
SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONVENE A WORKING GROUP TO STUDY THE EFFECTIVENESS OF EXISTING STATE LAWS IN ADDRESSING THE FALSE LABELING OF HAWAII-MADE FOOD PRODUCTS, WITH A SPECIFIC EMPHASIS ON THE LEGAL MECHANISMS AND COSTS ASSOCIATED WITH PROTECTING THE BRANDS OF HAWAII-MADE FOOD PRODUCTS.

1 WHEREAS, Hawaii's unique island characteristics, multi-
2 cultural food history, and remote geographic location make its
3 food products highly desirable around the world; and
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5 WHEREAS, certain individuals and entities have sought to
6 take advantage of this popularity by falsely labeling their
7 goods in a manner that can mislead consumers into believing that
8 they were produced or manufactured in Hawaii, when they were in
9 fact produced or manufactured elsewhere; and
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11 WHEREAS, existing state laws may not provide adequate
12 protection, relief, or recourse for local producers and
13 consumers who seek to stop manufacturers from wrongfully and
14 falsely labeling their food products as being Hawaii-made when
15 they are not, and litigation to resolve these types of claims is
16 costly and time-consuming; and
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18 WHEREAS, legislation may be required to strengthen the
19 existing regulatory framework and protect Hawaii's local food
20 producers and consumers; now, therefore,
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22 BE IT RESOLVED by the Senate of the Thirty-second
23 Legislature of the State of Hawaii, Regular Session of 2024, the
24 House of Representatives concurring, that the Department of the
25 Attorney General is requested to convene a working group to
26 study the effectiveness of existing state laws in addressing the
27 false labeling of Hawaii-made food products, with a specific
28 emphasis on the legal mechanisms and costs associated with



1 protecting the brands of Hawaii-made food products, including
 2 but not limited to section 480-2, Hawaii Revised Statutes, that
 3 governs unfair methods of competition and unfair or deceptive
 4 acts or practices in the conduct of any trade or commerce;
 5 section 486-119, Hawaii Revised Statutes, that governs the
 6 labeling of Hawaii-made products and Hawaii-processed products;
 7 and section 708-871, Hawaii Revised Statutes, that governs the
 8 offense of false advertising; and
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10 BE IT FURTHER RESOLVED that the working group is requested
 11 to comprise the following members:
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- 13 (1) The Attorney General, or the Attorney General's
 14 designee, to serve as the Chairperson of the working
 15 group;
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- 17 (2) One member from the University of Hawai'i at Manoa
 18 William S. Richardson School of Law with academic or
 19 professional expertise in intellectual property law,
 20 to be selected by the Dean of the William S.
 21 Richardson School of Law;
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- 23 (3) The Chairperson of the Board of Agriculture, or the
 24 Chairperson's designee;
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- 26 (4) The Director of Business, Economic Development, and
 27 Tourism, or the Director's designee;
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- 29 (5) The Executive Director of the Office of Consumer
 30 Protection of the Department of Commerce and Consumer
 31 Affairs, or the Executive Director's designee;
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- 33 (6) One member from the Intellectual Property and
 34 Technology section of the Hawaii State Bar
 35 Association, to be selected by the President of the
 36 Hawaii State Bar Association and who is requested to
 37 be invited by the Chairperson; and
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- 39 (7) Any other member deemed necessary by the working
 40 group; and
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1 BE IT FURTHER RESOLVED that the working group is requested,
2 with the assistance of the Department of the Attorney General,
3 to submit a report of its findings and recommendations,
4 including any proposed legislation, to the Legislature no later
5 than twenty days prior to the convening of the Regular Session
6 of 2025; and

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8 BE IT FURTHER RESOLVED that certified copies of this
9 Concurrent Resolution be transmitted to the Attorney General;
10 Dean of the University of Hawai'i at Manoa William S. Richardson
11 School of Law; Chairperson of the Board of Agriculture; Director
12 of Business, Economic Development, and Tourism; Executive
13 Director of the Office of Consumer Protection of the Department
14 of Commerce and Consumer Affairs; and President of the Hawaii
15 State Bar Association.

