

Poamoho Organic Produce
PO Box 728
Waiialua HI 96791
808-637-4555
info@poamoho-organic.com

To: House Committee on Agriculture
Re: Hearings on February 1, 2012, 8:00 am, Rm #312
Subject: Testimony regarding HB2430, HB1947, HB2263 and HB2431

January 30, 2012

Aloha Committee Chair and Committee Members,

I am an organic farmer on the North Shore of Oahu and President of the Hawaii Center for Organic Farming. Please accept my testimony on the subject Bills.

HB2430 tasks the Department of Agriculture (DoA) to establish an Agriculture Development and Food Security Program. I support the purpose of this Bill and I have some comments and concerns. Agriculture Development requires a new look at old problems and, above all, advocacy. The legacy of our DoA has been regulatory, not advocacy; so the opportunity for "new-think" will require advocacy for new ideas. Food Sustainability should be defined in the text of the Bill to eliminate confusion and solidify intent. For many of us farmers, food sustainability refers to ensuring the continuous and uninterrupted flow of imported foods. It is the exact opposite of food self-sufficiency i.e. growing local food for local consumption, which appears to be the true intent of this Bill.

HB1947 creates an Agriculture Safety and Security program within DoA. I cannot support any portion of this Bill as it is misdirected, based on erroneous facts and detrimental to our local farmers. This Bill would authorize an expanded farm inspection program far beyond that which has already resulted in excluding 99 ½ % of our farms from our local markets. The preamble implies that cantaloupes and rat lungworm incidents occurred on the farms and therefore requires more farm inspections. These incidents did not occur on farms but in a processing plant and a home garden. The term "generally accepted agriculture management practices" is not generally accepted beyond the State of Michigan and has little application in Hawaii. Please don't be misled, there are better alternatives to the words in this Bill such as HB2065 which promotes education in Hawaii-specific and science-based practices and which many of our farmers support.

HB2363 establishes a task force to study the feasibility of an agriculture distribution co-op. I fully support this effort and even hope to be part of it. The words are very specific and target a long standing issue for our widely distributed network of farms.

HB2431: I fully support this Bill that reinforces desire and need to increase "local food for local consumption" through State policy. A similar Resolution supporting "local food for local consumption" was passed by the North Shore Neighborhood Board and forwarded to the City Council for their consideration. Mahalo.

Al Santoro

hashem1 - Julie

From: Gerry Ross [lavaboy@hawaiiantel.net]
Sent: Tuesday, January 31, 2012 5:26 AM
To: AGRtestimony
Subject: HB 1947

Committee on Agriculture Hearing Notice for HB 1947

Date: Wed. Feb 1
Time: 8 am
Place: Conference Room 312, State Capitol, 415 So Beretania Street

Request: 5 copies to room 312

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947

My name is Gerry Ross and I am a small farmer on Maui. Our farm is 4 acres and we raise award winning coffee, vegetables, and fruit. I am concerned and in general in opposition of HB 1947. We grow good food. Our customers love our produce which we sell directly through a CSA (community supported agriculture), a farmers market in Pukalani and several restaurants in Makawao and Paia.

HB 1947 proposes more legislation that will be a burden for small farmers. Under the federal Food Safety and Modernization Act we are exempt from such costly regulation by virtue of the tester amendment which excludes farmers with less than \$500,000 gross annual income and sell within 250 miles of the farm. One of the examples used in HB 1947 of reasons why we need such legislation is the cantelope listeria outbreak this summer. Cantelope was shipped from a single farm to over 23 states, not the kind of widespread dispersal of product that we see with small farms here in Hawaii. Incidentally, the farm responsible for the outbreak had been recently certified as "food safe". The bill also uses rat lungworm disease as an example of the terrible diseases that may be transmitted by food and uses that as a stepping to require more regulation of farmers regardless of size. Rat lungworm disease involves rats, the disease carrying nematode, snails and leafy greens. If you do not wash your lettuce carefully then you may inadvertently eat one of the infected snails and become infected yourself. How is it to be prevented? Do we eliminate rats on our farms? Good luck. Do we eliminate snails on our farms? Not without frequent spraying of toxic chemicals. How do we remove snails from our lettuce? By careful washing of our greens in our home kitchens. This issue is a home hygiene issue and should not be downloaded onto the farmer as an additional layer of burdensome regulation. In fact many of the supposed health problems largely come down to home or in-store hygiene and NOT on farm hygiene.

Hawaii's farmers should have the same exemption as provided by Tester-Hagen amendment, not an enhanced layer of bureaucratic oversight.

Respectfully Submitted,
Gerry Ross, Kupa'a Farms



Hawaii Cattlemen's Council, Inc.

P O Box 437199 Kamuela HI 96743
Phone (808) 885-5599 • Fax (808) 887-1607
e-mail: HCattlemens@hawaii.rr.com

COMMITTEE ON AGRICULTURE
Wednesday February 1, 2012 8:00 a.m. Room 312

HB 1947 RELATING TO AGRICULTURE

Chairman Tsuji, Vice Chair Hashem and Members of the Committee:

My name is Alan Gottlieb, and I am a rancher and the Government Affairs Chair for the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 130+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **strongly supports** HB 1947.

GAAMPS or "Generally Accepted Agricultural Management Practices" are practices found to be sound, protecting the environment, caring for livestock, protective of workers while providing quality agricultural products. The practices are traditionally developed in conjunction with the college of agriculture, the United States Department of Agriculture Natural Resources Conservation Service and the consolidated Farm Service Agency, and other professional and industry organizations. The practices are then adopted by the State Department of Agriculture in recognition of what is considered to be sound practices in State policy.

Over the year, The Hawaii Cattlemen's Council has worked with the above mentioned groups, as well as our local large animal veterinarians and have developed Animal Compassion Guidelines and Interstate Shipping Guidelines, which have been adopted by our members. We welcome the State of Hawaii Department of Agriculture to have a mechanism to consider these guidelines and/or to make suggestions on improving these guidelines for adoption as GAAMPS. GAAMPS will be "living" documents that industry refines on a continual basis as better practices are developed.

Farmers and ranchers want to deliver safe and affordable food and other agricultural products. We remain open to improving what we do and how we do it, when the input comes from professionals familiar with our farms and ranches. If and when good management practices are questioned by outsiders, this GAAMP certification can be used to demonstrate that farmers and ranchers are following sound practices. It will provide a practical means for the State to support agriculture.

Thank you for giving me the opportunity to testify in favor of this very important issue.

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen
and Members of The Agriculture Committee,

Subject: HB 1947

My name is Arman Wiggins of Poki Fruits, Inc.

I strongly oppose HB 1947 because of the time and expense it will cause my small farm.

We have never had a food safety issue in 14 years of tropical fruit production. The reason for that may be that my family and I eat more of our own production than any other individual who buys our fruit. We do not sell anything that we would not eat ourselves for obvious reasons.

In the end this will be just like any other business decision. Can I afford it? If not then, I don't buy it. In this case it means closing my fruit operation and losing the income from it.

Hawaii already cannot compete with mainland produce because our cost of production is much higher than in the mainland. These regulations will increase the cost of production even higher, making Hawaii production even less competitive.

If we want Hawaii to be more self-sustaining in agricultural production this bill needs to be defeated.

Respectfully Submitted,

Arman Wiggins

hashem1 - Julie

From: Haleiwa Farmers' Market [haleiwafarmersmarket@gmail.com]
Sent: Tuesday, January 31, 2012 8:00 AM
To: AGRtestimony
Subject: HB 1947

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947

My name is Pamela Boyar, owner of three farmers markets..

II strongly oppose HB 1947

I support small Hawaii farmers. They grow our food in a responsible way with good agricultural practices.

HB2430 tasks the Department of Agriculture (DoA) to establish an Agriculture Development and Food Security Program. I support the purpose of this Bill and I have some comments and concerns.

Agriculture Development requires a new look at old problems and, above all, advocacy. The legacy of our DoA has been regulatory, not advocacy; so the opportunity for "new-think" will require advocacy for new ideas. Food Sustainability should be defined in the text of the Bill to eliminate confusion and solidify intent. For many of us farmers, food sustainability refers to ensuring the continuous and uninterrupted flow of imported foods. It is the exact opposite of food self-sufficiency i.e. growing local food for local consumption, which appears to be the true intent of this Bill.

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HB2431: I fully support this Bill that reinforces desire and need to increase "local food for local consumption" through State policy. A similar Resolution supporting "local food for local consumption" was passed by the North Shore Neighborhood Board and forwarded to the City Council for their consideration. Mahalo.

Pamela Boyar

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Hale'iwa Farmers Market
808-388-9696

Please visit all of our Farmers' Markets: Ala Moana Farmers Market
<<http://alamoanafarmersmarket.com/ala-moana.html>>8-12 on Saturdays Hawaii Kai Farmers Market
<<http://alamoanafarmersmarket.com/hawaii-kai.html>>9-1 on Saturdays Haleiwa Farmers Market
<<http://alamoanafarmersmarket.com/haleiwa.html>> 9-1 on Sundays



To: House Committee on Agriculture
Re: Hearings on February 1, 2012, 8:00 am, Rm #312
Subject: Testimony regarding HB1947

January 31, 2012

Aloha Committee Chair and Committee Members,

I am a small farmer advocate and co-owner/operator of three farmers' markets on O'ahu. Please accept my testimony opposing HB1947.

HB1947 strongly oppose

While we all agree that food safety is an important issue and deserves our attention, this bill is not the best solution. The expansion of Food Safety Certification at the farm level does not address where history shows the problem of potential hazard of contamination lies- in processing. Requiring all farmers to undergo 3rd party food safety certification will result in the loss of the vast majority of Hawai'i's small family farms. At the national level, the Food Safety and Modernization Act includes the Tester Amendment, exempting the small farmers who sell directly to the consumer. This HB1947 is overreaching and gives no consideration to these small farmers. We cannot expect that the agricultural practices that work in Michigan are applicable to Hawaii. We have a unique ecosystem. The establishment of Good Agricultural Practices as set out in HB2065 will protect the farmers from mainland corporate food safety certifiers whose certification template does not take into account Hawaii specific and science-based practices.

Sincerely-

Annie Suite
Ala Moana Farmers' Market
Hawaii Kai Farmers' Market
Hale'iwa Farmers' Market

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Kim Falinski
Organization: Nalo Meli Honey
E-mail: kimfalinski@gmail.com
Submitted on: 1/29/2012

Comments:

Testimony Against HB1947

The future of Hawaii's food needs to include Hawaii's small farmers. Small farmers offer a variety that is unable to found in the monocropping big farms. Small farmers are passionate about what they do. Small farmers employ locally, and are usually offered long term employment.

Yet this bill serves only to support large monocultured non-food agriculture and imported food. By authorizing the HDoA to build port facilities at a cost of up to \$500 million, we are implicitly agreeing that Hawaii will never be able to support its own agriculture. We are giving up on letting ambitious small business owners use the land to earn money and keep that money in Hawaii. And we are risking

A bill that includes the title "Security" and yet does not explicitly fund and support small farmers is not pono. Our security comes from using our land responsibly, and supporting the new "small and diverse" farming industry, and committing to employing our Hawaiian people who want and deserve to have a connection to the land they call home.

New port facilities offering money to new inspection services, etc, does not support our local economy or land use. Bringing in goods from abroad - for instance China - cannot in any way be more "food secure" or "safe" than growing on Hawaiian lands. Consider the recent scares about arsenic in apple juice. Consider that honey from China is usually banned because of pesticide residues. Consider that local people can hold their local farmers accountable, but cannot hold a farmer 3,000 miles away accountable.

I firmly oppose this bill, and all attempts to mask food security and safety as good for the residents of Hawaii. Scaleable regulation is necessary to support the small farms - not a one-size-fits-all approach. If we hope to eat in 50 years, our livelihoods and lives depend on it.

Sincerely,

Kim Falinski
Kailua, HI

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312

Testifier position: Oppose

Testifier will be present: No

Submitted by: DAVID LONGACRE

Organization: HAWAII TROPICAL FRUIT GROWERS ASSOC.

E-mail: HTFG.EAST@GMAIL.COM

Submitted on: 1/31/2012

Comments:

To: Committee Chair and Committee Members,
As a grower in Hawaii, please accept my testimony on the subject Bill.

HB1947 creates an Agriculture Safety and Security program within DoA. As a small tropical fruit grower, I cannot support any portion of this Bill as it appears to give unclearly defined "totalitarian" authority to the Dept. of Agriculture to determine whether my orchard can exist, based upon draconian measures to ensure food safety. Don't misunderstand; we fruit growers want to provide product that makes consumers happy and healthy. But I fear an expanded farm inspection program that can put a small orchard out of business with little evidence of recourse. Are you aware that even the exemptions in the federal food safety legislation – the Tester Amendment – will likely be of little use to Hawaii farmers since many of our customers are, rather obviously, located beyond 250 miles from the farm (ex: in California). Nonetheless, even the provisions of the Tester Amendment would have to be incorporated in any fair Hawaii-legislated food safety law. Many of us believe that there are better alternatives to the words in this Bill such as HB2065 which promotes education in Hawaii-specific and science-based practices and which many of our farmers support.

This bill prevents small farms from becoming more sustainable and hinders their ability to sell at farmers markets and to small wholesalers around the state.

Committee on Agriculture Hearing Notice for HB 1947

Date: Wed. Feb 1

Time: 8 am

Place: Conference Room 312, State Capitol, 415 So Beretania Street

Request: 5 copies to room 312

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947

My name is Myra Lewin, owner of the new Durga Farms in Anahola, HI.

I am writing to say that I strongly oppose HB 1947.

My reasons include the following:

1. This bill goes beyond Food Safety regulations being proposed by the FDA under the Food Modernization and requires HIGHER STANDARDS than Good Agricultural Practices a.k.a. GAPS, by requiring GAAP's and now includes LIVESTOCK.
2. Food Producers should be exempt from all regulation that make it difficult to provide fresh food to consumers.
3. Demand the TESTER Amendment, under the FDA, FSMA, be recognized by the State of Hawaii and demand that no law shall exceed the Federal Law.

Respectfully Submitted,

Myra Lewin



55-090 Naupaka Street
Laie, Koolauloa, Oahu, Hawaii 96762
808.224.7580
sustainablecountry@gmail.com

RE: LOCAL FOOD FARMER OPPOSES HB1947

Dear Hawaii Representatives,

I am a new farmer (4 years in Waialua and Koolauloa districts), who specializes in “local food production for local consumption.” The current condition of agriculture for local food production for local consumption—the most legitimate use of agricultural land in Hawaii—is in a state of crisis.

It is a commonly known fact among farmers who grow food for local consumption, that the State of Hawaii has failed its real farmers—us: the food growers. In the past fifteen years, millions upon millions of State and Federal funds have been appropriated for agricultural uses other than local food production for local consumption. The effect of this is public monies being used for purposes that do not represent the public will. As a matter of fact, the “Big Business” that dominates current Hawaii agriculture is bent on protecting interests outside of the state—interests such as wholesalers and distributors.

Specifically, United Fresh has lobbied to protect itself from the onslaught of food safety liability by forcing legislation on food safety. Law firms like Marler Clark have shown that distributors and wholesalers are irresponsible, even negligent; in return, the distributors and wholesalers put the blame on to the farmers.

Any food product imported to Hawaii has an advantage over local food products because the imported product is assumed to be safe; on the flipside, any Hawaii produced food is considered unsafe until certified by a third-party.

The Solution

Myself, along with other farmers throughout Hawaii are currently working to empower Neighborhood Boards with Agriculture Committees. The Neighborhood Board Agriculture Committees are developing task forces to reach out to farmers in order to help them EXCEED the current proposed standards of food safety certification. In other words, **FOOD SAFETY CAN BE REGULATED LOCALLY, BY CONSUMERS, BY RESIDENTS.**

As Representatives in Hawaii, I hope that you recognize the difference between representing interests and mediating between interests. **FOOD SAFETY LEGISLATION DERIVES FROM BIG BUSINESS, FROM COMPANIES LIKE UNITED FRESH.** Farmers need education, not regulation. I strongly urge you: **OPPOSE HB 1947.**

Sincerely,

Travis Overley, Farmer

Committee on Agriculture Hearing Notice for HB 1947

Date: Wed. Feb 1

Time: 8 am

Place: Conference Room 312, State Capitol, 415 So. Beretania Street

I Request: 5 copies be forwarded to room 312

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee

Subject: HB 1947

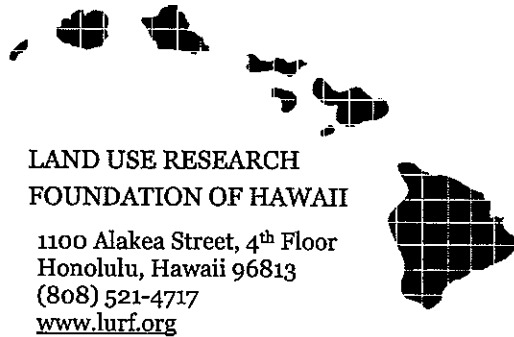
My name is Kimberly Clark, Ph.D., owner of Just Add Water Community Supported Agriculture program for the past 15 years and organic grower and educator.

I strongly oppose HB 1947. This bill goes beyond Food Safety regulations being proposed by the FDA under the Food Modernization Act and requires higher standards than Good Agricultural Practices a.k.a. GAPS. These regulations are completely unnecessary to ensure that consumers receive safe food from my business and Hawai'i's small farms.

The Tester Amendment to the FMA expressly acknowledges that this is so, and therefore exempts small farms with local markets, i.e. within the state of Hawai'i, from the FMA. There is no reason for the state to insist that Hawai'i's laws be stricter, and more burdensome, than the laws that apply everywhere else in the United States.

Respectfully Submitted,

Kimberly Clark, Ph.D.



LAND USE RESEARCH
FOUNDATION OF HAWAII

1100 Alakea Street, 4th Floor
Honolulu, Hawaii 96813
(808) 521-4717
www.lurf.org

January 31, 2012

Representative Clift Tsuji, Chair
Representative Mark J. Hashem, Vice Chair
House Committee on Agriculture

Support of HB 1947 Relating to Agriculture (Creates an agricultural safety and security program within the Department of Agriculture.)

Wednesday, February 1, 2012, 8:00 a.m., in CR 312

My name is Dave Arakawa, and I am the Executive Director of the Land Use Research Foundation of Hawaii (LURF), a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. One of LURF's missions is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources and public health and safety.

LURF appreciates the opportunity to express its **support of HB 1947** and of the various agricultural stakeholder groups who defend the goals of viable agricultural operations, and the conservation and protection of agriculture, including important agricultural lands (IAL) in Hawaii. This bill articulates the need for collaboration amongst diverse sectors of the community - business, government, and agricultural stakeholders - and the importance for them to work together cooperatively to improve the economic viability of the State's agricultural industry.

HB 1947. This bill proposes to establish an agricultural safety and security program within the DOA that shall provide training, certification and support to the agriculture industry, and interface with other government agencies to achieve food, environmental, and worker safety, and to meet food safety and security regulations and requirements. The bill also authorizes the DOA to 1) adopt rules implementing generally accepted agricultural management practices (GAAMPS) as a state wide standard for the agricultural industry; and 2) expend moneys in the certification services revolving fund to support the proposed agricultural safety and security program.

LURF's Position. Agricultural safety is vital for the safe and secure production, processing, sale, distribution, importation and consumption of food products and agricultural commodities in Hawaii. This bill will result in the development and establishment of an agricultural safety and security program which is needed to help the State's agricultural industry meet food safety objectives and standards, and effectively comply with applicable governmental rules, regulations and guidelines.

LURF understands that such a program is necessary on a local level in order that the State may, amongst other things, ensure that local food safety regulations and certifications conform to federal and other uniform requirements and standards.

GAAMPS are agricultural management practices which have been determined to be sound with respect to protection of the environment, caring for livestock, and protection of workers while providing quality agricultural products. The practices are traditionally developed by state universities through their college of agriculture and natural resources extension; the agricultural experiment station in cooperation with the U.S. Department of Agriculture's natural resources conservation service; and the consolidated farm service agency, together with other professional and industry organizations. The practices are then adopted by the states through their respective departments of agriculture in recognition of what is considered to be sound practices according to state policy.

This development of uniform practices and acceptable standards of agricultural safety transparent to all is needed in Hawaii. When such standards are adopted, members of the agricultural industry may voluntarily request certification by the DOA, thereby verifying compliance with the standards. Adoption of such standards and policies will provide a practical means for the State to support agriculture and is necessary for the State to attain increased self-sufficiency and sustainability.

Based on the above, LURF **supports HB 1947**, and respectfully urges your favorable consideration of the bill.

Thank you for the opportunity to express support regarding this measure.

hashem3 - Casey

From: Jeffery Seel [jwseel@cs.com]
Sent: Tuesday, January 31, 2012 12:01 PM
To: AGRtestimony
Subject: Oppose HB 1947

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947

Committee on Agriculture Hearing Notice for HB 1947

Date: Wed. Feb 1
Time: 8 am
Place: Conference Room 312, State Capitol, 415 So Beretania Street

Request: 5 copies to room 312

My name is Jeffery Seel, Sole-Proprietor of Jasminum Farms, located in Kona, Hawaii. I am an Organic coffee grower with a farm of 3.3 acres (2 acres planted).

I am opposed to HB 1947 for the following reasons.

1. As a farmer, I am barely making a profit. Adding fees and additional regulation to coffee growers for product safety for a product that is not consumed raw makes no sense.
2. As a small farmer, we need help with pest control vs additional regulation where current regulation is more than enough for product safety.
3. Examples of food born problems for coffee consumed are non-existent. Why add coffee to the list.

Respectfully,
Jeffery Seel

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PO Box 1098, Waialua, HI 96791

Ph: (808) 389-6255 <bigwavetomatoes@gmail.com>

COMMITTEE ON AGRICULTURE

Rep. Clift Tsuji, Chair

Rep. Mark J. Hashem, Vice Chair

HB 1947 HEARING

Wednesday, 01 February, 2012

8 am, Conference Room, 312

Aloha Committee Chair and Committee Members,

January 31, 2012

My name is Jeanne Vana, I am a Horticulturist with a small family 9 acre farm and Board Member of The Waialua Farmers Cooperative where over 60 other farmers nearing retirement age, work cooperatively together as independent farmers on 150 acres of farmland, to provide food to our community in attempt to contribute to the health and success of our State economy. **THIS BILL THREATENS OUR LIVELIHOODS. WE STRONGLY OPPOSE THE INTENT OF HB 1947** that seeks to destroy and eliminate small family farms in Hawaii. The passage of this bill, I believe, will result in the closure of our farms due to excessive regulation will cause extreme hardship and a cost burden to small farms and is a **JOB KILLER** that goes against the Governor's ability to create jobs and foster self-sufficiency

I am also a member of the Hawaii Farm Bureau Federation. You need to know that this "grass root" organization, compared to the previous administration, did not seek input from its members on its legislative bill and is not representative of fellow members that are food producers that will be impacted by this bill. In fact, there was expressed and implied major disagreement with this bill whereby delegates shared concerns that this bill hurts its very own members it is suppose to help. Regardless, an example that our voices are ignored, for a bill that benefits a small percent of Hawaii farms and ignores implications to small family farms with no regard for economies of scale.

The intent of this bill to continue to foster "mandates" unnecessarily goes BEYOND The Federal Food Safety Modernization Act that seeks to provide some flexibility, such as exemptions under the TESTER Amendment, according to Margaret Hamburg, MD Commissioner of Food and Drugs, that sell direct to consumers **WITHOUT** risk of cross contamination from co-mingling of product that can occur, where the need for trace back, as produce remains safe in our custody, to protect and assure repeat sales for our small consumer based business.

Respectfully Submitted,

Jeanne Vana

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and
Members of The Agriculture Committee,

Subject: HB 1947

My name is Natalie Cash, I'm the farm manager from Olomana Gardens which is a small five acres permaculture, aquaponics and composting worm farm. I also represent the Hawaii Farmers Union United organization which supports local farmers of all Hawaiian Islands.

I Indicate that you strongly oppose HB 1947

At this time the Federal Government under the Federal Modernization Act 2011. It should be provisioned from the Federal Law to come up with a law regarding the farmer and farms regulations. I feel we should not set a law for the State to comply with for the family farms until final decisions are completed by the Federal laws.

Hawaii has it's own destiny being apart from the continental US and will need to have it's special rules to protect all family farms and farmers and also the larger farm businesses.

Let us come to terms to do it according to a more complete voice of all the growers of the Hawaiian Islands and not just on co-operation level.

Respectfully Submitted,

Natalie Cash

Aloha Chair Tsuji and Honorable Committee members;

I am a member of the Taro Security and Purity Task Force and the Hawaii Farmers Union, but testifying as an individual and a farmer today.

I strongly opposed to HB1947.

This legislation will directly and negatively impact all farmers and consumers in the state, including the growing number of vibrant farmers markets throughout the islands which are helping our local economy to be more resilient in these tough economic times. HB1947 will also impact the high end restaurant industry that relies on a farm-to-plate connection as a signature of the quality of their food. Fewer farmers able to comply with the proposed overburdensome rules means fewer and less diverse choices for local households and for the tourist industry where restaurant chefs depend on us as farmers for the diversity of foods we grow.

This is a bill that will throttle the growing local food production system. But, that is what the big growers would prefer. Who wouldn't want to take out the competition? The mainland competitive business model behind this bill does not support the growth of food self-sufficiency that is critically necessary here in Hawaii. As small, island farmers, we know that model doesn't work. We depend on each other every day to share experiences and practices, produce, seed stock, kokua, even machinery and help in transporting our produce to market. HB1947 flies in the face of the common sense of both farmers and consumers.

Nowhere in the federal FDA Food Modernization rulings on food safety does it require states to add another, more restrictive layer to the food safety act. In fact, those ruling have an income threshold that protects small growers from being overburdened. The Hawaii Department of Health bears witness to the fact that the food safety rules in the state are sufficient to protect consumers here.

The state imports almost 90% of its food. The local farms that are putting food directly on our plates are typically small (under 10 acres) with already difficult bottom lines. There are many who would strongly oppose this legislation but have not been asked by their supposed representing organizations, or can not be here to testify. Food producers should be exempt from all regulation that make it more difficult to provide fresh food to consumers. We, as a state, cannot afford to make it more difficult for our farmers to grow food for us - not with a 90% dependency on the outside world.

I strongly urge this Committee and the State of Hawaii to kill this bill and to recognize and adopt the TESTER Amendment, under the FDA, FSMA. No law should exceed the Federal Food Safety Law.

Mahalo for this opportunity to testify.

Penny Levin [by email]
Wailuku, Maui

hashem1 - Julie

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 30, 2012 10:11 PM
To: AGRtestimony
Cc: sandrascarr@aol.com
Subject: Testimony for HB1947 on 2/1/2012 8:00:00 AM

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Sandra Scarr
Organization: Individual
E-mail: sandrascarr@aol.com
Submitted on: 1/30/2012

Comments:
Committee on Agriculture Hearing Notice for HB 1947

Date: Wed. Feb 1
Time: 8 am
Place: Conference Room 312, State Capitol, 415 So Beretania Street

Request: 5 copies to room 312

Body of Testimony Letter as follows:

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947.

I strongly oppose HB 1947, because it seeks to impose regulations on all farmers that exceed those that will follow from implementation of the federal Food Safety Modernization Act. Under FSMA, small farmers who sell directly to consumers are exempt from the record-keeping and reporting to be required of larger farms and distributors. The bill fails to follow federal law.

Importantly, HB 1947 vests food safety in the Hawaii Department of Agriculture. Food Safety belongs in the State Department of Health, just as at the federal level, food safety is vested in the Food and Drug Administration. The Department of Agriculture does not have public health as its mandate.

THIS BILL IS SERIOUSLY FLAWED IN SEVERAL WAYS. DO NOT PASS THIS BILL OUT OF COMMITTEE.

Respectfully Submitted,

Sandra Scarr
Holualoa

To: Committee Chair and Committee Members,
As a grower in Hawaii, please accept my testimony on the subject Bill.

HB1947 creates an Agriculture Safety and Security program within DoA. We cannot support any portion of this Bill as it is misdirected, based on erroneous facts and detrimental to our local farmers. This Bill would authorize an expanded farm inspection program far beyond that which has already resulted in excluding 99 1/2 % of our farms from our local markets. The preamble implies that cantaloupes and rat lungworm incidents occurred on the farms and therefore requires more farm inspections. These incidents did not occur on farms but in a processing plant and a home garden. The term "generally accepted agriculture management practices" is not generally accepted beyond the State of Michigan and has little application in Hawaii. Please don't be misled, there are better alternatives to the words in this Bill such as HB2065 which promotes education in Hawaii-specific and science-based practices and which many of our farmers support.

This bill prevents small farms from becoming more sustainable and hinders their ability to sell at farmers markets and to small wholesalers around the state.

Mahalo,

Ian B Cole

hashem3 - Casey

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 9:05 AM
To: AGRtestimony
Cc: luann@chunsreef.info
Subject: Testimony for HB1947 on 2/1/2012 8:00:00 AM

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Luann Casey
Organization: Individual
E-mail: luann@chunsreef.info
Submitted on: 1/31/2012

Comments:

Committee on Agriculture Hearing Notice for HB 1947

Date: Wed. Feb 1
Time: 8 am
Place: Conference Room 312, State Capitol, 415 So Beretania Street

Request: 5 copies to room 312

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947

My name is Luann Casey, my husband, Gary Gunder & I own & operate The Tin Roof Ranch in Haleiwa.

We both strongly oppose HB 1947

-This bill goes beyond Food Safety regulations being proposed by the FDA under the Food Modernization & requires HIGHER STANDARDS than Good Agricultural Practices a.k.a. GAPS, by requiring GAAP's & now includes LIVESTOCK.

-Food Producers should be exempt from all regulation that make it difficult to provide fresh food to consumers.

-We demand the TESTER Amendment, under the FDA, FSMA, be recognized by the State of Hawaii and demand that no law shall exceed the Federal Law.

hashem1 - Julie

From: randy ching [oahurandy@yahoo.com]
Sent: Tuesday, January 31, 2012 7:11 AM
To: AGRtestimony
Subject: in opposition to HB1947 -- relating to agriculture

HB1947 (opposed)
House Agriculture Committee
Hearing on Wednesday, February 1 at 8 a.m. in conference room 312

Aloha Chair Tsuji, Vice Chair Hashem, and members of the committee,

I write in opposition to HB1947. Food security is a huge issue in the state. More and more people are looking to locally sourced food. The growth in farmers markets and community gardens is proof of that. We should not make it more difficult for people to find locally grown food. We should help farmers to get their produce to local customers. This bill would not do that.

Local food producers should be exempt from regulations that make it difficult to provide fresh food to the public.

Please hold this bill in committee. HB1947 is not a solution to the food security issues we face. Thank you.

Sincerely,

Randy Ching
Honolulu
oahurandy@yahoo.com

hashem1 - Julie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 11:01 AM
To: AGRtestimony
Cc: oggc@dowling.edu
Subject: Testimony for HB1947 on 2/1/2012 8:00:00 AM

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Christy C Ogg
Organization: Individual
E-mail: oggc@dowling.edu
Submitted on: 1/31/2012

Comments:

I would like to see the TESTER Amendment, under the FDA, FSMA, be recognized by the State of Hawaii and that no law shall exceed the Federal Law.

Committee on Agriculture Hearing Notice for HB 1947

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947

My name is Daniel Owsiany, a private citizen of Hawaii, whom you represent. I am writing to inform you that I strongly oppose HB 1947 for the following reasons:

-This ridiculous bill goes beyond Food Safety regulations being proposed by the FDA under the Food Modernization & Safety Act and requires HIGHER STANDARDS than Good Agricultural Practices a.k.a. GAPS, by requiring GAAP's & now will include LIVESTOCK.

-Food Producers should be exempt from any regulation that makes it difficult to provide fresh food to consumers.

- I Demand the TESTER Amendment, under the FDA, FSMA, be recognized by the State of Hawaii and further demand that no law shall exceed the Federal Law.

I urge you to vote against this legislation

Respectfully Submitted,
Daniel Owsiany
Eleele, HI 96705

hashem1 - Julie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 10:48 AM
To: AGRtestimony
Cc: stevenrymsha@gmail.com
Subject: Testimony for HB1947 on 2/1/2012 8:00:00 AM

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Steven Rymsha
Organization: Individual
E-mail: stevenrymsha@gmail.com
Submitted on: 1/31/2012

Comments:

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,

Subject: HB 1947

This bill goes beyond Food Safety regulations being proposed by the FDA under the Food Modernization & requires HIGHER STANDARDS than Good Agricultural Practices.

Food Producers should be exempt from all regulation that make it difficult to provide fresh locally produced food to consumers.

Respectfully Submitted,
Steven Rymsha

hashem1 - Julie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 10:37 AM
To: AGRtestimony
Cc: evernw@aol.com
Subject: Testimony for HB1947 on 2/1/2012 8:00:00 AM

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Evern Williams
Organization: Individual
E-mail: evernw@aol.com
Submitted on: 1/31/2012

Comments:
Please Do Not pass this bill.

hashem3 - Casey

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 9:56 AM
To: AGRtestimony
Cc: growinggreens@yahoo.com
Subject: Testimony for HB1947 on 2/1/2012 8:00:00 AM

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Liz Ronaldson
Organization: Individual
E-mail: growinggreens@yahoo.com
Submitted on: 1/31/2012

Comments:

This bill cannot be supported because the facts are not true. Our farmers would be devastated and agriculture would be in great danger in the state of Hawaii.

hashem3 - Casey

From: Felicia Alongi Cowden [akamaimom@gmail.com]
Sent: Tuesday, January 31, 2012 2:00 PM
To: Rep. Clifton K. Tsuji; Rep. Mark Hashem
Subject: I strongly oppose HB 1947

To: Honorable Chair, Rep. Clift Tsuji and Vice Chair, Rep. Mark J. Hashem and Members of The Agriculture Committee,

Subject: HB 1947

Committee on Agriculture Hearing Notice for HB 1947

Date: Wed. Feb 1
Time: 8 am
Place: Conference Room 312, State Capitol, 415 So Beretania Street

I Request: 5 copies to room 312

My name is Felicia Cowden director, Akamai Learning, and Vice Pres. of Regenerations International Botanical Gardens,

I strongly oppose HB 1947, and am deeply discouraged that our state would penalize small farmers who choose natural methods of farming while encouraging the highly toxic gmo farming that is happening on our island. The threat of Colorado's Rat-lung disease is insulting as a justification for criminalizing the combination of collaborative plant and animal farming which is in agreement with nature while allowing the insistent chemical poisoning of our Kauai environment.

This bill goes beyond Food Safety regulations being proposed by the FDA under the Food Modernization & requires HIGHER STANDARDS than Good Agricultural Practices a.k.a. GAPS, by requiring GAAP's & now includes LIVESTOCK.

Food Producers should be exempt from all regulation that make it difficult to provide fresh NATURAL food to consumers. This type of agricultural prohibition is what should be in place for genetic engineering companies. The corporations own our state legislature. I can't express my disturbance strongly enough. At a minimum, the TESTER Amendment, under the FDA, FSMA, be recognized by the State of Hawaii. No state law shall exceed the Federal Law.

Respectfully Submitted,
Felicia Cowden
4191 Kilauea Road
Kilauea, HI 96754
akamaimom@gmail.com
808-652-4363

To: House Committee on Agriculture
Re: Hearings on February 1, 2012, 8:00 am, Rm #312

January 31, 2012

Subject: Committee on Agriculture Hearing Notice for HB 1947

To: Committee Chair and Committee Members,

As a grower in Hawaii, please accept my testimony on the subject Bill.

HB1947 creates an Agriculture Safety and Security program within DoA. We cannot support any portion of this Bill as it is misdirected, based on erroneous facts and detrimental to our local farmers. This Bill would authorize an expanded farm inspection program far beyond that which has already resulted in excluding 99 ½ % of our farms from our local markets. The preamble implies that cantaloupes and rat lungworm incidents occurred on the farms and therefore requires more farm inspections. These incidents did not occur on farms but in a processing plant and a home garden. The term "generally accepted agriculture management practices" is not generally accepted beyond the State of Michigan and has little application in Hawaii. Please don't be misled, there are better alternatives to the words in this Bill such as HB2065 which promotes education in Hawaii-specific and science-based practices and which many of our farmers support.

This bill prevents small farms from becoming more sustainable and hinders their ability to sell at farmers markets and to small wholesalers around the state.

Mahalo.

A handwritten signature in black ink that reads "Ken Love". The signature is written in a cursive style with a large, stylized initial "K".

Ken Love

hashem3 - Casey

From: Lucy Hiraoka [hiraoka1001@hawaii.rr.com]
Sent: Tuesday, January 31, 2012 3:04 PM
To: AGRtestimony
Subject: Committee on Agriculture Hearing Notice For HB 1947

Committee on Agriculture Hearing Notice for HB 1947

Date: Wednesday February 1, 2012
Time: 8 am
Place: Conference Room 312, State Capitol, 415 So. Beretania Street

Request: 5 copies to Room 312

To: Honorable Chair, Rep. Cliff Tsuji and Vice Chair, Rep. Mark J. Hashen and Members of The Agriculture Committee,
Subject: HB 1947

Aloha my name is Lucy Hiraoka and I am a farmer in Waimanalo. We have a small family farm (one of 7000 small farms in Hawaii), we do not have employees, We are the workers. I oppose HB 1947, because it's not in the best interest of small farmers. The cost of producing food for the public consumption has risen in leaps and bounds yet we try to keep our prices reasonable for our customers. This bill goes beyond Food Safety regulation being proposed by the FDA under the Food Modernization Act, requiring HIGHER STANDARDS than Good Agricultural Practices a.k.a. GAPS. Has anyone thought about the cost to the farmer? To put in such an infrastructure will create a financial burden so where does the farmer get the money? These are tough economic times and the State wants us to be self sufficient? Sure some will say pass the cost on to the consumer and when will they say enough is enough I'll just buy it at Costco. We as Food Producers should be exempt from all regulation that make it difficult to provide fresh food to consumers. I participate in various Farmer's Markets and according to the TESTER AMENDMENT, farmer's who sell within a 275 mile radius of their farm are exempt. In HB 1947 is the reference to the recent outbreak of Listeria on cantelopes in Colorado. It didn't come from the farm but the PROCESSING PLANT and that very plant was food safety certified TWO DAYS prior to the outbreak. It seems that people want a scapegoat, someone to point the finger at and I guess it's the farmer. The Legislature should acknowledge the Tester Amendment and demand that no law shall exceed the Federal Law. This is overkill and while people in general may have good intentions there will always be those manipulating the situation for their own gain.

Respectfully Submitted,

Lucy M. Hiraoka

hashem3 - Casey

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 3:08 PM
To: AGRtestimony
Cc: cdseel@cs.com
Subject: Testimony for HB1947 on 2/1/2012 8:00:00 AM

Testimony for AGR 2/1/2012 8:00:00 AM HB1947

Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Carol Seel
Organization: Individual
E-mail: cdseel@cs.com
Submitted on: 1/31/2012

Comments:

To : Agriculture House Committee
Subject: HB1947

I am a coffee farmer and do oppose this bill.
Current regulations have been sufficient to keep our Hawaii agriculture products safe.
We do not require more regulations that would be time consuming, and perhaps costly.
Hopefully these funds could be redirected to other areas needing assistance.
We small farmers need to be a force in supplying our islands. At this time the markets are selling avocados from the mainland when we have a very bountiful crop right here.
Let us work with more markets to take advantage of our fresh and nutritious products and support one another in the aloha spirit.
Thank you,

Carol Seel