



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 21, 2019

GOV. MSG. NO. 1206

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 21, 2019, the following bill was signed into law:

HB463 HD1 SD2 CD1

RELATING TO FOOD SAFETY.
ACT 104 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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 imports
 3 approximately ninety-two per cent of its food, according to the
 4 Pacific Regional Integrated Sciences and Assessments Program.

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



1 supply disruptions, increasing global demand and shortages of
2 commodities, and potential global food scarcities.

3 The federal Food and Drug Administration is implementing
4 more comprehensive food safety regulations for agriculture under
5 the 2011 FDA Food Safety Modernization Act. The implications
6 for Hawaii are profound. The need for food safety education and
7 compliance is critical to keep Hawaii's 1,400,000 residents and
8 nearly nine million annual visitors safe from foodborne
9 illnesses. During 2016, eight hundred thirty-nine foodborne
10 disease outbreaks were reported nationwide, resulting in 14,259
11 illnesses, eight hundred seventy-five hospitalizations, and
12 seventeen deaths. Public health officials reported outbreaks
13 from fifty states, Puerto Rico, and Washington, D.C. The median
14 reporting rate per million population was 3.6 outbreaks; rates
15 ranged from 0.8 in Texas to 11.2 in Hawaii. The deadline for
16 compliance with the FDA Food Safety Modernization Act has been
17 staggered, starting with large operations in 2018. The small
18 farm compliance deadline is January 2019 and the very small
19 farmers' deadline occurs in 2020. Ninety per cent of Hawaii's
20 3,682 farms are small to very small farms. The new standards
21 include recordkeeping that can be burdensome and expensive for



1 many of Hawaii's farmers. The costs that farmers must incur to
2 comply with the new food safety requirements are prohibitive to
3 some farmers and will likely result in farm closures.

4 Furthermore, local retailers and distributors will be less
5 likely to purchase from farms that cannot provide food safety
6 and traceability documentation required by the FDA Food Safety
7 Modernization Act. These buyers will import products no longer
8 available from local sources to meet their customer's demands,
9 increasing the State's dependency on imported food. The average
10 age of Hawaii's farmers is over sixty years old. Many older
11 farmers may be inclined to close their farms rather than invest
12 time and resources into food safety certification and
13 compliance. Fewer farms and the resulting decreased
14 agricultural production will negatively impact the State's goals
15 of reducing food imports, doubling the production of local food,
16 and increasing food resiliency.

17 Providing additional support to Hawaii's agricultural
18 industry could help reduce foodborne outbreaks, reduce reliance
19 on agricultural imports and foster job growth in the State. In
20 Hawaii, small and medium size farms are key to increasing
21 locally produced food. Most farms currently grow only what can



1 be sold in direct-to-consumer markets, often leaving much of
2 their land uncultivated. Increased demand for locally grown
3 food, driven by anticipated farm closures provides an
4 opportunity for small and medium sized farms to expand
5 production to meet these new market conditions.

6 Food safety certification of Hawaii farms, a critical first
7 step towards compliance, can lead to increased market access and
8 opportunities to increase production. The United States
9 Department of Agriculture created the Good Agricultural
10 Practices Certification Program based on food safety guidelines
11 of the Food and Drug Administration. This program is voluntary
12 and is designed to reduce the risk of foodborne illness
13 originating with produce at the farm level through recommended
14 best practices. Good Agricultural Practices certification is
15 the most common certification standard required by produce
16 buyers.

17 By January 2020, most local retailers and distributors will
18 only purchase products from food safety-certified farms,
19 however, attaining Good Agricultural Practices or an equivalent
20 certification is challenging for many farmers who are adversely
21 affected both by the cost of certification and by the time



1 needed to develop and implement the requirements. These farmers
2 require direct training assistance to successfully implement
3 good agricultural practices and obtain certification.

4 The preservation of small, diversified farming businesses
5 adds to and diversifies Hawaii's economy, helps redress the
6 imbalance in agricultural trade, and promotes food resiliency.
7 Reducing the burden on small to medium farmers seeking costly
8 but necessary certifications and inspections by providing direct
9 training and implementation assistance will allow many farms to
10 secure Good Agricultural Practices certification before the
11 January 2020 FDA Food Safety Modernization Act compliance
12 deadline and will provide an ongoing food safety resource for
13 Hawaii.

14 The purpose of this Act is to require and appropriate funds
15 to the department of agriculture to partner with the
16 agricultural community to establish a food safety certification
17 training program for small and medium sized farms to comply with
18 federal requirements.

19 SECTION 2. The department of agriculture shall partner
20 with Hawaii's agricultural community to establish a food safety
21 certification training program that provides direct



1 implementation assistance for small to medium sized farms with
2 less than \$500,000 in annual food sales that results in United
3 States Department of Agriculture Good Agricultural Practices
4 certification or its equivalent for participating farms.

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$150,000 or so much
7 thereof as may be necessary for fiscal year 2019-2020 for the
8 department of agriculture to implement a food safety
9 certification training program.

10 The sum appropriated shall be expended by the department of
11 agriculture for the purposes of this Act.

12 SECTION 4. This Act shall take effect on July 1, 2019.

APPROVED this 21 day of JUN, 2019



GOVERNOR OF THE STATE OF HAWAII



HB No. 463, HD 1, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives




Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate