

JAN 23 2014

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# A BILL FOR AN ACT

RELATING TO HAWAII GOOD AGRICULTURAL PRACTICES.

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

1           SECTION 1. Hawaii's farms and farmers reflect the heritage  
2 and diversity of many cultures and people. They are the  
3 cornerstones of the State's goals for food security,  
4 sustainability, and self-sufficiency and are essential for  
5 producing local food for local consumption.

6           The number of small farms in Hawaii has grown substantially  
7 during the last ten years, reflecting agricultural landscape and  
8 model shifting from plantations to smaller farms with diverse  
9 cropping and marketing systems that create new local food  
10 sources and increased employment. There is also a renewed  
11 interest in planting school gardens and enabling children to eat  
12 and enjoy food grown on campus. This contributes to their  
13 school cafeteria system and teaches economic, science, and  
14 cultural lessons through an agriculture-based curriculum.

15           These trends necessitate the development of Hawaii good  
16 agricultural practices that are science-based and risk-reducing  
17 guidelines to reduce the potential for food product  
18 contamination on farms. The Hawaii good agricultural practices



1 guidelines would provide support for farm practices regarding  
2 field management, proper hygiene, water quality for irrigation  
3 and produce rinse, agricultural chemicals, and the use of animal  
4 manure. Hawaii good agricultural practices, like Georgia-GAPs,  
5 CanadaGAPs, KenyaGAPs, ThaiGAPs, and the United States  
6 Department of Agriculture Agricultural Marketing Service's  
7 Harmonized Audit, would provide risk-reducing practices such as  
8 on-farm and packing-shed best practices for human hygiene; pest  
9 and on-farm animal management; field management; pesticide,  
10 fertilizer, and soil amendment use; water quality for irrigation  
11 and produce rinse; packing-shed operations and maintenance; and  
12 product traceback. These good agricultural practices guidelines  
13 would cover all crops and all sizes of farms, and would cover  
14 the best behaviors for conventionally and organically grown  
15 foods.

16 At the national level, the Food Safety Modernization Act of  
17 2011 authorizes the Food and Drug Administration to develop  
18 science- and risk-based criteria for preventing food-borne  
19 illnesses and encourages states to establish similar intra-state  
20 criteria for the safe production, distribution, and consumer  
21 handling of food. However, the current proposed produce rule  
22 only covers twenty-one per cent of produce farms in the United



1 States, or 40,211 out of a total of 190,000 farms. Due to  
2 economic thresholds in the legislation and other factors,  
3 relatively few farms in Hawaii actually will come under Food  
4 Safety Modernization Act jurisdiction and the soonest any  
5 oversight will appear, starting with the dozen of Hawaii's  
6 largest farms, will be the middle of 2017. Thereafter, other  
7 farms will come into compliance in 2018 and 2019, based on yet-  
8 to-be-finalized criteria. The national focus, however, will be  
9 on bigger agricultural states such as California, Oregon, and  
10 Michigan. Even when the Food Safety Modernization Act produce  
11 rule takes effect in Hawaii and the nation, the rule will not  
12 cover the range of important behaviors that are covered under a  
13 solid good agricultural practices program. Therefore, it is  
14 prudent to install good agricultural practices on all Hawaii  
15 produce farms as soon as possible.

16 The Hawaii state constitution mandates both the  
17 preservation and protection of agricultural resources. To  
18 fulfill this mandate with safe food in mind, it is important  
19 that the State establish a permanent good agricultural practices  
20 program within the department of agriculture. Currently, the  
21 department has auditors trained in good agricultural practices  
22 and an existing auditing rate structure of \$32 per hour plus



1 travel. Hawaii's current good agricultural practices auditing  
2 program is the least expensive in the nation, at an average cost  
3 of \$250 per farm per year. This is significantly less than the  
4 cost of an organic audit which costs \$700 or more, and is not a  
5 food safety audit. Besides auditing farms at their request for  
6 compliance with good agricultural practices, the department of  
7 agriculture also performs egg, seed, and coffee inspections.  
8 The legislature finds that the department of agriculture has a  
9 successful history of agricultural oversight, which is in its  
10 operational mandate.

11 The purpose of this Act is to establish a permanent Hawaii  
12 good agricultural practices program for farms growing local  
13 agricultural food products.

14 SECTION 2. Chapter 147, Hawaii Revised Statutes, is  
15 amended by adding a new section to be appropriately designated  
16 and to read as follows:

17 "§147- Hawaii good agricultural practices program. (a)

18 There is established the Hawaii good agricultural practices  
19 program to be administered by the department of agriculture.

20 The purpose of the program is to develop and support good  
21 agricultural practices for Hawaii farms growing agricultural  
22 food products.



1 (b) Notwithstanding any provision of law to the contrary,  
2 the Hawaii good agricultural practices program shall:

3 (1) Develop science- and risk-based good agricultural  
4 practices that reasonably reduce the potential for on-  
5 farm food-borne illness and include, as appropriate,  
6 specific considerations and methodologies for farm  
7 sizes, practices, techniques, materials, and crops;

8 (2) Develop and implement programs to educate and train  
9 Hawaii farmers to learn and implement good  
10 agricultural practices in a cost-effective and  
11 efficient manner;

12 (3) Provide procedures for the voluntary verification of  
13 on-farm implementation of good agricultural practices  
14 and the subsequent issuance of state compliance  
15 certification; and

16 (4) Develop a consumer information program for publication  
17 and broadcast to teach home practices for the  
18 treatment and handling of fresh and processed  
19 agricultural food products.

20 (c) The department shall consult as necessary with the  
21 department of health, the University of Hawaii college of  
22 tropical agriculture and human resources, and other state and



1 federal agencies to develop and implement the Hawaii good  
2 agricultural practices program.

3 (d) The department may adopt rules under chapter 91 to  
4 facilitate the implementation of this section."

5 SECTION 3. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$ or so much  
7 thereof as may be necessary for fiscal year 2014-2015 for the  
8 implementation of the Hawaii good agricultural practices  
9 program.

10 The sum appropriated shall be expended by the department of  
11 agriculture for the purposes of this Act.

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2014.

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INTRODUCED BY:

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# S.B. NO. 2762

**Report Title:**

DOA; Hawaii Good Agricultural Practices Program; Appropriation

**Description:**

Establishes the Hawaii good agricultural practices program.  
Makes an appropriation for FY 2014-2015.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

