

SB2913

Testimony

Establishes further restrictions and criminal penalties on labeling Hawaii-grown coffee in order to prevent counterfeiting.



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
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TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON
AGRICULTURE AND COMMERCE AND CONSUMER PROTECTION

TUESDAY, FEBRUARY 4, 2014
ROOM 229
8:45 A.M.

SENATE BILL NO. 2913
RELATING TO AGRICULTURE

Chairpersons Nishihara and Baker and Members of the Committees:

Thank you for this opportunity to provide testimony on Senate Bill 2913, which applies the offense of false labeling of Hawaii-grown coffee to include grade standard violations and all stages of production of Hawaii-grown coffee.

In 2012, Act 328 was enacted which established criminal penalties for falsely labeled Hawaii-grown cherry, parchment, and green coffee with regard to geographic origin. The Hawaii Department of Agriculture along with several representatives of the coffee industry, met with representatives of the Hawaii County Prosecutor's office on the limitations of Act 328 with regard to origin counterfeiting and the need to include penalties for quality counterfeiting to maintain the quality that Hawaii-grown coffee is known for.

The Department supports the intent of this bill, but defers to the Hawaii County Prosecutors' offices.

Thank you for the opportunity to testify on this measure.





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COMMITTEE ON AGRICULTURE
Senator Clarence K. Nishihara, Chair
Senator Ronald D. Kouchi, Vice Chair

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION
Senator Rosalyn H. Baker, Chair
Senator Brian T. Taniguchi, Vice Chair

**TESTIMONY ON HB 2913
RELATING TO AGRICULTURE**

Tuesday, February 04, 2014
8:45am
Conference Room 229

Aloha Chairs Nishihara and Baker, Vice Chairs Kouchi and Taniguchi, and Members of the Committees:

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (HFBF). Organized since 1948, the HFBF is comprised of 1,832 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interest of our diverse agricultural community.

HFBF stands in strong support of SB 2913.

The passage of HB280/Act 328 in 2012 addressed false labeling of Hawaiian coffee, commonly known as counterfeiting.

In order to legally offer coffee for sale labeled with one of the defined geographical origins located throughout the state, including Hawaiian coffee, it must meet established minimum grade standards. While the 2012 Act made strides to protect green, parchment and cherry coffee, it did not go far enough to fully protect Hawaii's coffee origins. HB2361 strengthens the law to include all coffee including roasted coffee. Passage of this measure will help protect Hawaii's reputation for high quality specialty coffee.

Please pass **SB 2913**.

Thank you for the opportunity to comment on this measure.

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: jwayman@hicoffeeco.com
Subject: Submitted testimony for SB2913 on Feb 4, 2014 08:45AM
Date: Saturday, February 01, 2014 11:22:22 AM

SB2913

Submitted on: 2/1/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Jim Wayman	Hawaii Coffee Association	Support	Yes

Comments: SB2913 in STRONG SUPPORT To be heard on Tuesday February 4, 2014 at 8:45 am in room 229. Please accept this testimony in STRONG SUPPORT of HB 2913. The purpose of this act is to establish further restrictions and criminal penalties on labeling Hawaii grown coffee in order to prevent counterfeiting and roasted coffee that does not meet established grade quality standards. This helps protect Hawaii's brands, coffee origins and Hawaii's reputation for high quality coffee. HB 280 was passed in 2012 and changed the act of mislabeling or counterfeiting Hawaii grown coffee from a misdemeanor to a class c felony. Although a step in the right direction HB280 did not include the mislabeling of roasted coffee in the commodity classifications considered as a class c felony. HB280 also did not clearly include the violation of grading standards for Hawaii grown coffee covered by HDOA rules in chapter 147 as acts punishable under a class c felony. The shortage of coffee produced in Kona caused by the advent of the coffee berry borer beetle has increased the temptation to engage in coffee counterfeiting. The coffee industry seeks your help in tightening loopholes in current law and clarifying acts covered by punishment under a class c felony. Thank you,

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To: [AGL Testimony](#)
Cc: geneclapp@gmail.com
Subject: Submitted testimony for SB2913 on Feb 4, 2014 08:45AM
Date: Sunday, February 02, 2014 9:03:58 AM

SB2913

Submitted on: 2/2/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Eugene Clapp	Onouli Farm LLC	Support	No

Comments: The coffee industry seeks your help in tightening loopholes in current law and clarifying acts covered by punishment under a class c felony. Mahalo for your support of the Hawaii Coffee Industry!

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Subject: Submitted testimony for SB2913 on Feb 4, 2014 08:45AM
Date: Sunday, February 02, 2014 6:11:47 PM

SB2913

Submitted on: 2/2/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
james Kimo Falconer	Hawaii Coffee Growers Assn	Support	No

Comments: Please support this measure. The members of the Hawaii Coffee Growers Assn. accounts for better than 70% of the coffee acreage grown in the State. Supporting this measure will help us fight the issue of counterfeit labeling in the industry. Mahalo James Kimo Falconer President Hawaii Coffee Growers Assn.

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**Testimony to the Senate Committee on Agriculture and the
Committee on Commerce and Consumer Protection.**

Tuesday, February 4, 2014

RE: **Support For SB 2913** – Hawaii-Grown Coffee: Labeling Restrictions.

Chair Nishihara, Vice Chair Kouchi, Chair Baker, Vice Chair Taniguchi, and Committee Members:

Greenwell Farms is a coffee farming, processing, and marketing company in Kona, Hawaii. We export Kona Coffee to locations in Europe, across the Mainland, USA, and all around the Pacific Rim. For decades, we have relied upon the coffee produced by many farmers in North and South Kona to supply us with the highest quality coffee.

SB 2913 makes very important changes to Section 708-871.5 of the Hawaii Revised Statutes covering false labeling of Hawaii-grown coffee. These changes clarify existing law in order to make enforcement of existing Hawaii-grown standards more effective. Under the current law, coffee produced in Hawaii cannot be sold using Hawaii Origin names unless it meets the standards set forth in Title 4, Subtitle 7, Chapter 143 of the Hawaii Administrative Rules adopted under Section 147-22 of the Hawaii Revised Statutes.

It is important to note that SB 2913 does not change existing standards that Hawaii coffee producers are required to meet. These proposed changes simply clarify existing law and facilitate enforcement. In recent years, the Hawaii coffee industry has met huge challenges as a result of the CBB epidemic which has increased the temptation for some to engage in coffee counterfeiting.

Our industry needs to have these changes in the law sooner rather than later. **PLEASE PASS SB 2913.**

Thank you for your attention to this matter.

Thomas F. Greenwell, President

Steve Hicks, CFO

From: mailinglist@capitol.hawaii.gov
To: [AGL Testimony](#)
Cc: john@olsontrust.com
Subject: Submitted testimony for SB2913 on Feb 4, 2014 08:45AM
Date: Monday, February 03, 2014 9:35:19 AM

SB2913

Submitted on: 2/3/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
John C. Cross	Kau Coffee Mill, LLC	Support	No

Comments: Please accept this testimony in strong support of SB 2913. This bill helps protect our Hawaii grown coffees from counterfeiting and assures that all growers and processors will be producing the best Hawaii Grown coffee to the world.

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To: [AGL Testimony](#)
Cc: sherrianwitt@aol.com
Subject: *Submitted testimony for SB2913 on Feb 4, 2014 08:45AM*
Date: Friday, January 31, 2014 7:12:03 PM

SB2913

Submitted on: 1/31/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Support	No

Comments:

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Subject: Submitted testimony for SB2913 on Feb 4, 2014 08:45AM
Date: Saturday, February 01, 2014 12:18:41 PM

SB2913

Submitted on: 2/1/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
donna woolley	Individual	Support	No

Comments: To be heard on Tuesday February 4, 2014 at 8:45 am in room 229. Please accept this testimony in STRONG SUPPORT of HB 2913. The purpose of this act is to establish further restrictions and criminal penalties on labeling Hawaii grown coffee in order to prevent counterfeiting and roasted coffee that does not meet established grade quality standards. This helps protect Hawaii's brands, coffee origins and Hawaii's reputation for high quality coffee. HB 280 was passed in 2012 and changed the act of mislabeling or counterfeiting Hawaii grown coffee from a misdemeanor to a class c felony. Although a step in the right direction HB280 did not include the mislabeling of roasted coffee in the commodity classifications considered as a class c felony. HB280 also did not clearly include the violation of grading standards for Hawaii grown coffee covered by HDOA rules in chapter 147 as acts punishable under a class c felony. The shortage of coffee produced in Kona caused by the advent of the coffee berry borer beetle has increased the temptation to engage in coffee counterfeiting. The coffee industry seeks your help in tightening loopholes in current law and clarifying acts covered by punishment under a class c felony. Sincerely, Donna Woolley, Owner Island Sun Coffee

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Subject: Submitted testimony for SB2913 on Feb 4, 2014 08:45AM
Date: Saturday, February 01, 2014 12:25:08 PM

SB2913

Submitted on: 2/1/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alfred Woolley	Individual	Comments Only	No

Comments: To be heard on Tuesday February 4, 2014 at 8:45 am in room 229. Please accept this testimony in STRONG SUPPORT of HB 2913. The purpose of this act is to establish further restrictions and criminal penalties on labeling Hawaii grown coffee in order to prevent counterfeiting and roasted coffee that does not meet established grade quality standards. This helps protect Hawaii's brands, coffee origins and Hawaii's reputation for high quality coffee. HB 280 was passed in 2012 and changed the act of mislabeling or counterfeiting Hawaii grown coffee from a misdemeanor to a class c felony. Although a step in the right direction HB280 did not include the mislabeling of roasted coffee in the commodity classifications considered as a class c felony. HB280 also did not clearly include the violation of grading standards for Hawaii grown coffee covered by HDOA rules in chapter 147 as acts punishable under a class c felony. The shortage of coffee produced in Kona caused by the advent of the coffee berry borer beetle has increased the temptation to engage in coffee counterfeiting. The coffee industry seeks your help in tightening loopholes in current law and clarifying acts covered by punishment under a class c felony. Mahalo, Alfred Woolley, Owner Island Sun Coffee

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SB2913

Submitted on: 2/1/2014

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Submitted By	Organization	Testifier Position	Present at Hearing
Bob Mattingly	Individual	Support	No

Comments:

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Date: Saturday, February 01, 2014 6:26:23 PM

SB2913

Submitted on: 2/1/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Truly Estella McCone	Individual	Support	No

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Date: Monday, February 03, 2014 6:39:14 AM

SB2913

Submitted on: 2/3/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
David	Individual	Support	No

Comments: Please accept this testimony in strong support of HB2913-SB2913

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Date: Monday, February 03, 2014 7:54:08 AM

SB2913

Submitted on: 2/3/2014

Testimony for AGL/CPN on Feb 4, 2014 08:45AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
sally brown	Individual	Support	No

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