

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEXTER KISHIDA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

**WRITTEN ONLY
TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE JOINT COMMITTEE ON WAYS AND MEANS AND
COMMITTEE ON COMMERCE AND CONSUMER PROTECTION**

**TUESDAY, APRIL 2, 2024
10:45 A.M.
CONFERENCE ROOM 211 & VIDEOCONFERENCE**

**HOUSE BILL NO. 2144, HD1, SD1
RELATING TO VALUE-ADDED PRODUCTION**

Chairs Dela Cruz and Keohokalole, Vice Chairs Moriwaki and Fukunaga, and Members of the Committees:

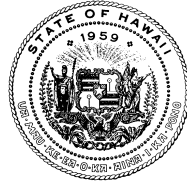
Thank you for the opportunity to present testimony on House Bill 2144, HD1, SD1. This bill aims to require the Department of Health (DOH) to revise the definition of "homemade food products" and adopt certain rules concerning the sale and delivery of such items. The Department provides the following comments.

The Department believes that this proposed Act could incentivize certain households to engage in entrepreneurial activities, particularly in rural areas by expanding value-added food production. These new commercial activities could foster the creation of a wider array of local food products and market opportunities, thus enhancing economic prospects for various communities and enabling them to capture more of the value chain dollar. Additionally, such initiatives can contribute to the resiliency of local food systems.



The Department appreciates this legislative effort to support the growth of the small-scale homemade food or “cottage food” industry in Hawaii. Finally, we defer to the DOH regarding any proposed amendments required under Chapter 11-50 of the Hawaii Administrative Rules (HAR) and Chapter 91 of the Hawaii Revised Statutes (HRS) to uphold food safety standards, safeguard public health, and establish provision in the proposed Act.

Thank you for the opportunity to testify on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

In reply, please refer to:
File:

**Testimony in SUPPORT of HB2144HD1SD1
RELATING TO VALUE-ADDED PRODUCTION**

SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS
SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION
Hearing Date: 4/2/2024 Room Number: 211 & VIDEO CONF

1 **Fiscal Implications:** This measure will not impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** The Department SUPPORTS this measure.
5 The Department reviewed HB2144 HD1SD1 and the Department supports this version. The
6 Department is offering an amendment intended to reduce potential risk to public health from the
7 proposed allowance for retail sales of homemade food products. The offered amendment is also
8 intended to reduce potential confusion in revised administrative rules resulting from the passing
9 of this bill.

10

11 The Department respectfully offers the following amendment:

12

13 1) Remove Section 3 in its entirety for the following reasons:

14

15 a) Existing law (chapter 11-50, HAR) already allows the in person or remote sales and
16 delivery referenced in Sections 3(1)(A), 3(2)(A), 3(2)(C) and 3(2)(D). Existing law
17 allows such direct sales of homemade food products to be conducted via the internet or
18 telephone and delivered through common carrier services (i.e., the US Mail, aka
19 shipping). Therefore, it is not necessary and potentially confusing to require additional
20 language explicitly allowing these practices since they are already allowed.

21

22 Note that any inter-state shipping/ mailing of homemade food may be prohibited by FDA
23 and federal law due to the fact that it may be deemed "adulterated" (i.e., from an

1 unapproved source). Thus, state law can only address intra-state direct-to-consumer
2 transactions which, again, state law already allows to be via internet, mail or shipping.
3

- 4 b) As stated in previous testimony, the Department asserts that homemade food products
5 produced for sale by third-party retailers presents a greater risk to public health. This
6 assertion is consistent with the current FDA Model Food Code (2022) which specifically
7 list food prepared in home kitchens as an “unapproved food source”.
8

9 Consumers purchasing homemade food products directly from a homemade food
10 producer has a direct connection to the producer and is likely aware that the small-scale
11 producer is not preparing foods at a food establishment permitted by the Department.
12 With that awareness, the consumer can make the decision to purchase and consume the
13 homemade food products and exercise their personal judgement based on their individual
14 situations (e.g. immune compromised). However, to date, consumers have not had to
15 consider increases risks associated with food products produced in home kitchens when
16 purchasing foods from third-party retailers.
17

18 All foods purchased at third-party retailers, such as a local grocery store or national chain
19 stores are required to be produced at permitted food establishments. As such, consumers
20 nation-wide have a reasonable expectation that all food products sold at these third-party
21 retailers are produced at permitted food establishments that are not exempted from the
22 Department’s food establishment permit program. The Department is concerned that
23 allowing homemade food products for sale by a third-party retailer will increase risks to
24 the public because it significantly changes the current paradigm for food safety associated
25 with third-party retailers.
26

27 In addition, it is the Department’s understanding that the purpose of expanding the
28 allowances for additional homemade food products is to support small-scale homemade
29 food operations. The Department believes that once a homemade food producer
30 increases production scale to meet third-party retail volumes, the foods should be
31 produced at a permitted food establishment since the increased sales volumes present
32 risks to a greater population. Note that the home kitchens are not designed to or intended
33 for commercial food production. The Department’s food safety code recognizes this and
34 has requirements for kitchens permitted under the food establishment program to reduce
35 risks to public health through design requirements for commercial kitchens.
36

37 For the reasons above, the Department asks you consider the offered amendment.
38

39 Thank you for the opportunity to testify.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



WENDY L. GADY
Executive Director

STATE OF HAWAII
AGRIBUSINESS DEVELOPMENT CORPORATION
235 S. Beretania Street, Suite 205
Honolulu, HI 96813
Phone: (808) 586-0186 Fax: (808) 586-0189

**TESTIMONY OF WENDY L. GADY
EXECUTIVE DIRECTOR
AGRIBUSINESS DEVELOPMENT CORPORATION**

**BEFORE THE SENATE COMMITTEES ON WAYS AND MEANS
& COMMERCE AND CONSUMER PROTECTION**

Tuesday, April 2, 2024
10:45 a.m.

Conference Room 211 & Videoconference

**HOUSE BILL NO. 2144 HD1 SD1
RELATING TO VALUE-ADDED PRODUCTION**

Chairpersons Dela Cruz and Keohokalole, Vice Chairs Moriwaki and Fukunaga,
and Member of the joint Committees:

Thank you for the opportunity to testify in support of House Bill No. 2144 HD1 SD1, which establishes the Access to Local Value-Added Products Act to allow homemade food operations to sell homemade food products, under certain conditions, and upon registering with and receiving a permit from the Department of Health.

One of the biggest hurdles for entrepreneurs and start-ups is access to equipment and facilities. This measure provides a path forward for start-ups and entrepreneurs to use their home's kitchen for the preparation, packaging, storage, or handling locally made food products. ADC believes this measure will foster the development of emerging value-added businesses across the state.

However, we will defer to Hawaii Department of Health regarding food safety protocols and ensuring that the value-added products are prepared and handled in a safe manner.

Thank you for your consideration of our testimony.

Aloha Committee Chairs,

Thank you for the opportunity to submit testimony in support of HB#2144. We endorse and are asking you to support the Access to Local Value Added Products Act, Hawaii House Bill #2144 submitted January 2024. This bill is vital to our local economy and would be a huge boost to local businesses that make and sell value added products like pastries, jams, dried fruit and many more home produced goods made from local products. Known as cottage industry, homemade foods have a long tradition in Hawai'i. Unfortunately, the current regulations make it cost and access prohibitive for many residents of Hawai'i.

Currently, only a few items are allowed to be made in a Home Kitchen such as jams, dried fruit, poi and some baked goods. They can only be sold at such places as Farmers markets and events where the item is directly sold to the consumer from the home cook. In this world of technology and being an Island, these homemade goods are not allowed to be sold on the internet, mailed to other islands or the mainland nor wholesaled to local stores. The only way to go about this is to get HAACP permits and use a commercial kitchen. At a rate of \$25-\$50/hr for a kitchen, this is cost prohibitive and makes many of these items too expensive for local consumers and visitors. Some of us have been told by the county to drive to the other side of the island to use a kitchen. Spending \$150 on gas to make \$100's worth of jelly doesn't make economic sense.

Nor does it make sense for those of us who are in the dehydrating "business" and do not own a certified kitchen. Requiring the dehydrator to be operated in a certified kitchen already closes the door to that entrepreneur. Having to spend \$50 x 12 hours of dehydration WITHOUT adding other costs is not feasible. Additionally, there are not enough commercial kitchens on the islands, especially in rural areas. Rather than encouraging agricultural reliance, we are discouraging being economically self sufficient and building Hawaii's brand of premium Fruit/Vegetable products.

This bill is still food safety orientated where the home cook still has to have a Food Safety Card, GE Tax number, a permit and other measures such as a certificate from the Hawaii Master Food Preservers and/or lab testing. This bill opens so many doors for residents that want to have a small business. It keeps money here and will bring in more revenue with general excise tax. It allows for many more items to be made in the home kitchen and sold to the public.

Thank you for supporting small farm producers and Hawaii's cottage industries.

| | |
|-------------------|--|
| Jane Tai | Hawaiian.goodness.kona@gmail.com |
| Sadie Vaughan | Sadie_vaughan@yahoo.com |
| Craig Thompson | crtrumi@gmail.com |
| Nick Vaughan | vaughannick992@yahoo.com |
| Randy Cook | randygrachi@gmail.com |
| Elizabeth Whitney | elizabethwhit92@gmail.com |

Aloha Committee Chairs,

Thank you for the opportunity to submit testimony on HB#2144 Relating to Local Value Added Production Act. I am submitting as a representative of Hawaii Master Food Preservers, Inc., an institution focused on educating the larger community, farmers and entrepreneurs in producing food safe and shelf stable value added products.

We understand that there are food safety issues involving TCS or Time, Temperature Control for Safety. We are not asking to change or ignore those conditions. We are advocating that certain items can be considered “non-potentially hazardous” if the process in producing them are within the Food Safety guidelines stipulated by the National Center for Home Food Preparations and/or are approved safe recipes for preserving.

HMFP educates the broader community on the science, art and techniques of basic food safety of preserved food. We go beyond the required Department of Health Food Handlers permit. For the past 10 years plus, with limited funding, HMFP has embarked on taking traditionally preserved local products and educating as to how to ensure they are in compliance with Food Safety regulations – acidity, water content, water activity, temperature, altitude differences to name a few. To reach a broader base, we created “Preserving Videos” on various preservation methods which may be found on our website: mfphawaii.org. In these videos, we consistently raise the importance of being sanitary – both personally as well as in the foods we are handling. We also emphasize that our islands have unique produce not found on the mainland U.S. We ensure that the audience is aware that there are specific diseases endemic to our island we need to be vigilant against such as Rat lungworm and certain measures must be taken to prevent illness. We are also aware that many “old” habits have to change as was done with sanitization with regard to Covid-19.

While many of you have heard of the “farm-to-table” movement, our objective is a “farm-to-shelf” movement. In our agricultural community, small farmers may not have the time to produce value added products. However, there are many interested entrepreneurs, artisans, and craftspeople who are and want to connect with these farmers. Many of these artisans have come through our classes. Often times, there is immense enthusiasm and ideals at the onset of our 8 day training course. At the end, not only has that enthusiasm increased exponentially particularly since we teach the science behind preserving but they feel empowered them with tools to ensure they are producing quality, food safe and shelf stable value added products.

Many of you might think of preserving as putting things in a jar and sterilizing it – canning. Yes, that is a part of it. But think of it in this way – if you are not eating it fresh or prepared in a meal, then you are preserving, e.g. refrigeration or freezing or drying. Although these are everyday occurrences, not everyone knows of the food safe practices which should be followed in each method. How long can you keep an open jar of homemade marina in the refrigerator, how long can you keep frozen fish in the freezer, why do you not re-freeze something that says “previously frozen” and if you are drying, how dry is dry to be shelf stable. Besides these methods, we teach 5 more preserving methods, all accessible to the homemade food operator.

Since the last revision of the Cottage Food Industry rules, technology has advanced significantly where the home food operator can purchase equipment once cost prohibitive or relegated to the Food Science world only. To measure acidity, we have pH paper and meters. To measure moisture content, we have manual calculations, hygrometers and water activity meters. We have standardized vinegar solutions and ratios for pickling. We have SOPs (Standard Operating Procedures) each producer should construct to ensure their product or products are food safe – from where they purchased the product, visual inspection, sanitization, sterilization and so on.

Many who come to the Hawaii Master Food Preservers, Maui Innovation Center, UH Palamanui, UH Leeward and other organizations/facilities are the would-be entrepreneurs. The majority are already artisans in their respective areas – bread, jam, dried goods, pickles – and they take pride in their products. They want to take the next step and by engaging in these institutions, they have made a commitment. They are committed to be socially responsible producers; to mitigate any foodborne illness from their products and to source as much as possible locally grown raw produce. They are conscientious producers understanding and living the motto “Buy Local, it Matters” and proud of “Made in Hawaii – made in a home kitchen not routinely inspected by the Department of Health”. Homemade Food Operators are no longer the grandmas, tutus on our island. They are young, full of energy and enthusiasm and believe strongly in helping to make Hawaii agriculturally and economically sustainable while offering artisanal products affordable to our communities (not just visitors).

HMFP is much more than just an education tool. We seek to educate, inspire and encourage advocates for the “farm to shelf” movement. We act as a bridge to homemade operations to island wide/nation wide operations. The changes being proposed in the bill will open up new avenues for “made in Hawaii” products and will allow existing entrepreneurs to take the next step of building their business with less of a financial burden. We hope you will support the current changes to the Value Added Act and open up these new paths for our next generation.

Thank you again for enabling us to submit testimony in support of HB#2144.

Jane Tai
Vice-President
Hawaii Master Food Preservers, inc.

April 2, 2024, 10 a.m.
Hawaii State Capitol
Conference Room 211 and Videoconference

To: Senate Committee on Ways and Means

Sen. Donovan M. Dela Cruz, Chair
Sen. Sharon Y. Moriwaki, Vice-Chair

Senate Committee on Commerce and Consumer Protection

Sen. Jarrett Keohokalole, Chair
Sen. Carol Fukunaga, Vice-Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

TESTIMONY IN SUPPORT OF HB2144 HD1 SD1 — RELATING TO VALUE-ADDED PRODUCTION

Aloha Chairs, Vice-Chairs and other members of the committees,

The Grassroot Institute of Hawaii would like to offer its **support** for [HB2144 HD1 SD1](#), which would charge the Department of Health with enacting rules for the sale and delivery of homemade food products, commonly known as “cottage foods.”

In general, we support any effort that would open the sale of cottage foods for Hawaii entrepreneurs.

We understand the desire to pass all details of this issue to the Department of Health, but we also fear that this could result in a set of rules that would make the sale of cottage foods too costly or difficult to pursue.

Thus, we suggest that if the Committee pursues this rules-based approach to the legalization of cottage foods, you provide additional guidance regarding the type and extent of regulation desired for such enterprises.

We appreciate that this bill would be an important step forward in promoting cottage food enterprises in Hawaii. We only want to ensure that the regulation of such enterprises does not become an excessive burden on either the businesses themselves or the agency charged with overseeing them.

At present, Hawaii residents who want to make and sell certain homemade food products must comply with burdensome and unnecessary regulations, such as the requirement that some of the foods be prepared in a commercial kitchen.

Last year, in the West Hawaii Today newspaper, one of our researchers highlighted the absurdity of this rule.

“Imagine you have an auntie in Ka‘u who wants to start selling her famous lilikoi jam,” wrote Grassroot policy researcher Jonathan Helton. “She’s an excellent cook, and the neighbors often compliment her jams and jellies when she gives them as gifts.

“One of her neighbors tells a cousin on Maui how amazing the jams are, and this cousin gets in touch with your auntie to buy a few jars through the mail.

“But stop right there,” Helton said. “State law prohibits homemade foods from being sold through the mail unless they were made in a commercial kitchen.”¹

As pointed out in a Honolulu Star-Advertiser commentary by Rourk Reagan, who operates Pukana La Farms in Waiohinu, Hawaii, commercial kitchens can cost upward of \$20 an hour to rent.² This can be a major barrier to local residents who want to turn their family recipes into a bit of extra cash but aren’t interested in running a full-fledged food business.

Almost a decade ago, a report from the Kohala Center recommended allowing sales through the mail and sales through certain third parties.³ The state now has the opportunity to turn that recommendation into law.

Regarding concerns that homemade or cottage foods can endanger public health, there is little evidence to suggest this is the case.

The Hawaii Department of Health has stated that no foodborne illnesses have been linked to cottage food operations since the department first took steps to legalize such foods in 2015.⁴

¹ Jonathan Helton, "[Relax rules on ‘cottage food’ entrepreneurs,](#)" West Hawaii Today, Nov. 4, 2023.

² Rourk Reagan, "[Column: Hawaii farmers and home cooks deserve a chance to grow,](#)" Honolulu Star-Advertiser, Sept. 28, 2023.

³ "[Hawai‘i Cottage Food Business Working Group Report, 2014,](#)" The Kohala Center, Jan. 13, 2015, pp. 12-13.

⁴ "[Correspondence with the Department of Health under the Uniform Information Practices Act,](#) Oct. 20, 2023.

Likewise, a survey of state health departments across seven states with scaled-back cottage food laws found that no foodborne illnesses had been confirmed to be linked to cottage foods; only two mild cases were even suspected to be caused by cottage foods.⁵

Considering that foodborne illnesses are frequently linked to restaurant-prepared foods, cottage foods have a stellar track record on food safety.

Overall, removing unnecessary barriers to mom and pop food entrepreneurs through HB2144 would pay big dividends in the state. The bill would also further Hawaii's goal of producing more food in the state and boosting its food sovereignty.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

⁵ Erica Smith Ewing and Jennifer McDonald, [“New Data Show Homemade Food for Sale is Incredibly Safe,”](#) Institute for Justice, Sept. 6, 2023.

HB-2144-SD-1

Submitted on: 3/29/2024 11:42:09 PM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|--|---------------------------|------------------------|
| Mark Suiso | Testifying for Hawaii Tropical Fruit Growers | Support | Written Testimony Only |

Comments:

Hawaii Tropical Fruit Growers supports this bill to allow home based products to be sold. As growers of tropical fruit some of our crop does not sell whole and fresh. We find ways to use the fruit at home and often process for later use. Having the ability to sell these products help to build food security.

I myself grow mango and will freeze or dry fruit that does not sell whole and fresh. In January the strong winds blew down many green mangoes around Oahu. Many of us pickled these wind falls. Having clear guidelines on what is needed sell these processed food products will keep alot of food from going to waste.

I also get calls several times a week from individuals and businesses seeking mangoes for products they are creating- pickled mango, mango bread, craft beer, ice cream.....

Many testified in earlier hearings of the success in other states that allow for home produced products. Home based production does not seem to be problematic.

Having clear rules and standerds for the labels will help us all.

We work with the Hawaii Master Food Preservers for guidance at this time. Perhaps the Dept of Health can look into to these guide lines.

Mahalop Mark Suiso

Hawaii Tropical Fruit Growers

Makaha Mangoes



Food+ Policy Internship 2024

food@purplemaia.org

LATE

April 2, 2024

Subject: *HB2144 SD 1- Proposed: Access to Local Value-Added Products Act (homemade food operations)*

Aloha Chair Baker, Vice Chair Chang, and the Members of the Commerce and Consumer Protection committee, and Chair Dela Cruz, Vice Chair Moriwaki and Members of the Ways and Means committee.

Thank you for the opportunity to testify in support of HB2144 S.D1. The Hawaii Food Plus Policy group supports this bill because it allows local families and communities in rural areas to engage in entrepreneurial activities. Small transitions derived from homemade food operations serve as crucial streams of some families. Allowing the sale of these goods allows local people to be flexible and creative with their incomes, and allows them to diversify, thus strengthening their financial stability. Further, it will allow money to stay within the islands. It feels good to buy pickled mango or other goods from neighbors and helps to build communal pilina (connections).

Mahalo,

Kaitlyn & The Hawaii Food + Policy Team

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2024, the cohort of interns are undergrads and graduate students from throughout the UH System. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

LATE

**HEARING BEFORE THE SENATE COMMITTEES ON
COMMERCE AND CONSUMER PROTECTION and WAYS AND MEANS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 211
Tuesday, April 2, 2024, AT 10:45 A.M.**

To The Honorable Senator Jarrett Keohokalole, Chair
The Honorable Senator Carol Fukunaga, Vice Chair
Members of the committee on Commerce and Consumer Protection
To The Honorable Senator Donovan M. Dela Cruz, Chair
The Honorable Senator Sharon Y. Moriwaki, Vice Chair
Members of the committee on Ways and Means

SUPPORT HB2144 HD1 SD1 RELATING TO VALUE-ADDED PRODUCTION

The Maui Chamber of Commerce **SUPPORTS HB2144 HD1 SD1.**

The Chamber notes that, for generations, homemade food operations were where innovations and new products were made. For example, one of our Maui chefs, Bev Gannon, started in her home kitchen, which then expanded to multiple restaurants on island. By allowing homemade food operations, it offers an alternative to renting a certified commercial kitchen where they will need to drive to the location depending on the kitchen availability (sometimes at inconvenient hours), bring in and pack out all items (as there is often no storage), and possibly clean up after the previous tenant. homemade food operations alleviate significant time and expense from our small food manufacturers and may help to spur this industry.

We appreciate the inclusion of rules and management by the Department of Health as that will provide an appropriate level of safety and oversight.

For these reasons we **SUPPORT HB2144 HD1 SD1.**

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

HB-2144-SD-1

Submitted on: 3/28/2024 11:46:29 AM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Joy Dillon | Individual | Support | Written Testimony Only |

Comments:

Aloha, members of the CPN and WAM Committees.

I am in strong support of this bill. HB 2144 will foster economic growth and give consumers more choices. Who would not prefer to purchase a locally made food product vs a product shipped from the mainland or another country. We need this bill so that small home businesses can thrive and increase. I urge you to vote YES on this measure. It's long overdue.

Thank you for your consideration,

Joy Dillon, Hilo Resident

HB-2144-SD-1

Submitted on: 3/29/2024 9:34:48 AM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Matt Binder | Individual | Support | Written Testimony Only |

Comments:

I support HB2144 as it is critical to the growth of local food production in Hawai‘i and to build a diversified and sustainable economy not solely dependent on tourism. By opening up channels to local businesses which make value added products we create entrepreneurs and unleash creativity. The bill does not neglect food safety. Hawai‘i Master Food Preservers supports this legislation and I trust their experience. Please support this bill and let our economy grow as we support our farmers and other food producers.

Dear Committee Chairs,

I specialize in homemade jams made from our local fruits that I and other farmers here on the Big Island grow. I am glad that I currently can cook jam at home. However, for me to grow my business and make a decent living (I am struggling to get by right now) I need to sell online, be able to ship and wholesale to local stores like the coffee shop down the street. I am prohibited from doing that with the current guidelines for cottage industry. I'm not even permitted to ship my products to other Islands. Likewise, I am only allowed to do Jams and I would like to expand into BBQ sauces, Salsa and relishes. I recently received my permit to use a commercial kitchen from the Health Dept. I am allowed to make 8 out of my 35 flavors. For those initial 8 flavors the cost was initially \$1500.- for lab testing and an additional \$617./ a month for time testing, that was only for 8 flavors. The commercial kitchen is costing me \$25. an hour with very limited availability. The current hours of availability are late in the evening from 7pm-2am, and 4 am- 11:30am in the morning, it takes good 6-8 hours to make a batch of jam and sauces depending on the flavor. I may have to go to another kitchen in Kona or Hilo for more hours which is an hour and half away at \$50.- an hour. If I could continue to cook at home, I could use some of that money to hire someone. I would have more hours not driving or the half hour just bringing pots, pans and supplies to the kitchen. I would be saving on gas and making my carbon footprint smaller. For those with children, they could be at home more and not have to figure out childcare to drive to a kitchen. I do not want to raise my prices. The additional costs are pricing me out of the market and will make wholesale impossible. I believe in keeping our money here and growing local businesses that are sustainable. Food safety is a top priority for people in the cottage food industry. I only make products that do not require Time Temperature Control, that are in the correct pH and Water Activity range and are shelf stable. If someone got sick from my product, I would feel terrible, and it would also ruin my business. I have taken the Hawaii Master Food Preservers (HMFP) course that teaches the science and art of preserving locally grown foods and I have a certificate from them. I have my Hawaii State Food Handlers license and I pay my GE tax. I am glad that this bill addresses concerns for food safety and helps to create a path for people who make food products from home that are safe. Please support this bill. Mahalo for helping small business owners and farmers.

Sincerely,
Rourk Reagan
Pukana Lā Farms
[Wai'ōhinu, HI](#)

HB-2144-SD-1

Submitted on: 3/31/2024 10:32:08 AM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|------------------------|
| Amanda Devik | Individual | Support | Written Testimony Only |

Comments:

Aloha!

My name is Amanda Devik. I'm a small farmer and prospective entrepreneur in the value added products market. I am optimistic about what HB 2144/ SB 2106 can offer for small business in Hawaii.

There are many barriers to entry for people just getting started in developing value-added products in the state. While the current cottage food allowances are helpful, the ability to produce homemade foods and sell online would be a great improvement. Currently I've been developing recipes for hot sauce with a variety of home grown peppers, including the Hawaiian Chili Pepper. HB 2144 would provide entrepreneurs like me an avenue to legally produce this sort of acidified food product out of the home kitchen for online sale--something that is not currently allowed with existing legislation. I've recently completed the Hawaii Master Food Preserver certificate program. This legislature would affect me and others like me directly.

We in the state of Hawaii have grown dependent on edible imports. While a bunch of small businesses working to offset the trade deficit may be nothing more than a drop in the bucket, it's still a significant step towards an economically sound future for the state. It could also be seen as a movement towards self-sufficiency for many small business owners in Hawaii, and a point of pride as we develop our commercial identities. The demand for Made In Hawaii products is considerable, and there are many willing entrepreneurs eager to see the state develop a thriving goods-based economy.

There is limited access to commercial kitchens and the cost of renting time at such facilities is factored in to the cost a consumer must bear. Rural producers may not be able to reasonably access a commercial kitchen, which directly inhibits growers that wish to preserve and offer their harvest through value-added products. Small businesses can get a more affordable start for their

ventures if their value-added products can be produced out of the home, at the farm where the produce is grown. This can also ensure quality through freshness in many cases.

I hope you will consider the positive impact this will offer to residents of Hawaii, where living expenses can be high and available jobs are limited. This is a huge opportunity for Hawaii residents to get an attainable start in small business. I want to share my appreciation for everyone involved in developing and proposing this bill, as I offer my support for it.

Amanda Elizabeth Devik

HB-2144-SD-1

Submitted on: 3/31/2024 4:27:13 PM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Lisa DeSantis | Individual | Support | Written Testimony Only |

Comments:

Aloha,

I support HB2144 HD1 SD1.

Mahalo for your service to our people.

Lisa

HB-2144-SD-1

Submitted on: 3/31/2024 4:31:51 PM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Kris Bordessa | Individual | Support | Written Testimony Only |

Comments:

I urge you to support HB2144! This bill makes it easier for cottage sellers to safely produce and distribute items utilizing our locally produced crops. Given the chance to preserve and create items from fresh produce, sellers can generate an income AND help with the food security on island, as well as help eliminate food waste. Thanks for considering this for the benefit of the whole state!

HB-2144-SD-1

Submitted on: 3/31/2024 9:28:06 PM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| ken love | Individual | Support | Written Testimony Only |

Comments:

Every few years there is a piece of legislation that has the potential to help a great number of growers and producers become more sustainable. This bill can pave the way for new companies and growth in agriculture. This bill can contribute to workforce development statewide. This bill can support those who provide visitors with exciting new products to take home and contribute to building a Hawaii for all its citizens. I've been waiting for almost 40 years to see this bill come to pass. Thank you for your support.

April 1, 2024

Aloha Chair Dela Cruz, Vice Chair Moriwaki, Chair Keohokalole, Vice Chair Fukunaga, and members of the Ways and Means and the Commerce and Consumer Protection Committees,

I am writing in strong support of HB2144 Relating to Value Added Production. As the sole proprietor of Sally Jane's Sweets and Savories, a cottage foods bakery on the Big Island that caters to a specialty clientele (gluten free and vegan), I rely on my business to provide my income. Margins are narrow in this field, and sales channels even more limited under current regulations. Expanding the ability to sell more items, in more ways, can only increase the earnings opportunities for cottage foods operators like myself. In turn, this generates additional tax revenue for the state, creates more commerce between cottage foods operators and local suppliers and farmers, and serves to highlight the many unique and wonderful culinary offerings we have here.

In terms of safety, the data fully supports the safety of home-based food production across the nation - there are simply no cases of verified food born illness from cottage foods. Because a sole proprietor cottage foods operator like myself holds personal liability for my business, food safety is top of mind at all times. Home prepared food is safe, and as such should be allowed more latitude for product and sales, as this bill will provide.

Because of the ways it will benefit multiple businesses and increase tax revenue, I urge you to pass HB2144 Relating to Value Added Production.

Sincerely,
Sally Stewart

HB-2144-SD-1

Submitted on: 4/1/2024 8:29:24 AM

Testimony for CPN on 4/2/2024 10:45:00 AM

| Submitted By | Organization | Testifier Position | Testify |
|---------------------|---------------------|---------------------------|---------------------------|
| Glen Kagamida | Individual | Support | Written Testimony Only |

Comments:

STRONG SUPPORT!

WILL HELP FAMILIES MEET HAWAII'S HIGH COST OF LIVING.

MAHALO!