S.B. NO. ²⁹⁶⁰ S.D. 1 H.D. 1

C.D. 1

1

A BILL FOR AN ACT

RELATING TO FOOD SAFETY.

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

SECTION 1. The legislature finds that, according to the
Pacific Regional Integrated Sciences and Assessments Program,
Hawaii is the most geographically isolated state in the country
and imports approximately ninety-two per cent of its food. Each
food product imported to Hawaii is a lost opportunity for local
economic growth.

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

18 Increasing local food production would ensure Hawaii has more 2022-3186 SB2960 CD1 SMA.doc

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stable food sources when faced with global supply chain
disruptions, increased global demand for and shortages of
commodities, and potential global food scarcities.

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

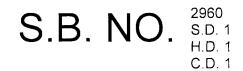
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1 Ninety per cent of Hawaii's 3,682 farms are small to very 2 small farms. The new standards include recordkeeping requirements that can be burdensome and expensive for many of 3 Hawaii's farmers. The costs that farmers must incur to comply 4 with the new food safety requirements are prohibitive for some 5 6 farmers and will likely result in farm closures. 7 Furthermore, local retailers and distributors will be less likely to purchase from farms that cannot provide the food 8 9 safety and traceability documentation required by the FDA Food 10 Safety Modernization Act. These buyers will import products 11 that are no longer available from local sources to meet their customer's demands, increasing the State's dependency on 12 imported food. The average age of Hawaii's farmers is over 13 14 sixty years old. Many older farmers may be inclined to close their farms rather than invest time and resources into food 15 safety certification and compliance. Fewer farms and the 16 resulting decrease in agricultural production will negatively 17 impact the State's goals of reducing reliance on food imports, 18 doubling the production of local food, and increasing food 19 20 resiliency.



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1 Providing additional support to Hawaii's agricultural industry could help reduce foodborne outbreaks, reduce reliance 2 on agricultural imports, and foster job growth in the State. 3 In Hawaii, small- and medium-sized farms are key to increasing 4 5 locally produced food. Most farms currently grow only what can be sold in direct-to-consumer markets, often leaving much of 6 7 their land uncultivated. Increased demand for locally grown food, driven by anticipated farm closures, provides an 8 9 opportunity for small- and medium-sized farms to expand production to meet these new market conditions. 10

Food safety certification of Hawaii farms is a critical 11 12 first step toward compliance and may lead to increased market 13 access and opportunities to increase production. The United 14 States Department of Agriculture created the Good Agricultural Practices certification program based on the Food and Drug 15 Administration's food safety guidelines. This program is 16 voluntary and is designed to reduce the farm-level risk of 17 produce-based foodborne illness by applying recommended best 18 practices. Good Agricultural Practices certification is the 19 most common certification standard required by produce buyers. 20

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1 While it is likely that most local retailers and 2 distributors will only purchase products from food safetycertified farms, attaining Good Agricultural Practices 3 certification, or an equivalent certification, is challenging 4 for many farmers, who are adversely affected both by the cost of 5 6 certification and the time needed to develop and implement the requirements. These farmers require direct training assistance 7 to successfully implement Good Agricultural Practices and obtain 8 9 certification.

10 The preservation of small, diversified farming businesses 11 adds to and diversifies Hawaii's economy, helps redress the imbalance in the agricultural trade, and promotes food 12 resiliency. Reducing the burden on small- to medium-sized farms 13 14 that are seeking costly but necessary certifications and inspections by providing direct training and implementation 15 assistance will allow many farms to secure Good Agricultural 16 Practices certification and will provide an ongoing food safety 17 18 resource for Hawaii.

Accordingly, the purpose of this Act is to help small- and medium-sized farms comply with federal requirements by requiring the department of agriculture to partner with the agricultural

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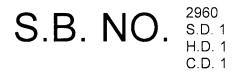
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1 community to establish a food safety certification training 2 program, and appropriating funds for the training program. 3 SECTION 2. The department of agriculture, in partnership with Hawaii's agricultural community, shall establish and 4 implement a food safety certification training program. The 5 6 program shall assist farms having less than \$500,000 in annual 7 food sales in obtaining United States Department of Agriculture 8 Good Agricultural Practices certification or its equivalent. SECTION 3. There is appropriated out of the general 9 10 revenues of the State of Hawaii the sum of \$265,000 or so much 11 thereof as may be necessary for fiscal year 2022-2023 for the department of agriculture to establish and implement, under 12 13 general administration for agriculture (AGR192), the food safety 14 certification training program established by this Act. 15 The sum appropriated shall be expended by the department of 16 agriculture for the purposes of this Act.

17 SECTION 4. This Act shall take effect on July 1, 2022.





Report Title:

Food and Drug Administration; Food Safety Modernization Act; Certification; Training; Appropriation

Description:

Requires the Department of Agriculture to partner with Hawaii's agricultural community to establish and implement a food safety certification training program to help small- to medium-sized farms comply with federal food safety certification mandates. Appropriates funds. (CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

