

ACT 73

A Bill for an Act Relating to Grades and Standards of Agricultural Commodities and Amending Chapter 22 of the Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 22-1 (d) Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

“(d) “Agricultural commodity” means fresh fruits and fresh vegetables of every kind and character, whether or not frozen or packed in ice, whether produced in the State or imported, and coffee, whether cherry, parchment or green beans which have been produced in the State of Hawaii.”

SECTION 2. Section 22-1 (f), Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

“(f) “Off-Grade” is a descriptive term applicable to agricultural commodities which have a market value, and designates a quality lower than the lowest applicable in Hawaii, other states or the United States grade for each agricultural commodity.”

SECTION 3. Section 22-1 of the Revised Laws of Hawaii 1955, as amended, is hereby amended by adding thereto a new subsection to be designated and to read as follows:

“(g) “Consumer” means any person or firm purchasing agricultural commodities for human or animal consumption.”

SECTION 4. Section 22-4 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by deleting “M.Q.” from the second paragraph thereof and by substituting therefor “OFF-GRADE.”

SECTION 5. Chapter 22 of the Revised Laws of Hawaii 1955, as amended, is hereby further amended by adding after section 22-5 thereof, a new section to be numbered, titled and to read as follows:

“Section 22-5.1. Unlawful to trade in commodities without specifying grade; penalty. It shall be unlawful for a person to sell, offer for sale or expose for sale to a consumer, any agricultural commodity intended for human consumption, without specifying by suitable sign or label, the exact grade or “off-grade” designation applicable to agricultural commodities offered for sale in bulk displays, or to sell, offer or expose for sale agricultural commodities which are packaged without designating on the packages also the net weight or count in words and figures visible to the consumer. Any person who is convicted of any violation of this section shall be punished by a fine of not more than \$1000 or confinement for not more than three months or both. Violations of this section shall also be subject to the provisions and procedures set forth in subsections 22-25 (a) and (b).”

SECTION 6. Severability. It is the intent of the legislature that

ACT 73

the provisions of section 1-29 relating to severability shall be applicable to this Act.

SECTION 7. This Act shall take effect on January 1, 1966.
(Approved May 11, 1965.) **H.B. 110.**