

SB1327

Testimony

Specifies labeling requirements for products containing Hawaii-grown cacao.



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON AGRICULTURE
TUESDAY, FEBRUARY 4, 2014
ROOM 229
2:55 P.M.

SENATE BILL NO. 1327
RELATING TO CACAO

Chairperson Nishihara and Members of the Committee:

Thank you for this opportunity to provide testimony on Senate Bill No. 1327 relating to cacao. The bill proposes to specify labeling requirements for products containing Hawaii-grown cacao.

The Hawaii Department of Agriculture (HDOA) supports the intent of the bill. The Department recognizes that Hawaiian-grown cacao commands two to four times the price of other cacao that is traded in the world market. The branding of fine artisanal chocolate made from Hawaiian-grown cacao is an important facet to assure potential customers that the produce they are buying is a genuine product from Hawaii. This bill appears to model the requirements for Hawaii-grown coffee which is needed to protect Hawaii-grown cacao and provide an incentive for local growers to stay in business.

Thank you for the opportunity to provide testimony on this measure.



From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: sustainablesakala@gmail.com
Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Sunday, February 02, 2014 11:39:24 AM

SB1327

Submitted on: 2/2/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Steve Sakala	Kona Chapter Hawaii Farmers Union United	Oppose	No

Comments: The Honorable Clarence Nishihara Chairman Senate Agriculture Committee Aloha Chairman Nishihara and Agriculture Committee members, I am writing you to oppose the passing of SB1327. As a representative of the Kona Chapter of the Hawaii Farmers Union we believe this bill would take away value on local cacao production and increase the possibility of a diluted market. We must think of creative ways to keep the incentive high for farmers to grow specialty crops such as cacao. One way to do that would to protect and give incentives for 100% local products. If we allow for a 10% blend law to take effect as it did with coffee our local markets will not be protected. I urge you to vote no on SB1327. Mahalo, Steve Sakala Vice President Kona Chapter Hawaii Farmers Union Vice Chair State Legislative Committee

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Date: Sunday, February 02, 2014 10:42:50 AM

SB1327

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Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mila Horak	Onila Farms	Oppose	No

Comments: Dear Committee Chair Nishihara and Members of the Committee: I strongly oppose SB1327. This bill would bring to Hawaii's cacao farmers the same sort of labeling system that has damaged the economic interests of Hawaii's coffee farmers for more than 20 years. The Legislature made a factual finding that this system of 10% blend coffee labeling "causes consumer fraud" and "degrades" the name of Hawaii-grown coffee. Cacao farmers should not be subjected to this same sort of "degradation" of the reputation of their crop. The Senate Agriculture Committee needs to stand up for Hawaii farmers. The Committee needs to roll back, and not extend, this sort of fraudulent labeling and the economic damages it causes to farmers. As a Hawaii farmer, I request that request that SB1327 be rejected. Sincerely, Mila Horak

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ATHENA OF HAWAII



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Testimony in Strong Opposition to SB1327

(Hawaiian Cacao/Chocolate Blend” Bill)

We strongly oppose SB1327.

Our family farm successfully grows and retails only 100% Kona coffee and related true Hawaiian products since many years. Our eyes and ears are focused on the end consumer. Nearly every one of them tells us stories of how they feel duped by the labeling of Hawaiian origin products.

The labeling of a product name with an associated geographical location of a food that is substantially different from the actual contents of the packaging is perceived by consumers as misleading. Such a practice is a form of misbranding and in violation of the Federal US Fair Packaging and Labeling Act of 1966

The importance of the respective country of origin of products in the consumers' perception of risk, quality, price, environmental, socio-economic impact are well documented (Bilkey and Nes, 1982; Hodgson and Bruhn, 1992). The Country of Origin Labeling Act (COOL, 2002) is answering many of those issues for a variety of products.

The Food & Drug Administration (FDA) considers misbranding an economic fraud. To protect both the food manufacturer and consumer, legislative measures have to be used to curtail this deception. It can not be expected that a Hawaii industry which is being divided into importers and local ag producers can find common ground on such an issue!

Fair Packaging and Labeling Act <http://www.fda.gov/regulatoryinformation/legislation/ucm148722.htm>

TITLE 15 - COMMERCE AND TRADE

CHAPTER 39 - FAIR PACKAGING AND LABELING PROGRAM

§1451. Congressional Delegation of Policy.

Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages

and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

The facilitation of value comparisons btw. a 10% Hawaii Cacao containing unit, 100% Hawaii Cacao unit, and a generic 100% cacao unit will show that either the unidentified 90% of a 10% Cacao Blend, or the 10% Hawaiian Cacao contents contained are vastly overpriced. The consumer can obviously not comprehend the deception, as it is evident in the comparison of the marketing of "10% Kona Coffee Blends".

§1453. Requirements of Labeling; Placement, Form, and Contents of Statement of Quantity; Supplemental Statement of Quantity.

...supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight or mass, measure, or count that tends to exaggerate the amount of the commodity contained in the package.

The "10% KONA" in the wording 10% KONA COFFEE BLEND, as it is required currently by state law, illegally exaggerates the smaller amount of a part of the contained commodity (coffee) by placing it prominently and first. It is further exaggerated in its importance by omitting the descriptor of 90% of other origins of the contained commodity completely. The customer is therefore not able to get any additional information to what 10% Kona identifies.

§1461. Effect Upon State Law.

It is hereby declared that it is the express intent of Congress to supersede any and all laws of the States....

The current Hawaiian Coffee blend requirements do not seem to be in compliance with federal labeling laws. Any future litigation towards manufacturers or distributors by consumers or organizations is highly likely.

TITLE 16--COMMERCIAL PRACTICES

CHAPTER I--FEDERAL TRADE COMMISSION

PART 500--REGULATIONS UNDER SECTION 4 OF THE FAIR PACKAGING AND LABELING ACT

Sec. 500.4 Statement of identity

(d) The specification of identity shall not be false, misleading, or deceptive in any respect. Ingredients or components which are not present in the commodity in a substantial or significantly effective amount may not be mentioned in the specification of identity;...

Sec. 500.6 Net quantity of contents declaration, location.

(b) The declaration of net quantity shall appear as a distinct item on the principal display panel,... shall not include any term qualifying a unit of weight or mass, measure, or count such as "jumbo quart," "giant liter," "full gallon," "when packed," "minimum," or words of similar import.

'10% Kona' phrase is used today in the same way as 'Jumbo Quart' fooled consumers before 1966.

If there is an existing state law in compliance with federal regulations upon which such percentages of non-Hawaiian product could be based, we humbly point at the 2004 law enacted to protect the manufacturing and sustainability of the exquisite Ni'ihau shell leis with a MINIMUM of 80% locally sourced shells:

SECTION 1. Chapter 486, Hawaii Revised Statutes

"§486- Ni'ihau shells; representing content. (a) For the purposes of this section, "Ni'ihau shells" means seashells harvested from the island of Ni'ihau, its waters, or its beaches.

(b) Except as provided herein, no person shall offer, display, expose for sale, or solicit for sale any product or jewelry item fabricated, processed, or manufactured with seashells, that is described, labeled, or identified using the term "Ni'ihau" or "Niihau", either alone or in conjunction with other words, or in a trade or brand name, unless:

(1) One hundred per cent of all shells in the product or jewelry item are Ni'ihau shells; and

(2) The product or jewelry item is fabricated, processed, or manufactured entirely within this State.

(c) Any product or jewelry item that consists of at least eighty per cent Ni'ihau shells, by count, and that meets the requirement of subsection (b)(2), may be described, labeled, or identified using the term "contains", followed immediately by the nearest whole number representing the percentage of Ni'ihau shells, by count, contained in the product or jewelry item, followed by the term, "% Ni'ihau shells" or "% Niihau shells"."

As a Hawaii farming family, I request that SB1327 be rejected and other Hawaiian products (i.e. Hawaiian teas, waters, juices, fruits, vegetables, spices, salts) are all equally protected and their sustainability be enforced therefore. Or modeled after the Ni'ihau shell law.

Sincerely,

Joachim Oster

Owner/farmer/retailer/marketer

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Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Sunday, February 02, 2014 6:55:50 PM

SB1327

Submitted on: 2/2/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Colehour Bondera	Kanalani Ohana Farm	Oppose	No

Comments: Dear Chair & Members of the Committee: As a cacao farmer, I strongly oppose SB1327. This bill would bring about the same sort of labeling system that has damaged the economic interests of Hawaii's coffee farmers for more than 20 years. The Legislature made a factual finding that this system of 10% blend coffee labeling both, "causes consumer fraud" and "degrades" the name of Hawaii-grown coffee. Cacao farmers should not be subjected to this same sort of "degradation" of the crop reputation. The Senate Agriculture Committee must stand up for Hawaii farmers. The Committee needs to roll back, and not extend, this sort of fraudulent labeling and the economic damages that it causes to farmers. As a Hawaii farmer, I request that request that SB1327 be rejected. Sincerely, Colehour Bondera KANALANI OHANA FARM

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Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
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SB1327

Submitted on: 2/2/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
bruce corker	Rancho Aloha	Oppose	No

Comments: 2/2/14 To: Senate Agriculture Committee From: Bruce Corker Re: Opposition to SB1327 (the 10% Hawaii Chocolate Blend Bill), for hearing at 2:55 pm, February 4, 2014 in Room 229 Dear Chair Nishihara and Members of the Committee: I am a farmer in Holualoa in Hawaii County and submit this testimony in strong opposition to SB1327. I oppose SB1327 because it would impose the same damaging 10% blend system on Hawaii cacao farmers that currently damages the economic interests of Hawaii coffee farmers. Hawaii is the only region anywhere in the world that authorizes the use of the name of one of its specialty crops on packages containing only 10% genuine content. For example, the name "Kona" may be used on packages of 10% coffee blends without any express indication on the label that 90% of the contents is foreign-grown coffee and without any disclosure of the actual origin of that 90%. Why is Hawaii ignoring principles of consumer disclosure and fair marketing when it comes to Hawaii-grown agricultural crops? Why is Hawaii out of step with the rest of the world? In 2007 the Legislature recognized the damage caused by 10% blends by making the following finding of fact in Senate Concurrent Resolution: "EXISTING LABELING REQUIREMENTS FOR KONA COFFEE CAUSES CONSUMER FRAUD AND CONFUSION AND DEGRADES THE 'KONA COFFEE' NAME." SB1327 would extend this same sort of "degradation" to the "Hawaii-Grown Chocolate" name and would subject consumers to the same sort of "fraud and confusion" from state-sanctioned deceptive labeling. The State of Hawaii needs to roll back, and not extend, this sort of fraudulent labeling and stop the economic damages it causes to Hawaii farmers. Respectfully submitted, Bruce Corker Rancho Aloha Holualoa, Hawaii County

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Please accept this testimony in **SUPPORT** of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao.

My company, in cooperation and agreement with the HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending.

- a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate **REQUIRES** the chocolate product be made from 100% Hawaii Grown Cacao ingredients,
- b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names **REQUIRES** 100% Hawaiian cacao from the named geographic origin.
- c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii **MAY** state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate.
- d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used.
In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao.

Thank you for your consideration and the opportunity to provide testimony. This legislation is critical to the development of our small industry so that we can continue to build and add local value through our agricultural and manufacturing activities.

Seneca Klassen
Founder
Lonohana Estate Chocolate

S M I T H F A R M S

P . O . B o x 2 4 8 , H o n a u n a u , H I 9 6 7 2 6
TEL: 808-328-8060 E-mail: smithfarms.purekona@hawaiiantel.netcom

February 3, 2014

Dear Committee Chair Nishihara and Members of the Committee:

I strongly oppose SB1327. Are you thinking well? **Are you not considering selling Hawaii's soul- One More Time- to the Devil? Enough already!!**

Why would you even consider calling something "Hawaiian" when there is only 10% of REAL Hawaii in it?

Have you not heard the Kona Coffee farmers lament that 10% Kona in a blend of 90% unknown- can untruthfully be called a Kona Blend?

Have you ever had your hands in Hawaiian soil? Do you know what Hawaiian even is?

If you really knew Hawaii, I am positive you would not allow the bastardization- *one more time*- of our word "Hawaiian"- when only 10% is REAL Hawaii????

This bill would bring to Hawaii's cacao farmers the same sort of labeling system that has damaged the economic interests of Hawaii's coffee farmers for more than 20 years.

The Legislature made a factual finding that this system of 10% blend coffee labeling "causes consumer fraud" and "degrades" the name of Hawaii-grown coffee. **Cacao farmers should not be subjected to this same sort of "degradation" of the reputation of their crop.**

The Senate Agriculture Committee needs to stand up for Hawaii farmers. I am a 3rd generation Hawaii agricultural farmer. Doesn't my voice matter? The Committee needs to roll back, and not extend, this sort of fraudulent labeling and the economic damages it causes to farmers.

Where is the basic idea of truth-in-labeling? It is supposed to protect we US citizens.

As a Hawaii farmer, I request that request that SB1327 be rejected.

with aloha,
Cecelia Smith
Kona Coffee farmer since 1988

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: derek.lanter@dole.com
Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Monday, February 03, 2014 12:57:24 PM
Attachments: [SB1327 Testimony.docx](#)

SB1327

Submitted on: 2/3/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Derek Lanter	Hawaii Chocolate and Cacao Organization	Support	Yes

Comments: SB1327, Relating to cacao Chair Nishihara and Members of the Committee: My name is Derek Lanter, I am the elected President of the Hawaii Chocolate and Cacao Association. This testimony is presented from the perspective of the board of directors of Hawaii Chocolate and Cacao Association. I am pleased to have the opportunity to speak to the issue of protecting the ‘Hawaii “ brand as we see the dawn of a successful Hawaii-grown Chocolate industry. Please accept this testimony in SUPPORT of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. The bill as it stands was largely adopted from section 486 pertaining to Hawaiian Coffee and though it provides a good structure for labeling guidelines does not adequately provide for the different nuances and requirements for manufacture of Hawaiian Chocolate A rough draft of the revised SB1327 is attached for your reference.as a preview. This is not a final version though and we would request the opportunity for further revision as the bill progresses. As such, the HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% cocoa liquor or cocoa mass from Hawaii Grown cacao. b. Use of the Hawaiian geographic origins, such as (Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate Hawaii Chocolate) or more specific names REQUIRES 100% cocoa liquor or cocoa mass from Hawaii Grown cacao from the named geographic origin c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii (Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate Hawaii Chocolate) MAY state the specific geographic origins used in the blend. This is a subcategory of Hawaiian Chocolate d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% cocoa liquor or cocoa mass from Hawaii

Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. e. Cocoa butter whereas Chocolate manufacturing requires the addition of cocoa butter to make commercially acceptable chocolate and Whereas Hawaiian-grown cocoa butter is not available or produced anywhere. Therefore the use cocoa butter from non-Hawaii origin will be permitted in manufacturing Hawaii-grown dark chocolate and Hawaii-grown milk chocolate. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii. Thank you for the opportunity to provide testimony. Derek Lanter HCCA President Waialua Coffee and Cacao www.waialuaestate.com

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SB1327

Submitted on: 2/3/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David Elliott	Madre Chocolate LLC	Oppose	Yes

Comments: Please accept this testimony in SUPPORT of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. The HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% Hawaii Grown Cacao liquor, b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names REQUIRES 100% Hawaiian cacao from the named geographic origin. c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii MAY state the specific geographic origins within a listing of the origins used in the cacao, along with the percentage. This is a subcategory of Hawaiian Chocolate. d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian-grown cacao on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao.

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SB1327

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Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Greer	Mahilani Partners	Support	No

Comments: Please accept this testimony in SUPPORT of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. The HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% Hawaii Grown Cacao ingredients, b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names REQUIRES 100% Hawaiian cacao from the named geographic origin. c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii MAY state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate. d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii. if the bill is not amended to reflect the HCCA's position` , we AND our members oppose the bill as it currently stands. Thank you for the opportunity to provide testimony. Scott Greer Mahilani Partners

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SB1327

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Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Melanie Boudar	Manawai Estate Chocolate dba Sweet Paradise Chocolatier	Support	No

Comments: Please accept this testimony in SUPPORT of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. The HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% Hawaii Grown Cacao ingredients, b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names REQUIRES 100% Hawaiian cacao from the named geographic origin. c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii MAY state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate. d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii.>> if the bill is not amended to reflect mine and the HCCA's position`Manawai Estate/Sweet Paradise Chocolatier, we AND our members oppose the bill as it currently stands. Thank you for the opportunity to provide testimony.

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SB1327

Submitted on: 2/3/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Pastore	HCCA	Support	No

Comments: Please accept this testimony in SUPPORT of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. The HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% Hawaii Grown Cacao ingredients, b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names REQUIRES 100% Hawaiian cacao from the named geographic origin. c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii MAY state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate. d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii. if the bill is not amended to reflect the HCCA's position` , we AND our members oppose the bill as it currently stands. Thank you for the opportunity to provide testimony. M Pastore

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SB1327

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Submitted By	Organization	Testifier Position	Present at Hearing
Janis Matsumoto	Individual	Support	No

Comments: Please accept this testimony in SUPPORT of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. The HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% Hawaii Grown Cacao ingredients, b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names REQUIRES 100% Hawaiian cacao from the named geographic origin. c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii MAY state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate. d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii. if the bill is not amended to reflect the HCCA's position` , we AND our members oppose the bill as it currently stands. Thank you for the opportunity to provide testimony.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: kim@metalichouse.com
Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Monday, February 03, 2014 2:09:58 PM
Attachments: [SB1327 .pdf](#)

SB1327

Submitted on: 2/3/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
sujin kim	Individual	Comments Only	Yes

Comments: Please accept this testimony in SUPPORT of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. The HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% Hawaii Grown Cacao ingredients, b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names REQUIRES 100% Hawaiian cacao from the named geographic origin. c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii MAY state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate. d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii. if the bill is not amended to reflect the HCCA's position` , we AND our members oppose the bill as it currently stands. Thank you for the opportunity to provide testimony.

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SB 1327

Feb. 3, 2014

Please accept this testimony in **SUPPORT** of SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao.

The HCCA Board believes the following revisions should be incorporated into the existing bill. If the bill is not amended to reflect the HCCA's position as follows, we AND our members oppose the bill as it currently stands. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending.

- a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate **REQUIRES** the chocolate product be made from 100% Hawaii Grown Cacao ingredients,
- b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names **REQUIRES** 100% Hawaiian cacao from the named geographic origin.
- c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii **MAY** state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate.
- d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used.

In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii.

Mahalo,

Amy Hammond

Executive Director

Hawaii Chocolate and Cacao Association

(808) 234-0404

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: jsimpliciano@gmail.com
Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Friday, January 31, 2014 7:20:16 AM

SB1327

Submitted on: 1/31/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
james simpliciano	Individual	Support	No

Comments: As a grower of local cacao it's important for us as family farmers are protected by the crops we label all locally hawaiian grown. It's viable to help small growers be proud to put fort a true product from the islands.

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: mauiwit@hotmail.com
Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Friday, January 31, 2014 9:53:51 AM

SB1327

Submitted on: 1/31/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Christine L. Andrews, J.D.	Individual	Oppose	No

Comments: I believe that massively blending origin products discourages production and encourages importation. I am in favor of producer-driven labeling standard, and products grown here maintaining their purity if they are labelled Hawaii grown. Support agriculture that is grown here, not flown here.

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To: [AGL Testimony](#)
Cc: mpshaw10@gmail.com
Subject: *Submitted testimony for SB1327 on Feb 4, 2014 14:55PM*
Date: Friday, January 31, 2014 10:16:18 AM

SB1327

Submitted on: 1/31/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Shaw	Individual	Support	No

Comments:

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To: [AGL Testimony](#)
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB1327 on Feb 4, 2014 14:55PM*
Date: Friday, January 31, 2014 9:14:22 AM

SB1327

Submitted on: 1/31/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: ken@mycoffee.net
Subject: *Submitted testimony for SB1327 on Feb 4, 2014 14:55PM*
Date: Friday, January 31, 2014 2:47:10 AM

SB1327

Submitted on: 1/31/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ken Love	Individual	Oppose	No

Comments:

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To: [AGL Testimony](#)
Cc: sandrascar@aol.com
Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Sunday, February 02, 2014 12:23:05 PM

SB1327

Submitted on: 2/2/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Scarr	Individual	Oppose	No

Comments: Testimony in Strong Opposition to SB1327—the “10% Hawaiian Cacao/Chocolate Blend” Bill Dear Committee Chair Nishihara and Members of the Committee: I strongly oppose SB1327. This bill would bring to Hawaii’s cacao farmers the same sort of labeling system that has damaged the economic interests of Hawaii’s coffee farmers for more than 20 years. The Legislature made a factual finding that this system of 10% blend coffee labeling “causes consumer fraud” and “degrades” the name of Hawaii-grown coffee. Cacao farmers should not be subjected to this same sort of “degradation” of the reputation of their crop. The Senate Agriculture Committee needs to stand up for Hawaii farmers. The Committee needs to roll back, and not extend, this sort of fraudulent labeling and the economic damages it causes to farmers. As a Hawaii farmer, I request that request that SB1327 be rejected. Sincerely, Sandra Scarr

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From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: info@steelgrass.org
Subject: Submitted testimony for SB1327 on Feb 4, 2014 14:55PM
Date: Monday, February 03, 2014 8:03:06 AM

SB1327

Submitted on: 2/3/2014

Testimony for AGL on Feb 4, 2014 14:55PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tony Lydgate	Individual	Support	No

Comments: The Lydgate family owns and operates a family cacao farm on Kauai. We have made a substantial and ongoing investment in our orchards, employees and processing facilities. We urge you to support SB 1327, which we view as essential to the creation of a strong and growing cacao industry in Hawaii. Please SUPPORT SB 1327 with the modifications listed below as approved by the Hawaii Chocolate and Cacao Association (HCCA) board of Directors. The purpose of this act Relating to Cacao is to provide specific labeling requirements for Hawaiian Chocolate products containing Hawaii Grown Cacao. In addition to owning and operating a family cacao farm on Kauai, we are founding members of the Hawaii Chocolate and Cacao Association. The HCCA Board believes the following revisions should be incorporated into the existing bill. These revisions and additions will strengthen the bill and address key areas specific to Chocolate and Cacao for additional labeling requirements pertaining to origin, content and blending. a. "Hawaiian Chocolate" and "Hawaii-grown" chocolate REQUIRES the chocolate product be made from 100% Hawaii Grown Cacao ingredients, b. Use of the Hawaiian geographic origins, such as Maui Chocolate, Oahu Chocolate, Kauai Chocolate, Molokai Chocolate, Lanai Chocolate or more specific names REQUIRES 100% Hawaiian cacao from the named geographic origin. c. Hawaiian chocolate (100% Hawaii-grown) that uses cacao from different geographic origins from within Hawaii MAY state the specific geographic origins used in the blends. This is a subcategory of Hawaiian Chocolate. d. It is prohibited for any chocolate product containing a blend of Hawaiian-origin cacao and other cacao to use the term Hawaiian on the label, unless it contains a minimum of not less than 51% Hawaii Grown Cacao in the product. The identity statement on the label will state the percentage of Cacao from all Other Origins used. In accordance with the following example: 51% Hawaii-grown, 49% other origin cacao. This is extremely important legislation for the future of Chocolate and Cacao in Hawaii. Thank you for the opportunity to provide testimony. Tony, Emily, and Will Lydgate Steelgrass Chocolate Farm, Kauai

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