
A BILL FOR AN ACT

RELATING TO TARO.

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

1 SECTION 1. The legislature reaffirms that the invasion of
2 Hawaii by insects, disease-bearing organisms, snakes, weeds, and
3 other pests is one of the greatest threats to Hawaii's economy
4 and natural environment and to the health and lifestyle of
5 Hawaii's people. As an island state, Hawaii is on the front
6 lines of a climate crisis. Hawaii faces a unique set of issues
7 relating to high biodiversity, isolation, and exposure to
8 external economic shocks. Climate change will affect all areas
9 of Hawaii's biosecurity system. Different pests and diseases
10 will become established, existing pests will change
11 distribution, and sleeper pests will become activated.

12 The legislature affirms the use of loi kalo as an
13 indigenous plant. Throughout Hawaii, traditional agriculture,
14 and specifically loi kalo, has played an important role within
15 the traditional ahupuaa system. Loi provided a host of
16 ecosystem services to native and endemic plants and animals



1 while at the same time supporting a large human population and
2 contributing to vibrant and sustainable communities.

3 Hawaii imports eighty-five per cent of its food. As demand
4 for taro, poi, and other value-added taro products has
5 increased, raw taro imports have also increased.

6 Taro pests and diseases, including aggressive forms of taro leaf
7 blight, alomae-bobone virus, taro plant hopper, and taro root
8 beetle, as well as threats from cultivar invasiveness, not yet
9 present in Hawaii, pose a serious risk to Hawaii's commercial
10 taro industry, family subsistence taro production, and statewide
11 food security.

12 The department of agriculture banned taro imports from the
13 Solomon Islands due to such threats; however, current import
14 equity agreements between the United States and other taro
15 growing regions, including the Pacific, Mexico, and China, allow
16 raw taro products to be imported to the continental United
17 States where they are then sent to Hawaii, often under a
18 continental United States label of origin. Changes in access to
19 bill of lading country of origin information under federal
20 Department of Homeland Security rules prevent the department of
21 agriculture from implementing protections from banned countries



1 of origin or countries where high-risk diseases and pests are
2 known. Raw taro corms are also not recognized or classified as
3 a propagatable material under current state and federal
4 agricultural rules.

5 Act 36, Session Laws of Hawaii 2007, which designated kalo
6 as the state plant, recognized that taro deserves a special
7 place in Hawaii and therefore a high level of protection,
8 including special attention under state biosecurity laws. The
9 taro security and purity task force established under Act 211,
10 Session Laws of Hawaii 2008, recommended to the legislature in
11 its 2010, 2014, and 2015 reports improved protections for taro
12 from the biosecurity threats represented by imports, including
13 for research, and outlined necessary actions. The task force
14 noted two ways to proactively reduce or eliminate new threats:

15 (1) Stronger border protections by preventing the import
16 of high-risk organisms and from high-risk points of
17 origin, and

18 (2) Assisting local farmers to meet local consumer demand
19 thereby reducing the need for crop imports.

20 The report recommended that the department of agriculture
21 pursue a United States Department of Agriculture designation of



1 "actionable pest" for pests and diseases that threaten taro in
2 Hawaii, redefine raw taro corms and live plants as "propagative
3 material", and make mandatory the limitation on imports of only
4 dried, cooked, or frozen taro products to a satisfactory level
5 where no live pest or pathogens can survive to protect local
6 taro crops. Collaborative research and breeding programs are
7 able to occur outside Hawaii where such threats already exist by
8 partnering with regional institutions. The simple choice to not
9 bring in what is not already here significantly reduces the
10 opportunity for failed protocols and new threat escaping in
11 Hawaii.

12 Under the Plant Protection Act (7 U.S.C. 7701 et seq.),
13 states are expressly prevented from regulating foreign commerce
14 to control, eradicate, or prevent the introduction or
15 dissemination of plant pests or noxious weeds (7 U.S.C.
16 7756(a)). The Plant Protection Act also preempts states from
17 regulating domestic commerce if the federal government has
18 already issued such a regulation for those purposes, unless the
19 regulation is consistent with but does not exceed the federal
20 regulation (7 U.S.C. 7756(b)). In this instance, the federal



1 government has not already issued such a regulation; therefore,
2 it is within the State's purview to set standards.

3 The purpose of this Act is to prevent the ever-increasing
4 risk of new diseases and pests and invasive taro cultivars from
5 importing certain raw taro products that could pose a threat to
6 the fragile, yet critically important commercial taro industry
7 and subsistence taro production in Hawaii.

8 SECTION 2. Chapter 150A, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§150A- Taro; importation restrictions. (a) Raw taro
12 corms and any portion of a live taro plant with corm, buds, or
13 root present shall be designated as propagatable material.

14 (b) The importation of live taro corms or plant material
15 for any purpose, including research, breeding, and ornamental
16 use and sale, from any point of origin in the United States into
17 Hawaii is prohibited.

18 (c) The importation of taro corms from any point of origin
19 in the United States shall be allowed when dried, cooked, frozen
20 for a minimum of eight days, or peeled.



- 1 (d) Live plant material from Hawaiian taro varieties shall
2 be allowed from any point of origin in the United States if:
- 3 (1) There is a verifiable historical record of distribution
4 from Hawaii to that point of origin;
- 5 (2) The plant material resides in a place of origin where
6 high-risk taro pests and diseases do not occur;
- 7 (3) The plant material is disease indexed and tissue
8 cultured to create certified clean material prior to
9 re-entry; and
- 10 (4) The plant material is from one of the following
11 varieties:
- 12 Tsurunoko (Araimo), Akado (Ekaeka), Miyako, Iliuaua
13 (Pake), Bun-long (Bun-long-woo, Chinese), Aweu (Aweo,
14 Aweoweo, Aweuweu, Mamauweo, Maauweo), Kakakura-ula
15 (Kakakura), Mana Ulu (Mana Owene), Mana Opelu (Ala
16 Pipika), Mana Weo (Weo), Mana Uliuli (Yellow), Mana
17 Ulaula (Mana Ha Ulaula), Mana Lau loa, Mana Keokeio
18 (Mana Kea), Mana Kukuluhema (Manua), Piko Lehua-apei
19 (Lehua Apei), Piko Ulaula (Haehae Ulaula), Piko Kea,
20 Piko Keokeo ((Haehae Keokeo, Uaua Keokeo), Piko Uaua
21 (Uaua Piko), Piko Uliuli (Haehae, Piko Uli, Waianae),



1 Piko Eleele (Haehae Eleele, Helemauna, Ipuolono,
2 Makaopio), Elepaio, Uahiapele (Hiwa, Pau O Hiiaka,
3 Ualehu, Uwahiapele), Manapiko, Tahitian, Kai Uliuli
4 (Kai Eleele), Kai Ala (Ala, Ala Keokeo), Kai Kea (Ala
5 Kea), Apuwai, Apu (Oapu), Piialii (Ahapii, Moiula,
6 Mokohe), Paakai (Launui Paakai), Moana (Mauna),
7 Akuugawai, Lauhoa Eleele-omao (Lauhoa Eleele, Lauhoa
8 Ha Eleele), Lauhoa Eleele-ula (Eleele Lauhoa), Lauhoa
9 Palakea-eleele (Palakea, Lauhoa Palakea), Lauhoa
10 Palakea-ula, Pauloa Palakea-papamu (Papamu, Lauhoa
11 Papamui), Lauhoa Palakea-keokeo (Lauhoa Onionio),
12 Lauhoa Keokeo (Lauhoa Ha Keokeo), Eleele Makoko (Nohu,
13 Makoko), Eleele Naiioea (Naiioea, Eleele), Manini-owali,
14 Kumu-eleele, Nawao, Ulaula Kumu (Kumu), Ulaula Poni
15 (Poni Ulaula), Ulaula Moano (Ieie, Iaia), Niue-ulaula
16 (Niue), Oopukai (Kaimoi), Manini Uliuli, Manini Kea,
17 Manini Toretore (Toretore, Forefore), Papakolea-koae
18 (Papakolea), Ula, Nihopuu, Manini-opelu, Hinupuaa
19 (Manini), Niue-uliuli (Niue), Ohe, Lehua maoli
20 (Lehua), Lehua Keokeo (Waiakea), Lehua Eleele
21 (Wailana), Lehua Palaii (Palaii), Apowale, Wehiwa



1 (Wehewa, Wewehiwa), Papapueo, Kuoho, Leo, Maea, Haokea
 2 (Haakea, Haawikea, Ahakea), Kalalau, Hapuu (Hapuupuu),
 3 Laaloa, Lauoa Uliuli (Hinapu, Lauoa Ha Uliuli),
 4 Lihilihimolina, Mana Eleele (Poni Mana), Mana Okoa,
 5 Moi (Neenee), Oene (Owene Ulaula, Owene), Pikoetele, and
 6 Pololu.

7 (e) For purposes of this section, "taro" means all the
 8 varieties of taro listed in subsection (d)(4)."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *SCM*

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JAN 23 2020

H.B. NO. 2673

Report Title:

Taro; Importation; Restrictions

Description:

Bans the importation of taro corms unless dried, cooked, frozen, or peeled. Bans the importation of live taro plant material from any point of origin in the United States.

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