

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO ADVERTISING AND MARKETING.

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

1           SECTION 1. Chapter 148, Hawaii Revised Statutes, is  
2 amended by adding three new sections to be appropriately  
3 designated and to read as follows:  
4           "§148- Beer; brand names. Where the geographical name  
5 "Hawaii" or adjective "Hawaiian" is used, or any geographical  
6 area within Hawaii is named by its formal name or used as an  
7 adjective, or any Hawaiian word or statement, design, symbol, or  
8 device appearing upon a label of a bottle of beer sold or  
9 distributed in this State, whether or not in conjunction with  
10 the name or adjective, that tends to create the impression that  
11 the beer was produced in the place or region other than that of  
12 actual production, the department may require the word "brand"  
13 to be stated in direct conjunction with the geographical name or  
14 adjective, Hawaiian word or statement, design, or device, in  
15 lettering at least one-half the size of the lettering in which  
16 the name or adjective appears on the label. If the department  
17 finds that the addition of the word "brand" does not dispel the  
18 impressions conveyed by the use of the geographical name or



1 adjective, Hawaiian word or statement, design, or device, the  
2 department may require, in addition to the word "brand", the use  
3 of other appropriate language that will convey the true place of  
4 production.

5 §148- Beer; name and address of bottler. On labels of  
6 bottled or canned beer sold or distributed in the State that  
7 bears any Hawaiian brand name or adjective, Hawaiian word or  
8 statement, design, or device, including locations within Hawaii  
9 designated by name or adjectives, there shall be the name of the  
10 bottler and the place where the beer was bottled or canned. The  
11 bottler's principal place of business may be shown in lieu of  
12 the actual place where the beer was bottled or canned if the  
13 address shown is a location where the bottling or canning takes  
14 place. If the beer is canned or bottled for a person other than  
15 the actual bottler there may be stated in addition to the name  
16 and address of the bottler, but not in lieu thereof, the name  
17 and address of the other person, provided that the name and  
18 address of the other person is immediately preceded by the words  
19 "bottled or canned for", "distributed by", or some other similar  
20 phrase.



1        §148- Beer; appellation of origin. Any bottled or  
2 canned beer sold or distributed in the State may include a label  
3 indicating its appellation of origin, provided that:

4        (1) At least seventy-five per cent of beer's volume is  
5 derived from fruit or other agricultural products both  
6 grown and fermented in the place or region indicated  
7 by the appellation;

8        (2) The beer has been fully produced and finished within  
9 the place or region of origin; and

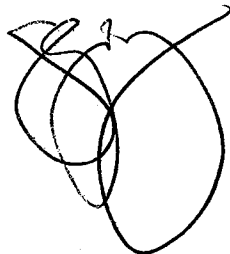
10       (3) The beer conforms to the requirements of the laws and  
11 regulations of the place or region governing the  
12 composition, method of production, and designation for  
13 the consumption of beer within the place or region of  
14 origin."

15       SECTION 2. New statutory material is underscored.

16       SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



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# S.B. NO. 1260

**Report Title:**

Advertising and Marketing; Place of Origin; Beer

**Description:**

Requires beers sold or distributed in the State whose labels convey the impression that the beers were produced in Hawaii to indicate otherwise if not produced in the State.

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