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

11 Safe production, distribution, and consumer handling of
12 food requires knowledge of food borne pathogens, chemical
13 toxins, food quality, and labeling. Recent data from the United
14 States Centers for Disease Control and Prevention show that one
15 in six people in the United States suffers from food-borne
16 illness each year. Over the past few years, high-profile
17 outbreaks related to various foods, from spinach and peanut
18 products to eggs, have underscored the need to make continuous



1 improvements in food safety. The recently enacted Food Safety
2 Modernization Act authorizes the Food and Drug Administration
3 and the Secretary of Human Services to increase inspections of
4 many domestic food facilities and enhance detection of food
5 borne illnesses.

6 The legislature finds that Hawaii's current system of food
7 safety regulation is understaffed, and that the existing staff
8 is unprepared or untrained for the rapid changes that have
9 occurred in risk assessment, production and distribution
10 methodologies, and new foods and emerging pathogens. Food
11 safety programs are also not integrated among government
12 agencies, hampering communication and cooperation. In addition,
13 many of Hawaii's growers are not implementing good agricultural
14 practices. This failure to follow science-based, risk-reducing
15 food production practices is worsened by the existence of the
16 rat lungworm nematode in Hawaii. When consumed, this nematode
17 can cause serious illness, as has happened numerous times during
18 the past few years.

19 The legislature also finds that the health of Hawaii's
20 residents and visitors depends to a large extent on the safety
21 of its food supply, regardless of whether those food items are
22 grown locally or imported from the mainland or abroad. It is in



1 the interest of protecting the public from food borne illnesses
2 to establish a program in Hawaii that will ensure the safety of
3 agricultural items that enter the State, as well as educate
4 local growers in the safe production of agricultural products.

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

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

10 "PART . FOOD SAFETY AND SECURITY PROGRAM

11 §141- Food safety and security program; establishment.

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

14 (1) Provide training, certification, support, and
15 assistance to the agricultural industry; and

16 (2) Interface with other state and federal agencies to
17 meet the requirements of this part.

18 §141- Objectives; duties. (a) The objectives of the
19 food safety and security program shall be to:

20 (1) Assist the Hawaii agricultural industry in achieving
21 food safety and security in a cost-effective and
22 efficient manner;



1 (2) Provide an integrative system to tie food safety and
2 security with other department mandates, including
3 biosecurity and quality assurance; and

4 (3) Respond effectively to federal rules, regulations, and
5 guidelines to minimize harm to Hawaii's agricultural
6 industry.

7 (b) To meet the objectives of subsection (a), the
8 department shall:

9 (1) Establish, operate, or participate in establishing
10 port facilities where agricultural commodities can be
11 inspected, quarantined, fumigated, disinfected,
12 destroyed, or otherwise treated for any disease;

13 (2) Perform all inspections and certifications of
14 agricultural commodities in an efficient, effective,
15 and expeditious manner; and

16 (3) Develop and implement programs to educate and develop
17 the agricultural industry to meet state and federal
18 laws, rules, and regulations.





19 For purposes of this section, "agricultural commodities"
20 means any grain, livestock, poultry, fruit, plant, timber, or
21 other item produced from agricultural activities and shall
22 include trees, shrubs, herbs, and other plants."



1 SECTION 3. This Act shall take effect on July 1, 2012.

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INTRODUCED BY:



JAN 13 2012



H.B. NO. 1832

Report Title:

Department of Agriculture; Food Safety and Security Program

Description:

Creates the food safety and security program within the Department of Agriculture. Effective 7/1/12.

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