

JAN 21 2022

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 Hawaii is the most
2 geographically isolated state in the country and imports
3 approximately ninety-two per cent of its food, according to the
4 Pacific Regional Integrated Sciences and Assessments Program.

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



1 more stable food sources when faced with global supply chain
2 disruptions, increasing 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, resulting in 14,259
12 illnesses, eight hundred seventy-five hospitalizations, and
13 seventeen deaths. Public health officials reported outbreaks
14 from fifty states, Puerto Rico, and Washington, D.C. The median
15 reporting rate per million population was 3.6 outbreaks; rates
16 ranged from 0.8 in Texas to 11.2 in Hawaii. The deadline for
17 compliance with the FDA Food Safety Modernization Act has been
18 staggered, beginning with large operations in 2018. The small
19 farms' compliance deadline was January 2019 and the very small
20 farms' 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 that can
3 be burdensome and expensive for many of Hawaii's farmers. The
4 costs that farmers must incur to comply with the new food safety
5 requirements are prohibitive to some farmers and will likely
6 result in farm closures.

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

20 Providing additional support to Hawaii's agricultural
21 industry could help reduce foodborne outbreaks, reduce reliance



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

9 Food safety certification of Hawaii farms, a critical first
10 step towards compliance, can lead to increased market access and
11 opportunities to increase production. The United States
12 Department of Agriculture created the Good Agricultural
13 Practices Certification Program based on food safety guidelines
14 of the Food and Drug Administration. This program is voluntary
15 and is designed to reduce the risk of foodborne illness
16 originating with produce at the farm level through recommended
17 best practices. Good Agricultural Practices certification is
18 the most common certification standard required by produce
19 buyers.

20 While it is likely that most local retailers and
21 distributors will only purchase products from food safety-



1 certified farms, attaining Good Agricultural Practices or an
2 equivalent certification is challenging for many farmers who are
3 adversely affected both by the cost of certification and by the
4 time needed to develop and implement the requirements. These
5 farmers require direct training assistance to successfully
6 implement good agricultural practices and obtain certification.

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

16 The purpose of this Act is to help small and medium sized
17 farms comply with federal requirements by requiring the
18 department of agriculture to partner with the agricultural
19 community to establish a food safety certification training
20 program, and appropriating funds for the training program.



1 SECTION 2. The department of agriculture, in partnership
2 with Hawaii's agricultural community, shall establish and
3 implement a food safety certification training program. This
4 program shall provide direct implementation assistance for small
5 to medium sized farms with less than \$500,000 in annual food
6 sales for the purpose of obtaining United States Department of
7 Agriculture Good Agricultural Practices certification or its
8 equivalent for participating farms.

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2022-2023 for
12 the department of agriculture to establish and implement the
13 food safety certification training program set forth by this
14 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 upon its approval;
18 provided that section 3 shall take effect on July 1, 2022.

19
INTRODUCED BY: 



S.B. NO. 2960

Report Title:

Food and Drug Administration Food Safety Modernization Act;
Certification; Appropriation

Description:

Requires the Department of Agriculture to partner with the Hawaii agricultural community to establish and implement a food safety certification training program to help small to medium sized farms comply with federal food safety certification mandates. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

