

JAN 25 2012

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 Hawaii's farms and
2 farmers reflect the heritage and diversity of its many cultures
3 and people, are the cornerstone of the State's goals for food
4 security, sustainability, and self-sufficiency, and are
5 essential for producing more local food for local consumption.

6 The legislature also finds that the number of small farms
7 in Hawaii has grown substantially in the last ten years
8 reflecting a changing agricultural model from plantations to
9 smaller farms with diverse cropping and marketing systems that
10 create new local food sources and significant increased
11 employment. There is also a renewed interest in school gardens
12 and in children being able to eat and enjoy the food they grow,
13 contribute to their school cafeteria system, and learn economic,
14 science, and cultural lessons through an agriculture-based
15 curriculum.

16 The legislature further finds that these trends necessitate
17 the development of good agricultural practices that are science-
18 based guidelines to reduce the potential for food product



1 contamination on farms. Good agricultural practices include
2 guidance for farm practices regarding field management, proper
3 hygiene, water quality for irrigation and produce rinsing,
4 agricultural chemicals, and animal manure use.

5 At the national level, the Food Safety Modernization Act of
6 2011, P.L. 111-353, ("Food Safety Act") authorizes the Food and
7 Drug Administration to develop science and risk-based criteria
8 for preventing food borne illnesses and encourages states to
9 establish similar intra-state criteria for the safe production,
10 distribution, and consumer handling of food. The Food Safety
11 Act seeks to assist farmers in learning and implementing good
12 agricultural practices to continue to provide safe and wholesome
13 food and to promote broader access to local markets.

14 The Hawaii state constitution mandates the preservation and
15 protection of agricultural resources. However, the legislature
16 finds that the department of agriculture's use of third party
17 food safety certification audit systems is costly and
18 impractical for many of Hawaii's farmers and has benefited only
19 a few farmers. This has reduced farmers' access to local
20 markets, thereby reducing local consumers' access to local
21 produce. This may further discourage the development of farms
22 that create greater food sustainability for the State. It also



1 prevents children from having reasonable access to school
2 gardens, decreases their ability to eat the food they grow, and
3 undermines government programs that encourage food self
4 sufficiency and economic development.

5 The purpose of this Act it to:

6 (1) Establish, within the department of agriculture, a
7 Hawaii good agricultural practices program for farms
8 growing local agriculture; and

9 (2) Make an appropriation to the department of
10 agriculture.

11 SECTION 2. Chapter 147, Hawaii Revised Statutes, is
12 amended by adding two new sections to part VIII to be
13 appropriately designated and to read as follows:

14 **"§147- Hawaii good agricultural practices program;**
15 **establishment.** (a) There is established within the department,
16 the Hawaii good agricultural practices program. The objectives
17 of the Hawaii good agricultural practices program shall be to:

18 (1) Develop science and risk-based good agricultural
19 practices that reasonably reduce the potential for on-
20 farm food borne illness risks, while taking into
21 consideration the differences among farm sizes,
22 practices, materials, and crops;



- 1 (2) Develop and implement programs to educate and train
2 Hawaii's farmers to implement on-farm good
3 agricultural practices in a cost-effective and
4 efficient manner;
- 5 (3) Provide procedures for voluntary verification of the
6 implementation of good agricultural practices and the
7 subsequent issuance of a good agricultural practices
8 certification; and
- 9 (4) Develop a consumer information program for publication
10 and broadcast to teach consumers about the proper
11 treatment and handling of fresh and processed
12 agricultural food products.
- 13 (b) To meet the objectives of subsection (a), the
14 department shall:
 - 15 (1) Coordinate with the department of health and the
16 University of Hawaii college of tropical agriculture
17 and human resources;
 - 18 (2) Ensure that the program interfaces effectively with
19 the federal Food Safety Modernization Act, P.L.
20 111-353, with particular emphasis on science and risk-
21 based criteria that minimizes costs to farmers;



1 (3) Coordinate with farming stakeholders and commodity
2 groups to ensure widespread acceptance of and
3 compliance with the program; and

4 (4) Ensure access of farms and farmers to local market
5 outlets and of local consumers to local produce in a
6 manner that supports the State's goals for food
7 sustainability and self-sufficiency.

8 **§147- Rules.** The department shall have the necessary
9 powers to carry out and effectuate the purposes of this part and
10 may adopt administrative rules pursuant to chapter 91 with
11 respect to the following, without limitation:

12 (1) The design and development of good agricultural
13 practices for local farms growing certain agricultural
14 food products;

15 (2) The design and development of education, training,
16 certification, support, record keeping, and other
17 assistance to farmers to implement and maintain good
18 agricultural practices; and

19 (3) Interfacing with other state and federal agencies and
20 industry stakeholders to meet the requirements of this
21 part."



1 SECTION 3. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2012-2013 for
 4 the Hawaii good agricultural practices program.

5 The sum appropriated shall be expended by the department of
 6 agriculture for the purposes of this Act.

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2012.

9

INTRODUCED BY: 
 By Request



S.B. NO. 2636

Report Title:

Agriculture; Appropriation

Description:

Creates the Hawaii good agricultural practices program within the department of agriculture. Makes an appropriation.

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