

JAN 17 2014

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 the marketers of
2 coffee blends that include Hawaii-grown coffees rarely disclose
3 the geographic origin of the non-Hawaii-grown coffee on the
4 coffee package. The non-disclosure of the geographic origin of
5 the vast majority (usually ninety per cent) of the coffee in
6 such coffee blends confuses and misleads consumers.

7 Confusion is particularly likely when the brand name of any
8 coffee blend contains the words "Hawaii" or "Hawaiian" or a
9 Hawaii place name. Where there is no disclosure of the origin
10 of the ninety per cent non-Hawaii-grown coffee in a package,
11 consumers may believe that they are buying a package of coffee
12 that is entirely Hawaii-grown when words like "Hawaiian" or
13 "Kona" or "Maui" are used in large type as part of brand names
14 at the top of coffee labels.

15 In Senate Concurrent Resolution No. 102, introduced during
16 the Regular Session of 2007, the legislature found that
17 "existing labeling requirements for Kona coffee causes consumer
18 fraud and confusion and degrades the "Kona coffee" name." In



1 all material respects, the statutory provisions giving rise to
2 that finding of consumer deception and fraud remain in place.

3 The purpose of this Act is to conform state coffee labeling
4 law to principles of consumer disclosure and fair marketing and
5 to provide consumers with express label disclosure of the per
6 cent of coffee not grown in Hawaii that is included in coffee
7 blends that include Hawaii-grown coffees.

8 SECTION 2. Section 486-120.6, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) A listing of the geographic origins of the various
11 Hawaii-grown coffees and the term "Foreign-Grown Coffee" or the
12 regional origins of the various coffees not grown in Hawaii that
13 are included in a blend [~~may~~] shall be shown on the label. [~~If~~
14 ~~used, this~~] This list shall consist of the term "Contains:",
15 followed by, in descending order of per cent by weight and
16 separated by commas [~~, the~~]:

17 (1) The respective geographic origin or regional origin of
18 the various coffees in the blend [~~that the~~
19 ~~manufacturer chooses to list. Each geographic origin~~
20 ~~or regional origin may be~~] preceded by the per cent of
21 coffee by weight represented by that geographic origin
22 or regional origin [~~,~~]; or



1 (2) The geographic origins of the various Hawaii-grown
2 coffees in the blend preceded by the per cent of
3 coffee by weight and the term "Foreign-Grown Coffee"
4 preceded by the aggregate per cent of coffee by weight
5 of the coffee not grown in Hawaii.

6 All per cent amounts shall be expressed as a number followed by
7 the per cent sign. The type size used for this list shall [~~not~~
8 ~~exceed half~~] be equal to that of the identity statement. This
9 list shall appear below the identity statement [~~, if included~~] on
10 the front panel of the label."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on July 1, 2015.

14

INTRODUCED BY: 



S.B. NO. 2643

Report Title:

Hawaii-grown Coffee; Labeling

Description:

Requires coffee labels to contain the term "Foreign-Grown Coffee" or a listing of the various origins of the coffees not grown in Hawaii. Requires that the listing be half the size of the identity statement.

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