

ACT 106

S.B. NO. 326

A Bill for an Act Relating to Agriculture.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that food safety is a significant concern for residents in Hawaii and the United States. However, the issue of food safety cannot be addressed in a vacuum and involves collaboration amongst farmers, large and small; consumers; and various state and federal agencies. The federal Food Safety Modernization Act was enacted with the express purpose of addressing food safety and agriculture issues. The United States Food and Drug Administration, in partnership with the United States Department of Agriculture, is crafting the necessary rules to implement the Food Safety Modernization Act. While the federal regulations for the Food Safety Modernization Act have not been finalized, the State of Hawaii intends to proactively examine good agricultural practices that will improve the overall safety of the food the residents of Hawaii grow and eat and provide farmers with rules that address locally-based concerns.

United States Deputy Secretary of Agriculture, Kathleen Merrigan, partnered with FamilyFarmed.org to create an online tool that enables produce growers to create customized food safety plans. The use of this tool is voluntary but would provide growers the ability to assess risks specific to their farms and suggest practices to mitigate those risks. In a similar fashion, the State of Hawaii intends to work with agriculture producers to develop preventative measures that will address inherent risks involved in current farming and ranching practices. The preventative measures will address practices throughout the food

supply system, from the foods' origin on the farm to its ultimate destination, the wholesaler or retailer.

In addressing good agricultural practices and preventative measures from farm to wholesaler, one vital component to address is integrated pest management. Safe practices on farms cannot be addressed without addressing the proper use of pesticides. A good integrated pest management system incorporates proper sanitation practices, physical barriers, bio-control, and use of pesticides when necessary.

The purpose of this Act is to mitigate health and food safety risks involved in food production by establishing a task force to identify and develop good agricultural practices and preventative measure guidelines to ensure safe food throughout the farm-to-consumer food supply system.

SECTION 2. (a) There is established a good agricultural practices task force to identify and develop good agricultural practices and preventative measure guidelines in the food supply system to improve the overall safety of locally grown food.

(b) The chairperson of the board of agriculture or the chairperson's designee shall serve as chair of the task force.

(c) Notwithstanding section 26-34, Hawaii Revised Statutes, the task force shall be composed of:

- (1) The director of health, or the director's designee;
- (2) The dean of the University of Hawaii college of tropical agriculture and human resources or the dean's designee;
- (3) The chair of the senate committee on agriculture;
- (4) The chair of the house of representatives committee on agriculture;
- (5) The president of the Hawaii Farm Bureau Federation or the president's designee;
- (6) The president of the Hawaii Farmer's Union United or the president's designee;
- (7) Four representatives from agricultural producers statewide selected by the governor, at least one of which represents the interests of organic farmers; and
- (8) One representative appointed by the governor from each of the following industries, who shall be requested to serve:
  - (A) Wholesale distribution;
  - (B) Manufacturing;
  - (C) Retail;
  - (D) Hotels;
  - (E) Restaurants; and
  - (F) Farmers' markets.

(d) The food safety task force shall:

- (1) Identify and develop good agricultural practices and preventative measure guidelines for agricultural producers to follow, in order to mitigate food safety risks that may arise throughout the farm-to-consumer food supply system; and
- (2) Research other state, county, and organizational policies and suggested best practices related to food safety that may arise in the farm-to-consumer supply system.

(e) The task force shall submit a report of its findings, recommendations, and proposed legislation to the legislature, no later than twenty days prior to the convening of the regular session of 2014, and shall be dissolved on July 1, 2014.

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**SECTION 3.** This Act shall take effect on July 1, 2013.  
(Approved June 14, 2013.)