

STAND. COM. REP. NO.

645

Honolulu, Hawaii

March 4, 2011

RE: H.B. No. 904
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred H.B. No. 904, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR,"

beg leave to report as follows:

The purpose of this bill is to prohibit the sale, offer for
sale, advertisement, or distribution of any caffeinated beer
beverage unless labeled as an "intoxicating liquor" with a warning
about potentially harmful effects.

The Distilled Spirits Council of the United States supported
the intent of this bill.

Your Committees amended this measure by deleting language
relating to the exclusion of various alcoholic beverages that
contain caffeine naturally. Your Committees find that the
definition of "caffeinated beer beverage" will exclude such
beverages. In addition, extracts derived from foods with
naturally occurring caffeine could be considered "food additives",
creating an unnecessary ambiguity.

Your Committees also made technical nonsubstantive amendments
to this bill for consistency, style, and clarity.

As affirmed by the records of votes of the members of your
Committees on Consumer Protection & Commerce and Judiciary that
are attached to this report, your Committees are in accord with

HB904 HD2 HSCR CPC-JUD HMS 2011-2498



the intent and purpose of H.B. No. 904, H.D. 1, as amended herein,
and recommend that it pass Third Reading in the form attached
hereto as H.B. No. 904, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



GILBERT KEITH-AGARAN, Chair



ROBERT N. HERKES, Chair



