



GOV. MSG. NO. 1231

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 17, 2013

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

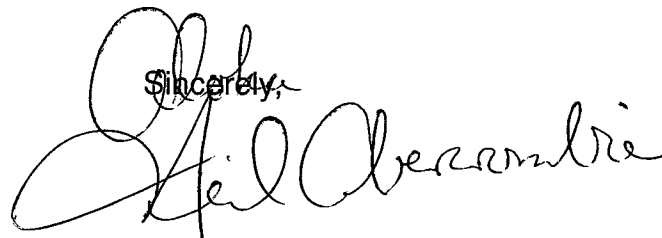
The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 17, 2013, the following bill was signed into law:

SB482 SD1 HD1

RELATING TO AGRICULTURE
ACT 131 (13)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

on JUN 17 2013

THE SENATE
TWENTY-SEVENTH LEGISLATURE, 2013
STATE OF HAWAII

ACT 131

S.B. NO. 482
S.D. 1
H.D. 1

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that it is an important
2 priority to encourage beekeeping operations of all sizes
3 throughout the State to ensure the continued viability of
4 honeybee stocks both in managed apiaries and in the wild.
5 Honeybees are a primary pollinator of food crops essential for
6 many agricultural and horticultural operations. However,
7 honeybee populations are declining at a rapid rate due to
8 disease and predators. Varroa mites, small hive beetles, and
9 nosema have decimated honeybee populations on the mainland
10 United States and recently throughout Hawaii.

11 The legislature further finds that the best way to make
12 beekeeping an attractive proposition in Hawaii is to make it
13 easier and financially viable for beekeepers to legally extract,
14 bottle, and sell honey by minimizing the administrative and
15 bureaucratic requirements in ways that will not affect public
16 safety. Honey is antiseptic, antibiotic, antifungal, and
17 antibacterial -- it never spoils and does not host harmful
18 bacteria. There is a well-priced market for raw, local



1 artisanal honey in Hawaii, and beekeepers will overcome today's
2 difficult environmental obstacles to farming bees if they can
3 successfully sell their honey.

4 Most small beekeepers cannot successfully navigate the
5 current regulatory hurdles required to operate a certified food-
6 processing establishment on their own premises for the
7 extraction and bottling of honey. Currently, if located in
8 remote areas without chlorinated county water, beekeepers are
9 required to carry the frames of honey away from their farms in
10 bee boxes to an existing certified kitchen, a practice that can
11 endanger healthy bees. Many have given up beekeeping.

12 The purpose of this Act is to encourage beekeeping
13 operations in the State by exempting home-based agricultural
14 producers of honey from processing honey in a certified honey
15 house and obtaining a permit; provided that certain labeling and
16 safety requirements are met.

17 SECTION 2. Section 328-79, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "[+]§328-79[+] Home-based agricultural producer of honey;
20 exemption. (a) A home-based agricultural producer of honey
21 shall not be required to process honey in a certified honey

1 house or food processing establishment, or be required to obtain
2 a permit from the department [~~of health~~], if the producer:

3 (1) Sells less than [~~fifty~~] five hundred gallons of honey
4 a year;

5 (2) Sells the honey directly to consumers[~~, and~~] or
6 directly to a retail store that in turn sells the
7 honey directly to consumers;

8 (3) Labels each container of honey sold with:

9 (A) The name and address of the producer;

10 (B) The net weight and volume of the honey, by
11 standard measure;

12 (C) The date the honey was produced; [~~and~~]

13 (D) The statement, "Honey should not be consumed by
14 infants under one year of age." in clear and
15 conspicuous print; and

16 [~~D~~] (E) The statement, "This product is home-
17 produced and processed and has not been inspected
18 by the Department of Health." in clear and
19 conspicuous print[~~;~~];

20 (4) Attends a department of health approved food safety
21 workshop and passes the food safety certification
22 exam; and



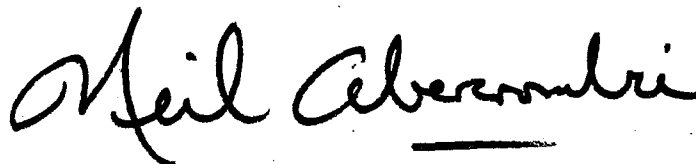
1 (5) Keeps honey production volume and honey product
2 distribution records for a period of at least two
3 years and makes the records available to the
4 department.

5 (b) The State and counties shall not be liable for claims
6 associated with honey distributed by home-based agricultural
7 producers of honey; except for instances of gross negligence and
8 intentional misconduct by the State or counties."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 17 day of JUN, 2013



GOVERNOR OF THE STATE OF HAWAII