

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

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State of Hawai'i
DEPARTMENT OF AGRICULTURE
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TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE AND FOOD SYSTEMS

WEDNESDAY, MARCH 12, 2025
9:00 AM.
CONFERENCE ROOM 325 & VIDEOCONFERENCE

SENATE BILL NO. 1276, SD1
RELATING TO AGRICULTURE

Chair Kahaloe, Vice Chair Kusch and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No.1276, SD1. This bill extends the offense of false labeling of Hawaii-grown coffee to include roasted coffee, and imposes a \$10,000 fine for each separate offense of false labeling of Hawaii-grown roasted coffee.

The Department of Agriculture (DOA) **strongly supports** this bill but would like to defer to our Attorney General on the correct placement of the new higher fines in the Hawaii Revised Statutes. This bill places the fines on page 2 line 12 in Hawaii Revised Statutes 708-871.5, which is under commerce and consumer protection and is a felony and criminal where HRS 486-32 Measurement Standards are civil offenses and penalties.

Raising the fine for a criminal offense to \$10,000 will serve as a greater deterrent to the counterfeiters of roasted coffees and hopefully better compliance under the law and will increase the brand value and recognition of the product. Along with



other prior changes in the coffee labeling laws HRS 486-120.6, this bill will help with the enforcement of those laws.

DOA respectfully requests that funds be added to this bill to support a Measurement Standards Inspector V SR-19 \$65,000, to support and restore enforcement capability for labeling regulations for Hawaii products such as coffee, macadamia nuts and mamaki tea. The inspector will inspect and enforce the new laws.

Thank you for the opportunity to testify on this measure.



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March 12, 2025

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

TESTIMONY ON SB 1276, SD1
RELATING TO AGRICULTURE

Conference Room 325 & Videoconference
9:00 AM

Aloha Chair Kahaloe, Vice-Chair Kusch, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports SB 1276, SD1, which extends the offense of false labeling of Hawai'i-grown coffee to include roasted coffee and imposes a \$10,000 fine for each separate offense of false-labeling of Hawai'i-grown roasted coffee.

Hawai'i-grown coffee is recognized for its high quality and aromatic flavor. It is held to a set of quality standards, making it one of the most expensive coffees in the world. Hawai'i-grown coffee is one of Hawai'i's signature crops. The Hawai'i Department of Agriculture estimated the 2023-2024 production value of Hawai'i-grown coffee at \$48.2 million. It ranked third among the state's top fifteen agricultural commodities produced in 2023.

To protect the Hawai'i coffee from counterfeiting, the Legislature enacted Act 211 in 2023. This law requires all coffee products carrying a Hawai'i geographical reference to disclose the location where the coffee was grown and indicate the percentage by weight of locally grown coffee and coffee grown elsewhere. It also specifies that coffee products claiming to be 100% Hawaiian must be grown and processed entirely in Hawai'i.

The current law focuses on green (unroasted) coffee, leaving a loophole allowing misleading labeling of roasted coffee containing little or no genuine Hawai'i-grown beans. SB 1276, SD1 closes this gap and strengthens consumer protections by ensuring that roasted coffee labeled as Hawai'i-grown truly originates from Hawai'i farms.

Thank you for this opportunity to provide comments on this measure.

SB-1276-SD-1

Submitted on: 3/9/2025 8:38:25 AM

Testimony for AGR on 3/12/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
James Kimo Falconer	Hawaii Coffee Growers Association	Support	Written Testimony Only

Comments:

Aloha e Chair Kahaloa, Vice Chair Kusch and members of the House AGR committee,

I am wrting in support of SB 1276 SD1 with the understanding that through this measure we are fixing a loophole in the current law that was created to alleviate false labeling of our Hawaiian origin coffees. Act 211, passed in 2023, made important progress toward this by making a gegraphical reference mandatory on specific labels. This law did not have any reference to roasted coffee however, where most labeling fraud occurs. Please help finalize this effort to stop the deliberate misleading of customers and strengthen consumer protection.

Mahalo for the opportunity to testify.

SB-1276-SD-1

Submitted on: 3/10/2025 12:50:10 PM

Testimony for AGR on 3/12/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
David Bateman	Heavenly Hawaiian Farms	Support	Written Testimony Only

Comments:

Aloha Chair Kahaloa, Vice Chair Kusch and Committee Members,

Heavenly Hawaiian Farms is a Kona coffee farm located in Holualoa, HI. We have been farming coffee for over 20 years. We **strongly support** SB 1276 SD1.

The roasted phase of coffee production is the phase where the vast majority of fraud occurs. Extending the penalties for false labeling and fraudulent misrepresentation to roasted coffee willl have its greatest impact at this stage in deterring such unlawful activity.

We **strongly support** SB1276 SD1 and request that your committee votes favorably on this important measure and passes it out of committee.

Mahalo nui,

Dave Bateman, President

Heavenly Hawaiian Farms

Holualoa HI

SB-1276-SD-1

Submitted on: 3/9/2025 10:22:16 AM

Testimony for AGR on 3/12/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sharon Ziegler-Chong	Individual	Support	Written Testimony Only

Comments:

As a voter and consumer of coffee, I strongly support this bill. The coffee industry is important to Hawai'i's agriculture industry and economy. At a time where so many things are increasing costs for this complex and special industry (e.g., labor, impacts of invasive species and diseases, land values, and global shifts), it is key that Hawai'i support this industry against bad actors using Hawai'i's name to support their gain.