

MAR 08 2024

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# SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONDUCT A STUDY TO DETERMINE THE EFFECTIVENESS OF EXISTING STATE LAWS IN ADDRESSING THE FALSE LABELING 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 such a manner as to mislead consumers into believing  
8 that they were produced or manufactured in Hawaii, when they  
9 were in 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,  
24 that the Department of the Attorney General is requested to  
25 conduct a study to determine the effectiveness of existing state  
26 laws in addressing the false labeling of Hawaii-made food  
27 products, including but not limited to section 480-2, Hawaii  
28 Revised Statutes, that governs unfair methods of competition and  
29 unfair or deceptive acts or practices in the conduct of any  
30 trade or commerce; section 486-119, Hawaii Revised Statutes,  
31 that governs the labeling of Hawaii-made products and Hawaii-  
32 processed products; and section 708-871, Hawaii Revised  
33 Statutes, that governs the offense of false advertising; and  
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1 BE IT FURTHER RESOLVED that the Department of the Attorney  
2 General is requested to submit a report of its findings and  
3 recommendations, including any proposed legislation, to the  
4 Legislature no later than twenty days prior to the convening of  
5 the Regular Session of 2025; and  
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7 BE IT FURTHER RESOLVED that a certified copy of this  
8 Resolution be transmitted to the Attorney General.  
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OFFERED BY:

Lynn DeCorte

