

STAND. COM. REP. NO. **2238**

Honolulu, Hawaii

FEB 12 2024

RE: S.B. No. 2106
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Agriculture and Environment, to which was referred S.B. No. 2106 entitled:

"A BILL FOR AN ACT RELATING TO VALUE-ADDED PRODUCTION,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the Access to Local Value-Added Products Act to allow homemade food operations to sell homemade food products under certain circumstances.

Your Committee received testimony in support of this measure from the Department of Agriculture; Agribusiness Development Corporation; Hawaii Food Industry Association; Grassroot Institute of Hawaii; Institute for Justice; Hawai'i Farm Bureau; Waimea Succulents LLC; Lokoea Farms LLC; Makani Mills LLC; Hawaii Master Food Preservers, Inc.; Hawaii Tropical Fruit Growers; Chef Anon Shine Lovefuel Kitchen LLC; and eighteen individuals.

Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that a cottage food or homemade food product industry in the State can increase food security and tax revenues. Your Committee recognizes that although there is great interest in small-scale value-added food production in the State, existing regulatory framework creates several challenges for



entrepreneurs of certain homemade food products. According to testimony received by your Committee, this measure expands opportunities for producers and consumers of homemade food products without compromising food safety.

Your Committee acknowledges the concerns raised by the Department of Health, regarding the production of foods that require time or temperature control for safety to limit pathogenic microorganism growth or toxin formation.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language that requires each homemade food operation to specify in its permit application its hours of operations and to agree to give the Department of Health the right of entry to inspect its home kitchen during the specified hours; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Agriculture and Environment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2106, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2106, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture and
Environment,



MIKE GABBARD, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
 Committee on Agriculture and Environment
 AEN

Bill / Resolution No.:* SB 2106	Committee Referral: AEN, CPN/WAM	Date: 2/2/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GABBARD, Mike (C)	X			
RICHARDS, III, Herbert M. "Tim" (VC)		X		
DECOITE, Lynn	X			
RHOADS, Karl			X	
AWA, Brenton				X
TOTAL	2	1	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes