

ACT 201

S.B. NO. 819

A Bill for an Act Relating to Labeling.

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

SECTION 1. Section 486-26, Hawaii Revised Statutes, is amended to read as follows:

“§486-26 Hawaii-made products. No person shall keep, offer, display [or], expose for sale, or solicit for the sale of any item, product, souvenir, or any other merchandise which is labeled “made in Hawaii” or which by any other means misrepresents the origin of the item as being from any place within the State, which has not been manufactured, assembled, [or] fabricated, or produced within the State and which has not had at least [twenty-five] fifty-one per cent of its wholesale value added by manufacture, assembly, [or] fabrication, or production within the State.”

SECTION 2. Chapter 486, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§486- “Island fresh” milk. (a) No person shall keep, offer, display, expose for sale, or solicit for the sale of any processed milk or milk product which is labeled with the term “island fresh”, or like terms, or which by any other means misrepresents the origin of the item as being from any place within the State unless the processed milk or milk product has been at least ninety per cent produced in the State.

(b) It shall be unlawful for any person to sell or offer to sell to a consumer, or expose for sale to a consumer, any processed milk or milk product for human consumption which has been at least ninety per cent produced within the State, without providing notice to the consumer that the processed milk or milk product has been locally produced. The notice shall be made by displaying on a conspicuous area on the principal display panels of the carton or container a label or sign printed in bold face or other distinctive type stating that the product is “island fresh” or using another similar term.

(c) For the purpose of this section:

“Carton” or “container” means a package containing processed milk or milk products.

“Consumer” means any person who purchases processed milk or milk products.

“Processed milk or milk product” means processed fresh milk and fresh milk products.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 4. This Act shall take effect on October 1, 1989.

(Approved June 7, 1989.)

Note

1. Edited pursuant to HRS §23G-16.5.