

JAN 20 2012

A BILL FOR AN ACT

RELATING TO LABELING.

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

1 SECTION 1. (a) No home pregnancy test kit shall be sold
2 unless the packaging or labeling of the home pregnancy test kit
3 bears the following statement:

4 "WARNING: Women should not drink alcoholic beverages
5 during pregnancy because of the risk of birth defects and fetal
6 alcohol spectrum disorders. Conditions associated with fetal
7 alcohol spectrum disorders include physical, mental, behavioral,
8 and learning disabilities."

9 For purposes of this Act, "home pregnancy test kit" means a
10 device intended for the early detection of pregnancy that
11 measures human chorionic gonadotropin, a placental hormone, in
12 plasma or urine.

13 (b) The statement required by subsection (a) shall be
14 located in a prominent and conspicuous location in the packaging
15 or labeling of a home pregnancy test kit.

16 (c) A manufacturer whose home pregnancy test kit is sold
17 without the label required in subsection (a) shall be fined not
18 more than \$500 for each home pregnancy test kit sold. Any



1 action taken to impose or collect the penalty provided for in
2 this subsection shall be considered a civil action.

3 (d) The department of health shall investigate sellers of
4 home pregnancy test kits for purposes of the enforcement of this
5 Act. Every person who sells home pregnancy test kits shall
6 cooperate with the department of health in the enforcement of
7 this Act.

8 SECTION 2. This Act shall take effect on January 1, 2013.

9

INTRODUCED BY: *Shianne Chun O'Keefe*



S.B. NO. 2448

Report Title:

Warning Labels; Home Pregnancy Test Kits; Alcohol Consumption

Description:

Prohibits sale of home pregnancy test kits without packaging or a label that warns women not to drink alcoholic beverages during pregnancy. Creates penalties for manufacturers of home pregnancy test kits for failure to include required warning language on packaging or label. Effective January 1, 2013.

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

