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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

hashem3 - Casey

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

Follow Up Flag: Follow up
Flag Status: Completed

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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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

Testimony Against HB2430

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.

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

**KONA COFFEE FARMERS ASSOCIATION
WWW.KONACOFFEEFARMERS.ORG**

**TESTIMONY OF DAVID S. CASE
ON BEHALF OF KONA COFFEE FARMERS ASSOCIATION (KCFA)
ON HB 2430 (RELATING TO AGRICULTURE)
BEFORE THE HAWAIIAN HOUSE AGRICULTURE COMMITTEE
FEBRUARY 1, 2012 AT 8 AM**

CHAIRMAN TSUJI AND MEMBERS OF THE COMMITTEE:

MY NAME IS DAVID S. CASE. I APPEAR BEFORE YOU TODAY ON BEHALF OF OVER 325 KCFA MEMBERS, REPRESENTING MORE THAN 200 GENERALLY SMALL FARMS IN THE HISTORIC KONA COFFEE DISTRICT OF WEST HAWAII. ON BEHALF OF KCFA AND ITS MEMBERS LET ME EXPRESS MY SINCERE APPRECIATION FOR THE OPPORTUNITY TO ADDRESS YOU TODAY ON HB 2430. KCFA SUPPORTS HB 2430 AND ITS COMPANION SB 2692, SUBJECT TO CERTAIN AMENDMENTS WE ARE OFFERING FOR YOUR CONSIDERATION TODAY.

A. BACKGROUND

HB 2430 IS POTENTIALLY HISTORIC LEGISLATION AS IT SEEKS TO REDEEM THE PROMISE TO "PROMOTE AGRICULTURAL DIVERSITY AND INCREASE AGRICULTURAL SELF-SUFFICIENCY" ENVISIONED IN ARTICLE XI, SECTION 3 OF HAWAII'S CONSTITUTION. IN FURTHERANCE OF THESE GOALS IT WOULD LODGE IN THE HAWAII DEPARTMENT OF AGRICULTURE (HDOA) THE "AGRICULTURAL DEVELOPMENT AND FOOD SECURITY PROGRAM TO ENCOMPASS ALL ASPECTS OF AGRICULTURE FROM FARM TO MARKET" (THE "HDOA PROGRAM").

THE BILL'S FIRST FEW LINES ACKNOWLEDGE THAT:

Hawaii's agriculture has transformed from sugar and pineapple to diversified agriculture and now faces such complexities as export markets, increased pest pressure, global competitiveness, sustainability, food safety, food security, and self-sufficiency.

B. "POINT OF ORIGIN" COFFEES AND OTHER PRODUCTS

KCFA AND ITS MEMBERS, TOGETHER WITH FARMERS OF ALL KINDS THROUGHOUT HAWAII, ARE AT THE CENTER OF THIS TRANSFORMATION. KCFA FOR ONE WOULD WELCOME AN EFFECTIVE PROGRAM THAT FOCUSES ON THEIR RAPIDLY GROWING AND DIVERSE NEEDS. AMONG THOSE ARE THE NEED TO PROTECT AND PROMOTE HAWAII'S UNIQUE "POINT OF ORIGIN" AGRICULTURAL PRODUCTS, INCLUDING SPECIFICALLY ITS UNIQUE COFFEES THAT CAN BE GROWN NOWHERE ELSE IN THE WORLD.

A 2004 REPORT BY THE HAWAII DEPT OF AGRICULTURE NOTED:

Quality maintenance and product differentiation are the major factors determining long-term success of Hawaii coffee industry. Product differentiation based on point of origin is critical because bean quality is partially determined by natural factors (soil composition, rain, temperature, and sunlight), which are

location-specific, in addition to cultural practices and cherry processing.* (Emphasis added.)

IT IS PAST TIME TO TAKE EFFECTIVE STEPS TO PROTECT HAWAII'S UNIQUE "POINT OF ORIGIN" COFFEES AND OTHER AGRICULTURAL PRODUCTS BEFORE THEY ARE SO COMBINED WITH LESSER "COMMODITY" PRODUCTS AS TO BE INDISDISTINGUISHABLE. TO THAT END, KCFA PROPOSES THAT HB 2430 BE AMENDED AT PAGE 5, LINE 19 TO ADD A NEW OBJECTIVE TO THE HDOA PROGRAM AS SUBPARAGRAPH "(11)", DELETING THE "AND" AT THE END OF SUBPARAGRAPH (10) AND RENUMBERING EXISTING SUBPARAGRAPH "(11)" AS "(12)" AS FOLLOWS:

(11) Ensure the product integrity of Hawaiian point of origin coffees and other agricultural products by protecting the unique product differentiation of those coffees and other products based on their point of origin; and

C. NOTICE

ADEQUATE NOTICE OF PROPOSED HDOA ACTION ON ANY MATTER HAS BEEN A PERENNIAL PROBLEM FOR KCFA AND WE SUSPECT MANY OTHER SMALL HAWAIIAN FARMERS WITH LIMITED RESOURCES. HDOA HAS BEGUN TO ADDRESS THIS ISSUE WITH MORE EFFECTIVE NOTICE REQUIREMENTS TO "INDUSTRY GROUPS" THAT MIGHT BE AFFECTED BY ITS DECISIONS TO DESIGNATE AREAS AFFECTED BY COFFEE BORER BEETLE INVESTATION. SEE HAWAII ADMINISTRATIVE RULES ("HAR") §4-72-4.5(3), APPROVED JANUARY 30, 2012. KCFA BELIEVES THAT THIS SORT OF NOTICE SHOULD EXTEND TO ANY RULES ADOPTED UNDER THE PROPOSED HDOA PROGRAM AS WELL. ACCORDINGLY KCFA ASKS THAT THE COMMITTEE CONSIDER ADDING THE FOLLOWING LANGUAGE TO SECTION 3 OF THE BILL AT LINE 21 AT THE BOTTOM OF PAGE 8 AND CONTINUING OVER TO PAGE 9:

"In addition to any other notice required by law, notice of rules to be adopted under this section shall include written notice at least thirty (30) days in advance of the adoption of the proposed rule to industry groups that have provided the Department with advice that they wish to receive notice under this section. From time to time the Department may require all industry groups as a class to reaffirm their desire to continue to receive such notice. Notice under this section may be delivered by either by electronic means, paper copy or both.

D. COFFEE ORIGIN DISCLOSURE

FINALLY, AS A FIRST STEP TOWARD THE OBJECTIVE OF PROTECTING HAWAIIAN COFFEES' UNIQUE PRODUCT DIFFERENTIATION, KCFA URGES THE COMMITTEE TO REQUIRE AT LEAST MINIMAL TRUTH IN LABELING OF BLENDED COFFEE PRODUCTS BY MAKING MANDATORY WHAT IS NOW ONLY VOLUNTARY DISCLOSURE OF THE CONTENTS OF BLENDED COFFEES. AT KCFA'S REQUEST, SEN. GREEN INTRODUCED SB 2097, TO AMEND SECTION 486-120.6, HAWAII REVISED STATUTES TO ACHIEVE THAT RESULT. SB2097 WAS REFERRED TO THE

* Southchuck, 2004 <http://hawaii.gov/hdoa/add/research-and-outlookreports/Coffee%20Outlook%202004.pdf>; cited and quoted in: Feldman, Marvin, "Economic Effects of Blending Kona Coffee—A Preliminary Analysis" (Resource Decisions, Feb. 10, 2010).

SENATE COMMERCE & CONSUMER PROTECTION COMMITTEE, WHOSE CHAIR HAS ADVISED KCFA THAT SHE WILL NOT EVEN SCHEDULE A HARING ON THE BILL. KCFA HAS REVISED SB 2097 TO REMOVE GARBELED LANNGUAGE AND REQUESTS THAT THE AGRICULTURE COMMITTEE CONSIDER INCLUDING THE SB 2097 AMENDMENT AS A NEW SECTION 5 OF HB 2430 AND RENUMBERING THE FOLLOWING SECTIONS ACCORDINGLY AS FOLLOWS:

SECTION 5. Section 486-120.6, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:
"(b) A listing of the geographic origins of the various Hawaii-grown coffees and the regional origins of the various coffees not grown in Hawaii that are included in a blend [may] shall be [shown] listed on the label. [~~If used, this~~] This list shall consist of the term "Contains:" followed by, in descending order of per cent by weight and separated by commas, the respective geographic origin or regional origin of the various coffees in the blend [that the manufacturer chooses to list]. Each geographic origin or regional origin [~~may~~] shall be preceded by the per cent of coffee by weight represented by that geographic origin or regional origin, expressed as a number followed by the per cent sign. The type size used for this list shall [not exceed half] be at least equal to that of the identity statement. This list shall appear below the identity statement[; if included] on the front panel of the label."

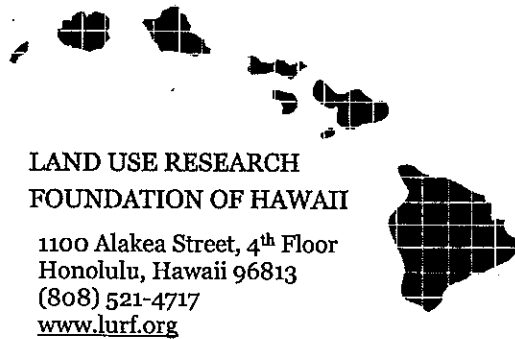
THIS ADDITON WOULD ALSO REQUIRE A CHANGE TO THE EFFECTIVE DATE IN CUIRRENT SECTION 7 (NEW SECTION 8) AT LINE 16 OF PAGE 10 AS FOLLOWS:

Section 8. Except for Section 5, [T] this Act shall take effect on Jul 1, 2012.
Section 5 shall take effect on July 1, 2013.

E. CONCLUSION

Thank you, Mr. Chairman and members of the Committee. I'd be happy to try to answer any questions.

David S. Case
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January 31, 2012

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

Support of HB 2430 Relating to Agriculture (Creates an agricultural development and food 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 2430** 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. The bill conveys 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 2430. This bill authorizes the creation of an agricultural development and food security program within the Department of Agriculture (DOA), through which the DOA shall develop and fund new and existing programs and facilities to promote the development of agriculture and food security within the State.

LURF's Position. This bill is consistent with the underlying intent and objectives of the IAL laws (Hawaii Revised Statutes [HRS], Sections 205-41 to 52), which were enacted to fulfill the mandate in Article XI, Section 3 of the Hawaii State Constitution, "to conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands." As noted in HRS Section 205-41, the intent of Act 183 (2005) was to develop agricultural incentive programs to promote agricultural viability, sustained growth of the agricultural industry, and the long-term use and protection of important agricultural lands for agricultural use.

Passage of the long-awaited IAL legislation would be pointless without implementation of these incentives which require the cooperation and support of agricultural, business and research organizations, as well as government agencies, which this bill is intended to cultivate and promote.

By recognizing the significance of, and need to advance the interrelationships between private and public sectors to develop and improve the local agriculture industry, and establishing a program within the DOA to address the needs of the industry, this bill significantly helps to promote economically viable agriculture in Hawaii. As such, LURF is in **strong support of HB 2430**.

Thank you for the opportunity to present testimony regarding this matter.