

FEB 27 2014

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE PROBABLE EFFECTS OF
LICENSING AND REGULATING COTTAGE FOOD.

1 WHEREAS, the sales of locally produced foods comprise a
2 growing part of agricultural sales in the United States; and
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4 WHEREAS, the number of small farms in Hawaii has grown
5 substantially during the last ten years, reflecting a changing
6 agricultural model from plantations to smaller farms with
7 diverse cropping and marketing systems that create new sources
8 for agricultural products, including food and value-added
9 products using Hawaii-grown agriculture; and
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11 WHEREAS, a cottage food operation is an enterprise that is
12 operated by a cottage food operator, has no more than one full-
13 time equivalent cottage food employee within the registered or
14 permitted area of a private home, and produces cottage food
15 products only in the home kitchen of the cottage food operator's
16 private home for sale to consumers; and
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18 WHEREAS, there is a need for scale-appropriate laws that
19 balance food safety while maintaining opportunities for small-
20 scale food entrepreneurs to enter the market; and
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22 WHEREAS, cottage food production can serve as a business
23 incubator by reducing some of the start-up barriers for
24 entrepreneurs and providing an indirect economic benefit of
25 growing more local businesses; and
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27 WHEREAS, regulating cottage food would support Hawaii's
28 local farmers and ranchers, while encouraging the consumption of
29 locally grown foods; and
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31 WHEREAS, S.B. No. 2561, S.D. 1 (Regular Session of 2014),
32 mandates licensing and regulatory controls for cottage food by
33 requiring permits for the cottage food industry in Hawaii;



1 establishing requirements for cottage food operators, cottage
2 food operations, and cottage food products; and permitting Class
3 A cottage food operations to engage in direct sales of cottage
4 food products and permitting Class B cottage food operations to
5 engage in direct and indirect sales of cottage food products;
6 and
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8 WHEREAS, the Legislature believes that the licensing and
9 regulation of cottage food, as provided in S.B. No. 2561, S.D. 1
10 (Regular Session of 2014), will substantially improve public
11 health and food safety; and
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13 WHEREAS, section 26H-6, Hawaii Revised Statutes, requires
14 new regulatory measures that would subject unregulated
15 professions and vocations to licensing or other regulatory
16 controls to be referred by concurrent resolution to the Auditor
17 for analysis; now, therefore,
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19 BE IT RESOLVED by the Senate of the Twenty-seventh
20 Legislature of the State of Hawaii, Regular Session of 2014, the
21 House of Representatives concurring, that the Auditor is
22 requested to conduct an analysis pursuant to section 26H-6,
23 Hawaii Revised Statutes, of the probable effects of licensing
24 and regulating cottage food as proposed by S.B. No. 2561, S.D. 1
25 (Regular Session of 2014); and
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27 BE IT FURTHER RESOLVED that the Auditor is requested to
28 submit findings and recommendations, including any necessary
29 implementing legislation, to the Legislature no later than
30 twenty days prior to the convening of the Regular Session of
31 2015; and
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33 BE IT FURTHER RESOLVED that certified copies of this
34 Concurrent Resolution be transmitted to the Auditor, Director of
35 Health, Director of the Department of Planning and Permitting of
36 the City and County of Honolulu, Director of the Department of
37 Planning of the County of Maui, Director of the Department of
38 Planning of the County of Kauai, and Director of the Planning
39 Department of the County of Hawaii.
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OFFERED BY: JNL

