



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

LATE TESTIMONY

TESTIMONY OF RUSSELL KOKUBUN CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
February 1, 2012
8:00 A.M.

HOUSE BILL NO. 1947 RELATING AGRICULTURE

Chairperson Tsuji and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 1947. This bill creates an agricultural safety and security program and the development and verification of good agricultural and management practices. The department supports the intent of the bill but has concerns.

The federal Food Safety Modernization Act (FSMA) was created to help the U.S. Food and Drug Administration (FDA) address key elements which include:

- The need for food safety systems based on the food industry's primary responsibility to prevent food safety problems,
- The need for risk-based, prevention-oriented standards and stronger accountability for meeting them, and
- The need for a global approach to food safety

The strategy enables FDA to focus more on preventing food safety problems rather than relying primarily on reacting to problems after they occur. The law also



provided FDA with new enforcement authorities designed to achieve higher rates of compliance with prevention and risk based food safety standards to better respond to and contain problems when they occur. The law also gives FDA important new tools to hold imported foods to the same standards as domestic foods and directs FDA to build an integrated national food safety system in partnership with state and local authorities.

Under the FSMA, it appears that the Department of Health will have to establish a permitting system to regulate farms in the State. The 2008 United States Department of Agriculture Statistics of Hawaii Agriculture reported the following breakdown of raw agricultural farms in Hawaii:

	<u># of Vegetable Farms</u>	<u>#of Fruit Farms</u>
Big Island	210	885
Oahu	180	155
Maui	102	272
Kauai	<u>48</u>	<u>193</u>
TOTAL	540	1,505

The Testor Amendment within the FSMA, will exempt small farms that produce less than \$500,000 of product annually. These small farms, which are the majority of Hawaii's farmers will still need guidance in the area of Good Agricultural Practices (GAP) which could still be provided by the Department of Agriculture and the University of Hawaii College of Tropical Agriculture and Human Resources. When the FSMA rule is finalized, we can then evaluate the need and requirements of any GAP or food safety certification that the farms not under the FSMA may require. It appears that all farms will need to register with the State and keep accurate distribution records, including small farms with less than \$500,000 annual sales.

Any food safety or good agricultural practices legislation should be done after the federal government issues the final rule that all States must abide by. To pass any

legislation now would not be desirable as the legislation may conflict with the final rule issued through the FSMA. Once the final rule is published, the States will be given at least 3 years to implement.

In order to obtain an accurate count of additional Department of Health or Department of Agriculture's staff needed to comply with the FSMA, we will need to see the final rule. Program start-up costs, frequency of inspections, frequency and types of testing required will need to be identified before accurate resource requirements are known.

The bill also proposes to amend the use of the Certification Services Revolving Fund to support the activities under the proposed agricultural safety and security program. The Certification Services Revolving Fund was established to support the activities performed by the department's temporary Agricultural Commodities Aid positions who currently conduct fee-for-service inspections services in certifying coffee, seed and papaya. Currently, this fund is unable to adequately support the proposed activities of this bill.

Thank you for the opportunity to testify on this measure.



LATE TESTIMON

Hawaii Farm Bureau
F E D E R A T I O N

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Phone: (808) 848-2074 • Neighbor-Islands: (800) 482-1272
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www.hfbf.org

January 31, 2012

HEARING BEFORE THE
HOUSE AGRICULTURE COMMITTEE

TESTIMONY ON HB 1947
RELATING TO AGRICULTURE

Room 312
8:00 AM

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

I am Dean Okimoto, President for the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFBF is in strong support of HB 1947, creating a process for adoption and verification of GAAMPS by the Department of Agriculture.

Historically, farmers and ranchers have been celebrated. They were respected and recognized as an important part of a successful society providing food and fiber so others could choose lifestyles that did not involve working in the fields every day.

Today, times have changed. Farmers and ranchers find themselves defending their right to grow crops and raise livestock. The marketplace has begun to dictate how they farm in the name of safety. Farmers and ranchers want to deliver safe and affordable food and other agricultural products. But they cannot do so with their hands tied.

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 by state university college of agriculture and natural resources extension and the agricultural experiment station in cooperation with the United States department of agriculture natural resources conservation service and the consolidated farm service

LATE TESTIMONY

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

My name is Rich von Wellsheim and I am a co-owner of Whispering Winds Bamboo her on Maui which is a small farm primarily growing timber products. We do, however, provide produce to the local markets.

I strongly oppose HB 1947 as I feel that implementing its strict statutes will eliminate by ability to continue to sell my produce in the marketplace. I also think that this bill goes beyond the Food Safety regulations being proposed by the FDA under the Food Modernization & requires HIGHER STANDARDS than Good Agricultural Practices a.k.a. GAPS. It is my understanding that no law shall exceed the Federal Law in this case.

List reasons why. Refer to include the above talking points

Respectfully Submitted,

Rich von Wellsheim


President of Whispering Winds Bamboo Cooperative, Inc.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 6:29 PM
To: AGRtestimony
Cc: warriorengr@hotmail.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: Michael Chang
Organization: Simok Farms and Asian Farmers Market
E-mail: warriorengr@hotmail.com
Submitted on: 1/31/2012

Comments:

Aloha no, my name is Michael Chang, I'm a father, I'm not a farmer, but I married the farmers daughter. On top on my full-time job, which I've taken time off from today and I still owe back to my work, I supplement my wife's and in-laws business on the weekends. I DVR my football games... Before I go on and speak on behalf of my in-laws opposing this bill I want you to meet Julie, my wife and allow her to speak.

We believe in and support food safety and undergo periodic health inspections regularly both at the Store AND the farm. We support its intent, however, now you want to add an additional component to this scrutiny? What has me here today to speak on behalf of my wife's family is the grave concern I feel this bill represents, which is literally "more Government, more regulation" tantamount to a slippery slope. This bill does not provide sufficient enough detail to allay our concerns about "selective enforcement," or additional costs in a cost strapped economy.

-My in-laws do not possess a vast vocabulary, but do know rules and regulations due to the cyclic and helpful visits they receive. They know for instance that because they do not possess a pesticides license, that they therefore cannot utilize pesticides on their farm. They are also aware and comply with this because they also want to protect the ground water. They also understand that because they do not have sewers that service the farm they must rent a porta-john to safely process waste. Your current inspectors already accomplish that. You already have The Department of Agriculture and Department of Health Inspectors in the government ranks who are part of this current system. Are you saying you have no confidence in them? It states on page 6, lines 9-13, ART 147-101

9 "Notwithstanding sections 147-10 10, 147-34, 147-64, 147-114 and 147-126, moneys derived from the

11 certification or audit services provided by temporary inspectors

12 employed under this part or from charges for traveling expenses

13 or extraordinary services shall be deposited into the fund. TI Is one to infer that you're going to hire additional "temporary" employees/inspectors? Who are they and what are their credentials. What's their criteria? What are the standards and what penalties will they allowed to levy?

Here's an industry in Hawaii that is regulated, inspected, taxed and already sustainable. It touches at least FIVE other industries on a daily basis, to achieve one great purpose- putting LOCAL Produce on dinner tables. In our tiny businesses case the industries that we patronize are: Real Estate \$2990/mo, Wholesale Food Supplies (\$1000-2,000/mo), Agriculture (\$6,000-7,000mo), Banking (USDA Loans \$55,000), Auto insurance (\$180/mo), Farm Equipment (\$100/mo), Federal , Public Utilities (\$1,700-1,900/mo), Solid Waste management services (Paradise Lua \$110/mo). Are customers, in some cases, the restaurants here, tourists, EBT, over 600 people weekly.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 11:43 PM
To: AGRtestimony
Cc: hfuglenn@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

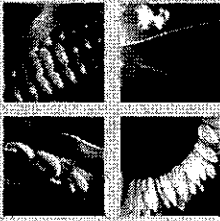
Conference room: 312
Testifier position: Oppose
Testifier will be present: No
Submitted by: Glenn Martinez
Organization: Hawaii Farmers Union United
E-mail: hfuglenn@gmail.com
Submitted on: 1/31/2012

Comments:

Farmers Union Strongly Opposes HB 1947 . It is not necessary . Hawaii Farmers Union has endorsed legislation that address the issues and has the backing of the Food Policy Council.

Hawaii Crop Improvement Association

Growing the Future of Worldwide Agriculture in Hawaii



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Alicia Maluafiti

Testimony by Alicia Maluafiti
HB 1947 – Relating to Agriculture
The House Committee on Agriculture
Wednesday, February 1, 2012
8:00 a.m., Room 312

Position: Support

Aloha Chair Tsuji, Vice Chair Hashem and members of the Committee:

My name is Alicia Maluafiti, Executive Director of the Hawaii Crop Improvement Association, a nonprofit trade association representing Hawaii's seed farmers. HCIA strongly supports HB 1947 which creates an agricultural safety and security program.

Generally accepted agricultural and management practices (or GAAMPS) are intended to provide uniform, statewide standards and acceptable management practices based on sound science. These practices can serve farmers in the various commodity groups to compare or improve their own managerial routines. New scientific discoveries and changing economic conditions may even require revisions to ensure that farmers are current on emerging practices.

GAAMPS are based on the core principle of stewardship, and regardless of the growing methodology chosen by the individual farmer – from organic to biotech – we have common ground: the economic, social and environmental sustainability of Hawaii's agricultural community. To achieve those mutual goals, we need a variety of tools and a level of continuity that provides farmers with the peace of mind that their years of hard work and investment will be preserved.

We believe HB 1947 provides the necessary framework for macro-level standardization that elevates Hawaii's agricultural community and is an important first step to addressing the challenges facing farmers in the future.

Mahalo for the opportunity to comment.

LATE TESTIMONY

**West County Farm Bureau
94-403 Ukee Street
Waipahu, Hawaii 96797**

TESTIMONY

Committee on Agriculture
Rep. Clift Tsuji, Chair
Rep. Mark Hashem, Vice Chair

Wednesday February 1, 2012
TIME: 8:00 am
PLACE: Conference Room 312

RE: HB 1947 - Relating to Agriculture

Chairperson Tsuji, Vice-Chair Hashem and Committee Members,

My name is Phyllis Shimabukuro-Geiser and I am an egg producer and Chairperson of the Government Affairs Committee for West County Farm Bureau on Oahu. West County Farm Bureau represents vegetable and livestock farmers, ranchers and aquaculture farmers from the Waianae Coast, Central Oahu and the North Shore of Oahu. We support the intent of HB 1947 with comments.

We believe voluntary participation in the proposed certification process is the best incentive. The cattle and egg industries have their respective animal care guidelines and quality assurance plans. These existing programs reflect generally accepted agricultural practices (GAAMP) that ensure quality animal care and food safety. We recommend these programs or plans be recognized as equivalent to the proposed certification process of the agricultural safety and security program if this bill becomes law. The egg industry is regulated by the U.S. Food and Drug Administration. We are concerned that the proposed certification program of HB 1947 does not interfere and subject our producers to two layers of inspection for both the state and federal governments. We request the proposed farm inspection and certification process assure participants their data and records will be held confidential and use solely for the certification procedure.

We share your concern for food safety and some of our livestock industries have been proactive with voluntarily implementing their GAAMPS through established animal care guidelines and quality assurance plans for the production of high quality and safe food for our consumers.

Thank you for the opportunity to provide testimony on HB 1947.