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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1           SECTION 1. The legislature finds that Hawaii-grown coffee  
2 is recognized for its high quality and aromatic flavor. Hawaii-  
3 grown coffee is held to a set of high quality standards, which  
4 makes it one of the most expensive coffees in the world.

5 According to Statistics of Hawaii Agriculture, the estimated  
6 value of Hawaii-grown coffee in 2011 was \$31,540,000, ranking it  
7 fifth in the top twenty agricultural commodities in the State.

8           To protect the Hawaii coffee industry from counterfeiting,  
9 the legislature in 2012 enacted Act 328, Session Laws of Hawaii  
10 2012, which established criminal penalties for Hawaii-grown  
11 cherry, parchment, and green coffee that is falsely labeled with  
12 regard to the geographic origin. However, in addition to the  
13 geographic origin, stricter enforcement on the labeling  
14 restrictions based on the quality of the coffee being sold is  
15 critical to prevent further counterfeiting of Hawaii's  
16 recognized high quality coffee. Furthermore, the criminal  
17 penalties for false labeling should apply not only to cherry,  
18 parchment, and green coffee, but also to roasted coffee.



1           The purpose of this Act is to extend the offense of false  
2 labeling of Hawaii-grown coffee to include violations of grade  
3 standard requirements and all stages of coffee production.

4           SECTION 2. Section 708-871.5, Hawaii Revised Statutes, is  
5 amended by amending its title and subsections (1) and (2) to  
6 read as follows:

7           "~~+~~**§708-871.5**~~+~~ **False labeling of Hawaii-grown coffee.**

8           (1) A person commits the offense of false labeling of Hawaii-  
9 grown coffee if the person knowingly transports, distributes,  
10 advertises, sells, or possesses with the intent to sell Hawaii-  
11 grown ~~[green]~~ coffee ~~[, cherry coffee, or parchment coffee]~~ that  
12 is falsely labeled with regard to the geographic origin of the  
13 Hawaii-grown coffee~~[-]~~ or the grade standard requirements  
14 established by rules adopted under chapter 147.

15           (2) For purposes of this section:

16           ~~["Cherry coffee" means the unprocessed fruit of the coffee~~  
17 ~~plant.]~~

18           "Geographic origin" means the geographic areas designated  
19 as follows:

20           (a) Hamakua is the Hamakua district on the island of

21           Hawaii, as designated by the State of Hawaii tax map;

22           (b) Hawaii is the State of Hawaii;



1 (c) Kau is the Kau district on the island of Hawaii, as  
2 designated by the State of Hawaii tax map;

3 (d) Kauai is the island of Kauai;

4 (e) Kona is the north Kona and south Kona districts on the  
5 island of Hawaii, as designated by the State of Hawaii  
6 tax map;

7 (f) Maui is the island of Maui;

8 (g) Molokai is the island of Molokai; and

9 (h) Oahu is the island of Oahu.

10 ~~["Green coffee" means the agricultural commodity comprised~~  
11 ~~of green coffee beans.~~

12 ~~"Parchment coffee" means the dried product that remains~~  
13 ~~when coffee cherries are processed by removing the coffee seeds~~  
14 ~~from the pulp.] "~~

15 SECTION 3. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18 SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Hawaii-Grown Coffee; False Labeling

**Description:**

Applies the offense of false labeling of Hawaii-grown coffee to include grade standard violations and all stages of production of Hawaii-grown coffee. Effective July 1, 2050. (HB2361 HD1)

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

