
A BILL FOR AN ACT

RELATING TO FOOD LABELING.

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

1 SECTION 1. Chapter 328, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§328-A Illness caused by fish or fish products
5 misbranding; administrative penalties. (a) The director may
6 impose administrative fines upon any person whose misbranding of
7 fish or fish products in violation of section 328-6 results in
8 the illness of a consumer of the product; provided that the
9 illness has been certified by a physician licensed under chapter
10 453. The fine for a violation under this section shall be a
11 minimum of:

12 (1) \$ _____ for a first violation;
13 (2) \$ _____ for a second violation; and
14 (3) \$ _____ for a third violation.

15 Any fines collected under this section shall be deposited into
16 the food misbranding special fund established by section 328-B.

17 (b) The penalties under this section are in addition to
18 any other penalties provided by law.



1 §328-B Food misbranding special fund. (a) There is
2 established the food misbranding special fund to be administered
3 by the department and into which shall be deposited:
4 (1) Legislative appropriations to the special fund;
5 (2) All moneys received by the department from fines
6 imposed under section 328-A;
7 (3) All interest earned or accrued on moneys deposited in
8 the special fund; and
9 (4) Any other moneys made available to the fund.
10 (b) Moneys in the special fund shall be expended to cover
11 all costs associated with carrying out the purpose of section
12 328-A."

13 SECTION 2. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 3. In codifying the new sections added by section
17 1 of this Act, the revisor of statutes shall substitute
18 appropriate section numbers for the letters used in designating
19 the new sections in this Act.

20 SECTION 4. New statutory material is underscored.

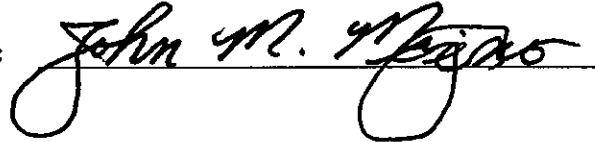


H.B. NO. 162

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, reading "John M. Pappas", written over a horizontal line.

JAN 20 2011



Report Title:

Fish Labeling; Fines; Special Fund

Description:

Provides penalties for the misbranding of fish or fish products that result in consumer illness. Creates the food misbranding special fund to support Department of Health inspectors investigating incidents of fish or fish products misbranding.

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

