



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Committee on Agriculture

HB 1987, RELATING TO AGRICULTURE

**Testimony of Gary L. Gill
Acting Director of Health**

**January 27, 2014
9:30 a.m.**

1 **Department's Position:** The department opposes this bill.

2 **Fiscal Implications:** This bill has significant fiscal implications for the department. Passage of this bill
3 will require new administrative rules and additional staffing for inspection and enforcement.

4 **Purpose and Justification:** The State of Hawaii currently prohibits the sale of raw milk in any form.
5 Hawaii Administrative Rules, Title 11, Chapter 15, "Milk", Section 11-15-45, Milk and Milk Products
6 which may be sold., states in part that "Only Grade "A" pasteurized milk and milk products shall be
7 sold to the final consumer..."

8 The prohibition also includes sale or distribution of raw milk through cow sharing or any other
9 means. This requirement is consistent with the United States Food and Administration's (FDA) position
10 on the sale of raw milk due to the public health concerns surrounding the consumption and distribution
11 of raw milk.

12 The FDA and other federal and state health agencies have documented a long history of the risks
13 to human health associated with the consumption of raw milk. Clinical and epidemiological studies from
14 FDA, state health agencies, and others have established a direct link between gastrointestinal disease and
15 tuberculosis to the consumption of raw milk. The microbial flora of raw milk may include human

1 pathogens present on the cow's udder and teats. Further, the intrinsic properties of milk, including its pH
2 and nutrient content, make it an excellent media for the survival and growth of bacteria.

3 On August 10, 1987, FDA published in 21 CFR Part 1240.61, a final regulation mandating the
4 pasteurization of all milk and milk products in final package form for direct human consumption. This
5 regulation addresses milk shipped in interstate commerce and became effective September 9, 1987.
6 In this Federal Register notification for the final rule to 21 CFR Part 1240.61, FDA made a number of
7 findings including the following:

8 "Raw milk, no matter how carefully produced, may be unsafe."

9 "It has not been shown to be feasible to perform routine bacteriological tests on the raw milk
10 itself to determine the presence or absence of all pathogens and thereby ensure that it is free of
11 infectious organisms."

12 "Opportunities for the introduction and persistence of *Salmonella* on dairy premises are
13 numerous and varied, and technology does not exist to eliminate *Salmonella* infection from dairy
14 herds or to preclude re-introduction of *Salmonella* organisms."

15 The American Academy of Pediatrics also strongly recommends that raw milk should not be
16 consumed, especially by children who are inherently more susceptible to communicable diseases.
17 The FDA has determined that pasteurization is the only means to assure the destruction of pathogenic
18 microorganisms that might be present. This decision is science-based involving epidemiological
19 evidence. FDA and the Centers for Disease Control and Prevention (CDC) in Atlanta have documented
20 illnesses associated with the consumption of raw milk, including "certified raw milk" and have stated
21 that the risks of consuming raw milk far outweigh any benefits.

22 Thank you for the opportunity to testify.



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TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE
MONDAY, JANUARY 27, 2014
ROOM 312
9:30 A.M.

HOUSE BILL NO. 1987
RELATING TO AGRICULTURE

Chairperson Wooley and Members of the Committee:

Thank you for this opportunity to provide testimony on House Bill 1987, which proposes to permit the acquisition, distribution, and consumption of raw milk and raw milk products by owners of cows, goats, and sheep and owners of cow shares, goat shares and sheep shares. The Hawaii Department of Agriculture (HDOA) believes that permitting of raw milk does not fall under our purview.

Despite advances in animal health, milking hygiene, and processing technology, milk borne disease outbreaks continue to occur. Since milk is derived from animals, it carries an inherent risk of being contaminated with pathogens from its source (cattle, goats, sheep, and the farm environment). A key factor in the prevention of milk borne disease is the avoidance of raw milk consumption. The consumption of raw milk and raw milk products is a public health and milk safety issue. As such, the placement of this bill under Chapter 157, Hawaii Revised Statutes is not appropriate. HDOA respectfully defers to the Hawaii State Department of Health.

Thank you, again, for the opportunity to testify on this measure.



onishi2-Micah-Seth

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 24, 2014 6:47 PM
To: AGRtestimony
Cc: mauibrad@hotmail.com
Subject: *Submitted testimony for HB1987 on Jan 27, 2014 09:30AM*

HB1987

Submitted on: 1/24/2014

Testimony for AGR on Jan 27, 2014 09:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Parsons	Individual	Support	No

Comments:

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To: AGRtestimony
Cc: barb@punapono.com
Subject: Submitted testimony for HB1987 on Jan 27, 2014 09:30AM

HB1987

Submitted on: 1/26/2014

Testimony for AGR on Jan 27, 2014 09:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Barb Cuttance	Individual	Support	No

Comments: Thank you for the opportunity to give testimony on this bill. I strongly support HB1987. If people wish to consume milk it is best to be consumed in its raw state so that the enzymes are alive. I believe it is the individuals right to choose to be able to purchase and consume raw milk and raw milk products if they so wish. Please pass this bill. Barb Cuttance 14/266 Papaya Farms Road, Puna, Hawaii.

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Cc: mauiwit@hotmail.com
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HB1987

Submitted on: 1/26/2014

Testimony for AGR on Jan 27, 2014 09:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Christine L. Andrews, J.D.	Individual	Support	No

Comments:

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To: AGRtestimony
Cc: milkandhoneyfarm.bi@yahoo.com
Subject: Submitted testimony for HB1987 on Jan 27, 2014 09:30AM

HB1987

Submitted on: 1/25/2014

Testimony for AGR on Jan 27, 2014 09:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Carrillo	Individual	Oppose	No

Comments: While I agree that a measure must be passed in this regard, this measure is written without a full consideration of factors the farmers must consider. For instance, the wording "if certain conditions are met". This is vague and potentially misleading. Also that farmers must "register with the Department of Health", in what capacity? This may lead small farmers to rules and regulations which are inappropriate for the scale of homesteading most herdshare operators are working within. This bill should be rewritten with the insight and scope of the island farmers currently working within this regard.

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Cc: robtarver1953@gmail.com
Subject: *Submitted testimony for HB1987 on Jan 27, 2014 09:30AM*

HB1987

Submitted on: 1/26/2014

Testimony for AGR on Jan 27, 2014 09:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Rob Tarver	Individual	Support	No

Comments:

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HB1987

Submitted on: 1/25/2014

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Submitted By	Organization	Testifier Position	Present at Hearing
Simon Russell	Hawaii Farmers Union United	Support	No

Comments:

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HB1987

Submitted on: 1/26/2014

Testimony for AGR on Jan 27, 2014 09:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Sakala	Hawaii Farmers Union United	Support	No

Comments: Aloha Representatives, Thank you for considering HB 1987. Hawaii Famers Union supports this bill for many reasons. Mainly it allows for diversification of agriculture operations by allowing small scale dairy's to operate without a huge initial investment. It also allows the community access to a wholesome agriculture produce that is unaltered. Small scale dairies are proven to be safer at delivering product to the local consumer. This bill is good for our farmers, our economy and our community's health. Thank you for supporting HB 1987. Mahalo, Steve Sakala

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HB1987

Submitted on: 1/26/2014

Testimony for AGR on Jan 27, 2014 09:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Zoe Alexander	Individual	Support	No

Comments:

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