

Honolulu, Hawaii

APR 25 , 2024

RE: H.B. No. 2278  
H.D. 2  
S.D. 3  
C.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2278, H.D. 2, S.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO LABELING OF MACADAMIA NUTS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of the measure is to:

- (1) Expand the labeling requirements for macadamia nuts to labels on a consumer package that represent the origin of the raw or processed macadamia nuts as being from any place within the State, including through the company name or the use of images of the State;
- (2) Require a listing of the countries of origin of the portion of the processed macadamia nuts not grown in



Hawaii that are included in the package to also be shown on the label; and

- (3) Establish a private right of action for private persons injured by a violation of the labeling requirements for macadamia nuts.

Your Committee on Conference has amended this measure by:

- (1) Inserting a preamble;
- (2) Deleting language expanding the labeling requirements to labels on a consumer package that represent the origin of the raw or processed macadamia nuts as being from any place within the State, including through the company name or the use of images of the State;
- (3) Repealing statutory language requiring the disclosure of the percentage of macadamia nuts grown in the State if a label contains language that a portion of raw or processed macadamia nuts in the package was grown in the State;
- (4) Requiring a disclosure statement if a product contains raw or processed macadamia nuts grown outside of the State;
- (5) Deleting language establishing a private right of action;
- (6) Exempting products that contain any other ingredient, except seasonings and flavorings, in addition to macadamia nuts from the labeling requirements;
- (7) Changing the effective date to January 1, 2026; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2278, H.D. 2, S.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2278, H.D. 2, S.D. 3, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



HERBERT RICHARDS  
Chair



CEDRIC ASUEGA GATES  
Co-Chair



JARRETT KEOHOKALO  
Co-Chair



MARK M. NAKASHIMA  
Co-Chair



KARL RHOADS  
Co-Chair



KIRSTIN KAHALOA  
Co-Chair



