

ACT 27

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H. B. NO. 486

A Bill for an Act Relating to the Hawaii Feed Law.

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

SECTION 1. Subsection 24-3(e), Revised Laws of Hawaii 1955, as amended, is deleted in its entirety and the following substituted therefor:

“(e) The term ‘commercial feed’ means all materials which are designed

for use as feed, or for mixing in feed, for animals other than dogs, cats or other domestic pets, and which are distributed or imported except:

- “(1) Unmixed or unprocessed whole seeds which are not adulterated within the meaning of section 24-7.
- “(2) Hay, straw, stover, silage, cobs, husks, and hulls.
 - “(i) when unground or
 - “(ii) when unmixed with other materials
- “(3) Wet garbage.
- “(4) Individual chemical compounds when not mixed with other materials.
- “(5) Unmixed feeding cane molasses, unmixed pineapple pulp, unmixed pineapple hay, and unmixed sugar cane hay.”

SECTION 2. Subsections 24-3(g) through (o), Revised Laws of Hawaii 1955, as amended, are deleted in their entirety and the following substituted therefor:

“(g) The term ‘mineral feed’ means a substance or mixture of substances designed or intended to supply primarily mineral elements or inorganic nutrients.

“(h) The term ‘custom-mixed feed’ means a special commercial mixture which is formulated by the manufacturer or processor in accordance with the specific instructions of the final purchaser and contains feed material or materials wholly or partly supplied by such manufacturer or processor.

“(i) The term ‘toll-milled feed’ means a special feed which is processed by the processor (1) from materials entirely delivered by the owner thereof or his authorized agent and (2) in accordance with the specific instructions of such owner, and which is not distributed.

“(j) The term ‘commercial mixed feed’ means a commercial feed which is a mixture or blend of more than one feed ingredient.

“(k) The term ‘commercial simple feed’ means a commercial feed that consists of only one feed ingredient.

“(l) The term ‘brand name’ means any word, name, symbol or device or any combination thereof identifying the commercial feed of a distributor and distinguishing it from that of others.

“(m) The term ‘product name’ means the name of the commercial feed which identifies it as to kind, class, or specific use.

“(n) The term ‘label’ means a display of written, printed or graphic matter upon or affixed to the container in which a commercial feed is distributed or imported, or on the invoice or delivery slip with which a commercial feed or custom-mixed feed is distributed or imported.

“(o) The term ‘ton’ means a net weight of two thousand pounds avoirdupois.

“(p) The term ‘percent’ or ‘percentage’ means percentage by weight.

“(q) The term ‘official sample’ means any sample of feed taken by the board or its agent and designated as ‘official’ by the board of agriculture.”

SECTION 3. Paragraphs (2) and (3) of subsection 24-5(a), Revised Laws of Hawaii 1955, as amended, are amended to read as follows:

- “(2) The product name or brand name under which the commercial feed is distributed.
- “(3) The guaranteed analysis of the commercial feed, listing the minimum percentage of crude protein, minimum percentage of crude fat, maximum percentage of crude fiber, and maximum percentage of ash; additional guarantees required to be or intentionally shown, shall appear only in the guaranteed analysis section of the label after the guarantee for maximum ash. For all mineral feeds and for those commercial feeds containing a level of added mineral ingredients, the list shall include the following, if added: minimum and maximum percentage of calcium (Ca), minimum percentage of phosphorus (P), minimum percentage of iodine (I), and minimum and maximum percentage of salt (NaCl). Other substances or elements, determinable by laboratory methods, may be guaranteed by permission of the board of agriculture. When any items are guaranteed, it shall be subject to inspection and analysis in accordance with the methods and regulations that may be prescribed by the board of agriculture. Products sold solely as mineral and vitamin supplements and guaranteed as specified in this section need not show guarantee for protein, fat, fiber and ash but must be labeled with adequate feeding or mixing directions.”

SECTION 4. Paragraph (4) of subsection 24-5(c), Revised Laws of Hawaii 1955, as amended, is amended to read as follows:

- “(4) Product name and brand name, if any, of each registered commercial feed used in the mixture and the name and number of pounds of each other feed ingredient added.”

SECTION 5. The third proviso of section 24-6(a), Revised Laws of Hawaii 1955, as amended, is amended to read as follows:

“and provided, further, that a distributor shall pay an annual registration fee of \$25 for each brand of commercial feed distributed in individual packages of ten pounds or less, and the distributor of such brand shall not be required to pay the inspection fee on such packages of the brand so registered;”

SECTION 6. Paragraph (1) of subsection 24-6(b), Revised Laws of Hawaii 1955, as amended, is amended by inserting between the first and second sentences of said paragraph the following:

“Inspection fees which are due and owing and have not been remitted to the department within thirty days following the due date shall have a penalty fee of five per cent added to the amount due when payment is finally made. The assessment of this penalty fee shall not prevent the department from taking other action as provided in this chapter.”

SECTION 7. Except as otherwise indicated, statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

* Edited accordingly

SECTION 8. Notwithstanding the adoption of Act 16, Session Laws of Hawaii 1968, this Act shall have full force according to its intent. Upon the taking effect of this Act or the Hawaii Revised Statutes, whichever occurs later, this Act shall be construed to be in amendment of or in addition to the Hawaii Revised Statutes, all references in this Act being construed to refer to the applicable or corresponding provisions of the Hawaii Revised Statutes.

The revisor of statutes may reword and renumber the references in this Act and make such other formal or verbal changes as may be necessary to conform with the Hawaii Revised Statutes.

SECTION 9. This Act shall take effect upon its approval.

(Approved May 15, 1969.)