

SB1040 SD1

Measure Title: RELATING TO FARMERS' MARKETS.

Report Title: Department of Agriculture; Labeling; Farmers' Markets; Fresh Produce; Geographical Origin

Description: Requires all fresh produce sold at farmers' markets to be displayed with a label or sign containing an identity statement declaring the produce's geographic origin. (SD1)

Companion:

Package: None

Current Referral: AGL, CPN

Introducer(s): DELA CRUZ, Inouye, Kahele, Kidani, Nishihara, Wakai

<u>Sort by Date</u>		Status Text
1/28/2015	S	Introduced.
1/28/2015	S	Passed First Reading.
1/28/2015	S	Referred to AGL, CPN.
2/2/2015	S	The committee(s) on AGL has scheduled a public hearing on 02-05-15 2:45PM in conference room 414.
2/5/2015	S	The committee(s) on AGL recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in AGL were as follows: 5 Aye(s): Senator(s) Ruderman, Riviere, Chun Oakland, L. Thielen, Wakai; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) Taniguchi, Slom.
2/12/2015	S	Reported from AGL (Stand. Com. Rep. No. 127) with recommendation of passage on Second Reading, as amended (SD 1) and referral to CPN.
2/12/2015	S	Report adopted; Passed Second Reading, as amended (SD 1) and referred to CPN.
2/20/2015	S	The committee(s) on CPN will hold a public decision making on 02-24-15 9:30AM in conference room 229.

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



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

SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE

February 24, 2015
9:30 A.M.

SENATE BILL NO. 1040 SENATE DRAFT 1
RELATING TO FARMERS' MARKETS

Chairperson Baker and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 1040 SD 1, relating to farmers' markets. The bill proposes to require that all agricultural products sold at farmers' markets are displayed with a sign or label declaring the products' geographic origin. The department has strong reservations with this bill.

The bill requires that all agricultural products sold in a farmers' market be displayed with a label or sign that contains a contiguous identity statement which includes the product description identification and geographic origin. A geographic origin is defined as a geographic region or regions in which the agricultural product was grown, collected or raised, and shall include the country or origin, if the product was produced outside the United States, or the state of origin if the product was produced in the United States.

The federal Country of Origin Labeling (COOL) program requires retailers to display fresh produce with the country of origin, such as "Product of U.S." and does not require the actual state of origin. The Department is supportive of identifying local products to promote the consumption of local and fresh, however, farmers' market vendors will have a difficult time in obtaining the exact state of origin identification from their supplier for products grown within the United States, unless the supplier is required



to identify the state of origin on the invoice or individual product. We believe that there is a lack of traceability, and lack of access to pertinent information regarding the geographic origin of the product as currently outlined in the bill.

Furthermore, given the recent popularity and proliferation of farmers' markets, increased staffing, resources and funding would be required for the proper enforcement of this measure, particularly as farmers' markets tend to operate off-hours during weekends and after normal work hours.

Thank you for the opportunity to testify on this measure.



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

February 24, 2014

HEARING BEFORE THE
SENATE COMMITTEE ON COMMERCE & CONSUMER PROTECTION

TESTIMONY ON SB 1040, SD 1
RELATING TO FARMERS' MARKETS

Room 229
9:30 AM

Aloha Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

I am Christopher Manfredi, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,932 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.

HFB supports the intent of SB 1040, HD 1 and respectfully offers our comment. We enthusiastically support local farmers' markets both to showcase and promote local farms and their products and to provide consumers a fun and friendly venue to purchase local foods. In fact, the Hawaii Farm Bureau operates farmers' markets and it is our policy to sell local-only produce.

We understand the concern that because vendors are not currently required to disclose a product's geographic origin, some consumers might be misled into assuming that the products they buy at farmers' markets are all locally grown or produced.

This measure will require vendors to label or display a sign for each and every product they sell, declaring the product's geographic origin.

- Although we agree with the intent, HFB is concerned that this may place an unreasonable burden on vendors who sell multiple products and whose produce and other products vary according to crop and season.
- Additionally, the requirement that vendors retain and have available on site, two years' worth of records detailing the volume and origin of each product sold may also be unreasonably burdensome to farmers.
- The term "Agricultural product" is very broad and would apparently also apply to value-added products sold at these markets. These goods may contain multiple ingredients, not all of which are locally produced. Would the vendors of these

products need to identify the amount of each local ingredient contained in each item?

- The proposed law would apply to “Farmers’ markets,” which is defined broadly as any market where farmers sell their products directly to consumers. There are many farmers’ markets on each island but we notice that there is no additional funding offered for DOA to implement and enforce the requirements of the proposal.

Thank you for the opportunity to express our comments on this measure.

From: mailinglist@capitol.hawaii.gov
To: [CPN Testimony](#)
Cc: sharon.s.coburn@gmail.com
Subject: *Submitted testimony for SB1040 on Feb 24, 2015 09:30AM*
Date: Sunday, February 22, 2015 7:26:46 PM

SB1040

Submitted on: 2/22/2015

Testimony for CPN on Feb 24, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Sharon Coburn	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [CPN Testimony](#)
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB1040 on Feb 24, 2015 09:30AM*
Date: Friday, February 20, 2015 5:05:36 PM

SB1040

Submitted on: 2/20/2015

Testimony for CPN on Feb 24, 2015 09:30AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov