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# A BILL FOR AN ACT

RELATING TO FARMERS' MARKETS.

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

1           SECTION 1. Farmers' markets play an important role in  
2 Hawaii's communities by establishing and maintaining connections  
3 between consumers and local farms. Moreover, the consumption of  
4 locally-produced agricultural products, when practicable,  
5 contributes significantly towards the goal set forth by the  
6 Hawaii 2050 Sustainability Plan to "increase production and  
7 consumption of local foods and products, particularly  
8 agricultural products".

9           There have been instances, however, where outdoor markets  
10 purporting to be local farmers' markets sell imported  
11 agricultural products or agricultural products bought from  
12 wholesalers. Further, vendors are not required to disclose a  
13 product's geographic source of origin, thereby potentially  
14 misleading unassuming consumers.

15           The purpose of this Act is to require that all fresh  
16 produce sold at farmers' markets is displayed with a sign or  
17 label declaring the produce's geographic origin.



1 SECTION 2. Chapter 486, Hawaii Revised Statutes, is  
2 amended by adding a new section to part V to be appropriately  
3 designated and to read as follows:

4 **"§486- Farmers' markets; geographic origin of fresh**  
5 **produce.** (a) All fresh produce sold in a farmers' market shall  
6 be displayed with a label or sign that contains an identity  
7 statement declaring the produce's geographic origin. Each word  
8 or character in the identity statement shall be of the same type  
9 size and shall be contiguous. The identity statement shall be  
10 reasonably sized and conspicuously displayed near the produce  
11 being sold.

12 (b) It shall be a violation of this chapter to:  
13 (1) Misrepresent on a label, on a sign, in an identity  
14 statement, or in advertising of fresh produce in a  
15 farmers' market the geographic origin of the fresh  
16 produce; or  
17 (2) Display, advertise, or sell fresh produce at a  
18 farmers' market without a conspicuously displayed  
19 label or sign containing an identity statement  
20 pursuant to this section.



1       (c) Sellers shall maintain, for a period of at least two  
2 years, records on the volume and geographic origin of fresh  
3 produce sold and any other records required by the department  
4 for the purpose of enforcing this section. Authorized employees  
5 of the department shall have access to the records during normal  
6 business hours.

7       (d) For purposes of this section:

8       "Farmers' market" means a market where farmers sell their  
9 products directly to consumers and includes any market that  
10 represents or advertises itself as a farmers' market.

11       "Geographic origin" means the geographic region or regions  
12 in which the fresh produce was grown and shall include the  
13 country of origin, if the produce was grown outside the United  
14 States, or the state of origin, if the produce was grown in the  
15 United States."

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

19       SECTION 4. New statutory material is underscored.

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

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**Report Title:**

Department of Agriculture; Labeling; Farmers' Markets; Fresh Produce; Geographical Origin

**Description:**

Requires all fresh produce sold at farmers' markets to be displayed with a label or sign containing an identity statement declaring the produce's geographic origin. (SD1)

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