



GOV. MSG. NO. 1237

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 27, 2022

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

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First 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 27, 2022, the following bill was signed into law:

SB2960 SD1 HD1 CD1

RELATING TO FOOD SAFETY.
ACT 136

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, according to the
2 Pacific Regional Integrated Sciences and Assessments Program,
3 Hawaii is the most geographically isolated state in the country
4 and imports approximately ninety-two per cent of its food. Each
5 food product imported to Hawaii is a lost opportunity for local
6 economic growth.

7 According to the University of Hawaii at Manoa college of
8 tropical agriculture and human resources, an increase in the
9 production and sale of Hawaii-grown food would contribute to
10 significant job creation. Increasing the amount of locally
11 grown food by as little as ten per cent has the potential to
12 keep hundreds of millions of dollars circulating within Hawaii's
13 economy, stimulate growth, and create thousands of new jobs.
14 Research shows that replacing ten per cent of current food
15 imports with locally grown food would create a total of two
16 thousand three hundred jobs. Such diversification would help
17 make Hawaii's economy more resilient to worldwide events.

18 Increasing local food production would ensure Hawaii has more



1 stable food sources when faced with global supply chain
2 disruptions, increased global demand for and shortages of
3 commodities, and potential global food scarcities.

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



1 Ninety per cent of Hawaii's 3,682 farms are small to very
2 small farms. The new standards include recordkeeping
3 requirements that can be burdensome and expensive for many of
4 Hawaii's farmers. The costs that farmers must incur to comply
5 with the new food safety requirements are prohibitive for some
6 farmers and will likely result in farm closures.

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



1 Providing additional support to Hawaii's agricultural
2 industry could help reduce foodborne outbreaks, reduce reliance
3 on agricultural imports, and foster job growth in the State. In
4 Hawaii, small- and medium-sized farms are key to increasing
5 locally produced food. Most farms currently grow only what can
6 be sold in direct-to-consumer markets, often leaving much of
7 their land uncultivated. Increased demand for locally grown
8 food, driven by anticipated farm closures, provides an
9 opportunity for small- and medium-sized farms to expand
10 production to meet these new market conditions.

11 Food safety certification of Hawaii farms is a critical
12 first step toward compliance and may lead to increased market
13 access and opportunities to increase production. The United
14 States Department of Agriculture created the Good Agricultural
15 Practices certification program based on the Food and Drug
16 Administration's food safety guidelines. This program is
17 voluntary and is designed to reduce the farm-level risk of
18 produce-based foodborne illness by applying recommended best
19 practices. Good Agricultural Practices certification is the
20 most common certification standard required by produce buyers.



1 While it is likely that most local retailers and
2 distributors will only purchase products from food safety-
3 certified farms, attaining Good Agricultural Practices
4 certification, or an equivalent certification, is challenging
5 for many farmers, who are adversely affected both by the cost of
6 certification and the time needed to develop and implement the
7 requirements. These farmers require direct training assistance
8 to successfully implement Good Agricultural Practices and obtain
9 certification.

10 The preservation of small, diversified farming businesses
11 adds to and diversifies Hawaii's economy, helps redress the
12 imbalance in the agricultural trade, and promotes food
13 resiliency. Reducing the burden on small- to medium-sized farms
14 that are seeking costly but necessary certifications and
15 inspections by providing direct training and implementation
16 assistance will allow many farms to secure Good Agricultural
17 Practices certification and will provide an ongoing food safety
18 resource for Hawaii.

19 Accordingly, the purpose of this Act is to help small- and
20 medium-sized farms comply with federal requirements by requiring
21 the department of agriculture to partner with the agricultural



1 community to establish a food safety certification training
2 program, and appropriating funds for the training program.

3 SECTION 2. The department of agriculture, in partnership
4 with Hawaii's agricultural community, shall establish and
5 implement a food safety certification training program. The
6 program shall assist farms having less than \$500,000 in annual
7 food sales in obtaining United States Department of Agriculture
8 Good Agricultural Practices certification or its equivalent.

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$265,000 or so much
11 thereof as may be necessary for fiscal year 2022-2023 for the
12 department of agriculture to establish and implement, under
13 general administration for agriculture (AGR192), the food safety
14 certification training program established by this Act.

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

17 SECTION 4. This Act shall take effect on July 1, 2022.



S.B. NO. 2960
S.D. 1
H.D. 1
C.D. 1

APPROVED this 27th day of June, 2022

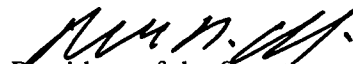
A handwritten signature in black ink, reading "David Y. Ige". The signature is fluid and cursive, with a large, sweeping "Y" and a long, horizontal stroke at the end.


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 3, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate

SB No. 2960, SD 1, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives