



STATE OF HAWAII
DEPARTMENT OF HEALTH
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HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Committee on Agriculture

H.B. 1787, H.D. 1, RELATING TO AGRICULTURE

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

**February 10, 2012
9:30 a.m.**

1 **Department's Position:** The Department of Health opposes this bill in its current form. We
2 suggest some amendments that, if adopted, would allow us to support this measure.

3 **Fiscal Implications:** This bill has substantial fiscal implications for the department. In addition
4 to requiring new rules to be created and passed, an increase in staffing will be required to review
5 building plans for physical structures for food processing, evaluate the farm water supply to ensure
6 equivalence to municipal water systems, and inspect to ensure compliance with new administrative
7 rules.

8 **Purpose and Justification:** We oppose the first section of this bill as it includes recommendations that
9 are too costly to implement. This bill has two distinctive sections. The first section; **§321-**
10 **Agricultural producers without access to municipal water; exemption.** , is extremely broad and
11 would allow for the sale of any and all agricultural products (including beef, poultry, pork, and fish in
12 addition to produce) to be sold to consumers without any public health constraints. Our food safety laws
13 and rules are designed to protect the public from fatalities or serious illness caused by pathogenic

1 disease and from exposure to environmental contamination. Exemption from the department of health
2 permit requirements would place the public at unnecessary risk by eliminating our enforcement powers
3 and inspections to ensure proper food safety practices are being adhered to.

4 The second section of the bill; **§328-79 Home-based agricultural producer of honey;**
5 **exemption** is less problematic. The department offers the following changes, and would support only
6 the second part of this bill if these changes are adopted:

7 §321-79 (3) (E) should be changed to: **The statement, "This product was not produced in a**
8 **Department of Health inspected facility and may place you at greater risk of contracting a food-**
9 **borne illness or being exposed to environmental contaminants."** in clear and conspicuous print;

10 (F) **Attends a department of health approved food safety workshop and passes the food safety**
11 **certification exam; and**

12 (G) **Maintain records of honey production volume, and honey product distribution for a**
13 **period of not less than two years, and makes these records available to the department**
14 **upon request.**

15 Thank you for the opportunity to testify.