

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

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State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
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**TESTIMONY OF SHARON HURD**  
**CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**

**MARCH 19, 2024**  
**2:00 PM**  
**CONFERENCE ROOM 329 & VIDEOCONFERENCE**

**SENATE BILL NO. 3365, SD2**  
**RELATING TO PLANT CARE COMPONENTS**

Chair Nakashima, Vice Chair Sayama and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 3365, SD2 which requires the Department of Agriculture (Department) to certify treatments performed on wood chips, compost, and filter socks; and places certain restrictions on the distribution or transportation of plant care components without prior treatment certification from the Department.

The Department strongly supports this bill and recognizes that amendments offered in testimony on the previous draft of this bill have been incorporated into this version of the bill. However, in section (b), the term "entering the State" appears to conflict with HRS 150A-5(9) as a commodity is not considered to have "entered the State" until it has been inspected and passed. As currently drafted, this bill appears to require the Department to inspect and release the regulated goods before all requirements, i.e. the treatment, are met. Treatments for pests either occur prior to



entry into the State, or if required due to the discovery of a pest infestation upon inspection, the shipment is placed under quarantine until the treatment can occur and an inspector can verify that the treatment was sufficient to eradicate the pest. The Department suggests the following language for section (b): "No person shall distribute within the State any plant care component that originated from outside the State unless treated prior to entering the State. Any plant care component that originated from outside the State and not subjected to a treatment prior to entering the State shall be placed in quarantine until subjected to a treatment witnessed and certified by the Department." This bill will provide the Department with another way to protect the State against invasive species.

Thank you for the opportunity to testify on this measure.



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March 19, 2024

HEARING BEFORE THE  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

**TESTIMONY ON SB 3365, SD2**  
RELATING TO AGRICULTURE

Conference Room 329 & Videoconference  
2:00 PM

Aloha Chair Nakashima, Vice-Chair Sayama, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports SB 3365, SD2**, which requires the Department of Agriculture to certify treatments performed on wood chips, compost, and filter socks and places certain restrictions on the distribution or transportation of plant care components without prior treatment certification from the Department.

HFB recognizes the importance of preventing destructive invasive species from entering the State and how difficult it is to manage those that become established in our islands. We appreciate the difficult work of HDOA and its partners in preventing entry and their efforts to eradicate or control these detrimental animals, insects, weeds, diseases, and other pests.

HFB suggests amending the bill to require that Certification and Treatment be conducted in the State (not prior to shipment) to control the chain of custody and ensure it is done locally. This would require that all containers are treated upon arrival at a state DOA-certified facility before being released to the designated customer.

Thank you for the opportunity to provide our comments and your continued support of Hawai'i's agricultural community.



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Kauai

Aloha Chair Nakashima, Vice Chair Sayama, and Members of the House Consumer Protection & Commerce Committee,

The Hawaii Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports SB3365.**

SB3365 directly addresses a critical issue affecting our islands: the threat of invasive pests on agricultural operations. Our members, from Kauai to Kohala, have increasingly voiced concern over how these pests impact their farms and threaten their livelihoods. This bill's requirement for the Department of Agriculture to certify treatments on plant care components like soil and compost is a proactive step towards protecting our agriculture and ecosystems.

After establishing on Oahu, coconut rhinoceros beetle were found on Kauai and Maui during 2023. Wood chips and compost are a known vector for this pest. Hawaii Farmers Union supports the spread of conservation agricultural practices like mulch and compost application, but not at the cost of knowingly spreading invasive species.

A potential concern with this bill is that the entirety of costs is placed on plant care component producers and vendors. It is thus likely that such costs would be passed onto their costumers, including farmers. We hope that this body will entertain future legislation to lower the costs of production, as this necessary one may cause an increae.

By ensuring these materials are treated and certified before distribution, SB3365 will significantly mitigate the risk of pest infestations, safeguarding our agricultural industry and the environment. This is not just a legislative measure but a necessary action for the sustainability and security of Hawaii's farming future.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF