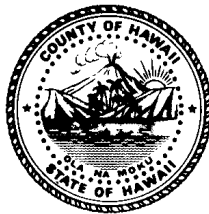


Karen Eoff
Council Member, N. Kona
Chair, Finance Committee



Phone: (808) 323-4280
Fax: (808) 329-4786
Email: keoff@hawaiicounty.gov

HAWAI'I COUNTY COUNCIL

County of Hawai'i
West Hawai'i Civic Center, Bldg. A
74-5044 Ane Keohokalole Hwy.
Kailua-Kona, Hawai'i 96740

February 9, 2015

Committee on Agriculture
Chair Senator Russell E. Ruderman
Vice Chair Gil Riviere

AGLtestimony@capitol.hawaii.gov
senruderman@capitol.hawaii.gov
senriviere@capitol.hawaii.gov

Committee on Commerce & Consumer Protection
Chair Rosalyn H. Baker
Vice Chair Brian T. Taniguchi

CPNtestimony@capitol.hawaii.gov
senbaker@capitol.hawaii.gov
sentaniguhi@capitol.hawaii.gov

Re: Testimony In Support of SB604, Relating to Agriculture
Hearing: February 13, 2015 at 9:30 a.m., Room 229

Dear Senators:

On behalf of myself and constituents of Council District 8, North Kona, I would like to support the above referenced bill, and submit a brief testimony as follows:

It believe it would be in the best interest of our citizens to establish a Hawai'i Grown Original Products Commission to identify and regulate the labeling of selected products grown or produced on the Island of Hawai'i. I agree that official certification of origin for products is crucial to protect the marketing quality of Hawai'i grown products.

Therefore, I strongly urge the enactment of SB604.

Thank you for your consideration.

Sincerely,

KAREN EOFF, Council Member
District 8, North Kona



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

February 13, 2015

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

TESTIMONY ON SB 604
RELATING TO AGRICULTURE

Room 229
9:30 AM

Aloha Chair Ruderman, Chair Baker, Vice Chair Riviere, Vice Chair Taniguchi and Members of the Committees:

I am Christopher Manfredi, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,932 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFB strongly opposes SB 604, which establishes the Hawaii Grown Origin Products Commission to identify and regulate the labeling of selected products grown or produced in Hawaii.

This ill-conceived regulatory scheme takes broad authority away from the Hawaii Department of Agriculture and its regulatory Board of Agriculture.

There are numerous flaws with the bill. The most obvious include:

1. The scheme would appoint a single person from each origin designation to sit on the Commission. Often, there are numerous, conflicting opinions and interests regarding origin products within each specific origin. The current system allows for broad public input within a democratic framework, allowing input from commodity stakeholders with broad interests. It is wildly unfair for a single person to decide all of the issues relating to origin designation from that origin - and it invites corruption.
2. The measure omits out the largest origin of all: Hawaii.
3. Moreover, this specific language makes HDOA subordinate to the Commission:
"Except as otherwise regulated by the Hawaii grown origin products commission..."

This measure is unnecessary, costly, redundant, and is a solution in search of a problem.

Please hold SB 604.

Mahalo.



February 10, 2015

To: The Senate Committee on Agriculture
And to: The Senate Committee on Commerce and Consumer Protection
From: Kona Coffee Farmer Association
Re: **SB604: Scheduled for hearing February 13, 2015 at 9:30 AM**

The Kona Coffee Farmers Association, on behalf of its more than 300 members, strongly supports the objective of SB604 to create a system to “protect, promote, and certify Hawaii’s origin products and their geographical indications”. The State of Hawaii needs to offer protections to the growers of Hawaii’s unique agricultural products similar to what Idaho offers to growers of Idaho potatoes, Georgia offers growers of Vidalia Onions, and Vermont offers to producers of Vermont Maple Syrup.

However, SB604 appears to leave at least 2 of Hawaii’s signature agricultural crops—coffee and macadamia nuts—outside the scope of its protective provisions.

For more than 2 decades Hawaii has been the only region anywhere in the world to allow by statute the use of its geographic names like “Hawaii”, “Kona”, “Maui”, “Ka’u”, etc. on packages of its heritage agricultural crops with just 10% genuine content—or less.

For example, HRS 486-120.6 allows the use of Hawaii regional names like “Kauai”, “Kona”, and “Ka’u” on packages of coffee containing 90% foreign-grown coffee. HRS 486-120.5 permits the use of the words “Hawaii-Grown Macadamia Nuts” on packages with anything above 0% genuine Hawaii Macadamia Nut content.

These statutory provisions degrade the reputation of these heritage Hawaii crops; they reduce family farm incomes; they do damage Hawaii’s tourism when Mainland and foreign tourists discover they have been deceived into purchasing a non-genuine product. Tourists, like everyone else, do not like to be cheated.

In order to correct the damage being done by these Hawaii “blend laws” and in order to effectively carry out its stated purpose, SB604 needs to be amended to provide that the provisions of the Hawaii Grown Origin Products Act supersede HRS 486-120.5 and .6 and similar laws for agricultural products that may be designated as “Hawaii Grown Origin Products” by the Commission.

Specifically KCFA requests that Section -6(b) of the bill be amended to provide:

(b) Minimum requirements for the grades, standards, grade labels, and classifications established for Hawaii grown origin products shall not be lower than those of any standardized product for which a market has been established; provided that different minimum requirements may be applied to different types of processed Hawaii grown origin products; provided further that, unless specifically authorized by law enacted after July 31, 2015, any fresh or processed Hawaii origin product shall contain at least ninety- five per cent of the product and, not withstanding any other statutory provision, the use of the name of a designated Hawaii grown origin product, or similar wording, with less than ninety-five of the product is prohibited. For the purposes of this subsection, "standardized product" means a product that is sanitary and that has been demonstrated to be a commercially acceptable product of the class to which it belongs.

The Kona Coffee Farmers Association urges your Committees to adopt this suggested language in order to clearly provide the protections of this bill to Hawaii-Grown coffee and Hawaii-Grown macadamia nuts.

Respectively submitted,

Bruce Corker, Chair
Legislative Committee
Kona Coffee Farmers Association



P.O. Box 5436, Kailua-Kona, Hawaii, 96745 * info@konacoffeefarmers.org



From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: gbiven@hicoffeeco.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Wednesday, February 11, 2015 12:06:11 PM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gloria Biven	Royal Kona Coffee Visitor Center Mill & Museum	Oppose	No

Comments: am in strong Opposition of SB 604 I find it redundant that a new group, commission, whatever you want to call them is going to be "created" to implement and pose fines on what is already in place. We have the HDOA that has been involved in our industries and has been functioning and enforcing these same for years. I do not see how this will improve our final products from Hawaii, but is creating a controlling organization controlled solely by the state and personal directions. I being in the Tourism business for over 30 years, Hawaii is world known already. There are no misguided, misinformed, out right lied to tourist that pass through our store. I find this a waste of taxpayers money which is also my money. Stay focus on other issues. I strongly Oppose SB 604 Thank you in advance. Gloria Biven

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: jcdruir@euraminc.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Wednesday, February 11, 2015 11:48:51 AM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jean-Claude Drui	Hawaiian Paradise Coffee	Oppose	No

Comments: The bill as written would potentially be detrimental to the visitor industry and the products we provide to hotel and restaurants. To have a majority of farmers dictate on a commission is ineffective and does not give proper voice to processors, manufacturers and in many ways overlaps existing procedures that are in place via the HDOA.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: lorie@rustyshawaiian.com
Subject: *Submitted testimony for SB604 on Feb 13, 2015 09:30AM*
Date: Thursday, February 12, 2015 9:28:12 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lorie Obra	Rusty's Hawaiian LLC	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: jcbmary@gmail.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Thursday, February 12, 2015 9:13:09 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Louwin Jacob	Hawaii Coffee Company	Oppose	No

Comments: Strongly oppose

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: paul.ahcook@parbev.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Wednesday, February 11, 2015 10:47:23 AM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Ah Cook	Paradise Beverages, Inc.	Oppose	No

Comments: I am in strong opposition to SB604. It is redundant as we already have oversight in place. We do NOT need to create more bureaucracy! I am forwarding this to you on behalf of our 450 employees. Sincerely, Paul

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Testimony to the Senate Committee on Agriculture and Commerce & Consumer Protection

Senator Russell E. Ruderman, Chair
Senator Gil Riviere, Vice Chair
Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair

Friday, February 13, 2015 at 9:30 am
Conference Room 229, State Capitol

RE: SENATE BILL 604 Relating to Agriculture

Chair Ruderman, Vice-Chair Riviere, Chair Baker, Vice-Chair Taniguchi and Members of the Joint Committee:

Retail Merchants of Hawaii (RMH) opposes SB 604, which would establish the Hawaii Grown Products Commission to identify and regulate the labeling of selected products grown or produced in Hawaii. In addition this bill would establish the Hawaii Grown Origin Products Special Funds; appropriated by the State.

As the single largest generator of general excise tax in the State of Hawaii; employing nearly 25% of Hawaii's workforce and representing over 3000 storefronts throughout the State, **RMH strongly opposes SB 604**. This bill would circumvent the authority of the Hawaii Department of Agriculture by appointing a new commission made up of 11 individuals, 9 of whom must be farmers. Only one farmer from any given commodity will sit on the commission. Based on this premise, one of the largest commodities to Hawaii – Coffee would not be well represented. 10 individuals with no coffee experience would develop the rules governing coffee with input from only one member with coffee experience.

Being that coffee, specifically Kona Coffee, is one of Hawaii's largest commodities, allowing for maximum input into the process will be critical to Hawaii's future farming industry. RMH believes that the current system under the Hawaii Department of Agriculture has been extremely effective and the creation of a separate entity would be inefficient.

RMH appreciates the thought behind creation of this policy, however, respectfully ask each member to OPPOSE SB 604.

Thank you for the opportunity to provide testimony.

Retail Merchants of Hawaii
210 Ward Avenue, Suite 121
Honolulu, Hawaii 96814
(808) 592-4200



**Testimony to the Committee on Agriculture and the
Committee on Commerce and Consumer Protection
Thursday, February 12, 2015**

RE: OPPOSE SB604 – RELATING TO AGRICULTURE

Chair Ruderman, Vice Chair Riviere, Chair Baker, Vice Chair Taniguchi, and
Committee Members:

Greenwell Farms is a coffee farming, processing, and marketing company in Kona,
Hawaii. We export Kona Coffee to locations in Europe, across the Mainland,
USA, and all around the Pacific Rim.

We do not believe that the provisions in SB604 to establish a Hawaiian Grown
Products Commission is in the best interest of Hawaiian Agriculture. We strongly
believe that an additional commission charged with the oversight of agricultural
producers will NOT benefit our important agricultural industry. Support for the
existing Hawaii Department of Agriculture with additional resources for
enforcement will better serve our community.

PLEASE DO NOT PASS SB604.

Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read 'Thomas F. Greenwell', written in a cursive style.

Thomas F. Greenwell, President

A handwritten signature in black ink, appearing to read 'Steve Hicks', written in a cursive style.

Steve Hicks, VP, CFO

To Whom it May Concern –

As a Past President of the Specialty Coffee Association, a member of the Specialty coffee Industry for over 35 years and the author of two books on specialty coffee, I would like to register my strong opposition to sb604.

In reading through the bill, or trying to, at least, I could only reflect that it is exactly the sort of legislation that gives “government” a bad name by creating un-needed bureaucracy and a plethora of as-yet unknown taxpayer expenses (not to mention the cumbersome, over-reaching, downright Orwellian oversight and regulation that it also promises).

From my point of view, the State of Hawaii has done a superior job, thus far, of managing the control of its origin appellations in the coffee sector and sb604 guarantees to make Hawaii’s coffee LESS marketable and, to be blunt, a joke as far as the coffee trade on the mainland will be concerned. It will also make it more difficult, if not impossible, for farmers to receive the best value possible for their crops, which, it would seem, should be the goal of any initiatives on the part of the Hawaii’s legislature. This bill strikes me as a power grab on the part of someone, although it is unclear who.

Please register my Strong Opposition to sb604 , if only for the sake of Hawaii’s coffees farmers and for every other sector of Hawaii’s agriculture that this bill promises to subjugate (and I am a guy who believes there IS a role for government...but this bill only makes it harder to argue for it, generally).

I include a review of some of the specific flaws of this bill, written by a colleague in the coffee trade.

Sincerely,

Timothy J. Castle

Castle and Company

Timothy J. Castle, Inc.

Castle Communications

SB604 Overview and Objections

- Establishes a new commission made up of
 - One marketer
 - One processor
 - Nine farmers (farmers only have to earn 25% of income from farming setting the stage for hobbyist farmers to dominate the commission).
 - At least five and possibly seven of the eleven seats are from the Big Island. Maui, Oahu and Kauai have only one seat each.
- The Commission can force commodities to participate by mandate whether or not commodity stakeholders want to have participation.
- Governor's office has to go through the time and expense to appoint a new commission. Tax payers must bear the expense of operating another commission.
- Establishes the Hawaiian Grown Products Special Fund and requires appropriations.
- The commission has the power to charge fees to commodities for services like using the origin name to support forced marketing programs.
- The bill sites the commission's control of the sale of products inside and outside the State of Hawaii. They have no jurisdiction outside of the State.
- The makeup of commission is unworkable and will make uninformed decisions. For instance, under SB604 there can be only one member from any one commodity group on the commission. Therefore in making rules, setting standards and deciding on labeling issues for any given commodity 10 commission members will have little or no experience in that particular commodity with only one stakeholder with experience in that commodity. The coffee industry does not want 10 commission members with no coffee experience making its decisions. That should be up to stakeholders.
- Under the current system the HDOA works with all commodity stakeholder groups in developing Ag Rules. After the HDOA approves new rules the

rules are taken to public hearings, must then be passed on by the Board of Agriculture and signed by the governor. WE FAVOR THE CURRENT METHODOLOGY IN WORKING WITH THE HDOA. SB604 does not contain these safeguards.

- The Commission grants itself the authority to make criminal felony charges and civil penalties up to \$5,000. This can be used as a weapon against competitors of commissioners.
- Excludes HDOA from the process of making, enforcing or administering rules on all commodities included under the commission's authority. In eight different locations within the bill it negates all HDOA participation in its rules by inserting the phrase "Except for matters subject to the control and regulation of the Hawaii Grown Origin Products Commission, the Department shall administer and enforce this part and rules adopted by the department". In essence creating a "Shadow Department of Agriculture".
- The commission grants itself authority but no infrastructure to carry out its duties. If infrastructure is added it will provide unneeded duplication of state employees at a large expense to taxpayers. Who will provide oversight, operations and enforcement duties of the commission?
- Does away with the Hawaii Seal of Quality for all products under the commission's control. Creates a new Seal of Quality type of program. Again wasteful duplication of efforts with the HDOA.
- Forces 95% to be the amount of Hawaiian product in a package required to use a Hawaii origin name. Individual commodity stakeholders will have no say in these decisions if this bill is passed.
- Possible Trojan horse to eliminate and or control GMO or any other commodity. SB604 states that "Hawaii grown origin products are those products designated by the Hawaii Grown Origin Products Commission that meet one or more of the following criteria ...The product is developed, processed and produced within a Hawaii grown production area and any such other criteria as the commission may determine by rule making. ANYTHING AND EVERYTHING GROWN IN HAWAII IS SUBJECT TO COMPLETE CONTROL BY THIS COMMISSION.



Hawaii Restaurant Association

2909 Waialae Avenue #22
Honolulu, Hawaii 96826
www.HawaiiRestaurant.org

Phone: (808) 944-9105
Email: info@HawaiiRestaurant.org

February 11, 2015

To: Sen. Russell E. Ruderman, Chair
Members of the Committee on Agriculture

Sen. Rosalyn H. Baker, Chair
Members of the Committee on Commerce and Consumer Protection

From: Victor Lim, Hawaii Restaurant Association

Subject: SB 604 Establishing the Hawaii Grown Origin Products Commission

The Hawaii Restaurant Association stands in opposition to SB 604 establishing the Hawaii Grown Origin Products Commission.

We believe that this creation of another commission is unnecessary because it is our understanding the Hawaii Department of Agriculture and the Hawaii Board of Agriculture already oversees these responsibilities and have been doing well so we don't see the need for setting up any committee or commission.

We believe in a lean and efficient government and if the current process is functioning well, creating an additional commission will just result in taxpayers monies being used unnecessarily.

Thank you very much for allowing us to share our point of view.

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: bill.judd@parbev.com
Subject: *Submitted testimony for SB604 on Feb 13, 2015 09:30AM*
Date: Wednesday, February 11, 2015 12:45:12 PM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
William H. Judd	Paradise Beverage Co.	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: amara@mindspring.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Monday, February 09, 2015 2:07:32 PM

SB604

Submitted on: 2/9/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Amara Karuna	Laakea community LLC	Support	No

Comments: Please support this measure. Amara Karuna

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: annaheil@gmail.com
Subject: *Submitted testimony for SB604 on Feb 13, 2015 09:30AM*
Date: Wednesday, February 11, 2015 1:31:51 PM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Anna Heil	Individual	Oppose	No

Comments:

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I am in opposition to sb604 because I think it is a redundant and money consuming process. Customers know what they are consuming already and a warning label is not necessary. There are nutrition facts listed on every product sold in the US which states the specific amount of sugar count in the product. There is no need to produce a warning label on top of the information already given on the packaging. If this bill is passed, it will just enable the American people to keep blaming others for their poor decisions.

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: brucefrazier@me.com
Subject: *Submitted testimony for SB604 on Feb 13, 2015 09:30AM*
Date: Thursday, February 12, 2015 8:48:40 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce Frazier	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: cmiyashiro@hicoffeeco.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Wednesday, February 11, 2015 12:48:36 PM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Charlie Miyashiro	Individual	Oppose	No

Comments: Honorable Senators, & Representatives, As an employee in Hawaii's coffee industry and a constituent, I implore you not to pass bill SB604. The Hawaii Department of Agriculture currently does an outstanding job overseeing the responsibilities outlined in this bill. Establishing a new commission to do the same duties would be redundant, unnecessary and come at the expense of the taxpayers. I implore you, please do not pass bill SB604. Respectfully, Charles T. Miyashiro II

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: cpang@hicoffee.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Thursday, February 12, 2015 9:06:45 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher Pang	Individual	Oppose	Yes

Comments: STRONG OPPOSITION: This measure is redundant and unneeded. The Hawaii Department of Agriculture and the Hawaii Board of Agriculture already oversees these responsibilities and does so quite well without the addition of another unneeded commission which must be supported by the taxpayers. The Hawaii coffee industry has worked effectively with the HDOA for over 20 years in the establishment of rules governing our industry. It has produced exceptional results by trademarking coffees major origin designations, providing protection for those origin designations. As an industry the farm gate value of Hawaiian coffee has increases at a rate in excess of 20% per year over the last 23 years due in part to the stewardship of the HDOA and the current rule making process.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: craig.nakatsukasa@parbev.com
Subject: *Submitted testimony for SB604 on Feb 13, 2015 09:30AM*
Date: Wednesday, February 11, 2015 1:24:44 PM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Nakatsukasa	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: coffee@heavenlyhawaiian.com
Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Thursday, February 12, 2015 9:36:45 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David Bateman	Individual	Oppose	No

Comments: Chair Ruderman and Vice Chair Riviere and Members: I testify in STRONG OPPOSITION to SB604, especially as it applies to coffee. SB604 attempts to establish the Hawaii Grown Origin Products Commission to identify and regulate the labeling of selected products grown or produced in Hawaii; oversee grades; standards, labels and classifications for the requirements of Hawaii grown products; and to establish the Hawaii Grown Origin Products Special Fund and make appropriations. This measure is redundant and unneeded. The Hawaii Department of Agriculture and the Hawaii Board of Agriculture already oversees these responsibilities and does so quite well without the addition of another unneeded commission which must be supported by the taxpayers. The Hawaii coffee industry has worked effectively with the HDOA for over 20 years in the establishment of rules governing our industry. It has produced exceptional results by trademarking coffees major origin designations, providing protection for those origin designations. As an industry the farm gate value of Hawaiian coffee has increases at a rate in excess of 20% per year over the last 23 years due in part to the stewardship of the HDOA and the current rule making process. SB604 will undo all the advances and successes of our industry legacy. It will singlehandedly and irretrievably reverse our coffee industry success. SB604 seeks to appoint a new commission made up 11 individuals 9 of which must be farmers. Only one farmer from any given commodity can sit on the commission. So in the case of coffee, 10 individuals with no coffee experience would develop the rules governing coffee with input from only one member with coffee experience. Conversely, under the current system which has worked well over time, a commodity group can go the HDOA and request assistance in establishing rules and or origin protection. The HDOA then calls together all stakeholder groups to participate in the process providing for an industry consensus on the final product. After public hearings the final product is presented to the Hawaii Board of Agriculture for approval and the finally to the Governor for approval. Industry is happy with this process. In eight different sections of SB604 the authority of the HDOA is overridden granting total authority over products covered by the bill to the new Origin Products Commission. This overthrow of authority includes elimination of the Hawaii Seal of Quality program. The commission seeks the power to issue class C Felony charges and civil penalties of up to \$5,000 per occurrence against violators of its rules. Since the commission is made up of industry members this power could be used against

competitors of the appointed commission members. In addition, SB604 should be tabled in committee for the following legal reasons: 1. There is no factual demonstration of any problems with the current HDOA grading, packaging and certification standards. "If it ain't broke why try fixing it?" 2. SB604 pulls the authority to regulate our industry away from the HDOA and gives it to a commission that does not have the expertise to regulate it. 3. SB604 is arbitrary and capricious - ripe for abuse and resulting litigation against the state, HDOA and the proposed commission. 4. SB604 is confusing, convoluted and inconsistent as drafted - ripe for abuse by one competitor against another - resulting in litigation against the state, HDOA and proposed commission. 5. SB604 violates the US Constitution (Art I, Sect 8) as it applies to international and interstate shipment of product. 6. SB604 will require massive oversight by the HDOA - unfunded mandate - many new positions will have to be created without funding and/or existing positions at HDOA will be overburdened with taking on this new unfunded. responsibility. This is an unnecessary and overreaching piece of legislation. I testify in **STRONG OPPOSITION**. Please table SB604 in committee. Thank you for considering my remarks. Dave Bateman
Heavenly Hawaiian Farms Holualoa, Hawaii

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Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Wednesday, February 11, 2015 11:05:34 AM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David Gridley	Individual	Oppose	No

Comments: I have been actively involved in the Hawaiian Coffee industry for 28 years and I am strongly opposed to this bill!! I represent the Maui Coffee Association and WE don't want the future of this industry in the hands of people with limited experience and back round. We don't want people with little to no understanding of coffee making decisions that can impact the future of Hawaiian Coffee. We have been working with the HDOA for years and they have a much better understanding of what is happening in the coffee industry!!

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Date: Thursday, February 12, 2015 5:15:11 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David	Individual	Oppose	No

Comments: Strongly oppose SB 604

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn	Individual	Oppose	No

Comments:

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Date: Wednesday, February 11, 2015 11:57:52 AM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Donna Woolley	Individual	Oppose	No

Comments: Opposed to any changes in existing legislation for labeling and origin. Let the Department of Ag do their job.

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SB604

Submitted on: 2/7/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Doug Phillips	Individual	Support	No

Comments:

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eva Woo	Individual	Oppose	No

Comments:

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Date: Thursday, February 12, 2015 8:06:36 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Gary Strawn	Individual	Oppose	Yes

Comments: This Bill creates an 11 person committee that can restrict what agricultural products can be exported from Hawaii, how they must be labeled and redefine quality standards. As a farmers, I think my customer should have those decisions not the government but let's ignore that for a moment. My question is, why an 11 person committee instead of the Hawaii Department of Agriculture? What makes me even more concerned is that there is only one committee member for each commodity. In addition to coffee, I also grow avocados. On the mainland, Haas avocados are by far the most popular avocados. I grow Sharwil avocados. Sharwils are the most popular in Hawaii and considered by many as superior to Haas avocados. What happens if the one avocado representative on this committee grows Haas avocados instead of Sharwil avocados? As you are all very aware, sometimes in government small special interest groups can rally a disproportionate amount of support. Still, I am very surprised that this bill has made it even this far because from what I can tell, it would benefit exactly 11 people. Do I really have to say that I oppose this bill?

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Date: Thursday, February 12, 2015 7:12:10 AM

SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Bennett	Individual	Oppose	No

Comments:

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February 12, 2015

Good morning Committee Chairs Ruderman, Riviere, Baker and Taniguichi,

My name is HC "Skip" Bittenbender, I resident of St. Louis Drive , Honolulu and I strongly oppose SB604.

My opposition is related to my experience with the growing, processing and marketing of coffee, cacao, macadamia, guava, and 'awa in Hawaii. My experience is based on my job as extension specialist in CTAHR at UHM for the past 29 years. This is my personal testimony and not the official position of the University of Hawaii.

Labeling Hawaii-grown agricultural products to everyone's satisfaction is challenging. But this bill will heighten the emotions around this issue by appointing a commission, it will inject another barrier to reasoned decision-making about labeling and it will be less fair. The proposed Hawaii Grown Origin Products Commission denies the Hawaii Department of Agriculture (HDOA) its proper rules making approach that has and can continue to serve our agriculture and state so much better.

I ask you not to pass SB604. Rather direct the HDOA to make the labeling rules for each commodity when requested by its principal association of farmers, marketers and processors. HDOA's public hearings and rules making is a much more deliberate, transparent, and fair approach to what can be an emotional issue.

Thank you,

H.C. "Skip Bittenbender, Ph.D.

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
harry harris	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
James Lenhart	Individual	Oppose	Yes

Comments: The commission would duplicate the efforts of the Dept. of Ag

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Subject: Submitted testimony for SB604 on Feb 13, 2015 09:30AM
Date: Wednesday, February 11, 2015 11:18:54 AM
Attachments: [I believe this bill gives the Commission too much control over our Agriculture Industry.docx](#)

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Mokulehua	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Kubota	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Abrams	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Fuentes	Individual	Oppose	No

Comments:

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Date: Thursday, February 05, 2015 11:02:19 AM

SB604

Submitted on: 2/5/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
penny levin	Individual	Support	No

Comments: I am a taro farmer and member of the taro security and purity task force. I am testifying as an individual today. Hawaii was known for its specializations in taro varieties; many specific to a particular valley, district or island. The pololu famous to Pololu Valley, Hawaii was named for its place of origin. The apii or moana was well-known to the valley of Waipio and made famous by the image taken by Franco Salmoiraghi that graces the cover of the book, Native Planters in Old Hawaii. The scent of the climate and soil of a taro-growing place is also distinguishable in the taste of the taro and the poi. One well-versed in the 'scents' of the different lo'i sources can recognize the 'terroir' in the taste of poi from Waiahole, Waipio, Waioli or Waihee. As the market for hand-pounded poi and pa'i 'ai grows, these unique cultivars and the farmers and districts that grow them add to the authenticity and mystique of the product. A label of origins program would provide taro growers with an important 'value added' addition to their market. Roughly 30 percent of taro consumed in Hawaii comes from outside the state. An Origins identification and labeling program would also help consumers discern between taro products made from local sources or those made from taro imported into Hawaii. It would have the added benefit of helping the taro industry better track of raw taro imports which pose a risk for the introduction of new pests and diseases. Please support this bill.

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
RACHEL NISHIHARA	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rod McKenzie	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Roger Kaiwi	Individual	Oppose	Yes

Comments: Aloha Senators , My name is Roger Kaiwi. I'm a coffee farmer and processor. I make 100% of my living from coffee. I'm strongly oppose to SB604 for many reasons. This measure is poorly written and could have many negative repercussions on the coffee industry. Roger Kaiwi

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SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ronn Naito	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Roy Wong	Individual	Oppose	No

Comments: This measure is redundant and unneeded.

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Salvatore Bruno	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Shawn Mawae	Individual	Oppose	No

Comments:

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SB604

Submitted on: 2/9/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
sherri carden	Individual	Support	No

Comments:

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SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Stacie Loo	Individual	Oppose	No

Comments: My name is Stacie Loo. Im stongly opposed to SB604. I don't feel as though we need to recreate the wheel. We currently have a DOA which is doing a good job and coffee prices are at an all time high. Please vote no to SB604. Stacie Loo

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Date: Wednesday, February 11, 2015 12:20:53 PM

SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
susan de boer	Individual	Oppose	No

Comments: STRONG OPPOSITION: This measure is redundant and unneeded. The Hawaii Department of Agriculture and the Hawaii Board of Agriculture already oversees these responsibilities and does so quite well without the addition of another unneeded commission which must be supported by the taxpayers. The Hawaii coffee industry has worked effectively with the HDOA for over 20 years in the establishment of rules governing our industry. It has produced exceptional results by trademarking coffees major origin designations, providing protection for those origin designations. As an industry the farm gate value of Hawaiian coffee has increases at a rate in excess of 20% per year over the last 23 years due in part to the stewardship of the HDOA and the current rule making process. SB604 seeks to appoint a new commission made up 11 individuals 9 of which must be farmers. Only one farmer from any given commodity can sit on the commission. So in the case of coffee, 10 individuals with no coffee experience would develop the rules governing coffee with input from only one member with coffee experience. Conversely, under the current system which has worked well over time, a commodity group can go the HDOA and request assistance in establishing rules and or origin protection. The HDOA then calls together all stakeholder groups to participate in the process providing for an industry consensus on the final product. After public hearings the final product is presented to the Hawaii Board of Agriculture for approval and then finally to the Governor for approval. Industry is happy with this process. In eight different sections of SB604 the authority of the HDOA is overridden granting total authority over products covered by the bill to the new Origin Products Commission. This overthrow of authority includes elimination of the Hawaii Seal of Quality program. The commission seeks the power to issue class C Felony charges and civil penalties of up to \$5,000 per occurrence against violators of its rules. Since the commission is made up of industry members this power could be used against competitors of the appointed commission members. This is an unnecessary and overreaching piece of legislation.

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SB604

Submitted on: 2/12/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Susie Osborne	Individual	Support	No

Comments: Please support this bill.

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SB604

Submitted on: 2/11/2015

Testimony for AGL/CPN on Feb 13, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Terry Ikehara	Individual	Oppose	No

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