

STAND. COM. REP. NO. **3344**

Honolulu, Hawaii

APR 06 2016

RE: S.C.R. No. 129
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.C.R. No. 129 entitled:

"SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF
AGRICULTURE TO ADOPT STANDARDS ESTABLISHED BY THE TEA
INDUSTRY TO DEFINE GEOGRAPHICAL REGION DESIGNATIONS FOR TEA
GROWN IN THE STATE,"

begs leave to report as follows:

The purpose and intent of this measure is to encourage the
Department of Agriculture to adopt standards established by the
tea industry to define geographical region designations for tea
grown in the State.

Your Committee received testimony in support of this measure
from the Tea of the United States Awards; Soil Culture Consulting;
Old Hawaii Tea Company, LLC; Aloha Food Forest, LLC; Matcha Latte
Media KK; Onomea Tea Company; and seven individuals. Your
Committee received comments on this measure from the Department of
Agriculture and one individual.

Your Committee finds that tea has great potential to become
an important crop for Hawaii. However, according to testimony
received by your Committee, companies are not currently prohibited
from buying large quantities of low quality tea grown outside of
Hawaii, blending this low quality tea with a small amount of
Hawaii-grown tea, and labeling the final product as "Hawaiian"
tea. This practice is misleading to consumers and diminishes the



value and quality of the "made in Hawaii" or "produced in Hawaii" brand.

Your Committee further finds that adopting geographical region designation standards for tea grown in Hawaii, similar to the geographic origin distinctions for Hawaii-grown coffee, will protect the developing Hawaii tea industry and ensure consumers can identify genuine Hawaii-grown tea. However, your Committee notes that according to the Department of Agriculture, tea is not defined as an agricultural commodity under chapter 147, Hawaii Revised Statutes. As such, the Department of Agriculture does not currently have the authority to adopt standards to define geographic region as a certification mark. Amendments to this measure that address this issue are therefore necessary.

Accordingly, your Committee has amended this measure by:

- (1) Noting that tea is not currently defined as an agricultural commodity under chapter 147, Hawaii Revised Statutes, and therefore the Department of Agriculture does not have statutory authority to adopt geographical region designation standards for tea grown in Hawaii;
- (2) Noting that encouraging the Department of Agriculture and the tea industry to collaborate on proposed legislation would be beneficial to the development of Hawaii's growing tea industry;
- (3) Encouraging the Department of Agriculture and the tea industry to collaborate on proposed legislation to define tea as an agricultural commodity under chapter 147, Hawaii Revised Statutes, and establish standards that define geographical region designations for tea grown in the State, rather than encouraging the tea industry and the Department to work separately on standards for geographical region designations;
- (4) Requesting the Department of Agriculture to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2017 on the proposed legislation developed in collaboration with the tea industry;
- (5) Amending its title; and



- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 129, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 129, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,




ROSALYN H. BAKER, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 129	WLA, CPH	4-4-16		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.				/
SLOM, Sam				/
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes