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## 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 part I to be appropriately  
3 designated and to read as follows:

4           "§328-A Illness caused by the misbranding of fish or fish  
5 products; 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. Any person who violates this section may be fined no more  
11 than:

12           (1) \$ \_\_\_\_\_ for a first violation;

13           (2) \$ \_\_\_\_\_ for a second violation; and

14           (3) \$ \_\_\_\_\_ for a third or subsequent violation.

15 Any fines collected under this section shall be deposited into  
16 the fish 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 Fish misbranding special fund. (a) There is  
2 established the fish 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 the 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.



1 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY:

*John M. ...*  
JAN 19 2013



**Report Title:**

Fish Labeling; Fines; Special Fund

**Description:**

Establishes a violation and penalties for the misbranding of fish or fish products that results in consumer illness. Creates the fish misbranding special fund.

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

