

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

DEAN M. MATSUKAWA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON WAYS AND MEANS AND COMMITTEE
ON COMMERCE AND CONSUMER PROTECTION

WEDNESDAY, APRIL 2, 2025
10:00 A.M.
CONFERENCE ROOM 211 & VIDEOCONFERENCE

HOUSE BILL NO. 496, HD2
RELATING TO MAMAKI TEA

Chairs Dela Cruz and Keohokalole, Vice Chairs Moriwaki, Fukunaga and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 496, HD2. This bill imposes labeling requirements for mamaki tea grown in the State. Prohibits the use of certain words on the label of a consumer package that contains or includes tea or dried leaves from the plant *Pipturus albidis*, unless one hundred percent of the tea or dried leaves were grown in the State. Appropriates funds for a Measurement Standards Inspector position.

The Department of Agriculture (DOA) strongly supports this bill. The growing demand for Hawaiian mamaki tea as a brand should be protected and promoted. This bill provides mamaki tea the protection afforded to other valuable agricultural crops like coffee and macadamia nuts.

DOA appreciates that funds are added to this bill to support one Measurement Standards Inspector V SR-19 \$65,000, to support and restore enforcement capability for



labeling regulations for Hawaii products such as mamaki tea, coffee, and macadamia nuts. The inspector will inspect and enforce the new laws.

Thank you for the opportunity to testify on this measure.



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

April 2, 2025

HEARING BEFORE THE
SENATE COMMITTEE ON WAYS AND MEANS
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

**TESTIMONY ON HB 496, HD2
RELATING TO MĀMAKI TEA**

Conference Room 211 & Videoconference
10:00 AM

Aloha Chairs Dela Cruz and Keohokalole, Vice-Chairs Moriwaki and Fukunaga, and Members of the Committees:

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 HB 496, HD2, which prohibits the use of certain words that can be used on the label of a consumer package that contains or includes tea or dried leaves from the plant *Pipturus albidus*, unless one hundred per cent of the tea or dried leaves were grown in the State.

Māmaki, a Hawaiian endemic shrub, is only found in Hawai'i which makes it uniquely Hawaiian. It can be found as a bush, shrub, or tree and its leaves are used to make herbal tea. Māmaki has cultural and medicinal significance and is growing in popularity in local and global markets for its health benefits.

The Māmaki tea industry is fairly new, so we must protect this culturally important agricultural crop from deceptive or misleading labels. Hawai'i's Māmaki growers work hard to cultivate this unique crop, often on small-scale farms that contribute to the local economy and preserve agricultural traditions. Proper labeling requirements ensure that the benefits of Hawai'i's māmaki tea industry go to these dedicated farmers, not misleading competitors.

This measure is an important step in preserving the integrity of Hawai'i's agricultural products, protecting local farmers, and ensuring that consumers can make informed decisions about the origins of the products they purchase.

Thank you for the opportunity to testify on this measure.



Officers

Kaipo Kekona
State President

Anabella Bruch
Vice-President

Maureen Datta
Secretary

Reba Lopez
Treasurer

Chapter Presidents

Clarence Baber
Kohala, Hawai'i

Tony Vera
East Hawai'i

Puna, Hawai'i

Andrea Drayer
Ka'u, Hawai'i

Maureen Datta
Kona, Hawai'i

Fawn Helekahi-Burns
Hāna, Maui

Mason Scharer
Haleakalā, Maui

Kaiea Medeiros
Mauna Kahālāwai,
Maui

Kaipo Kekona
Lahaina, Maui

Kilia Avelino-Purdy
Moloka'i

Negus Manna
Lāna'i

India Clark
North Shore, O'ahu

Christian Zuckerman
Wai'anae, O'ahu

Ted Radovich
Waimānalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Natalie Urminska
Kaua'i

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Senate Ways and Means Committee,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFU strongly supports HB496.**

HB496 is an essential measure to ensure the integrity and marketability of mamaki tea produced in Hawaii. By imposing clear labeling requirements, this bill helps to protect both producers and consumers by ensuring transparency and accuracy in the labeling of mamaki tea. These requirements will allow consumers to make informed choices, while simultaneously supporting local farmers who are committed to growing authentic, high-quality mamaki tea. Proper labeling will prevent the misrepresentation of products, which can undermine the reputation of Hawaii-grown mamaki tea and harm the farmers who invest significant time and resources into cultivating this specialty crop.

The labeling requirements outlined in HB496 will promote consumer trust and confidence in Hawaii-grown mamaki tea. As the demand for mamaki tea continues to grow both locally and internationally, it is vital that Hawaii establishes itself as a leader in quality and authenticity. By ensuring that only mamaki tea meeting rigorous standards can bear the label indicating it is grown in Hawaii, we can help to protect the unique agricultural heritage of our state and foster a thriving market for our farmers. This bill not only supports local agriculture but also strengthens Hawaii's reputation as a source of authentic and superior agricultural products.

Mahalo for the opportunity to testify.

Hunter Heavilin
Advocacy Director
Hawai'i Farmers Union



Tea Chest Hawaii

80 Sand Island Access Road,
Suite 203
Honolulu, HI 96819
808-591-9400
www.teachest.com

Chair Dela Cruz, Ways and Means
Chair Keohokalole, Commerce and Consumer Protection
Vice Chair Moriwaki
Vice Chair Fukunaga
Senate Committee Members Aquino, DeCoite, Elefante, Hashimoto,
Inouye, Kanuha, Kidani, Mercado Kim, Lee, Wakai, Fevella, McKelvey,
Richards, and Awa

April 1, 2025

Dear Senators,

RE: Amend HB496 to Allow Blends to Use Mamaki in the Product Name or
Defer This Bill for More Input

I am writing to you to ask that tea blends containing mamaki be able to use the term "mamaki" in the product name, provided the term "Hawaii-grown" is mentioned on the front panel or in the ingredient list.

I am a firm believer that Hawaii's point of origin has value like intellectual property. As a native Hawaiian teamaker and agriculture stakeholder, I want a thriving mamaki industry. We've operated as a tea manufacturer and distributor for 30 years, and we've had the kuleana to work with mamaki for 15+ years, representing the crop pono and working towards an industry that one day includes many businesses, not only a few.

We sell 100% mamaki and mamaki blends, so we have empirical sales data that needs to be considered. Mamaki is a trend and is far from becoming an industry. Less than 10% of first-time mamaki purchases are 100% mamaki. The rule of thumb is 20%+ adoption with repeat purchase is needed for a product to go mainstream and spur the growth of an industry. Demand for mamaki is still embryonic and a labeling law now would impede investment and innovation in the crop.

Mamaki purchased directly from farmers range from \$55-165 a pound wholesale. Typically, retail prices are 2.5-3.0 times the product cost (ingredients, value-added process, packaging). If this bill passes, retail prices for 100% mamaki products could range from \$300-400 a pound. The law of price elasticity indicates that sales will decrease if this happens. Basic human behavior will cause consumers and investors (wholesalers, manufacturers, and retailers) to look at other caffeine-free alternatives and substitutes. Demand will be capped, and the ingredient will not go mainstream if consumers only perceive mamaki as expensive.

As a past president of the Hawaii Food Manufacturers Association and current Chair of the Hawaii Pacific Export Council, I've learned that an industry involves many types of businesses, not just the maker or the farmer. Support for this bill is only coming from the ag sector. The mamaki trend needs investment from all sectors, including farms, makers, wholesalers, retailers, and influencers, to grow into an industry. This is not currently happening. We're one of the few manufacturing companies investing in the crop, and this bill threatens our livelihood.

Blends provide an affordable entry point for consumers to try the ingredient. Consumers often discover mamaki through our blends Mint Mamaki and Jasmine Mamaki in a hotel or restaurant. They become fans of the ingredient, and then they are more open to trying our 100% mamaki product. This pattern is the same for local and non-local audiences.

With food, we as consumers buy what we're familiar with. Consumers will be more likely to pay top dollar for 100% mamaki when they are familiar with it, even if they first discover it in a blend. We're able to tell the story and increase the value of mamaki at this point. This is an established sales funnel for our Hawaii-grown products.

Labeling laws protect consumers in industries where demand has outpaced local supply, and non-Hawaiian substitutes have entered the market to fill the gap like with coffee and ahi. Mamaki is not like those products. Demand does not outstrip local supply and mamaki only grows in Hawaii so there are no counterfeits.

As contemporaries, it's easy to take the success of the Kona Coffee industry for granted. Understanding truly how much effort, investment, innovation, and time it took to become a sustainable industry is underestimated. Shaka Tea recently pumped \$1 million into expanding production. The supply is in place, but that did not increase demand for the crop.

The volume of mamaki we purchase annually has increased year after year using this method. Passing a labeling law without allowing blends to use "mamaki" in product names will hurt our business and our farmer suppliers, and it will slow consumer awareness because there will be fewer mamaki products on store shelves and in food service where discovery happens.

Thank you for your consideration to amend it to allow blends to use the term "mamaki" in their name or defer this bill so others can provide more input.

Me ka ha'a ha'a,



Byron Goo
Teamaker
bgoo@teachest.com



1050 Bishop St. PMB 235 |
Honolulu, HI 96813
P: 808-533-1292 | e:
info@hawaiiifood.com

Executive Officers

Maile Miyashiro, C&S Wholesale Grocer, *Chair*
Kit Okimoto, Okimoto Corp., *Vice Chair*
Jayson Watts, Mahi Pono, *Secretary/Treasurer*
Lauren Zirbel, HFIA, *Executive Director*
Paul Kosasa, ABC Stores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*
Toby Taniguchi, KTA Superstores, *Advisor*
Joe Carter, Coca-Cola Bottling of Hawaii, *Advisor*
Eddie Asato, Pint Size Hawaii, *Advisor*
Gary Okimoto, Safeway, *Immediate Past Chair*

TO: Committee on Ways and Means and Committee on Consumer Protection and Commerce

FROM: HAWAII FOOD INDUSTRY ASSOCIATION

Lauren Zirbel, Executive Director

DATE: April 2, 2025

TIME: 10am

RE: HB496 HD2 Relating to Māmaki Tea

Position: Comments with Requested Amendment

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, manufacturers and distributors of food and beverage related products in the State of Hawaii.

HFIA understand the intent of this measure. Māmaki Tea is a unique and culturally significant local product. We believe that our Māmaki tea industry, including growers, blenders, packers, and suppliers deserve support from the State.

There are currently a variety of different Māmaki products available for different customers, including bagged teas, loose teas, and ready to drink beverages. Many of these products feature Māmaki blended with other dried ingredients such as mango, hibiscus, or mint. Many of these additional ingredients may come from Hawaii, but some may not be commercially available in the state and may be imported.

For customers unfamiliar with Māmaki these blends can offer a familiar entry point to experience Māmaki for the first time and begin to appreciate it and become regular customers of this local product.

We do not believe the intent of this measure is to ban products such as those mentioned above, or prohibit Māmaki products that contain other ingredients from using the word Māmaki or Hawaiian Grown on the label. We're requesting the measure be amended in

Section to specify that the requirement for the dried tea and leaves to be locally grown only applies to the Māmaki and not all ingredients. The amendment is in red here,

"(a) No label on a consumer package that contains or includes tea or dried leaves from the plant *Pipturus albidus* shall contain the words "Māmaki", "Hawaii", or "Hawaiian", or any variation of these terms, unless one hundred per cent of the Māmaki tea or dried leaves were grown in the State."

For clarity we also request language be added that specifies,

"This act is not intended to prohibit the blending of Māmaki tea with other teas or ingredients, or prohibit blended Māmaki tea products from using the word Māmaki on the label."

We believe that these amendments will accomplish the goal of this measure to protect Hawaiian Grown Māmaki as a unique locally produced agricultural product, without inadvertently banning local products, or prohibit blended products from promoting their locally grown Māmaki tea on the label. We thank you for the opportunity to testify.