

SB894

Measure Title:	RELATING TO COFFEE LABELING.
Report Title:	Coffee; Labeling; Ready-to-Drink Coffee Beverages
Description:	Expands the coffee labeling requirements to include ready-to-drink coffee beverages.
Companion:	HB143
Package:	None
Current Referral:	CPH
Introducer(s):	KANUHA, Dela Cruz, K. Kahele

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Acting Chairperson
Board of Agriculture

State of Hawaii
DEPARTMENT OF AGRICULTURE
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TESTIMONY OF THE DEPARTMENT OF AGRICULTURE

BEFORE THE SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION,
& HEALTH

FEBRUARY 22, 2019
9:35 A.M.
CONFERENCE ROOM 229

SENATE BILL NO. 894
RELATING TO COFFEE LABELING

Chairperson Baker and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 894, relating to coffee labeling. This bill expands the coffee labeling requirements pertaining to Hawaii grown roasted coffee to include ready-to-drink coffee beverages. The Department has concerns with the bill and offers comments.

This bill expands the Department's enforcement responsibilities to include the labeling and advertizing of ready-to-drink coffee beverages at coffee shops. Many of the ready-to-drink coffee beverages sold at retail are manufactured and packaged outside of Hawaii, in which the Department has no enforcement jurisdiction.

The Department supports the Hawaii coffee industry and the use of unique geographic coffee growing regions to market, advertise and sell Hawaii-grown coffee. However, while the Department can enforce grading and labeling of green Hawaii-grown coffee, the Department cannot determine the content or origin of a coffee or its blend once it is roasted or manufactured as a ready-to-drink beverage.

Thank you for the opportunity to testify on this measure.



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Submitted on: 2/21/2019 8:38:25 AM

Testimony for CPH on 2/22/2019 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

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Submitted on: 2/21/2019 3:45:05 PM

Testimony for CPH on 2/22/2019 9:35:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
bruce corker	Testifying for Kona Coffee Farmers Association	Support	No

Comments:

Aloha Chair Baker and Members of the Committee:

On behalf of more than 250 members of the Kona Coffee Farmers Association, I am writing in strong support of SB894.

This bill will make Ready-To-Drink (RTD) coffee products subject to the same Hawaii State coffee labeling requirements that currently apply to roasted and instant coffees. In recent years RTD coffees (sold in cans, cartons, and similar containers) have become more and more popular. However, some marketers are using Hawaii origin names on RTD packages (for example, Royal Mills' "Hawaiian Kona Premium Coffee" and "Kona Red Kona Blend") without disclosing how much, if any, of the coffee in the package is from Hawaii-grown coffee beans. This misleading use of Hawaii origin names damages the economic interests of Hawaii coffee farmers, damages the reputations of Hawaii-grown coffees, and deceives consumers—many of whom are visitors to Hawaii.

The contention of the Hawaii Department of Agriculture that it does not have jurisdiction over unlawfully labeled coffee products sold in Hawaii if those products are manufactured or packaged elsewhere, is not correct. If the illegally labeled product is sold in Hawaii, there is clear jurisdiction. If it is sold elsewhere in the US, the HDOA, as holder of the trademarks for Hawaii grown regional coffees, can pursue mislabeling claims in the same way Idaho prosecutes sellers of mislabeled Idaho potatoes in other states.

Also the HDOA's contention that it is "unable to determine content or origin of a coffee or its blend once it is roasted or manufactured as a ready-to-drink beverage", ignores scientific studies that clearly indicate otherwise. See, for example, the publication by five UH Manoa faculty members showing that the origin of both roasted and brewed coffee can be readily determined. See "Fourier Transform Infrared Spectroscopy for Kona Coffee Authentication", Wang, et al, Journal of Food Science, Vol. 74, Nr. 5 (2009).

The HDOA should to be looking for ways to support Hawaii farmers, and not looking for excuses for inaction.

Please support our hard working Hawaii coffee farmers by enacting SB894.

Thank you for the opportunity to testify,

Bruce Corker

KCFA Legislative Committee

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Submitted on: 2/18/2019 10:26:07 PM

Testimony for CPH on 2/22/2019 9:35:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kirstin Kahaloa	Individual	Support	No

Comments: