

STAND. COM. REP. NO. 360

Honolulu, Hawaii

February 13, 2019

RE: H.B. No. 909

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 909 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to increase the current level of protection of Hawaii's coffee industry from counterfeiting by extending the offense of false labeling of Hawaii-grown coffee to include all the stages of coffee production and violations of grade standard requirements.

The Department of Agriculture (HDOA), Kona Coffee Council, and We Are One, Inc. testified in support of this measure.

Your Committee has amended this measure by:

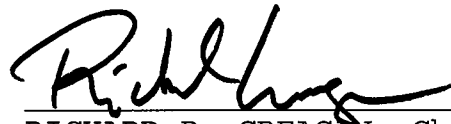
- (1) Changing its effective date to July 31, 2051, to promote further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.



Your Committee notes that the testimony of HDOA indicates that HDOA presently does not have the necessary resources to determine the actual origin of coffee to prove the alleged fraudulent claim. HDOA is aware of a methodology that can determine a chemical fingerprint to determine the production area of commodities other than coffee. Whether that methodology can be applied to coffee or blended coffee has yet to be determined by HDOA. Further, HDOA will need an appropriation of funds to cover the costs of an analysis of the methodology to determine its effectiveness in substantiating a fraudulent claim.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 909, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 909, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Agriculture,



RICHARD P. CREAGAN, Chair



