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March 27, 2025

HEARING BEFORE THE
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

TESTIMONY ON HB 534, HD2, SD1
RELATING TO LABELING REQUIREMENTS

Conference Room 229 & Videoconference
9:30 AM

Aloha Chair Keohokalole, Vice-Chair Fukunaga, 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 HB 534, HD2, SD1, which prohibits the sale of processed food item with raw ahi in retail establishments without a label that states the country where the ahi was landed.

Hawai'i is known for its high-quality ahi, which are caught under strict fishery management standards. Imported ahi, often caught under less stringent regulations, is sometimes misleadingly marketed as "Hawaiian" or "local." This measure ensures that consumers can distinguish between authentic Hawai'i-landed ahi and imported products

Many consumers prefer to buy locally sourced food to support the local economy. Labeling processed ahi by country of origin gives them the necessary information to make informed choices.

We should protect Hawai'i's fishing industry, support local fishermen, and ensure consumer transparency by requiring country-of-origin labeling for processed ahi products.

Thank you for the opportunity to testify on this important matter.

HB-534-SD-1

Submitted on: 3/21/2025 2:57:08 PM

Testimony for CPN on 3/27/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

HB-534-SD-1

Submitted on: 3/21/2025 5:20:12 PM

Testimony for CPN on 3/27/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Evans	Individual	Support	Written Testimony Only

Comments:

Aloha Senator Keohokalole and Commerce and Consumer Protection Committee,

My name is Andrew Evans and I am born and raised in Kailua, one of your constituents. I am a conservation professional and volunteer fishmonger where we sell locally-caught fair-trade-paid fish from local fishermen to our O'ahu community. I wish to advocate for our local fishing and hope you support the passage of HB534.

HB534 makes an essential move to promote local fish and promote consumer transparency in food essential to our islands' culture, poke and fresh fish. Labeling requirements will help us begin to prioritize local fish in our poke markets. All the while these labeling requirements will also help protect our consumers' health: unlabeled, imported, gas-treated fish allows old and spoiled fish to be passed and sold as fresh (even as local), leading to illnesses and allergic reactions (carbon monoxide increases histamine content in ahi, where histamine can trigger allergy-like symptoms among sensitive people), endangering the health of our community. With transparent labeling, however, our poke counters will be pushed to candidly serve consumers local, fresh, and healthy fish.

Even so, this bill is lacking in significant ways, failing to fully deliver the promised and touted effects on our local economy. While the bill's passage is a necessary step, further work is required to adequately support our local economy:

-First, this bill only applies to ahi, when so many other fish are also prepared and sold in our local markets under the pretense that it is fresh and local. Yes, by covering ahi, HB534 does impact the bulk of poke consumption. But the future of this labeling effort should involve expanding its impact to all fish sold within our economy.

-Second, this bill only requires labeling in large grocery retailers, such as Foodland, Times, and Safeway that purchase \$230,000 worth of produce. This, of course, covers the majority of bought and sold poke, surely. However, it still does not cover prepared ahi sold in restaurants and other poke shops that benefit from the guise of selling local fish when it may or not be truthfully so. In future years, this bill needs to be amended to expand its targeted businesses to all retailers and restaurants that sell prepared fish on our islands. People simply shouldn't be able to buy unlabeled fish in any form.

-Third, this bill defines local as being "landed in Hawaii" rather than being "caught in Hawaii". This is quite misleading, as customers will be purchasing ahi poke assuming they're thereby supporting local fishermen, while they are likely buying fish landed in Hawaii, but caught by longline boats across the greater Pacific by foreign crews facing unresolved slavery allegations (covered by the Civil Beat). That kind of "local" fish I doubt any local consumer wishes to support in contrast with the honest work of Hawaiian-water-catching fishermen who return to their families every evening. To this end, the Hawaii Fish Auction, which will be the source of this newly labeled "Hawaii landed" ahi sells its actual Hawaii-caught troll-caught fish only after the foreign-caught, Hawaii landed longline fish. Basing these bills and their definition of "local" around the business of the Fish Auction misleads consumers on the true origin of where their fish is caught and limits how much truly-local fishermen can benefit from this type of legislation. Rather, future amendments to this legislation should shift how it defines "local fish" to be based on where it was caught, not just where it was landed.

Even with this room for improvement, HB534 in its current state still makes an important move toward fostering greater transparency and consumer opportunity in supporting local products. I hope you continue to pass legislation in favor of local-caught seafood, its fishermen, and its consumers. I would love to see a seafood economy tied to our local natural resources, the local waters we are responsible for conserving, and the people responsible for conserving them. I hope you want the same.

Thank you for your time in reading this and I appreciate your work in these efforts.

Andrew

HB-534-SD-1

Submitted on: 3/22/2025 10:54:22 AM

Testimony for CPN on 3/27/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

HB534 as written will be beneficial to consumer safety and awareness. However, I question the restriction of this bill to only "raw" ahi, and only in "prcessed food." Disclosure of country of landing should apply to all ahi, whether cooked or raw, and whether processed or not. For that matter it should apply to all seafood products sold in Hawaii. Perhaps the leg could enact a more comprehensive bill next session? In the meantime, please pass HB534

HB-534-SD-1

Submitted on: 3/23/2025 2:54:08 PM

Testimony for CPN on 3/27/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

I support this measure, HB534 HD2 SD1.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
COMMERCE AND CONSUMER PROTECTION

Thursday, March 27, 2025
9:30 AM
State Capitol, Conference Room 229 & Videoconference

In consideration of
HOUSE BILL 534, SENATE DRAFT 1
RELATING TO LABELING REQUIREMENTS

House Bill 534, Senate Draft 1, proposes to prohibit the sale of any processed food item with raw ahi product as an ingredient in retail establishments without a label that states the country where the ahi was landed. **The Department of Land and Natural Resources (Department) supports this bill.**

Today's consumers are increasingly aware of the sourcing of their seafood, with many looking for insight into the quality, safety, and sustainability of products they purchase and consume. The United States Department of Agriculture (USDA) Country of Origin Labeling (COOL) law (7 CFR Part 60) requires that seafood products be labeled with the country of origin. The COOL requirement does not apply to prepared foods offered for retail sale at food service establishments. This means that prepared products such as poke currently have no labeling requirement. This bill would extend country of origin labeling requirements for certain ahi tuna products at Hawai'i retail establishments, enabling consumers to make informed choices when purchasing seafood.

Yellowfin and bigeye tuna are highly migratory species that are managed at the international, national, and state levels. Internationally, fisheries targeting these species are managed by regional fishery management organizations (RFMOs), which set annual catch quotas for participating countries. Domestically, commercial landings of these species are closely monitored to ensure compliance with quotas established by RFMOs. The largest domestic fishery for ahi in the State, the Hawai'i longline fishery, is closely managed by the National Marine Fisheries Service (NMFS) through a limited entry permit system and strict regulations

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
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RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

LATE

which include mandatory reporting, observer coverage, crew training, gear identification requirements, special area closures, and other measures to minimize impacts on bycatch and protected species. Fisheries that land tuna in other countries often lack this high level of management oversight.

Mahalo for the opportunity to provide testimony in support of this measure.



LATE

March 26, 2025

Testimony in Support of HB534(HD2/SD1)

Aloha Chair Kaohokalole, Vice Chair Fukunaga, and Members of the Committee,

The Hawaii Longline Association (HLA) strongly supports HB534(HD2/SD1). HLA members are comprised of 150 active longline vessels operating out of Honolulu Harbor and the United Fishing Agency (Honolulu Fish Auction). The Hawaii longline fleet is the largest food producer in Hawaii, landing approximately 30 million pounds fish annually. The Hawaii longline fleet, which primarily targets ahi, is also Hawaii's largest fishery, comprising approximately 85% of the State's commercial marine landings. Approximately 80% of our fleet's landings stay in Hawaii with the remainder sold in US mainland markets.

HLA supports HB534(HD2/SD1) because it would provide country of origin labeling for raw processed ahi sold at retail establishment for products such as poke, sashimi, and sushi. Existing federal law applies to seafood country of origin including fish fillets, tuna steaks, and loins as well as fruits, vegetables, and meat. County of origin labeling requirements do not exist for "processed" ahi such such as poke.

Ahi poke sold at retail establishments is dominated by previously frozen, carbon monoxide treated fish. However, there is a common misconception that this previously frozen, carbon monoxide treated tuna is derived from Hawaii fisheries, when in fact it is imported from foreign sources. A likely cause for some of this confusion is that retailers often use tricky advertising that mislead consumers into thinking the product is fresh or locally caught such as: "freshly made," and "locally prepared." Moreover, simply using the Hawaiian words "ahi poke" implies locally caught tuna. No ahi landed in Hawaii is being treated with carbon monoxide for commercial sale, whereas Hawaii landed tuna is typically only marketed as "fresh" without any origin information.

While the sale of carbon monoxide treated tuna is prohibited in Japan, European Union, and Australia, among other places, HB534(HD2/SD) would not ban it from being sold in Hawaii. Rather, HB534(HD2/SSD1) would provide consumers with more information on where the ahi in their poke comes from, thereby empowering consumers to make more informed choices.

By passing this bill, Hawaii would join Alabama, Louisiana, and Mississippi in states enacting enhanced seafood country of origin labeling laws to benefit consumers and local seafood producers from impacts of cheaper imports.

Thank you for the opportunity to provide this testimony in support of HB534(HD2/SD1).

Mahalo,

Eric K. Kingma, Ph.D.
Executive Director

LATE

LATE

HB-534-SD-1

Submitted on: 3/26/2025 11:57:37 AM

Testimony for CPN on 3/27/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
John Kaneko	Testifying for Hawaii Seafood Council	Support	Written Testimony Only

Comments:

Strongly support this bill. Truthful labeling is needed for consumers to be able to make responsible food choices in the retail market and support sustainable local Hawaii food producers.

LATE

HB-534-SD-1

Submitted on: 3/26/2025 6:39:37 AM

Testimony for CPN on 3/27/2025 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jenny Yagodich	Individual	Support	Written Testimony Only

Comments:

Support for HB534 HD2 SD1 to prohibit the sale of any processed food item with raw ahi product as an ingredient by retail establishments without a label that states the country where the ahi was landed.