

STAND. COM. REP. NO. **3660**

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 2278
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2278, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LABELING OF MACADAMIA NUTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify labeling requirements for macadamia nuts;
- (2) Require country of origin to be included on the label of a consumer package of processed macadamia nuts; and
- (3) Allow a private right of action for violations.

Your Committee received testimony in support of this measure from the Department of Agriculture; one member of the Hawai'i County Council; Hawai'i Farmers Union United; Synergistic Hawai'i Agriculture Council; Hawaiian Macadamia Nut Services; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Hawaii Cattlemen's Council, Inc.; Island Harvest Inc.; Macadamia Growers of Hawai'i; Cyanotech Corporation; Hawai'i Macadamia Nut Association; LavaRock Farm; Susan's Nuts; and one hundred sixty individuals.



Your Committee received testimony in opposition to this measure from the Hawaiian Host Group and one hundred ninety-two individuals.

Your Committee finds that macadamia nuts have become an agricultural and cultural export for the State. However, certain macadamia nut products utilize Hawaii-branded packaging and marketing despite using foreign or out-of-state materials. Without proper labeling, consumers cannot know whether they are truly buying Hawaiian-grown products. This measure will align existing state law with federal country of origin requirements, make it easier for the Department of Agriculture to support small and mid-sized growers who wish to bring their Hawaiian-grown products to market, and allow the State's growers to stand out in the marketplace.

Your Committee has amended this measure by making it effective on July 1, 2024.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2278, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2278, H.D. 2, S.D. 2.

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

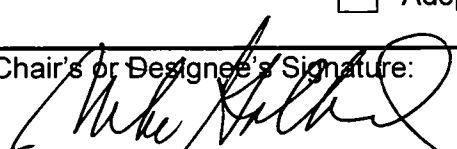


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 2278 HD2SD1	Committee Referral: CPN, JDC	Date: 04 / 02 / 24		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1
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