

---

# 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.



1 Increasing local food production would ensure Hawaii has more  
2 stable food sources when faced with global supply chain  
3 disruptions, increased global demand for and shortages of  
4 commodities, and potential global food scarcities.

5 The federal Food and Drug Administration is implementing  
6 more comprehensive food safety regulations for agriculture under  
7 the 2011 FDA Food Safety Modernization Act. The implications  
8 for Hawaii are profound. The need for food safety education and  
9 compliance is critical to keep Hawaii's 1,400,000 residents and  
10 nearly nine million annual visitors safe from foodborne  
11 illnesses. During 2016, eight hundred thirty-nine foodborne  
12 disease outbreaks were reported nationwide that resulted in  
13 14,259 illnesses, eight hundred seventy-five hospitalizations,  
14 and seventeen deaths. Public health officials reported  
15 outbreaks from fifty states, Puerto Rico, and Washington, D.C.  
16 The median reporting rate per million people was 3.6 outbreaks,  
17 and rates ranged from 0.8 in Texas to 11.2 in Hawaii. The  
18 deadline for compliance with the FDA Food Safety Modernization  
19 Act has been staggered, beginning with large operations in 2018.  
20 The small farms' compliance deadline was January 2019, and the  
21 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 \$ or so  
11 much thereof as may be necessary for fiscal year 2022-2023 for  
12 the 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.



**Report Title:**

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

**Description:**

Requires the department of agriculture to partner with Hawaii's 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. (HD1)

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

