

JAN 18 2008

A BILL FOR AN ACT

RELATING TO MEAT.

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

1 SECTION 1. Chapter 148, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 "PART . COUNTRY OF ORIGIN LABELING

5 §148-A Definitions. As used in this part:

6 "Department" means the department of agriculture.

7 "Label" means a display of written, printed, or graphic
8 matter on the immediate container of an article, where
9 "immediate container" does not include package liners.

10 "Labeling" means labels and other written, printed, or
11 graphic matter:

12 (1) On an article or its containers or wrappers; or

13 (2) Accompanying the article.

14 "Package" means a container or wrapping in which a consumer
15 commodity is enclosed for use in the delivery or display of that
16 consumer commodity to retail purchasers. The term does not
17 include:



1 (1) Shipping containers or wrappings used solely for the
2 transportation of a consumer commodity in bulk or in
3 quantity to manufacturers, packers, or processors or
4 to wholesale or retail distributors; or

5 (2) Shipping containers or outer wrappings used by
6 retailers to ship or deliver a commodity to retail
7 customers if the containers and wrappings bear no
8 printed matter pertaining to a particular commodity.

9 "Person" includes an individual, partnership, corporation,
10 and association.

11 "Placard" means a nonpermanent sign used to display or
12 describe food items for sale in a food service establishment or
13 retail meat establishment.

14 **§148-B Labeling of beef, pork, poultry, and lamb. (a)**

15 All producers, growers, and shippers of beef, pork, poultry, or
16 lamb in the State are permitted to label each individual
17 portion, piece, or package of beef, pork, poultry, or lamb in a
18 conspicuous place as legibly, indelibly, and permanently as the
19 nature of the commodity will permit, in a manner that indicates
20 to an ultimate purchaser that the product was produced in
21 Hawaii.



1 (b) After December 31, 2008, muscle cuts and ground beef,
2 pork, poultry, or lamb, including any package that contains any
3 blending of foreign and domestic product, that is produced in
4 any country other than the United States and offered for retail
5 sale in Hawaii shall be labeled with a placard in a manner that
6 indicates to an ultimate purchaser the country of origin.

7 (c) After December 31, 2008, if one of the products
8 enumerated in subsection (b) is unlabeled and the retail vendor
9 is unable to determine its country of origin, the product shall
10 be labeled with a placard as "country of origin unknown".

11 (d) All retail vendors engaged in the business of selling
12 products that are labeled or identified as to country of origin
13 are prohibited from wilfully or knowingly removing the labels or
14 identifying marks.

15 (e) A placard is not required for prepared foods for
16 immediate sale or ready to eat.

17 **§148-C Penalties.** (a) After December 31, 2008, a person
18 engaged in the business of retail vending of muscle cuts and
19 ground beef, pork, poultry, or lamb who knowingly or
20 intentionally offers those products for sale without ensuring
21 that the products are clearly labeled as to the country of



1 origin, as provided in section 148-B(b), is subject to the
2 following penalties:

3 (1) For a first offense, a vendor shall be fined an amount
4 not to exceed \$100;

5 (2) For a second offense, a vendor shall be fined an
6 amount not to exceed \$250; and

7 (3) For a third or subsequent offense, a vendor shall be
8 fined an amount not to exceed \$500.

9 (b) After December 31, 2008, a person engaged in the
10 business of retail vending of beef, pork, poultry, or lamb who
11 knowingly removes any labels or identifying marks from beef,
12 pork, poultry, or lamb that is labeled as to the country of
13 origin shall be guilty of a misdemeanor; provided that the
14 maximum fine shall be not more than \$500, and the maximum term
15 of imprisonment shall be not more than six months.

16 (c) As used in this section, "knowingly" and
17 "intentionally" have the meanings provided in section 702-206.

18 **§148-D Rules.** (a) The department of agriculture may
19 adopt rules pursuant to chapter 91 for the efficient enforcement
20 of this part. The rules adopted by the department may include
21 but shall not be limited to:



1 (1) Delineation of the difference between imported and
2 unimported raw agricultural commodities for the
3 purpose of this part;

4 (2) Preferred labeling or placarding methods for each
5 commodity type identified in this part; and

6 (3) Other rules that the department deems necessary.

7 (b) The rules adopted to implement this part may not
8 unduly restrict a person from conducting business."

9 SECTION 2. In codifying the new sections added by section
10 1 of this Act, the revisor of statutes shall substitute
11 appropriate section numbers for the letters used in designating
12 the new sections in this Act.

13 SECTION 3. This Act shall take effect upon its approval.
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Report Title:

Country of Origin Labeling

Description:

Requires grocers to list the country of origin of all beef, pork, poultry, and lamb sold.

