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## A BILL FOR AN ACT

RELATING TO COFFEE.

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

1           SECTION 1. Section 486-120.6, Hawaii Revised Statutes, is  
2 amended by amending subsections (a), (b), and (c) to read as  
3 follows:

4           "(a) In addition to all other labeling requirements, the  
5 identity statement used for labeling or advertising roasted or  
6 instant coffee produced in whole or in part from Hawaii-grown  
7 green coffee beans shall meet the following requirements:

8           (1) For roasted or instant coffee that contains one  
9 hundred per cent Hawaii-grown coffee by weight the  
10 identity statement shall consist of either:

11           (A) The geographic origin of the Hawaii-grown coffee,  
12 in coffee consisting of beans from only one  
13 geographic origin, followed by the word "Coffee";  
14 provided that the geographic origin may be  
15 immediately preceded by the term "100%"; or

16           (B) The per cent coffee by weight [~~of one~~] of the  
17 [~~Hawaii-grown coffees,~~] Hawaiian-grown coffee  
18 with the highest percentage by weight used in



1 coffee consisting of beans from several  
2 geographic origins, followed by the geographic  
3 origin of the weight-specified coffee and the  
4 terms "Coffee" and [~~"All Hawaiian";~~] "All  
5 Hawaiian Blend\*";

6 (2) For roasted or instant coffee consisting of a blend of  
7 one or more Hawaii-grown coffees and coffee not grown  
8 in Hawaii, the per cent coffee by weight [~~of one~~] of  
9 the [~~Hawaii-grown coffees~~] Hawaiian-grown coffee with  
10 the highest percentage by weight used in the blend,  
11 followed by the geographic origin of the weight-  
12 specified coffee and the term [~~"Coffee Blend";~~]  
13 "International Coffee Blend\*"; and

14 (3) Each word or character in the identity statement shall  
15 be of the same type size and shall be contiguous. The  
16 smallest letter or character of the identity statement  
17 on packages of sixteen ounces or less net weight shall  
18 be at least one and one-half times the type size  
19 required under federal law for the statement of net  
20 weight or three-sixteenths of an inch in height,  
21 whichever is smaller. The smallest letter or  
22 character of the identity statement on packages of



1 greater than sixteen ounces net weight shall be at  
2 least one and one-half times the type size required  
3 under federal law for the statement of net weight.  
4 The identity statement shall be conspicuously  
5 displayed without any intervening material in a  
6 position above the statement of net weight. Upper and  
7 lower case letters may be used interchangeably in the  
8 identity statement.

9 (b) A listing of the geographic origins of the various  
10 Hawaii-grown coffees and the ~~[regional origins]~~ country of  
11 origin of the various coffees not grown in Hawaii that are  
12 included in a blend ~~[may]~~ shall be shown on the label. ~~[If~~  
13 ~~used, this]~~ This list shall consist of the term ~~["Contains:"]~~,  
14 "\*Contains:", followed by, in descending order of per cent by  
15 weight and separated by commas, the respective geographic origin  
16 or ~~[regional]~~ country of origin of the various coffees in the  
17 blend ~~[that the manufacturer chooses to list. Each geographic~~  
18 ~~origin or regional origin may be preceded by the per cent of~~  
19 ~~coffee by weight represented by that geographic origin or~~  
20 ~~regional origin, expressed as a number followed by the per cent~~  
21 ~~sign].~~ The type size used for this list shall not ~~[exceed]~~ be  
22 smaller than half that of the identity statement. This list



1 shall appear below the identity statement [~~if included~~] on the  
2 front panel of the label.

3 (c) It shall be a violation of this section:

4 (1) To use the identity statement specified in subsection

5 (a) (1) (A) or similar terms in labeling or advertising

6 unless the package of roasted or instant coffee

7 contains one hundred per cent coffee from that one

8 geographic origin;

9 (2) To use a geographic origin in labeling or advertising,

10 including in conjunction with a coffee style or in any

11 other manner, if the roasted or instant coffee

12 contains less than ten per cent coffee by weight from

13 that geographic origin;

14 (3) To use a geographic origin in advertising roasted or

15 instant coffee, including advertising in conjunction

16 with a coffee style or in any other manner, without

17 disclosing the percentage of coffee used from that

18 geographic origin as described in subsection (a) (1) (B)

19 and [~~+~~] (a) [~~+~~] (2);

20 (4) To use a geographic origin in labeling or advertising

21 roasted or instant coffee, including in conjunction

22 with a coffee style or in any other manner, if the



1 green coffee beans used in that roasted or instant  
2 coffee do not meet the grade standard requirements of  
3 rules adopted under chapter 147;

4 (5) To misrepresent, on a label or in advertising of a  
5 roasted or instant coffee, the per cent coffee by  
6 weight of any coffee from a geographic origin or  
7 ~~[regional]~~ country of origin; ~~[or]~~

8 (6) To use the term "All Hawaiian" on a label or in  
9 advertising of a roasted or instant coffee if the  
10 roasted or instant coffee is not produced entirely  
11 from green coffee beans produced in geographic origins  
12 defined in this chapter~~[-]~~;

13 (7) To use a geographic origin in labeling anywhere on the  
14 label other than in the identity statement as  
15 authorized in subsection (a) (1) or (2). The  
16 geographic origin may be used in the product brand  
17 name if it is included in the identity statement; or

18 (8) To use an identity statement on a variety package or  
19 secondary package of roasted or instant coffee that is  
20 not authorized for every individual package as  
21 authorized in subsection (a) (1) or (2)."



# H.B. NO. 2364

1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.  
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INTRODUCED BY: Denny Coffman  
h  
RFD

JAN 22 2010



**Report Title:**

Agriculture; Coffee

**Description:**

Strengthens the labeling regulations for locally grown coffee.

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

