



LATE TESTIMONY

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**Wednesday, March 14, 2012  
10:00 am  
Conference Room 312**

**House Committee on Agriculture  
Testimony on SB 2354  
RELATING TO AGRICULTURAL COMMODITIES**

Aloha Chair Tsuji, Vice Chair Hashem, and Members of the Committee,

I am Janet Ashman, testifying on behalf of the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,800 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

**HFBF strongly supports this measure** that will strengthen existing law to make sure that the certificate already required when transporting or selling agricultural commodities also includes other information that will help police trace back where and from whom the farm product originated.

Existing provisions in the law are not deterring thieves; theft from farms has become rampant throughout the islands. No farmer can guard every inch of his property every minute of the day and night. Although we are working with our local police departments and they are aware of the increase in agricultural crime and are trying to help, they don't have the staff to be everywhere at all times to prevent theft.

**Thieves have become so brazen that they are now taking orders from farmers' markets and filling them by stealing fruits and vegetables right from farmers' fields the night before their promised delivery.**

Although the current law requires ownership and movement certification documents for the transportation and sale of agricultural commodities over two hundred pounds or worth at least \$100, these documents are easily falsified. This bill clarifies the current requirements and requires proof of identification.

High land, labor, and shipping costs, competition from the mainland and foreign countries, and a myriad of other factors such as disease and pests make farming an especially risky venture in Hawaii. Please help support our local farmers by passing out this bill. Please call Janet Ashman at (808) 848-2074 if you have any questions.

hashem3 - Casey

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 14, 2012 6:47 AM  
**To:** AGRtestimony  
**Cc:** hawaiiifish@gmail.com  
**Subject:** Testimony for SB2354 on 3/14/2012 10:00:00 AM

**LATE TESTIMONY**

Testimony for AGR 3/14/2012 10:00:00 AM SB2354

Conference room: 312  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Ronald P. Weidenbach  
Organization: Hawaii Aquaculture and Aquaponics Association  
E-mail: [hawaiiifish@gmail.com](mailto:hawaiiifish@gmail.com)  
Submitted on: 3/14/2012

**Comments:**

The Hawaii Aquaculture and Aquaponics Association strongly supports this measure. Agricultural theft is a major problem for Hawaii's farmers and ranchers, and product identification and legal paper trails are critical to the identification and prosecution of persons involved in such activities. Ag theft undermines the financial viability of Hawaii's agricultural community and local food production. These criminals must be effectively identified and prosecuted, the this measure will facilitate that effort.

## hashem3 - Casey

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 14, 2012 12:15 AM  
**To:** AGRtestimony  
**Cc:** ashman.janet@gmail.com  
**Subject:** Testimony for SB2354 on 3/14/2012 10:00:00 AM

**LATE TESTIMONY**

Testimony for AGR 3/14/2012 10:00:00 AM SB2354

Conference room: 312  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Darren Strand  
Organization: Haliimaile Pineapple Company (Maui)  
E-mail: [ashman.janet@gmail.com](mailto:ashman.janet@gmail.com)  
Submitted on: 3/14/2012

### Comments:

Haliimaile Pineapple Company strongly supports this bill to help deter thieves from stealing a farmer's crop and then selling it at a farmers' market or elsewhere, for resale to the public.

We are a small Maui company created by former Maui Pineapple Company employees who were committed to saving the 100 year tradition of growing pineapple on Maui when that company decided to end farming pineapples.

We've only been in business about two years, but in that time, we've been plagued by theft of equipment, fuel, and especially, pineapples.

Very organized thieves scout out our property during the day to figure out what fields have ripe pineapples. They come back in the middle of the night, harvest truckloads of our crop that has taken us 18 months to grow, then sell it at roadside stands, farmers' markets, and stores. They profit from our hard work and investment.

We have seen our Maui Gold brand pineapples for sale at these locations but have been unable to prove that they were ours and that they were stolen. The proposed law would shift the burden to the thief to not only produce documentation showing where he obtained the fruit, but he would also be required to provide validation of his own identity. This would make it easier for law enforcement to trace back stolen produce and it would deter thieves from stealing in the first place.

Please help support local farmers by passing this bill. Thank you.

## hashem3 - Casey

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 13, 2012 8:48 PM  
**To:** AGRtestimony  
**Cc:** gottlieb@hawaii.rr.com  
**Subject:** Testimony for SB2354 on 3/14/2012 10:00:00 AM

Testimony for AGR 3/14/2012 10:00:00 AM SB2354

Conference room: 312  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Alan Gottlieb  
Organization: Hawaii Cattlemen's Council  
E-mail: [gottlieb@hawaii.rr.com](mailto:gottlieb@hawaii.rr.com)  
Submitted on: 3/13/2012

**LATE TESTIMONY**

**Comments:**

We stongly support this bill, and support the Hawaii Farm Bureau Federation's position.

## hashem3 - Casey

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 13, 2012 8:36 PM  
**To:** AGRtestimony  
**Cc:** wmitno@hawaii.rr.com  
**Subject:** Testimony for SB2354 on 3/14/2012 10:00:00 AM

Testimony for AGR 3/14/2012 10:00:00 AM SB2354

Conference room: 312  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Wesley Nohara  
Organization: Individual  
E-mail: [wmitno@hawaii.rr.com](mailto:wmitno@hawaii.rr.com)  
Submitted on: 3/13/2012

**LATE TESTIMONY**

**Comments:**

Ag theft is a serious problem. We farmers need help to minimize theft. In 2010 ther were periods of time when I had no product to sell due to theft. Yet I see product that I know was stiolen being sold at roadside vendors.

Note: July 1, 2050 is too late. I will be dead by then.

Thank you for your consideration and support.

NEIL ABERCROMBIE  
Governor



State of Hawaii  
DEPARTMENT OF AGRICULTURE  
1428 South King Street  
Honolulu, Hawaii 96814-2512  
Phone: (808) 973-9600 FAX: (808) 973-9613

RUSSELL S. KOKUBUN  
Chairperson, Board of Agriculture

LATE TESTIMONY  
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TESTIMONY OF RUSSELL KOKUBUN  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE  
MARCH 14, 2012  
10:00 A.M.  
CONFERENCE ROOM 312

SENATE BILL NO 2354 SENATE DRAFT 1  
RELATING TO AGRICULTURE

Chairperson Tsuji and Members of the Committee:

Thank you for the opportunity to provide testimony on SB 2354 SD 1. This bill strengthens the existing law to include on the invoice, the name, address and telephone number, license plate number of the vehicle used to deliver the commodity; name and address of the farm; name and address of the consignee and signature of the seller; and requires proof of identification of the sellers of agricultural commodities. Further the bill makes the failure to retain the required certificate of ownership or possession of agricultural commodities without the certificate of ownership while in possession of agricultural commodities as prima facie evidence for the offense of theft. The bill also amends the Hawaii Penal Code, Chapter 703, Hawaii Revised Statutes, which adds the failure to maintain a certificate of ownership and possession of agricultural commodities without ownership certificates to theft in the second degree.

The department supports the intent of the bill and respectfully defers criminal prosecution section of the bill to the counties' prosecutor offices and law enforcement agencies.

Thank you for the opportunity to testify on this measure.

