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Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Chairperson, Board of Agriculture

DEPT. COMM. NO. 214
MORRIS M. ATTA
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December 26, 2019

The Honorable Ronald D. Kouchi,
President and Member of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, HI 96813

The Honorable Scott K. Saiki,
Speaker and Member of the House of
Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, HI 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Report on the Processing of State of Hawaii Plant and Animal Declaration Forms as required by HCR 25, SLH 2019. In accordance with Section 93-16, Hawaii Revised Statutes, I am also informing you that the report may be viewed electronically at <http://hdoa.hawaii.gov/>.

Sincerely,

A handwritten signature in cursive script that reads "Phyllis Shimabukuro-Geiser".

Phyllis Shimabukuro-Geiser, Chairperson
Board of Agriculture

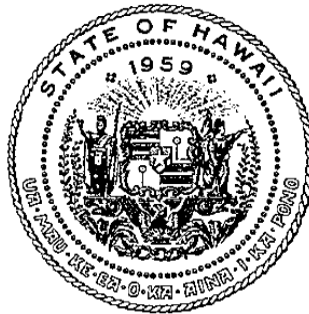
Enclosures



**REPORT TO THE THIRTIETH LEGISLATURE
2019 REGULAR SESSION
STATE OF HAWAII**

**REPORT ON THE PROCESSING OF STATE OF HAWAII PLANT AND ANIMAL DECLARATION
FORMS**

HCR 25, SLH 2019



PREPARED BY:

**HAWAII DEPARTMENT OF AGRICULTURE
HAWAII TOURISM AUTHORITY**

DECEMBER 2019

Background

House Concurrent Resolution 25 (HCR 25) of the 2019 Session Laws of Hawaii requested a report from the Hawaii Department of Agriculture (DOA) and the Hawaii Tourism Authority (HTA) on the processing of the State of Hawaii Plant and Animal Declaration Form to the Legislature no later than twenty (20) days prior to the convening of the Regular Session of 2020. The form is two-sided, with a DOA side and an HTA one. HCR 25 listed ten (10) items of interest, which are shown below along with a response for each. Note that the following responses refer only to the DOA portion of the form, and not to that of the HTA.

Responses

(1) A description of the use of information obtained from the forms:

DOA

The DOA Plant Quarantine Branch (PQB) and the DOA Animal Disease Control Branch use the declaration forms to facilitate the inspections of commodities declared on the forms including fresh fruit, live plants and animals, cut flowers, and other regulated commodities to ensure compliance with State importation rules and regulations. The submission of the completed forms to PQB inspectors ensures that all transportation companies are complying with Hawaii Revised Statutes (HRS) 150A-5(2). Importer information is used to determine if they are valid permit holders, and to maintain inspection records of regulated articles imported into the state. The PQB utilizes this same information for all importers of regulated commodities, not just for passengers who complete the declaration forms.

HTA

The in-flight forms are a critical component of the HTA's research objective of collecting and reporting statistics from domestic visitors to Hawai'i. In addition, the in-flight forms provide the Department of Agriculture with an additional tool to assist in their efforts of monitoring and preventing invasive species from reaching Hawai'i. In-flight forms are distributed to passengers on all flights from the U.S. mainland to Hawai'i. One form is completed by each traveling party (including visitors, intended residents, and returning resident traveling parties). The in-flight form consists of two (2) sides: The front side is the Hawai'i State Department of Agriculture (DOA) Plant and Animal Declaration which passengers on domestic flights arriving to Hawai'i are required by law to complete. Any passenger who gives false information, or fails to declare items including fresh fruit, vegetables, cut flowers, rooted plant, raw seeds/bulbs, soil, live seafood, cultures, live insects, fishes, birds, amphibians, other animals, etc. will be in violation of Chapter 150A, Hawaii Revised Statutes and may be subject to fines or up to one year of imprisonment.

On the reverse side is the HTA Domestic Visitors' Basic Characteristics survey form, a core project in HTA's Visitor Research Program. This survey collects data on domestic visitors including visitor counts, island visitations, length of stay, purpose of trip, accommodations, first-time/repeat status, and other characteristics by major market areas, by U.S. states and U.S. cities. Domestic visitor counts are added to international visitor count collected from the International Visitor Departure Survey, and counts of visitors who came by cruise ship from the

Cruise Visitor survey (under a separate agreements) to obtain total visitor arrivals to Hawai'i. Statistics from these surveys are published monthly on the HTA website through press releases, market fact sheets and data tables, and presented annually in HTA's Visitor Research reports.

SMS Research and Marketing Service (SMS) is the contractor conducting the Domestic in-flight Visitors Survey for HTA for calendar years 2019 through 2022. SMS collects in-flight forms from the DOA at the Daniel K. Inouye Airport and from DOA offices on the neighbor islands. SMS scans in-flight forms in six different languages (English, Japanese, Chinese, Korean, Tagalog and Spanish), In 2018, 3,921,257 forms were scanned and after data cleaning, resulted in 3,742,848 valid records with visitor statistics processed for the domestic visitor survey.

(2) The costs associated with the forms, including but not limited to costs for printing, processing, and distributing the forms and personnel costs for processing information obtained through the forms:

DOA

The PQB spends about \$381.07 daily in personnel costs for salary to review the forms. This cost was estimated using the following: 10 minutes for review x 80 flights per day average x median salary \$28.58. The annual cost is about \$139,090.55. As the forms are used to help inspectors to prioritize inspections, inspectors spend the majority of their time in the baggage claim conducting passenger/baggage surveillance and inspections on imported items.

HTA

The total cost to HTA associated with the in-flight forms for Fiscal Year 2019 was \$614,556.44. This amount includes: in-flight form printing and delivery for calendar year 2019; printing of envelopes marked "Important" to hold the declaration forms; FedEx delivery of envelopes to neighbor island DOA offices and airlines upon request; and scanning, processing and tabulation of inflight forms for the Domestic Visitor Survey.

Activity	Cost
In-flight Form Printing and Delivery	\$274,856.70
Envelope Printing	\$15,315.18
FedEx Delivery to Ag	\$1,000.00
Scanning, Processing, and Tabulating	\$323,384.56
Total cost for FY19	\$614,556.44

(3) The number of staff assigned to review forms:

DOA

All PQB Line Inspectors (59, fully staffed) are assigned to review the forms as part of their duty to conduct baggage surveillance.

HTA

For the HTA Domestic Visitor Survey, there are a total of 4 staff from SMS assigned to handle

and review in-flight forms. SMS staff retrieve the forms from the DOA office at the Daniel K. Inouye International Airport and receive deliveries of forms from DOA offices on the Neighbor Islands. Forms are taken out of the “Important” envelopes and processed by first removing blocks of blank forms sometimes included in the envelopes. Forms marked “crew” are removed. Forms that are crumpled or otherwise damaged to the point that they could not be properly scanned, and any forms completed in a shade of ink that could not be read properly by the scanner are removed from the stack and processed separately. Their contents are transferred onto blank survey forms exactly as they appeared on the original and they are scanned on the same day.

In-Flight forms are separated according to day, airline, and flight number. Batches are fed into high speed scanners capable of duplex scanning at 3,000 sheets per hour. These scanners are highly sensitive reading and recording devices capable of reading bubbled items regardless of the nature of the mark. They also read numbers entered into boxes and text clearly written in prescribed spaces. The scanners are maintained regularly, with monthly recalibration and adjustment.

The evaluation process is carried out using the TELEform software. The images are read and interpreted according to a template developed in tandem with the survey instrument. Interpretation is a process by which marks on the image documents are compared with locations on the template and interpreted as data. Those data are transferred to digital files containing the survey information for each batch scanned. Batches are checked for accuracy. At the end of each batch scan, the operator is alerted to the readability status of the batch. If the scanned images do not match the template, the operator will be informed of an error. If an error occurs, the forms and software settings is checked and problems (if any) will be fixed and the surveys will be rescanned. Once all forms are successfully scanned, the operator will be informed that the batch is ready for data verification.

During the verification process, each form that is written to the evaluation output file will be checked. If any flags are found, the survey image gets transferred to an operator’s verification screen. Flagged items are marked in yellow, showing both the respondent’s marks and the data written to the file during evaluation. The operator will determine if the data file is accurate and either pass the data or correct the data to match the respondent’s mark. After dealing with all flagged items on a form, the form is released to the commitment file.

After verification, TELEform software commit and export the verified data using the Statistical Program for Social Sciences (SPSS) software. The resulting data file is transferred to the programmer responsible for processing the domestic visitor survey processing syntax, who then generates visitor data highlights and data banners which is submitted to the HTA on a monthly basis.

(4) The method by which the forms are disposed:

DOA

The PQB transfers custody of all forms to HTA at a minimum on a bi-weekly basis. Until transfer, all forms are safeguarded in PQB offices with no public access.

HTA

In-flight forms are retained in a secured room at SMS for one month. After one month, the forms are shredded using the service of a professional document management company.

(5) How often forms require a follow-up:

DOA

The PQB does not maintain records on how often forms require a follow-up. However, if a regulated commodity is declared, it is a requirement for the passenger to provide the commodity for inspection. Inspectors review all forms and prioritize declared items through the following method: prohibited, restricted, or regulated. A follow-up inspection always occurs if a prohibited or restricted commodity is declared. Once the passenger is identified, inspectors will ensure that that declared commodities meet import requirements and take appropriate action. If there are no prohibited or restricted commodities, inspectors then review regulated commodities and look for high risk ones such as live plants or commodities known to have a high likelihood of a pest infestation. Inspectors also conduct surveillance of the baggage areas to ensure compliance, regardless of if/what commodities are declared on the forms.

HTA

HTA and SMS staff do not contact survey respondents to follow up on their responses. Respondents may voluntarily provide their email addresses to participate in HTA's Visitor Satisfaction and Activity Survey (VSAT) and may be contacted to participate in the VSAT survey.

(6) The effectiveness of the forms:

DOA

The forms are effective because: they are a tool that are mandatorily distributed to a captive audience; provide visitors and residents with information about the threats of invasive species to Hawaii; and are a good visual reminder of what everyone needs to do to prevent the further entry and spread of invasive species. The forms have resulted in the relinquishing of illegal pets, animals without valid permits, and restricted plants without permits and/or proper documentation.

HTA

The in-flight form has been an extremely effective survey instrument for the Domestic Visitor Survey for more than 20 years. The 3.7 million forms collected and processed in 2018 is a tremendous sample size. Sample size going back to 2000 have been above 3.0 million forms processed per year.

(7) The relevance and usefulness of the data relating to the visitor and returning-resident component of the form:

DOA

The PQB does not utilize this information.

HTA

Sound business decisions based on visitor data and research is important for effective tourism management. Hawai'i's visitor industry is in a very mature phase, which requires constant research and data to increase brand awareness, improve and enhance products, maintain competitive advantages against other destinations.

HTA publishes visitor statistics on a monthly basis on the HTA website through press releases, market fact sheets and data tables, and presented annually in HTA's Visitor Research reports. The in-flight form and related Domestic In-Flight Survey are key components of these visitor statistics. More than half of visitors to Hawai'i arrive on U.S. Domestic flights. Without the data associated with the in-flight form, HTA could not produce our visitor statistics.

The survey also asks respondents if they are intended resident moving to Hawai'i for at least a year or if they were returning Hawai'i resident. Profiles of returning Hawaii Resident and intended Hawai'i resident statistics are published in the Hawai'i State Data Book.

(8) The level of compliance by passengers and carriers:

DOA

There is a 100% compliance rate for carriers. If airlines do not submit forms, baggage is not released until the forms are presented for review by an inspector.

For passengers, a reliable way of determining compliance does not currently exist as there is no way for PQB Inspectors to completely restrict exiting of the baggage claim in a fashion similar to Customs and Border Protection. Additionally, because HRS 150A-5(2)(A) has a provision that allows for one adult family member to apply for the entire family, simply counting the number of forms will not determine a compliance rate if checked against the passenger counts, which are provided. Historically, declaration counts are around 50% or so of the passenger count. The number is low because families utilize a single declaration covering multiple people. PQB inspectors also periodically board incoming aircraft and surface vessels to ensure that declaration forms are being collected and submitted. Generally, inspectors do not find completed forms remaining.

Generally, if there is a failure to declare, it is for passengers that did not know that their commodity needed a declaration. The vast majority of cases involve fresh fruit and vegetables that have been cut up, such as apple slices or fresh salad mixes. In these instances, Inspectors educate the passenger about the form, explain what is regulated, and explain why the form is important. Most passengers are very receptive and once they understand, want to ensure that Hawaii remains as pristine as possible.

HTA

For the visitor survey side of the form, there were 3,742,848 completed forms in 2018. The breakdown by airline is as follows:

Airline	Number of Forms
America West	197
American Airlines (AA)	613,677
United Airlines (UAL)	1,033,928
Hawaiian Air (HA)	866,395
Delta	511,643
Alaska Air	657,291
Sun Country	6,792
OMNI	17,375
Virgin America	34,747
Other	803
Total	3,742,848

(9) The number of penalties, if any, imposed for failure to complete the form:

DOA

Since 2010, there have been no criminal penalties imposed due to a change in HRS 150A-14(b) which changed the penalty from a fine to a petty misdemeanor. Prior to 2010, citations were issued for failure to present declaration forms, failure to fill out the form, or for defacing of the forms. Because a petty misdemeanor is a criminal charge, the passenger would need to be detained and/or arrested in order to begin the criminal process and issue the citation. Because PQB inspectors cannot detain individuals, should there be incidents of individuals who refuse to fill out the declaration form, PQB will get assistance from the Department of Public Safety or other authorized Law Enforcement prior to meeting the suspect. This situation only works if there is prior knowledge that the suspect is refusing to declare. Should this occur, with Law Enforcement present virtually all suspects will eventually end up filling out the form or consenting to an inspection of their baggage.

HTA

HTA does not, or have the ability to, impose any penalties for failure to complete the form.

(10) Whether the Department of Agriculture or Hawaii Tourism Authority has considered an alternative to the forms:

DOA

The DOA considers the forms as a good tool to assist inspectors with ensuring agricultural commodities are inspected. It provides a key outreach tool to all arriving passengers that

Hawaii takes the threat of invasive species seriously and that to manage that threat, it requires everyone to do their part in ensuring that there are not further introductions of invasive species into the State. The DOA has done some very preliminary work through Enterprise Technology Services to explore digitizing the forms.

HTA

The HTA has been receptive to exploring other options beyond the paper forms. We have had conversations with vendors proposing to intercept arriving visitors on their electronic devices (cellular telephone or tablet) and push the online survey when they deplaned. It was mentioned that this technology might assist the HTA but would also potentially improve the DOA's ability to collect data. There were numerous questions that arose during the discussions which eventually led to the HTA not exploring this option. Challenges such as arriving domestic passengers that do not have smartphones, multi-person parties, cellular and Wi-Fi connectivity, and other logistical issues such as training flight crews, DOA inspectors, and establishing deplaning procedures to ensure that arriving domestic visitors complete the electronic survey prior to the aircraft releasing passengers were part of the consideration.