

MAR 13 2015

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# SENATE CONCURRENT RESOLUTION

REQUESTING FEDERAL AND STATE AGENCIES TO CONSULT WITH HAWAII  
SMALL SCALE FARMERS, HAWAII SMALL SCALE PRODUCERS, AND  
AFFECTED PARTIES ON THE OFFSETTING OF COSTS ASSOCIATED WITH  
THE IMPLEMENTATION OF THE FOOD SAFETY MODERNIZATION ACT.

1           WHEREAS, the State supports Hawaii's farmers and seeks to  
2 create connections to food security and locally grown products  
3 for the health and well-being of communities and economic  
4 stability for producers; and

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6           WHEREAS, the State of Hawaii recognizes the important role  
7 that agriculture, food, and nutrition play in the social and  
8 economic well-being of local communities; and

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10          WHEREAS, the State has a responsibility to ensure that  
11 communities have access to healthy, nutritious food; and

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13          WHEREAS, on January 4, 2011, the Food Safety Modernization  
14 Act was signed into law to better protect public health by  
15 strengthening the food system; and

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17          WHEREAS, in January 2013, the Food and Drug Administration  
18 published Produce Safety and Preventive Control Rules to  
19 implement the Food Safety Modernization Act, in addition to six  
20 proposed rules under the Food Safety Modernization Act, all  
21 without meaningful consultation with the citizens of Hawaii,  
22 particularly Hawaii small scale farmers; and

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24          WHEREAS, many Hawaii small scale farmers are bound by  
25 contract to use the land they lease for the purpose of farming  
26 or ranching, and they will be particularly vulnerable to costs  
27 associated with conforming to the standards outlined in the Food  
28 Safety Modernization Act; and

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1           WHEREAS, the Food Safety Modernization Act will have a  
 2 significant and direct impact on more than ninety per cent of  
 3 Hawaii's farmers who generate less than \$500,000 per year in  
 4 adjusted gross income; and

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 6           WHEREAS, many Hawaii farms are at risk if exposed to  
 7 further financial burdens because farming expenditures,  
 8 including land, lease costs, water, labor, feed, fertilizer, and  
 9 energy, are more expensive in Hawaii than in most areas of the  
 10 continental United States; and

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 12           WHEREAS, the required regulatory cost analysis issued by  
 13 the Food and Drug Administration when drafting and publishing  
 14 rules to implement the Food Safety Modernization Act does not  
 15 take into consideration the unique cost burdens applicable to  
 16 these island farmers; now, therefore,

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 18           BE IT RESOLVED by the Senate of the Twenty-eighth  
 19 Legislature of the State of Hawaii, Regular Session of 2015, the  
 20 House of Representatives concurring, that the federal Food and  
 21 Drug Administration, state Department of Agriculture, and state  
 22 Department of Hawaiian Home Lands are requested to participate  
 23 in meaningful consultation with Hawaii small scale farmers,  
 24 Hawaii small scale producers, and affected parties to find ways  
 25 to provide financial relief to offset the costs associated with  
 26 the implementation of the Food Safety Modernization Act so that  
 27 Hawaii's small farmers are able to maintain viable farm  
 28 operations; and

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 30           BE IT FURTHER RESOLVED that certified copies of this  
 31 Concurrent Resolution be transmitted to the federal Commissioner  
 32 of Food and Drugs, the Chairperson of the Board of Agriculture,  
 33 the Chairperson of the Hawaiian Homes Commission, and Hawaii's  
 34 congressional delegation.

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OFFERED BY: Michelle Iudani  
Erin R. Inoué



S.C.R. NO. 184

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*Clarence K. Michener*

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