

SB 2513

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
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SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

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Deputy to the Chairperson

**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEES ON WATER, LAND AND AGRICULTURE
AND COMMERCE, CONSUMER PROTECTION, AND HEALTH**

February 5, 2016
2:45 P.M.
CONFERENCE ROOM 224

**SENATE BILL NO. 2513
RELATING TO AGRICULTURE**

Chairpersons Gabbard and Baker and Members of the Committees:

Thank you for the opportunity to provide testimony on Senate Bill 2513. The purpose of this bill is to appropriate funds to support three additional inspector positions on the island of Oahu within the department of agriculture's pesticides branch. The Department supports the intent of this bill provided that its passage does not replace or adversely impact priorities indicated in our Executive Budget.

The addition of these inspectors on Oahu will help bolster the enforcement capacity to respond to pesticide odor complaints and conduct investigations in a timely manner. Additional inspectors are needed not only to regulate how restricted use pesticides are being used but to regulate the sale, transport and use of general use pesticides on Oahu as well.

Inspections and investigations are conducted with the Agriculture Sector (small and large producers) Urban Commercial Sector, Landscaping Industry, and State and County entities and with homeowners in accordance with the Hawaii Pesticides Law.

Thank you for this opportunity to present our testimony.





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February 5, 2016

SENATE COMMITTEES ON
WATER, LAND, AND AGRICULTURE and COMMERCE, CONSUMER PROTECTION, AND HEALTH

TESTIMONY ON HB 2513
RELATING TO AGRICULTURE
Room 224
2:45 PM

Aloha Chairs Gabbard and Baker, Vice Chairs Nishihara and Kidani, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

Hawaii Farm Bureau strongly supports adequate funding for the Hawaii Department of Agriculture, including the pesticide branch enforcement staff.

However, we do not agree with the premise of the measure, that there is insufficient oversight of restricted use pesticides. This is simply untrue. Currently, inspectors on each island respond promptly to any and all community calls about possible pesticide odors or other complaints. Additionally, they conduct periodic inspections of facilities and pesticide applicators who use restricted use pesticides.

In fact, farmers who use restricted use pesticides are highly trained and specifically *certified* by the Department to understand pesticides and follow the strict federal and state regulations. Even those farmers and their employees who use only "general use" pesticides are required to have been trained under the EPA Agricultural Worker Protection Standard regulation which contains requirements for protective equipment, detailed information on pesticide applications, safety training, and other elements to prevent poisoning and injury from pesticides.

Unfortunately, fostered by constant rhetoric and outreach from extremist activist groups (most not locally-based), there has developed a disconnect between some community members' perception of pesticide regulation and reality.

To eliminate this misconception, we defer to the Department of Agriculture to clarify what their specific Pesticide Branch staffing needs are. We fully support additional inspector positions where they are deemed necessary.

Thank you for your consideration of our testimony.



HAWAI'I CENTER FOR FOOD SAFETY

Senate Committee on Water, Land, and Agriculture and Senate Committee on Commerce, Consumer Protection, and Health

Hawai'i Center for Food Safety Supports SB2513 Relating to Pesticides

Dear Chair Gabbard, Vice Chair Nishihara, Chair Baker, Vice Chair Kidani, and Members of Both Committees:

My name is Dr. Ashley Lukens and I am the Hawai'i Director for the Center for Food Safety (CFS). CFS is a nationwide public interest, sustainable agriculture nonprofit organization whose mission centers on furthering the public's right to know how their food is produced, through labeling and other means. We have over 750,000 farmer and consumer members across the country, including nearing 10,000 in Hawai'i. On behalf of CFS and our members, I thank you for the opportunity to speak to you today regarding this important bill.

SB2513 "appropriates funds to support three additional inspector positions on the island of Oahu within the department of agriculture's pesticides branch." Currently, the Hawai'i Department of Agriculture Pesticides Branch has four restricted use pesticide inspectors for the entire state, one for each major island. These inspectors are overwhelmed with land to inspect, which leads to inadequate oversight of high-volume pesticide users.

As an organization dedicated to the preservation of human health and the environment, this lack of oversight is particularly concerning to our members because of the expanding footprint of the GE-Seed industry. In 2009, for the first time, Hawai'i had more acres planted to seed crops than to fruit (excluding pineapples) and vegetables combinedⁱ. Records from the Kaua'i 'Good Neighbor Program' show that, between December 2013 to August 2015, a total application of 4,018.51 gallons and 2,389.86 pounds of concentrated Restricted Use Pesticides only on Kaua'i, by the five participating companies (Syngenta, Pioneer (Dupont), Dow AgroSciences, BASF and Kaua'i Coffee). These acres are thought to be located within the 15,000 acres leased or owned by the companies participating in the program; however, information regarding the locations of where these pesticides are applied is not reported by this program. We wonder whether or not the department has the capacity to ensure proper oversight of this industry if it does expand along with it.

Hawai'i has a rich history in protecting the community and island interests. Pesticide exposure and drift, in utero and early life, has led to children developing neurodevelopmental disabilities like autism and ADHD^{ii,iii,iv,v}, leukemia^{vi,vii,viii}, and asthma^{ix,x,xi}. Give the significant risks associated with pesticide exposure and drift, increasing the number of inspector positions is a step in the right direction.

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Hawai'i Center for Food Safety applauds the bill's potential to increase the desperately needed oversight of pesticide application. Nonetheless, I submit this testimony to point out that this bill does not resolve the lack of transparency and mandatory disclosure that is currently lacking at the state level. Aside from increasing the number of inspectors, the bill does not otherwise regulate pesticide use and monitoring within the State.

Thank you for the opportunity to testify, and I am happy to answer any follow up questions or provide additional analysis.

Respectfully,



Ashley Lukens
Director, Hawai'i Center for Food Safety

ⁱ HASB (various years) Hawai'i Agricultural Statistics Bulletins. Hawai'i Department of Agriculture and US Dept. of Agriculture National Agricultural Statistics Service. Based on data from various annual bulletins. http://www.nass.usda.gov/Statistics_by_State/Hawaii/Publications/Annual_Statistical_Bulletin/.

ⁱⁱ Rauh VA, Garfinkel R, Perera FP, Andrews HF, Hoepner L, Barr DB, Whitehead R, Tang D, Whyatt R (2006) Impact of prenatal chlorpyrifos exposure on neurodevelopment in the first 3 years of life among inner-city children. *Pediatric* 118(6): e1845-e1859. www.pediatrics.org/cgi/content/full/118/6/e1845.

ⁱⁱⁱ Roberts EM, English PB, Grether JK, Windham GC, Somberg L, Wolf C (2007) Maternal Residence near Agricultural Pesticide Applications and Autism Spectrum Disorder among Children in the California Central Valley. *Environmental Health Perspectives* 115(10): 1482-1489.

^{iv} Eskenazi B, Marks AR, Bradman A, Harley K, Barr DB, Johnson C, Morga N, Jewell NP (2007) Organophosphate pesticide exposure and neurodevelopment in young Mexican-American children. *Environmental Health Perspectives* 115(5): 792-798.

^v Bouchard MF, Chevrier J, Harley KG, Kogut K, Vedar M, Calderon N, Trujillo C, Johnson C, Bradman A, Barr DB, Eskenazi B (2011) Prenatal exposure to organophosphate pesticides and IQ in 7-year-old children. *Environmental Health Perspective* 119(8): 1189-1195.

^{vi} Infante-Rivard C, Labuda D, Krajinovic M, Sinnett D (1999) Risk of childhood leukemia associated with exposure to pesticides and with gene polymorphisms. *Epidemiology* 10(5): 481-487.

^{vii} Roberts JR, Karr CJ (2012) Pesticide Exposure in Children. Council on Environmental Health. *Pediatrics* 130(6): e1757-e1763. <http://pediatrics.aappublications.org/content/130/6/e1757.full.html>.

^{viii} Monge P, Wesseling C, Guardado J, Lundberg I, Ahlbom A, Cantor KP, Weiderpass E, Partanen T (2007) Parental occupational exposure to pesticides and the risk of childhood leukemia in Costa Rica. *Scandinavian Journal Work Environmental Health* 33(4): 293-303.

^{ix} Hoppin JA, Umbach DM, London SJ, Alavanja MCR, Sandler DP (2002) Chemical predictors of wheeze among farmer pesticide applicators in the Agricultural Health Study. *American Journal of Respiratory and Critical Care Medicine* 165: 683-689.

^x Salam MT, Li YF, Langholz B, Gilliland FD, Children's Health Study (2004) Early life environmental risk factors for asthma: findings from the Children's Health Study. *Environmental Health Perspective* 112(6): 760-765.

^{xi} Strina A, Barreto ML, Cooper PH, Rodrigues LC (2014) Risk factors for non-atopic asthma/wheeze in children and adolescents: a systematic review. *Emerging Themes in Epidemiology* 11(5). <http://www.ete-online.com/content/11/1/5>.

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SB2513

Submitted on: 2/4/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

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

Comments:

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SB2513

Submitted on: 2/4/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Ann Pahukoa	Individual	Support	No

Comments:

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SB2513

Submitted on: 2/4/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandria Coutu	Individual	Support	No

Comments:

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SB2513

Submitted on: 2/2/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Faith Chase	Individual	Support	No

Comments:

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SB2513

Submitted on: 2/4/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Herndon	Individual	Support	No

Comments: I support SB2513 and the establishment of three additional positions in the Dept of Agricultural for pesticide inspectors. There needs to be designated funding for these positions as well. There is far too much pesticide use in Hawaii that goes unmonitored, thus making it easier for users to transgress the current laws.

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SB2513

Submitted on: 2/3/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Tamara Paltin	Individual	Support	No

Comments: I think there is a need for more inspectors on all islands not just oahu

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SB2513

Submitted on: 2/4/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
George Vierra	Individual	Support	No

Comments: More ag inspectors needed on all islands to investigate pesticide drift, and invasive species as well. We don't want coqui, little fire ants, dengue etc spreading and ruining the main economic driver tourism!

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SB2743

Submitted on: 2/2/2016

Testimony for WLA/CPH on Feb 5, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Strongly support

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