

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 7:55 PM
To: AGRtestimony
Cc: pamelaboyar@gmail.com
Subject: Testimony for HB1832 on 2/10/2012 11:15:00 AM

Testimony for AGR/HLT 2/10/2012 11:15:00 AM HB1832

Conference room: 329
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Pamela Boyar
Organization: Hale'iwa, Hawaii Kai, and Ala Moana Farmers Market
E-mail: pamelaboyar@gmail.com
Submitted on: 2/9/2012

Comments:

I oppose HB 1832 for the following reasons. Our corporation works with 50 small family farmers. The farms range from 1/2 acre to 40 acres. These brave farmers work on very little mark up as the cost of farming is prohibited on Oahu. With loans to pay back, equipment to fix, the cost of labor, failed crops it is a wonder they continue to farm. This bill will add extra expenses to the small farmers that they will not be able to cover. The paperwork alone will require another person on the payroll. Some of the farmers english is not proficient enough to even understand what is required of them. I have worked with small farmers for 30 years and they all have and know GAP. This is their business, their livelihood, why would they not practice GAP. In the 30 years I have worked with small farmers, I have never known anyone to get sick from their food. I can count how many times big ag has made people sick through unconscious handling of product. Most illness comes from processing, not the farm. This bill, VOLUNTARY OR NOT, if passed will be the end of small family farms on Oahu. I beseech all of you on this ag committee that serves the people to ask Rep Tsuji to oppose this bill and kill it.



Testimony Reference :HB 1832

Date of Hearing: Feb 10..... Agriculture From: Farmers Union United

OPPOSE with comments

MUCH of this testimony is like that opposing HB 1947.

This is essentially rewrite of HB 667 that was Vetoed in 2011 without any improvements.

I am Glenn Martinez, President of Hawaii Farmers Union .

Most of the committee members heard my name when the Farmers Union championed the VETO of HB667 in 2011. WELL IT IS BACK.

Testimony: We support the intent of the HB 1832 bill to provide a Hawaii-based Certification program to serve the needs of the farmers in Hawaii who are being pressured to become "Certified Farm Safe"....but this bill falls sort of good legislation

We were successful in our campaign in 2011, and the Governor Vetoed HB667 and stated three reasons 1) It lacked rule-making authority 2) it lacked funding 3) it caused such dissension among the farmers. **THIS BILL SUFFERS THE SAME FAULTS**

In the process of obtaining the veto of HB667, many commitments were solicited from the farmers, in short if they got the veto, would they come to the table and cooperate in writing a Farm Food Safety bill that would empower a state agency to organize and operate a Farm Certification system for the benefit of local farmers. There has been much discussion as to whether the Food Certification system should reside under DoA or the Department of Health. Many farmers feel more comfortable with the Dept of Health. For those farmers that have crop prep kitchens, packing or processing facility, they are already doing business with the Depart of Health. The other problem is conflict of interest, the farmers are leasing from DoA and now the DoA is going to be inspecting them. It is feared that in the near future DoA is going to require all leases growing food to be "Food Farm safety Certified".

The agreement to meet and work on a "Certification" bill" was made and has been honored. For the past many months a group of farmers and stake holders has been meeting with the Department of Agriculture, Departments of Health, the Farm Bureau, Farmers Union, Organic Farmers Associations, and Hawaiian farmer representatives.

The end result was a meeting of the minds and the farmer groups agreeing to sponsor and support bills currently titled HB2065 and SB 2027 drafted by well known Organic farmer, Al,

Santoro and vetted via the Food Coalition group. These bills empower the Dept of Ag to have 1) Rule-making authority under Chapter 91, 2) Funding. The farmer groups pledged to support the measure wholeheartedly. Unfortunately, neither bill has been scheduled for a committee hearing.

Now HB1947 pops up, and it is a re-write of HB667, but worse....it wants to be exempt from Chapter 91, thus the neighbor island farmers, as well as many other stakeholders, would be left out in the cold. Also, this bill has no funding other than a revolving fund of farmer user fees. For over two years, the DOA has participated with CTAHR in a program to certify farms. Reportedly, out of 7500 farms, there have been 57 farms certified, down to 45 certified farmers at the current time. Keep in mind, most of these farmers were the initial trial run and their fees were paid by CTAHR- arranged grants. We expect, when the farmers get the \$3,000 to \$4,000 bill the next year, that the drop-out rate will be higher.

The plan of HB 2065 was to organize the Department of Agriculture to create in-house talent, expertise and experience. But this bill HB1947 speaks to allowing temporary hires and to contracting with outside corporations to provide services. This seems to be encouraging more of the third party out of state certification (read Primus Labs from New Jersey) who seem to have little respect for our local inspectors and de-certified them last year from doing farm certifications.

But the worst insult is to the farmers that were promised that the Department of Health would be a player in the rule making, to ensure that the rules applied were science-based in regards to public food safety. Yet this bill does not mention the Department of Health and restricts the involvement of agencies and parties to those the Department of Agriculture requests. In short, don't call us, we will call you.

After meeting for many months with the DoA and Farm Bureau and others, it is demoralizing to be hit with a repeat of HB667 that does not involve the DoH or the farmer organizations. Much is made of this bill being "voluntary". Nothing could be further from the truth. Already many state and federal purchasing agencies require "food farm certification" via third party. Even the Farm Bureau is now starting to require its vendors to be "Food safety certified" at its KCC Farmers market, and that policy is expected to expand to other Farmer market. Consumers have not demanded "Food Safety" legislation, it is the Safeway, Costco, and third party out-of-state corporations to isolate the local farmers from their stores. The cancer of labeling will continue. There is a bill HB1280 proposed this session by the same sponsor as this bill.....so this tells farmers how short lived "voluntary is".

HB 1280 says Food Safety; Farms

Description: ! Requires any person who grows edible farm products to successfully complete a Third Party Food Safety Audit through the Department of Agriculture to join an agricultural association, organization, or cooperative.

Farmers are realizing that the "Farm Food Certification" could quickly dis-enfranchise the farmers in legislative descriptions. In short if they are not "certified" they are not real farmers.

Dean Okimoto told me that 85% of the farmers in Hawaii are on less than two acres of land. A bill like HB 1947 would cripple the vast majority of farmers in Hawaii.

The other MAJOR fact is that there is no sense in setting up the Department of Agriculture to be the clearing house for Food Farm Certification.....as we have witnessed, in the last RIF and recession, the Dept of Ag lost so many inspectors, and so much funding that they have not been able to perform their core functions of inspecting for invasive species or

inspecting crops for shipping out (coffee). Why tie the farmers and the success of our agricultural system to a failed regulatory model?

The Farmers Union has been very supportive of legislation to fund and support the Dept of Ag to perform its core functions, but we do not believe they have the expertise, talent or will to build a viable Farm Certification program.

Please stop this bill from going further.

Thank you for the opportunity to speak for the family farmer in Hawaii. Glenn Martinez, HFUU President Speaking for the Oahu Chapter of HFUU

FYI: Hawaii Farmer Union United is the largest agriculture organization in the State of Hawaii that represents the small family farmers, GMO and mega corporate, mono-crop industrial farms. With small family farmers on every island, Hawaii Farmers Union is the only State-wide grassroots farm organization where the members have a direct voice. Any testimony given to the Legislature is vetted to the membership. Often the testimony is a blend of opinions voiced directly from membership. We also encourage all individual members to submit testimony directly, particularly where their voice is different than the majority. Thus all farmer voices are heard, not just the loudest.

Thank you for the opportunity to speak for the family farmer in Hawaii.

Glenn Martinez HFUU President,

FYI: Hawaii Farmer Union United is the largest agriculture organization in the State of Hawaii that represents the small family farmers at the exclusion of GMO and Mega Corporation mono-crop industrial farms. With small family farmers on every island Hawaii Farmers Union is the only Grassroots farm organization where the members have direct voice.

Any testimony given to the Legislature is vetted to the membership. Often the testimony is a blend of opinions voiced directly from membership. We also encourage our individual members to submit testimony directly, particularly where their voice is different than the majority, thus all farmer voices are heard, not just the loudest. Farmers Union is strong enough that minority opinions are encouraged to speak up.

LATE TESTIMONY

TESTIMONY In reference to the measure before the Hawaii State Legislature on HB 1832.

IN OPPOSITION:

My Name is Michael G. Chang, I've previously stated my opposition to a similar Bill HB1947 with regard to the impact it will have on small farmers. This bill HB 1832, sounds suspiciously like the former, with the exception that this is mandatory. I will oppose this bill if it does not specifically exempt small farmers or make it voluntary.

Small farmers who farms reside within, 175miles of their markets, are direct suppliers to vendors and make less than \$175,000/yr.

The current set of Agriculture and Board of Health are well known and well enforced by the current field of inspectors. These standards are also well known by the immigrant farmers such as my father-in-law.

If the provisions above are mentioned and maintained in this bill, it will have my support and my father-in-laws support and the 15 farm hands and family members employed by it.

Please revise it or vote "aloe". Aloe, or "Nay" is a vote looking out for the entrepreneur, the little guy, the one that makes the loan and rent payments on time. If this measure passes, without a provision exempting the small farmer, it will spell the end for the immigrant farmers that provide quality and safe produce to your constituency.

Mahalo for your time



LATE TESTIMONY

BIG WAVE TOMATOES

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COMMITTEE ON AGRICULTURE

Rep. Clift Tsuji, Chair

Rep. Mark J. Hashem, Vice Chair

HB 1832 HEARING

Friday, 10 February, 2012

11:15 am, Conference Room, 329

Aloha Committee Chair and Committee Members,

09 February, 2012

My name is Jeanne Vana, I have been in the Agriculture industry for 30 years in Hawaii, since graduating with two Ag degrees. I am a small boutique specialty grower with a small family farm and Board Member of The Waialua Farmers Cooperative where over 60 other small farmers nearing retirement age, work cooperatively together as independent farmers on, 1- 2 acres size lots within the Coop's 150 acres of leased farmland, to supplement retirement income after the demise of sugar and pine. **THIS BILL CONTINUES TO THREATEN OUR LIVELIHOODS. WE STRONGLY OPPOSE THE INTENT of this bill. This bill, like all the other food safety bills, in my opinion, paints a big ag picture for Hawaii's food safety plan, with no place or room for the small farmer.**

My farm was food safety certified, 3rd party audited in 2010. I am unable to continue to farm nor participate in either a certification-audit program (or "generally accepted agricultural management program" it all means the same), due to a 20% increase in operating costs, which I am unable to recoup by passing on the additional costs to customers, as customers are unwilling to pay higher prices for local produce. As a result, I will no longer be able to continue to farm and I predict, this will be replicated throughout Hawaii so unnecessarily. Why? Because small farmers that sell direct are the front line advocates of providing safe food to the marketplace because we are accountable to our face to face customers when they buy direct from us, we must be, as we depend on building our small business by repeat customer sales, week to week. We accomplish this by building a relationship with them, promoting the Buy Local Campaign and the whole Farm to Table movement, through our direct to consumer produce sales.

As of this writing, as an example, nearly 50% of farmers produce at KCC Saturday farmers market will no longer be able to sell produce, as a result of not meeting a food safety mandate 3rd party audit standards, effective March, 2012. For the most part, it appears, KCC will have their Culinary Food Market, with the majority of vendors under Hawaii Department of Health rules.

KCC is implementing regulation of farm produce, to provide them with "assurance" the produce sold at this market is safe, under USDA, Hawaii Department of Agriculture, HDOA. The trusted science-based agency that should be aligned with is The State Department of Health / FDA , as The Food Modernization Act, FSMA, implies, rather than the College of Tropical Agriculture, CTAHR, .

The "assurance" KCC is looking for through Food Safety or "agricultural safety" will not be achieved without ongoing education for the Consumer. Farmers can do everything by following Good Agricultural Practices, or Generally Accepted Agricultural Management Practices, endure all the costs and a food borne incident can still occur, unless consumers are educated on Good Handling Practices in food preparation by washing their produce prior to serving rather than depending on the false sense of security that pre-bagged produce is ready-to-eat. This simple solution to fix the problem to minimize the risk of an out-break, comes at the expense of eliminating the small farmers in Hawaii. Simply, because the consumer doesn't realize not washing the melon, after using the rest room, driving the knife through flesh, leads to food borne illnesses and cross contamination.

The remaining 50% of KCC market produce vendors that get to sell after this month, are multi-generational large family type producers, which FSMA, was intended for, effectuating the food safety plan. As produce volumes increase, the need for traceability is justified. These "elite" farmers will then appear to have the capacity and income that will give them the ability to invest in upgrades at their farms, by taking over the market share of the small farmers that will be displaced at KCC, all necessary, to give them the competitive advantage they need to have to cover their additional operating costs to comply, all at the expense of the farmers that only want to stay small, that the federal law was to provide some flexibility for, such as exemptions from the produce safety standards for small farmers that sell directly to consumers as well as community supported agriculture programs (CSA).

I anticipate, the proposed Food Safety legislation is creating a system with no regard to small family farms or economies of scale, as FSMA intended. The cost burden will ultimately pull them financially under. The consequence, that will be created , is separation of classes, the "haves" & the "have-nots", resulting in farming for the "elite" and an unfair resulting competitive advantage by eliminating free access to markets i.e. held on State public land for small farmers markets that pits farmer against farmer, due to perception of good produce vs. bad produce, by not being up to certification standards, voluntary program or not. Interesting though, based on feedback from consumers the status of being food safety certified, is not important to consumers, they tell me. They are wise to know they share responsibility in the chain of safe food and want a relationship with those that grow their food. A relationship built on repeat sales of safe produce, certified or not.

Simply put, it is not feasible or reasonable to expect that our aging small farmers should invest in capitol equipment for upgrades to meet standards that are intended for large track farming. and apply the same standards to our small farms, particularly as we approach retirement age. Simply put, there is no lucrative money in farming, it is wholesome supplemental income for the family, with little consideration to even pursue loans as we operate with mounting expenses resulting in small profit margins while we assume risks upon risk, crop failure after crop failure and farm with a lack of personal security for our own future, while food security gets written to protect others.

Where is the safety net to protect small farmers? The law proposed, provides no flexibility, it appears there is no regard to economies of scale. It seeks to destroy and eliminate small family farms in Hawaii.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 10, 2012 11:48 AM
To: AGRtestimony
Cc: farmfreshhawaii@gmail.com
Subject: Testimony for HB1832 on 2/10/2012 11:15:00 AM

LATE TESTIMONY

Testimony for AGR/HLT 2/10/2012 11:15:00 AM HB1832

Conference room: 329
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Juanita Kawamoto Brown
Organization: Environmental Caucus of the Democratic Party of Hi
E-mail: farmfreshhawaii@gmail.com
Submitted on: 2/10/2012

Comments:

We are in opposition to this bill for the various issues:

The bill is premature and does not properly address the issues of all farmers, especially small family farms.

This is why ECDPH supported the veto of HB 667 last year and we will continue to oppose this kind of legislation that does not address the rights of small family farms.

The issues can be handled through the current programs, standards and rules that have been in place for decades. These current standard do not cost the State any more monies or time until the feds have decided.