

JAN 21 2022

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# A BILL FOR AN ACT

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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.  
5 According to the department of business, economic development,  
6 and tourism, replacing just ten per cent of produce imported in  
7 the State could keep over \$300,000,000 circulating within  
8 Hawaii's economy, generate \$6,000,000 in state tax revenues,  
9 stimulate growth in agriculture, and create over two thousand  
10 new jobs. Such diversification would help make Hawaii's food  
11 supply and economy more resilient to worldwide events.

12       The legislature notes that, through the 2011 Food Safety  
13 Modernization Act, the federal Food and Drug Administration  
14 (FDA) implemented more comprehensive food safety regulations for  
15 agriculture and full compliance by affected farms began in  
16 January 2020. Currently, only thirty-two of Hawaii's farms are  
17 food safety certified. Ninety per cent of Hawaii's 7,328 farms



1 are small to very small farms, many of which are adversely  
2 affected by the cost of food safety certification and the time  
3 needed to develop and implement the requirements.

4 The legislature further finds that over the next several  
5 years, all state departments and many local retailers and  
6 distributors will increase purchasing products from food safety-  
7 certified farms to meet the 2011 Food Safety Modernization Act  
8 requirements and to satisfy customer demand for food safety  
9 documentation. To meet this new customer demand, buyers will be  
10 forced to import food safety-certified products to replace  
11 produce currently purchased from local uncertified sources,  
12 further increasing the State's dependency on imported food.

13 The legislature believes that in Hawaii, small- and medium-  
14 sized farms are key to increasing the supply of locally grown  
15 food. The preservation of small, diversified farming businesses  
16 adds to and diversifies Hawaii's economy, helps redress the  
17 imbalance in agricultural trade, and promotes food self-  
18 sufficiency and resiliency. Many farms currently grow only what  
19 can be sold in direct-to-consumer markets, often leaving much of  
20 their land uncultivated. Compliance with food safety  
21 regulations and increasing demand for locally grown food in



1 commercial and institutional markets provides an opportunity for  
2 small- and medium-sized farms to expand production to meet these  
3 new market conditions.

4       The legislature additionally finds that food safety  
5 certification of Hawaii farms, a critical first step toward  
6 compliance with the 2011 Food Safety Modernization Act and  
7 market acceptance of locally grown food, can lead to increased  
8 market access and opportunities to increase local food  
9 production. Hawaii's small and medium farmers require direct  
10 training and technical assistance to successfully implement good  
11 agricultural practices and obtain Good Agricultural Practices  
12 (GAP) certification. Reducing the burden on small to medium  
13 farms seeking required certifications and inspections allow many  
14 farms to secure GAP certification or an equivalent before FDA  
15 enforcement of the 2011 Food Safety Modernization Act begins in  
16 earnest after COVID-19 and will provide an ongoing food safety  
17 resources for Hawaii.

18       The legislature further finds that the United States  
19 Department of Agriculture (USDA) created the GAP certification  
20 program, a voluntary program designed to reduce the risk of  
21 foodborne illness originating with produce at the farm level



1 through implementation of preventive food safety best practices  
2 and record keeping. Hawaii GroupGAP is the only farm food  
3 safety training program, and one of only fifteen nationwide,  
4 that results in USDA Harmonized GAP certification, the most  
5 common standard required by larger commercial and institutional  
6 buyers. The Harmonized GAP standard aligns with the  
7 requirements of USDA GAP with those of the 2011 Food Safety  
8 Modernization Act to help streamline federal compliance for  
9 farmers. In its last two cohorts, eighty-five per cent of  
10 Hawaii GroupGAP farms successfully obtained their Harmonized GAP  
11 certification. Hawaii GroupGAP is currently responsible for  
12 sixty-five per cent of all Harmonized GAP certified farms and  
13 twenty-three per cent of all GAP certified farms in the State.  
14 The legislature also notes that a continued certification  
15 success rate of seventy-five per cent or more has the potential  
16 to result in permanent funding for this program through the  
17 department of agriculture.

18 The purpose of this Act is to require the department of  
19 agriculture to partner with a Hawaii entity to establish a pilot  
20 USDA Harmonized GAP food safety training and certification



1 program to assist small- to medium-sized farms in obtaining  
2 Harmonized GAP food safety certification.

3 SECTION 2. The department of agriculture shall partner  
4 with a Hawaii entity to establish a pilot USDA Harmonized GAP  
5 food safety training and certification program to provide direct  
6 implementation and technical assistance to small- and medium-  
7 sized farms to obtain the United States Department of  
8 Agriculture's Harmonized Good Agricultural Practices  
9 certification.

10 For the purposes of this section, "small- and medium-sized  
11 farm" means a farm that has an annual food sale revenue of  
12 \$500,000 or less.

13 SECTION 3. There is appropriated out of the general  
14 revenues of the State of Hawaii the sum of \$ or so  
15 much thereof as may be necessary for fiscal year 2022-2023 for  
16 the department of agriculture to partner with a Hawaii entity to  
17 establish a pilot USDA Harmonized GAP food safety training and  
18 certification program as provided in section 2 of this Act.

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

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



S.B. NO. 2975

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INTRODUCED BY: Mike Gabbard



# S.B. NO. 2975

**Report Title:**

Department of Agriculture; Food Safety Training and  
Certification Pilot Program; Appropriation

**Description:**

Requires the department of agriculture to partner with a Hawaii entity to establish a pilot USDA Harmonized GAP food safety training and certification program to help small- and medium-sized farms obtain the United States Department of Agriculture's Harmonized Good Agricultural Practices certification.  
Appropriates funds.

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