
A BILL FOR AN ACT

RELATING TO FOOD SAFETY.

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

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

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 has the
11 potential to keep hundreds of millions of dollars circulating
12 within Hawaii's economy, stimulate growth, and create thousands
13 of new jobs. Research shows that replacing ten per cent of
14 current food imports with locally grown food would create a
15 total of two thousand three hundred jobs. Such diversification
16 would help make Hawaii's economy more resilient to worldwide
17 events. Increasing local food production would ensure that



1 Hawaii has more stable food sources when faced with global
2 supply chain disruptions, increased global demand for and
3 shortages of 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. The implications
7 for Hawaii are profound. The need for food safety education and
8 compliance is critical to keep Hawaii's 1,400,000 residents and
9 nearly nine million annual visitors safe from foodborne
10 illnesses. During 2016, eight hundred thirty-nine foodborne
11 disease outbreaks were reported nationwide, resulting in 14,259
12 illnesses, eight hundred seventy-five hospitalizations, and
13 seventeen deaths. Public health officials reported outbreaks
14 from fifty states, Puerto Rico, and Washington, D.C. The median
15 reporting rate per million people was 3.6 outbreaks, and rates
16 ranged from 0.8 in Texas to 11.2 in Hawaii. The deadline for
17 compliance with the FDA Food Safety Modernization Act has been
18 staggered, beginning with large operations in 2018. The small
19 farms' compliance deadline was January 2019, and the very small
20 farms' deadline occurred in 2020.



1 Ninety per cent of Hawaii's 3,682 farms are small to very
2 small farms. The new standards include recordkeeping
3 requirements that can be burdensome and expensive for many of
4 Hawaii's farmers. The costs that farmers must incur to comply
5 with the new food safety requirements are prohibitive for some
6 farmers and will likely result in farm closures.

7 Furthermore, local retailers and distributors will be less
8 likely to purchase from farms that cannot provide the food
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
12 customer's demands, increasing the State's dependency on
13 imported food. The average age of Hawaii's farmers is over
14 sixty years old. Many older farmers may be inclined to close
15 their farms rather than invest time and resources into food
16 safety certification and compliance. Fewer farms and the
17 resulting decrease in agricultural production will negatively
18 impact the State's goals of reducing reliance on food imports,
19 doubling the production of local food, and increasing food
20 resiliency.



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

11 Food safety certification of Hawaii farms is a critical
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
15 Practices certification program based on the Food and Drug
16 Administration's food safety guidelines. This program is
17 voluntary and is designed to reduce the farm-level risk of
18 produce-based foodborne illness by applying recommended best
19 practices. Good Agricultural Practices certification is the
20 most common certification standard required by produce buyers.



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

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

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



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
4 with Hawaii's agricultural community, shall establish and
5 implement a food safety certification training program. The
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.

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2022-2023 for
12 the department of agriculture to establish and implement, under
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, 2050;
18 provided that section 3 shall take effect on July 1, 2050.



Report Title:

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

Description:

Requires the Department of Agriculture to partner with the Hawaii 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. Effective 7/1/2050. (SD1)

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