

DAVID Y. IGE  
Governor

DOUGLAS S. CHIN  
Lt. Governor



SCOTT E. ENRIGHT  
Chairperson, Board of Agriculture

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**TESTIMONY OF SCOTT E. ENRIGHT  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON HIGHER EDUCATION**

**MARCH 27, 2018  
2:00 P.M.  
CONFERENCE ROOM 309**

**HOUSE CONCURRENT RESOLUTION NO. 46/HOUSE RESOLUTION NO. 87  
REQUESTING THE DEPARTMENT OF AGRICULTURE; THE DEPARTMENT OF  
HEALTH; AND THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN  
RESOURCES AT THE UNIVERSITY OF HAWAII AT MANOA TO SUBMIT A REPORT  
TO THE LEGISLATURE REGARDING FOOD SAFETY**

Chairperson McKelvey and Members of the Committee:

Thank you for the opportunity to testify on HCR 46/HR 87 that requests a report on food safety from the Department of Agriculture, Department of Health, and the University of Hawaii College of Tropical Agriculture and Human Resources (CTAHR). The Department of Agriculture offers comments.

The United State Food and Drug Administration (FDA) Food Safety Modernization Act was signed into law on January 4, 2011. This law contains many stringent precautions to ensure safe consumption of food. For example, the Produce Safety rule established minimum standards for growing, harvesting, packing, and holding of fruits and vegetables. This final rule went into effect January 26, 2016, with a role out to all farmers by early 2020. Exemptions do exist for many of Hawaii's small farmers, however liability insurance from market vendors will undoubtedly require adherence to the federal law, whether a farm is exempted or not. One of the most cumbersome federal requirements to farmers will be the extensive water quality testing. The Department of Agriculture (DOA), the Department of Health (DOH), and CTAHR have been working collaboratively to educate farmers around the State about the FSMA

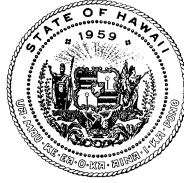


law. This group of government agencies has worked to identify factors that can help Hawaii's small farmers prepare for the FSMA regulations, including the need for additional State resources to provide laboratories on each island to accommodate extensive water quality testing.

DOA, DOH, and CTAHR all promote Good Agricultural Practices (GAP) which are voluntary guidelines to reduce microbial risks in fruits and vegetables. This program will help local growers meet expectations highlighted in the FSMA Produce Rule. DOA and CTAHR also conduct Produce Safety Alliance training to local farmers statewide to encourage adherence to FSMA.

The DOA believes that FSMA will place a great responsibility on Hawaii's farms, and the Department does not find it necessary to create any additional State laws or rules that increase regulation on local agriculturalists. The State is well served to continue its collaboration already being pursued by the DOA, DOH, and CTAHR and further develop the legislature's creation of GAP, the Food Safety Certification Program, and the Food Safety Certification Costs Grant Program.

Thank you for the opportunity to provide comments on these resolutions.



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**DEPARTMENT OF HEALTH**  
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**Testimony in SUPPORT of HCR 46**  
**REQUESTING THE DEPARTMENT OF AGRICULTURE; THE DEPARTMENT OF**  
**HEALTH; AND THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN**  
**RESOURCES AT THE UNIVERSITY OF HAWAII AT MANOA TO SUBMIT A**  
**REPORT TO THE LEGISLATURE REGARDING FOOD SAFETY**

REPRESENTATIVE ANGUS L.K. MCKELVEY, CHAIR  
HOUSE COMMITTEE ON HIGHER EDUCATION

Hearing Date: March 27, 2018

Room Number: 309

Time: 2:00 p.m.

1 **Fiscal Implications:** No funding is provided to implement this measure and the Department  
2 defers to the Governor's Supplemental Budget Request for appropriation priorities.

3 **Department Testimony:** The Department supports the intent of this bill.

4 The Department is willing to review the requirements of the FDA Food Safety  
5 Modernization Act (FSMA) and the food safety requirements of the U.S. Department of  
6 Agriculture (USDA) with the Hawaii Department of Agriculture (HDOA) and the University of  
7 Hawaii College of Tropical Agriculture and Human Resources (CTAHR) and make  
8 recommendations, if any, regarding changes to the Hawaii Revised Statutes (HRS) or the Hawaii  
9 Administrative Rules (HAR) to clarify jurisdictional responsibilities. The department also agrees  
10 to work collaboratively with HDOA and CTAHR to address funding and other reforms necessary  
11 to ensure food safety, and render a report to the 2019 Legislature.

12 Thank you for the opportunity to testify.



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March 27, 2018

HEARING BEFORE THE  
HOUSE COMMITTEE ON HIGHER EDUCATION

**TESTIMONY ON HCR46**

REQUESTING THE DEPARTMENT OF AGRICULTURE; THE DEPARTMENT OF HEALTH;  
AND THE COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES AT THE  
UNIVERSITY OF HAWAII AT MANOA TO SUBMIT A REPORT TO THE LEGISLATURE  
REGARDING FOOD SAFETY.

Room 309  
2:00 pm

Aloha Chair McKelvey, Vice Chair Hashem, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

Hawaii Farm Bureau **strongly supports HCR46**, which requests the Department of Agriculture; the Department of Health; and the College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa to submit a report to the legislature regarding food safety.

Global trade, evolving trends and the Food Safety Modernization Act (FSMA) have and will change agriculture in Hawaii. Consumer demands and societal trends create pressure on agriculture as the industry tries to balance by providing safe and affordable food. It would appear that this should not be difficult and synonymous but it is often not the case. Trends such as foraging for food can put the consumer facing unintended risks, while the fad creates excitement and an appearance of sustainability. How do those responsible for education and regulation handle these conditions become complex? FSMA addresses a myriad of issues associated with food safety, while having exemptions that could be significant sources of risk. Hawaii needs to have a process to reasonably protect our people. A dialogue by responsible parties of what is needed and how it can be achieved is warranted.

Often responsibilities are interpreted and can change with changes in the Administration. This measure will clarify responsibilities for stability beyond changes in leadership.

For these reasons, HFB strongly supports HCR46, which would provide the mechanism for such dialogue. Thank you for this opportunity to provide our opinion on this matter.

**HCR-46**

Submitted on: 3/26/2018 1:52:30 PM

Testimony for HED on 3/27/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Individual	Support	No

Comments:

To the Honorable Angus L.K. McKelvey, Chair; the Honorable Mark J. Hashem, Vice-Chair and the Members of the Committee on Higher Education:

Good afternoon, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") on Legislative Priorities of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **HCR46 / HR 87** relating to Food Safety; Department of Agriculture; and the Department of Health.

The OCC on Legislative Priorities is in favor of **HCR46 / HR 87** and supports its passage.

**HCR46 / HR 87** is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requests Department of Agriculture, the Department of Health, and the College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa to recommend any: (1) Necessary changes to the Hawaii Revised Statutes and the Hawaii Administrative Rules regarding jurisdictional responsibilities, including changes necessary to clarify that the Department of Agriculture is responsible for the oversight of food safety on farms, and that the Department of Health is responsible for the oversight of food safety after food products leave farms; (2) Funding necessary to ensure food safety; and (3) Other reforms necessary to ensure food safety.

Specifically, the Platform of the DPH provides that "As an island state, securing affordable food for all is a priority. We support healthy, sustainable, and 97 diversified local food production, and "Buy Local" strategies to assure greater food security and food 98 safety." (Platform of the DPH, P. 2, Lines 97-99 (2016)).

Given that **HCR46 / HR 87** requests Department of Agriculture; the Department of Health; and the College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa, are requested to review the expanded requirements of the FDA Food Safety Modernization Act, food safety requirements of the United States Department of Agriculture, and applicable sections of the Hawaii Revised Statutes and Hawaii Administrative Rules regarding food safety, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,  
/s/ Melodie Aduja

Melodie Aduja, Chair, OCC on Legislative Priorities of the DPH

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