
A BILL FOR AN ACT

RELATING TO FOOD SAFETY.

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

1 SECTION 1. Hawaii is the most geographically isolated
2 state in the country and imports approximately ninety-two per
3 cent of its food, according to the Pacific Regional Integrated
4 Sciences and Assessments Program.

5 Each food product imported to Hawaii is a lost opportunity
6 for local economic growth. According to the University of
7 Hawaii college of tropical agriculture and human resources, an
8 increase in the production and sale of Hawaii-grown food would
9 contribute to significant job creation. Increasing the amount
10 of locally grown food by as little as ten per cent could keep
11 hundreds of millions of dollars circulating within Hawaii's
12 economy, stimulate growth, and create thousands of new jobs.
13 Research shows that replacing ten per cent of current food
14 imports with locally grown food will create a total of two
15 thousand three hundred jobs. Such diversification would help
16 make Hawaii's economy more resilient to worldwide events.
17 Increasing local food production will ensure that Hawaii has



1 food sources that will be more stable when faced with global
2 supply disruptions, increasing global demand and shortages of
3 commodities, and potential global food scarcities.

4 The federal Food and Drug Administration is implementing
5 more comprehensive food safety regulations for agriculture under
6 the 2011 FDA Food Safety Modernization Act (FSMA). The
7 implications for Hawaii are profound. The need for food safety
8 education and compliance is critical to keep Hawaii's 1,400,000
9 residents and nearly nine million annual visitors safe from
10 foodborne illnesses. During 2016, eight hundred thirty-nine
11 foodborne disease outbreaks were reported nationwide, resulting
12 in 14,259 illnesses, eight hundred seventy-five
13 hospitalizations, and seventeen deaths. Public health officials
14 reported outbreaks from fifty states, Puerto Rico, and
15 Washington, D.C. The median reporting rate per million
16 population was 3.6 outbreaks; rates ranged from 0.8 in Texas to
17 11.2 in Hawaii. The deadline for compliance with the Food
18 Safety Modernization Act has been staggered, starting with large
19 operations in 2018. The small farm compliance deadline is
20 January 2019 and the very small farmers' deadline occurs in
21 2020. Ninety per cent of Hawaii's 3,682 farms are small to very



1 small farms. The new standards include record keeping that can
2 be burdensome and expensive for many of Hawaii's farmers. The
3 costs that farmers must incur to comply with the new food safety
4 requirements are prohibitive to some farmers and will likely
5 result in farm closures.

6 Further, local retailers and distributors will be less
7 likely to purchase from farms that cannot provide food safety
8 and traceability documentation required by FSMA. These buyers
9 will import products no longer available from local sources to
10 meet their customer's demands, increasing the State's dependency
11 on imported food. The average age of Hawaii's farmers is over
12 sixty years old. Many older farmers may be inclined to close
13 their farms rather than invest time and resources into food
14 safety certification and FSMA compliance. Fewer farms and the
15 resulting decreased agricultural production will negatively
16 impact the State's goals of reducing food imports, doubling the
17 production of local food, and increasing food resiliency.

18 Providing additional support to Hawaii's agriculture
19 industry could help reduce foodborne outbreaks, reduce reliance
20 on agricultural imports and foster job growth in the State. In
21 Hawaii, small and medium size farms are key to increasing



1 locally produced food. Most farms currently grow only what can
2 be sold in direct-to-consumer markets, often leaving much of
3 their land uncultivated. Increased demand for locally grown
4 food, driven by anticipated farm closures provides an
5 opportunity for small and medium sized farms to expand
6 production to meet these new market conditions.

7 Food safety certification of Hawaii farms, a critical first
8 step towards compliance, can lead to increased market access and
9 opportunities to increase production. The United States
10 Department of Agriculture created the Good Agricultural
11 Practices Certification Program based on food safety guidelines
12 of the Food and Drug Administration. This program is voluntary
13 and is designed to reduce the risk of foodborne illness
14 originating with produce at the farm level through recommended
15 best practices. Good Agricultural Practices certification is
16 the most common certification standard required by produce
17 buyers.

18 By January 2020, most local retailers and distributors will
19 only purchase products from food safety-certified farms,
20 however, attaining Good Agricultural Practices or an equivalent
21 certification is challenging for many farmers who are adversely



1 affected both by the cost of certification and by the time
2 needed to develop and implement the requirements. These farmers
3 require direct training assistance to successfully implement
4 good agricultural practices and obtain certification.

5 The preservation of small, diversified farming businesses
6 adds to and diversifies Hawaii's economy, helps redress the
7 imbalance in agricultural trade, and promotes food resiliency.
8 Reducing the burden on small to medium farmers seeking costly
9 but necessary certifications and inspections by providing direct
10 training and implementation assistance will allow many farms to
11 secure Good Agricultural Practices certification before the
12 January 2020 FSMA compliance deadline and will provide an
13 ongoing food safety resource for Hawaii.

14 The purpose of this Act is to require and appropriate funds
15 to the department of agriculture to partner with the
16 agricultural community to establish a food safety certification
17 training program for small and medium sized farms to comply with
18 federal requirements.

19 SECTION 2. The department of agriculture shall partner
20 with Hawaii's agricultural community to establish a food safety
21 certification training program that provides direct



1 implementation assistance for small to medium sized farms with
 2 less than \$500,000 in annual food sales, which results in United
 3 States Department of Agriculture Good Agricultural Practices
 4 certification or its equivalent for participating farms.

5 SECTION 3. There is appropriated out of the general
 6 revenues of the State of Hawaii the sum of \$150,000 or so much
 7 thereof as may be necessary for fiscal year 2019-2020 and the
 8 same sum or so much thereof as may be necessary for fiscal year
 9 2020-2021 for the department of agriculture to implement a food
 10 safety certification training program.

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

13 SECTION 4. This Act shall take effect on July 1, 2019.
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INTRODUCED BY:

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H.B. NO. 463

Report Title:

FDA Food Safety Modernization Act; Certification; Appropriations

Description:

Requires and appropriates funds to the Department of Agriculture to partner with the Hawaii agriculture community to establish a food safety certification training program to assist small to medium sized farms to comply with the United States Department of Agriculture Good Agricultural Practices Certification Program.

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