
A BILL FOR AN ACT

RELATING TO MEAT DONATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 159, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§159- Further exemptions; food donations; axis deer

5 meat; pilot program. (a) There is established an axis deer
6 meat donation pilot program to allow hunters to donate meat or
7 meat products derived from axis deer to a charitable, religious,
8 or nonprofit organization for the purpose of feeding those in
9 need without regard to this chapter.

10 (b) This chapter shall not apply to the slaughtering of
11 axis deer or the preparation and transportation of the
12 carcasses, parts thereof, and meat or meat products derived from
13 axis deer at establishments conducting these operations if the
14 articles are exclusively to be donated by a hunter for the use
15 or distribution by a charitable, religious, or nonprofit
16 organization to feed needy persons pursuant to chapter 145D;
17 provided that the meat or meat products derived from axis deer



1 shall not be combined with a meat food product regulated under
2 the Federal Meat Inspection Act, title 21 United States Code
3 section 601 et seq., or a poultry product regulated under the
4 federal Poultry Products Inspection Act, title 21 United States
5 Code section 451 et seq.; provided further that the
6 transportation of the carcasses, parts thereof, and meat or meat
7 products derived from axis deer shall be limited to moving the
8 carcasses, parts thereof, and meat or meat products derived from
9 axis deer to and from the premises where the hunter killed the
10 axis deer; the processing establishment; and the charitable,
11 religious, or nonprofit organization feeding needy persons.

12 (c) A hunter shall successfully complete a training and
13 certification program established by the department of
14 agriculture and biosecurity, in consultation with the department
15 of health, regarding safe field dressing, disease
16 identification, and proper handling of the carcasses, parts
17 thereof, and meat or meat products derived from axis deer prior
18 to donating meat or meat products derived from axis deer
19 pursuant to this section.

20 (d) The axis deer meat donation pilot program established
21 pursuant to this section shall be operative on an island with a



1 population over one hundred fifty thousand but less than two
2 hundred thousand; provided that if a recognized outbreak of a
3 known disease, as determined by the department of agriculture
4 and biosecurity, exists in the pilot program location, the pilot
5 program shall not continue until the outbreak is resolved, as
6 determined by the department.

7 (e) For the purposes of this section, "axis deer" means
8 the species scientifically known as Axis axis."

9 SECTION 2. Section 145D-5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§145D-5 Reserving the State's authority to regulate,**
12 **inspect, or ban the use of donated food. [Nothing in]**
13 **Notwithstanding section 159- , this chapter is not intended to**
14 **restrict the authority of the department of health or the**
15 **department of agriculture and biosecurity to regulate, inspect,**
16 **or ban the use of [~~such~~] donated foods for human consumption."**

17 SECTION 3. Section 159-3, Hawaii Revised Statutes, is
18 amended by adding a new definition to be appropriately inserted
19 and to read as follows:

20 **"Meat or meat products derived from axis deer" means any**
21 **product capable of use as human food which is made wholly or in**



1 part from any meat or other portions of the carcass of any axis
2 deer, excepting products that contain meat or other portions of
3 the carcasses only in a relatively small proportion or
4 historically have not been considered by consumers as products
5 of the meat food industry, and that are exempted from the
6 definition as meat products by the board under the conditions as
7 it may prescribe to assure that the meat or other portions of
8 the carcasses contained in the products are not adulterated and
9 that the products are not represented as meat products."

10 SECTION 4. Section 159-29, Hawaii Revised Statutes, is
11 amended by amending subsection (c) to read as follows:

12 "(c) The transportation by commercial carrier of
13 carcasses, parts thereof, or meat or meat products produced
14 without inspection under subsection (a) [~~is~~] shall be
15 prohibited, except under permit issued by the board[~~er~~] and
16 carcasses, parts thereof, and meat or meat products derived from
17 axis deer that are exempt from this chapter under section
18 159-_____."

19 SECTION 5. Section 159-34, Hawaii Revised Statutes, is
20 amended by amending subsection (a) to read as follows:



1 "(a) [~~The~~] Notwithstanding section 159- , the
2 preparation, sale, offering for sale, or transportation or
3 receipt for transportation in intrastate commerce of meat and
4 meat products derived from exotic animals, unless inspected and
5 passed as provided for under this part, [~~is~~] shall be
6 prohibited. Violators shall be subject to all requirements and
7 penalties of this chapter."

8 SECTION 6. The department of agriculture and biosecurity
9 and department of health shall jointly submit a report to the
10 legislature on the axis deer meat donation pilot program
11 established pursuant to section 159- , Hawaii Revised
12 Statutes, no later than twenty days prior to the convening of
13 each regular session. The report shall include:

- 14 (1) An update on the implementation and outcomes of the
15 pilot program;
- 16 (2) The number of participating hunters; charitable,
17 religious, or nonprofit organizations; and processing
18 establishments;
- 19 (3) Any public health or safety concerns identified;
- 20 (4) An assessment of current and future resource needs,
21 including staffing requirements; and



1 (5) Any other findings and recommendations, including
2 proposed legislation.

3 SECTION 7. The department of agriculture and biosecurity
4 shall adopt rules pursuant to chapter 91, Hawaii Revised
5 Statutes, to implement this Act, including rules establishing
6 training, certification, and inspection requirements necessary
7 for the implementation of the axis deer meat donation pilot
8 program established pursuant to section 159- , Hawaii Revised
9 Statutes.

10 SECTION 8. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 9. This Act shall take effect upon its approval;
13 provided that:

14 (1) Sections 1 through 6 shall take effect on July 1,
15 2028; and

16 (2) On June 30, 2033, this Act shall be repealed and
17 sections 145D-5, 159-3, and 159-34, Hawaii Revised
18 Statutes, shall be reenacted in the form in which they
19 read on the day prior to the effective date of this
20 Act.



Report Title:

Department of Agriculture and Biosecurity; Department of Health;
Axis Deer Meat Donation Pilot Program; Food Donation;
Charitable, Religious, or Nonprofit Organizations

Description:

Establishes an Axis Deer Meat Donation Pilot Program to exempt the donation of axis deer meat to a charitable, religious, or nonprofit organization for the purpose of feeding needy individuals from certain laws regarding the inspection and transportation of axis deer meat, carcasses, and meat products, subject to certain requirements. Requires reports to the Legislature. Sunsets 6/30/2033. (CD2)

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

