SB 1710
PLANT AND ANIMAL LIFE, SEEDS AND SOILS

Statement for
Senate Committee on
Agriculture, Energy and Ocean Resources
Public Hearing - February 25, 1987

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SB 1710 would amend certain sections of HRS 150 to conform to recent changes in federal legislation and simplify the language. In general, we concur with the intent of this bill, however, we do have some specific concerns with the following sections of this statute.

Section 150-21. Definitions (p. 3, lines 5-7)

We note that the definition of Agricultural seeds has been modified to include noxious weed seeds when the chairperson determines that they are being used as agricultural seeds. Since the purpose of this chapter is to establish certain standards relative to the import and sale of agricultural and vegetable seeds as well as control the introduction of noxious weed seeds the proposed approval of noxious seeds as a recognized agricultural seed seems to conflict with the basic intent of this chapter and HRS 152, 18-21.

Section 150-24. Agricultural seeds; labels (p. 9, lines 6-14, 18-21)

As presently drafted the statutes require only common names on the label for seeds brought into the State or offered for sale in the State. We suggest that the scientific name of the seed should be required on the label or tag. Common names are notoriously inaccurate and can be made up on the whim of an enterprising salesman. There does not appear to be any clear statement as to who has the responsibility for determining exactly what is in a lot of seeds. Is it the seed importer or seller? Who is
responsible for the labeling? Must each accept on faith the documentation of the other?

Section 150-22(2), 150-23(3). (p. 6, lines 12-14; p. 8, lines 6-8)

Under the provisions of these sections, the DOA is granted authority to make rules governing the maximum amount of noxious weed seeds which may be found in agricultural or vegetable seeds sold or found in the State, and the import and/or sale of these seeds is permitted within certain limits.

We assume that these provision are necessary since in some cases it may not be possible to obtain an absolute weed free seed. However, the provisions when considered with the redefinition of agricultural seed would appear to provide a much less stringent approach to controlling the introduction of noxious weeds and certainly is contrary to the intent, if not the letter, of HRS 152-7.

Section 150-31. Violation, penalties (p. 16, lines 5-7)

The fines proposed are far too lenient. If someone deliberately violates these regulations, they could introduce a noxious weed to the state that could cost the state hundreds of thousands of dollars to control. A fine of $10-$100 for the first offense is too low to be a meaningful deterrent. Even the fines for the second and third offenses are too low. Fines should reflect the seriousness of the potential environmental and economic costs and a figure of $100-$1000 for a first violation and $1000-$5000 for subsequent violations would be more appropriate for those violating this chapter.

Provisions for the temporary revocation of the license to import, should be considered. Repeat offenders should lose their licenses for even more extended periods.
HB 1467
PLANT AND ANIMAL LIFE, SEEDS AND SOILS

Statement for
House Committee on
Agriculture
Public Hearing – March 4, 1987

HB 1467 is identical to SB 1710 on which the Environmental Center presented the attached statement on February 25, 1987 before the Senate Committee on Agriculture, Energy and Ocean Resources. Our statement remains applicable to HB 1467.

Attachment