

STAND. COM. REP. NO.

1036

Honolulu, Hawaii

March 24, 2015

RE: S.B. No. 379
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Economic Development & Business, to which was referred S.B. No. 379, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FOOD,"

begs leave to report as follows:

The purpose of this measure is to support small businesses engaged in cottage food operations, while ensuring the safety of food products sold by these businesses to the public, by making the Department of Health responsible for regulating cottage food operations, including establishing requirements for cottage food operations, permits, and compilation and posting of a sample list of approved cottage food products.

The Kohala Center, Local Food Coalition, Hawaii Farm Bureau Federation, Taro Security and Purity Task Force, Counter Culture Food + Ferments, Hamakua Harvest, Ai Pohaku, Hawaii Tropical Fruit Growers, Barking Deer Farm, Waipa Foundation, and several concerned individuals testified in support of this measure. The Department of Health testified in opposition to this measure. The Grassroot Institute of Hawaii and a concerned individual provided comments.

Many individuals in Hawaii enjoy creating delicious, local foods and snacks in their home kitchens to share with family, friends, and neighbors. Some individuals have turned this creative hobby into an economic opportunity and livelihood.

SB379 HD1 HSCR EDB HMS 2015-2644



However, there is confusion regarding the regulation of home-based food production businesses and the health requirements that must be met to establish and maintain such a business. This measure attempts to clarify this issue.

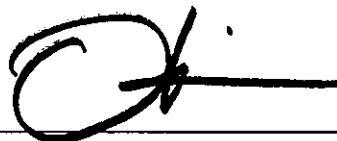
While your Committee understands the Department of Health's position questioning the need for this measure and its concerns relative to public health issues, your Committee finds that this measure warrants further discussion.

Your Committee has amended this measure by:

- (1) Providing that the cottage food permit issued to a cottage food producer shall enable cottage food operators to sell cottage food products for a 365-day period rather than a 120-day period;
- (2) Adding fermented foods to the list of the types of food to be contained on the approved cottage food products list;
- (3) Establishing labeling requirements, including allergen identification requirements; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development & Business that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 379, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 379, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Economic
Development & Business,



DEREK S.K. KAWAKAMI, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR1030

Record of Votes of the Committee on Economic Development & Business

Bill/Resolution No.: SB 379 502	Committee Referral: EDB, CPC	Date: 17 Mar 15		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
EDB Members	Ayes	Ayes (WR)	Nays	Excused
1. KAWAKAMI, Derek S.K. (C)	/			
2. KONG, Sam Satoru (VC)	✓			
3. BROWER, Tom	✓			
4. CACHOLA, Romy M.	✓			
5. CHOY, Isaac W.	✓			
6. DECOITE, Lynn	✓			
7. ITO, Ken	✓			
8. OHNO, Takashi	✓			
9. ONISHI, Richard H.K.			✓	
10. TOKIOKA, James Kunane		✓		
11. TSUJI, Clift	✓			
12. WOODSON, Justin H.	✓			
13. MATSUMOTO, Lauren Kealohilani	✓			
14. WARD, Gene	✓			
TOTAL (14)	12	1	1	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u> <i>Samuel S. King</i> </u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				