

ACT 261

S.B. NO. 956

A Bill for an Act Relating to Consumer Commodities.

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

SECTION 1. Section 486-1, Hawaii Revised Statutes, is amended by amending the definition of “consumer commodity” to read as follows:

“(3) “Consumer commodity” means any article, product, good, or agricultural or other commodity of any kind that is customarily produced or distributed for sale through mercantile or retail sales outlets for consumption or use by individuals, including but not limited to food products and consumer packages.”

SECTION 2. Section 486-26.5, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§486-26.5]]~~ **Misbranding.** (a) No person shall deliver for introduction, hold for introduction or introduce; or keep, offer or expose for sale; or sell [into intrastate commerce,] any consumer commodity which is misrepresented or misbranded in any manner.

(b) The director [shall], pursuant to section 486-9 and chapter 91, shall adopt rules [and regulations] relating to misbranding. The rules may:

- (1) Require any person involved with a specified consumer commodity to keep and make available for inspection or copying by the director adequate records to substantiate the source of the consumer commodity, or in the case of blends, the source of such constituents, as may be required by the director;
- (2) Establish fanciful names or terms, and in the case of blends, minimum constituent content by weight, to be used in labeling to differentiate a specific consumer commodity from an imitation or look-alike; or
- (3) Establish requirements to reconcile the respective volumes of specific consumer commodities received versus the total

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amounts output, either as whole or processed product or as blends.

In addition, the director may adopt other rules as the director deems necessary for the correct and informative labeling of consumer commodities.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 24, 1987.)