without access to municipal water supplies or infrastructure, from processing the agricultural honey product in a certified food-processing establishment or obtaining a permit from the Department of Health. Sets the qualifying annual gallonage of honey for home-based honey production at less than 500 gallons of honey a year. Effective July 1, 2050. (HB1787 HD2)

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