

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
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**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

**FRIDAY, FEBRUARY 3, 2023
9:00 AM
CONFERENCE ROOM 325 & VIDEOCONFERENCE**

**HOUSE BILL NO. 1348
RELATING TO LABELING OF MACADAMIA NUTS**

Chairperson Gates and Members of the Committee:

Thank you for the opportunity to testify on House Bill 1348. This measure clarifies labeling requirements for macadamia nuts. Requires country of origin to be included on the label of a consumer package of raw or processed macadamia nuts. Allows a private right of action for violations. The Department of Agriculture (DOA) supports this bill and offers comments.

DOA's Measurement Standards Branch investigates and enforces statute HRS 486-120.5 relating to macadamia nuts. Better clarification of the use of the label terms in the original statute will help enforcement of the law. The words "foreign grown macadamia nuts" with a percentage of product by weight may be clearer than listing multiple countries on the package. The addition on page 3 section (3) line 17 referencing use of a company name or the use of images of the State as a further violation may need to be clarified by example for clarity. We also support the right of any person injured by a violation of this section may bring a civil action in court for damages.

Thank you for the opportunity to testify on this measure.





P.O. Box 253, Kunia, Hawai'i 96759
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February 3, 2023

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

TESTIMONY ON HB 1348
RELATING TO LABELING OF MACADAMIA NUTS

Conference Room 325 & Videoconference
9:00 AM

Aloha Chair Gates, Vice-Chair Kahaloa, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports HB 1348, which clarifies labeling requirements for macadamia nuts. Requires country of origin to be included on the label of a consumer package of raw or processed macadamia nuts and allows a private right of action for violations.

Hawai'i is the 5th largest producer of macadamia nuts in the world (620 farms, operating on 17,000 acres), after Australia, South Africa, China, and Kenya. Production in 2021 totaled 51 million pounds; **the farm value was estimated at \$62.7 million.**

The Hawai'i macadamia nut industry is under great stress from economic and environmental pressures. One of the greatest threats to the viability of macadamia farming in Hawai'i is the misleading labeling of macadamia nut products. Currently, there is little to no regulation to prevent the use of Hawai'ian names and images to market macadamia nuts grown outside of Hawai'i.

House Bill 1348 in its current form enacts positive changes to HRS 486-120.5; however, the bill is limited as it only pertains to consumer packaging of macadamia nuts labeled as "Hawaiian-Grown Macadamia Nuts". It does not pertain to consumer packages that contain macadamia nuts of non-Hawai'ian origin while misrepresenting the origin of the macadamia nuts by including Hawai'i-based names and images on the consumer packages.

To address the foregoing, HRS 486-120.5 subsection (b) should read as follows:

(b) If a label on a consumer package contains language that a portion of the raw or processed macadamia nuts contained in the package was grown in Hawai'i, or that by any other means represents the origin of the macadamia nuts as being from any place within the State of Hawai'i, including but not limited to company name and images of Hawai'i, the label shall be worded "Hawai'i-Grown Macadamia Nuts", preceded by the per cent by weight of the macadamia nuts contained in the package that were grown in Hawai'i, and shall appear on the principal display panel of the package. The per cent by weight of the macadamia nuts in the package shall be the percentage calculated by dividing the weight in pounds of the macadamia nuts grown in Hawai'i that are in the package by the weight in pounds of all macadamia nuts in the package and multiplying the quotient by one hundred. A listing of the countries of origin of the portion of the raw or processed macadamia nuts not grown in Hawai'i that are included in the package shall also be shown on the label.

Thank you for the opportunity to testify on this measure.

Synergistic Hawaii Agriculture Council



HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023

COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

Rep. Cedric Asuega Gates, Chair
Rep. Kirstin Kahaloa, Vice Chair

Friday, February 3, 2023, 9:00AM
Conference Room 325 & Videoconference

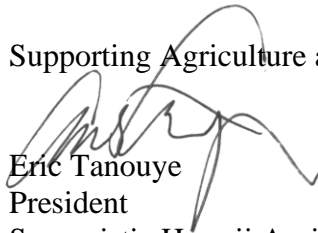
My name is Eric Tanouye and I am the President of the Synergistic Hawaii Agriculture Council (SHAC). SHAC is a statewide organization consisting of four associations - the Hawaii Coffee Association (HCA), the Hawaii Floriculture and Nursery Association (HFNA), the Hawaii Macadamia Nut Association (HMNA) and the Hawaii Papaya Industry Association (HPIA), and represents over 1000 businesses, from growers to processors and shippers, stretching across the State of Hawaii. Our mission is to support the growth of Hawaii agriculture and founded with the effort to better market Hawaii commodities to foreign and domestic markets.

SHAC SUPPORTS HB1348 RELATING TO LABELING OF MACADAMIA NUTS

We find that HB1348 has positive changes to HRS 486-120.5 and though we would like to see further change to the labeling, we support this bill. It is important to our local Macadamia industry to properly convey the knowledge that their products are produced in Hawaii.

If you have any questions, I can be reached by phone at 808-959-3535 ext. 2627, cell 960-1433 and email eric@greenpointnursery.com.

Supporting Agriculture and Hawaii,


Eric Tanouye
President

Synergistic Hawaii Agriculture Council

Synergistic Hawaii Agriculture Council (SHAC)
190 Keawe St. Suite 204 Hilo HI 96720

HB-1348

Submitted on: 2/1/2023 8:40:35 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Synergistic Hawaii Agriculture Council	Synergistic Hawaii Agriculture Council	Support	Written Testimony Only

Comments:

In strong support of protecting Hawaii's macadamia nut industry by enforcing labeling that indicates origin for both Hawaii-grown and foreign nuts.



Representative Cedric Asuega Gates, Chair
Representative Kirstin Kahaloa, Vice Chair
Committee on Agriculture and Food Systems

Hawaiian Macadamia Nut Orchards, LP

Support for HB 1348, Relating to the Labeling of Macadamia Nuts

Aloha Chair Gates, Vice Chair Kahaloa, and Members of the AGR committee,

I work for Hawaiian Macadamia Nut Orchards, which farms over 5,000 acres on the Big Island. As someone who has worked in the industry now for nearly 12 years, I am in strong support of HB 1348.

The macadamia nut industry in Hawai'i is under threat from low-cost foreign nuts being quietly inserted into packages bearing the imagery, names, and appearance of being Hawai'i-sourced. These brands are benefiting from the implication of being from Hawai'i and being of higher quality while undercutting brands that are actually using 100% Hawai'i grown nuts and supporting the local industry. Not only is this a threat to small farmers who grow macadamias as a part of their livelihood, but also to larger farmers who employ hundreds of people within the state, specifically in rural areas with very few alternative work opportunities if the industry disappears.

While HB 1348 adds important changes to HRS 486-120.5, it still requires further changes to adequately address local brands putting foreign nuts in their products and bags, which suggest they are Hawai'i sourced by their names and imagery, but simply exclude language saying they are from Hawai'i to circumvent the laws as currently written and proposed. I am highly supportive of the proposed private right of action portion of the bill, as it will allow farmers and workers who are harmed by violations of the law to take action.

Hawai'i macadamias are an iconic part of Hawai'i's agricultural identity. We seek to preserve this identity and its integrity. Without these protections, the industry is in danger of disappearing. I urge the committee to pass HB 1348 to help in this effort. Thank you for the opportunity to submit testimony for this important bill.

Mahalo,

Bonnie Self

February 1, 2023

HB1348

Macadamia Nuts; Labeling Requirements; Country of Origin; Private Right of Action

Aloha Committee Chair and Members,

My name is Reggie Souza, I am testifying in support of HB1348. I have been employed with Hawaiian Macadamia Services for 35 years. We have two orchards located in Kea'au and Ka'u. Hawaiian Macadamia Nut Services employs 150 local workers.

We have local processing companies currently putting foreign nut kernels in their product which greatly affects the local farmers, as we just can't compete with the kernel prices from foreign countries. I would like to see more transparency from the Hawaii processors on the labeling of macadamia products.

I have seen generations of local families depend on farming macadamia locally and their livelihoods are now being threatened. I reiterate my full support of HB1348.

Mahalo for your time and consideration,

Reggie Souza

February 1, 2023

HB1348

Macadamia Nuts; Labeling Requirements; Country of Origin; Private Right of Action

Aloha Committee Chair Cedric Asuega Gates, Vice Chair Kirstin Kahaloa and Committee Members,

My name is Cara Souza, and I am testifying in support of HB1348. I am an employee of Hawaiian Macadamia Nut Services on the Big Island for over 14 years. Hawaiian Macadamia Nut Services farms over 5,400 acres of macadamia and employs a large number of the community in Pahala as well as Hilo.

When I began working for the company in 2008, the company was able to sell the annual macadamia crop locally. But in more recent years, the company has been unable to compete with the extremely low cost of international macadamia, especially in the local market.

Local macadamia nut products are now being flooded with low quality foreign macadamia, while still maintaining the original Hawaiian branding. This hurts all local macadamia farmers, especially the small farmers who are now being turned away from prominent local processors. Why pay higher prices for local macadamia when large local companies can cut off local farmers for the benefit of their bottom line, all the while selling their macadamia products under false pretense due to their branding.

Any entity that would market and sell "Hawaiian" products should be transparent as to the origin of the product. I would be quite displeased to learn that an authentic product I was sold was not in fact completely authentic or genuine, especially if the seller willingly did not disclose this information.

Hawaii is truly a special place, and I believe in the integrity of locally grown macadamia nuts and the farmers who grow and harvest them. Once again, I am in full support of HB1348. Please help to protect and strengthen our local macadamia farmers and their livelihoods.

Thank you for your time and consideration,

Cara Souza

February 1,2023

HB1348

Macadamia Nuts; Labeling Requirements; Country of Origin; Private Right of Action

Aloha Committee Chair and Members,

I am Noel Sebastian and I am testifying for in support of HB1348. I am an Employee of Hawaiian Macadamia Nut Services on the Big Island for 13 years. I am originally from Philippines and Migrated to Hawaii since 2010, and since then, I've been working for the company.

Many of the farmers in Hawaii depends on Macadamia Nut Harvest. Being flooded with foreign Macadamia nuts gives a tremendous impact to local Macadamia nut farmers. Again, I am strongly support HB1348.

Thank you for your time,

Noel Sebastian

HB-1348

Submitted on: 2/1/2023 3:08:19 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Navarro	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Jennifer Navarro support Bill HB1348.

HB-1348

Submitted on: 2/1/2023 3:09:06 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
oliver asistin	hawaiian macadamia nut services	Support	Written Testimony Only

Comments:

i oliver asistin support this bill, working here at hawaii macadamia nut, noticed how the company is struggling on finding support on where to sell our products due to the situation where other companys buy low cheap products and relabeling it as local and not stateing where these products was actually harvested from or produced, this is a cause of false advertising a consumable product that does not state where its ingredients origins from.

HB-1348

Submitted on: 2/2/2023 6:59:12 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Desiree Salmo	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Desiree Salmo support Bill HB1348.

HB-1348

Submitted on: 2/2/2023 7:00:27 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
imelda aurelio	hawaiian macadamia nut services llc	Support	Written Testimony Only

Comments:

i imelda aurelio support bill hb1348

HB-1348

Submitted on: 2/1/2023 5:37:05 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruby Manantan	Hawaiian Macadamia Nut Services	Support	Written Testimony Only

Comments:

I Ruby Manantan a Supervisor at Hawaiian Macadamia Nut Services support HB1348.

HB-1348

Submitted on: 2/2/2023 7:06:00 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Esmenia Garo	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Esmenia Garo support bill HB1348

HB-1348

Submitted on: 2/2/2023 7:05:26 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Raul Simolata	hawaiian macadamia nut services	Comments	Written Testimony Only

Comments:

I am Raul Simolata, Employed at Hawaiian Macadamia Nut Services and I strongly support Hb1348.

HB-1348

Submitted on: 2/2/2023 7:10:32 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Roscoe Young	HAWAIIAN MACADAMIA NUT SERVICES	Support	Written Testimony Only

Comments:

I support HB1348

HB-1348

Submitted on: 2/2/2023 7:12:03 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Emelda Bilog	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Emelda Bilog support Bill HB1348.

HB-1348

Submitted on: 2/2/2023 7:40:12 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Aurelio	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Robert Aurelio support Bill HB1348.

HB-1348

Submitted on: 2/2/2023 8:31:50 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Imelda Asistin	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Imelda Asistin support Bill HB1348

HB-1348

Submitted on: 2/2/2023 8:10:23 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Wilbert Malepe	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Wilbert Malepe support Bill HB1348

HB-1348

Submitted on: 2/2/2023 8:28:53 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Cristina Echalas	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Cristina Echalas support Bill HB1348

HB-1348

Submitted on: 2/2/2023 8:21:09 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
DONNA SHIBUYA	HAWAIIAN MACADAMIA NUT SERVICES, LLC	Support	Written Testimony Only

Comments:

I Donna Shibuya support Bill HB1348.

HB-1348

Submitted on: 2/2/2023 8:03:44 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Bryan Davis-Natividad	Hawaiian Macadamia Nut Services	Support	Written Testimony Only

Comments:

Hi my name is Bryan Davis-Natividad and I support bill HB1348. I have been working for this company for 41 yrs. and I would like our company to remain in business for the next generation. Thank you very much.

HB-1348

Submitted on: 2/2/2023 7:54:54 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ezra Keohuloa	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Ezra Keohuloa support Bill HB1348

HB-1348

Submitted on: 2/2/2023 7:50:04 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Eugenio Asistin	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Eugenio Asistin support Bill HB1348.

HB-1348

Submitted on: 2/2/2023 7:18:44 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Samuel Mangoba	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Samuel Mangoba support Bill HB1348.

HB-1348

Submitted on: 2/2/2023 7:14:19 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jonathan Navarro	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Jonathan Navarro support Bill HB1348.

HB-1348

Submitted on: 2/2/2023 7:17:55 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Maverick Mariano	Hawaiian Macnut services	Support	Written Testimony Only

Comments:

I support hb1348

HB-1348

Submitted on: 2/2/2023 7:43:39 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Marlon G.Biason	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Marlon Biason support Bill HB1348

HB-1348

Submitted on: 2/2/2023 7:35:24 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Arnold Abellera	Hawaiian Macadamia Nut Services, LLC	Support	Written Testimony Only

Comments:

I, Arnold Abellera support Bill HB1348

HB-1348

Submitted on: 2/2/2023 7:14:38 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jezekial Jara	Hawaiian macadamia nut	Support	Written Testimony Only

Comments:

I support HB1348

HB-1348

Submitted on: 2/2/2023 9:00:33 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Anderson	Hawaii Macadamia Nut Association	Support	Written Testimony Only

Comments:

Testimony of Barbara Anderson, Secretary

Hawaii Macadamia Nut Association

February 3, 2023

RE: HB1348 RELATING TO LABELING OF MACADAMIA NUTS

Aloha Chair Gates, Vice Chair Kahaloa, and the members of the House Committee on Agriculture and Food Systems,

I am writing to you on behalf of the Hawaii Macadamia Nut Association in support of House Bill 1348 RELATING TO LABELING OF MACADAMIA NUTS.

The Hawaii Macadamia Nut Association was established in 1960 and currently consists of 49 members who are growers, processors, or marketers of macadamia nuts in Hawaii. Our association exists to educate the public on topics pertaining to all facets of the Hawaii macadamia nut industry.

The macadamia nut industry is a significant contributor to Hawaii's agricultural economy. There are currently about 16,000 acres of macadamia nuts statewide on roughly 620 farms in the state of Hawaii. In 2021, the industry generated \$62.73 million (51 million pounds of wet-in shell sales), and in 2020, it was the 2nd largest agricultural commodity produced in Hawai'i, behind only seed crops.

The Hawaii macadamia nut industry is under great stress from economic and environmental pressures. One of the greatest threats to the viability of macadamia farming in Hawaii is the misleading labeling of macadamia nut products. Currently there is little to no regulation to prevent the use of Hawaiian names and images to market macadamia nuts grown outside of Hawaii.

House Bill 1348 in its current form enacts positive changes to HRS 486-120.5; however, the bill is limited as it only pertains to consumer packaging of macadamia nuts labeled as “Hawaiian-Grown Macadamia Nuts”. It does not pertain to consumer packages that contain macadamia nuts of non-Hawaiian origin while misrepresenting the origin of the macadamia nuts by including Hawaii-based names and images on the consumer packages.

To address the foregoing, HRS 486-120.5 subsection (b) should read as follows:

(b) If a label on a consumer package contains language that a portion of the raw or processed macadamia nuts contained in the package was grown in Hawaii, or that by any other means represents the origin of the macadamia nuts as being from any place within the State of Hawaii, including but not limited to company name and images of Hawaii, the label shall be worded "Hawaii-Grown Macadamia Nuts", preceded by the per cent by weight of the macadamia nuts contained in the package that were grown in Hawaii, and shall appear on the principal display panel of the package. The per cent by weight of the macadamia nuts in the package shall be the percentage calculated by dividing the weight in pounds of the macadamia nuts grown in Hawaii that are in the package by the weight in pounds of all macadamia nuts in the package and multiplying the quotient by one hundred. A listing of the countries of origin of the portion of the raw or processed macadamia nuts not grown in Hawaii that are included in the package shall also be shown on the label.

Thank you for taking the time to consider our testimony.

Mahalo,

Barbara Anderson

Secretary

Hawaii Macadamia Nut Association

HB-1348

Submitted on: 2/2/2023 7:13:23 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
marcelina mangoba	hawaiian macadamia nut llc	Support	Written Testimony Only

Comments:

i am marcelena mangoba support hb1348 testimony

**TESTIMONY IN SUPPORT OF HB 1348,
RELATING TO LABELING OF MACADAMIA NUTS**

February 2, 2023

Rep. Cedric Asuega Gates, Chair
Rep. Kirstin Kahaloa, Vice Chair
House Committee on Agriculture & Food Systems

Aloha Chair Asuega Gates, Vice Chair Kahaloa and Committee Members:

The Macadamia Growers of Hawai'i strongly supports HB 1348, Relating to Labeling of Macadamia Nuts. We are concerned the era of Hawai'i's macadamia nut industry is at risk of coming to a close. For the past few years, our industry has faced increasingly intense global competition and now dumping of foreign nuts into the U.S. market. This has been exacerbated by companies that undermine the value of Hawai'i-grown macadamia nuts through their labeling practices. As a result, for the current 2022-2023 crop year, millions of pounds of nuts have gone unharvested, and growers are facing millions of dollars of losses due to unsold or unharvested inventories. Many of the workers are at home with no work.

There are many parallels to the Kona coffee industry. Companies are using low-cost foreign macadamia nuts in their products with images and packaging that portray them as authentic Hawai'i product to capitalize on the brand and value of Hawai'i-grown macadamia nuts. This unsavory practice allows them to sell their products at prices that yield better margins, but misleads customers into believing they are buying Hawai'i-origin products. The practice also wreaks havoc on the local macadamia nut industry, and robs multiple generations of Hawaii residents of quality jobs.

The proposed amendment will strengthen the existing state statute, however HRS 486-120.5 needs to be strengthened to hold companies that use Hawaii name and imagery to a higher standard of integrity so consumers can make a choice on macadamia nut origin. The proposed amendment will also provide welcome relief for the local macadamia nut industry.

Thank you for allowing Hawai'i's macadamia nut growers to share our concerns on this bill.

Sincerely,

Bradford Nelson
Director
Macadamia Growers of Hawai'i



Officers

Kaipo Kekona
State President

Anabella Bruch
Vice-President

Maureen Datta
Secretary

Reba Lopez
Treasurer

Chapter Presidents

Madeline Ross
Kohala, Hawai'i

Odysseus Yacalis
East Hawai'i

Puna, Hawai'i

Andrea Drayer
Ka'u, Hawai'i

Chantal Chung
Kona, Hawai'i

Fawn Helekahi-Burns
Hana, Maui

Reba Lopez
Haleakala, Maui

Kaiea Medeiros
Mauna Kahalawai,
Maui

Kaipo Kekona
Lahaina, Maui

Rufina Kaauwai
Molokai

Negus Manna
Lāna'i

Brynn Foster
North Shore, O'ahu

Christian Zuckerman
Wai'anae, O'ahu

Ted Radovich
Waimanalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Ray Maki
Kauai

Aloha Chair Gates, Vice Chair Kahaloa, and Members of the House Agriculture & Food Systems Committee,

The Hawaii Farmers Union United (HFUU) is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports HB1348.**

HFUU believes that clearly stated labels provide better information to consumers and promote truth in marketing.

By making sure that country of origin is included on the label of macadamia nuts, consumers get an accurate representation of food products. As a result, it creates transparency for all producers, especially Hawaii's macadamia nut growers, allowing them to remain competitive in the market. Furthermore, the private right of action for violations provides an avenue for impacted macadamia nut producers to recoup any losses attributed to violations.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF



IN SUPPORT OF HB1348

RELATING TO LABELING OF MACADAMIA NUTS

Macadamia Nuts; Labeling Requirements; Country of Origin; Private Right of Action

Aloha Chair, and Esteemed Committee Members,

The Kona Coffee Farmers Association stands in support of HB1348, alongside macadamia nut growers. The KCFA represent over 170 farms and agribusinesses in the Kona districts and our mission is to protect the economic interests of our growers. Many of our growers intercrop macadamia nuts and

We support the language changes that the Hawaiian Macadamia Nut Association seeks in the bill. Consumers have a right to know whether they are purchasing Hawaiian nuts. Growers also deserve to have their name protected in the marketplace.

Thank you for considering this bill. Your attention makes a difference in the lives of hundreds of farmers.

Mahalo nui loa!

A handwritten signature in black ink, appearing to read "Suzanne Shriner". The signature is fluid and cursive.

Suzanne Shriner
President

HB-1348

Submitted on: 2/1/2023 5:14:05 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacqueline Wikum	Pohaku Farm	Support	Written Testimony Only

Comments:

As a macadamia nut grower, we need greater legal protection to differentiate Hawaiian Grown nuts from foreign nuts!

HB-1348

Submitted on: 2/1/2023 4:03:05 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
TRoy Keolanui	OK FArms llc	Support	Written Testimony Only

Comments:

Our Hawaiian Macadamia industry is on its heels and in dire danger of total collapse. We farm over 3000 acres on the Big Island and employ 75 residents at our farm and processing facility. This bill while long overdue is a step in the right direction and will make a difference in protecting our crop that is uniquely Hawaiian and the best in the world.

mahalo, Troy Keolanui OK Farms, Kau Farms management, Hamakua Macadamia co.

HB-1348

Submitted on: 2/2/2023 6:23:13 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael B Dela Cruz	ILWU local 142	Support	Written Testimony Only

Comments:

I support the bill HB1348 as it will benefit locally made products and local company to thrive for the future.

mahalo

HB-1348

Submitted on: 2/2/2023 9:16:10 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Corinna Nguyen	ILWU Local 142	Support	Written Testimony Only

Comments:

HB 1348

As a member of the ILWU Local 142 but, most importantly as an employee of Hawaiian Macadamia Nut Services in Ka'u I give my testimony in strong support of HB 1348. As someone who was born and raised in the small rural town of Pahala, home to a Large macadamia nut orchard on the Big Island, I can tell you how important this source of agriculture is to our community.

This macadamia nut orchard is the largest private employer in the district of Ka'u. The families within the community rely on the jobs that stem from this orchard for their survival. The majority of these employees come from an aging population who would not be able to travel long distances to work elsewhere on the island to continue to provide for their families.

With the global economy, it has become cheaper for companies to source their nuts from foreign countries. Local companies such as Hawaiian Macadamia Nut Services in Ka'u and Kea'au and smaller independent farmers are unable to sell their nuts at a competitive price point. Providing more specific and stronger labeling for Hawaiian-made products, using Hawaiian Macadamia Nuts grown in Hawaii will help to protect not only a dying industry, but jobs for our local communities. Please don't let the macadamia nut industry in Hawaii be but a memory like the sugar industry.

I appreciate the opportunity to testify in strong support of this measure

Respectfully,

Corinna Salmo Nguyen

HB-1348

Submitted on: 2/2/2023 8:54:37 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael P. Victorino Jr	ILWU	Support	Written Testimony Only

Comments:

HB1348

Being a elected official of the International Longshore and Warehouse Union (ILWU Local 142), I'm testifying in full support of HB 1348. The ILWU is a very diverse union. Our members come from longshore, tourism, pineapple, and general trades. We have roughly 18,000 members and some of those members come from the Macadamia Nut industry.

I believe HB 1348 will protect the integrity of the Hawaiian Macadamia Nut industry here in Hawaii and bring clarity to any open loopholes in the law. This bill will provide clear and definitive standards that must be met to protect the integrity of the Hawaiian Mac Nut industry. In turn our members who reside in rural areas such as Kau and Keau will be given a sense of job security within the agricultural industry.

With that said the ILWU is in full support of HB 1348.

Mahalo,

Michael P. Victorino Jr.

HB-1348

Submitted on: 2/2/2023 9:09:04 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Christian West	International Longshore and Warehouse Union Local	Support	Written Testimony Only

Comments:

Aloha House committee members,

The International Longshore and Warehouse Union Local 142 (ILWU 142) testifies in **strong support of HB 1348**. The ILWU 142 is a labor union comprised of 18,000 members in the longshore, tourism, pineapple, and general trades industries – which includes workers in the Hawaii Macadamia Nut Industry.

HB 1348 concerns the integrity of the Hawaiian Macadamia Nut industries identity. Out of that matter arises several matters not limited to, job security for local workers in the agricultural industry; labor, environmental and health standards within the agricultural industry as well as consumer protections. HB 1348 provides important clarification on existing statute that will close a loophole in the law. In doing so, it provides greater clarity to business in the industry and further protects the industry-identity of the Hawaiian Macadamia Nut industry. The ILWU has a strong interest in protecting the industry-identity of the Hawaii Macadamia Nut industry where many of our members work and take pride in their labor. The industry currently employs many local working families that are able to provide for their families here in Hawaii because of that.

We appreciate the opportunity to testify in **strong support** of this measure.

Respectfully,

Chris West



Testimony of Becky Stone

Ahualoa Family Farms LLC

February 3, 2023

RE: HB1348 RELATING TO LABELING OF MACADAMIA NUTS

Aloha Chair Gates, Vice Chair Kahaloa, and the members of the House Committee on Agriculture and Food Systems,

My name is Becky Stone and I am a farmer of Hawaii-grown macadamia nuts in Honoka'a, Hawaii. I am writing you to support House Bill 1348 RELATING TO LABELING OF MACADAMIA NUTS.

The macadamia nut industry is a significant contributor to Hawaii's agricultural economy. There are currently about 16,000 acres of macadamia nuts statewide on roughly 620 farms. In 2021, the industry generated \$62.73 million (51 million pounds of wet-in shell sales), and in 2020, it was the 2nd largest agricultural commodity produced in Hawai'i, behind only seed crops.

The Hawaii macadamia nut industry is under great stress from economic and environmental pressures. One of the greatest threats to the viability of macadamia farming in Hawaii is the misleading labeling of macadamia nut products. Currently there is little to no regulation to prevent the use of Hawaiian names and images to market macadamia nuts grown outside of Hawaii.

House Bill 1348 in its current form enacts positive changes to HRS 486-120.5; however, the bill is limited as it only pertains to consumer packaging of macadamia nuts labeled as "Hawaiian-Grown Macadamia Nuts". It does not pertain to consumer packages that contain macadamia nuts of non-Hawaiian origin while misrepresenting the origin of the macadamia nuts by including Hawaii-based names and images on the consumer packages.

To address this issue, please include additional language clearly disallowing the use of Hawaii-based names and images on consumer packages containing macadamia nuts grown outside of Hawaii, unless the foreign origin is clearly disclosed on the display panel of the packaging.

Thank you for taking the time to consider this bill and my testimony.

Mahalo,

Becky Stone

Becky Sone
Ahualoa Family Farms LLC

HB-1348

Submitted on: 2/2/2023 8:35:39 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan Fontanilla	Ahualoa Family Farms	Support	Written Testimony Only

Comments:

I support this bill.



Testimony of Chad Cleveland

Ahualoa Family Farms LLC

February 3, 2023

RE: HB1348 RELATING TO LABELING OF MACADAMIA NUTS

Aloha Chair Gates, Vice Chair Kahaloo, and the members of the House Committee on Agriculture and Food Systems,

My name is Chad Cleveland and I am a farmer and processor of Hawaii-grown macadamia nuts in Honoka'a. I am writing you to support House Bill 1348 RELATING TO LABELING OF MACADAMIA NUTS.

We are a small family run operation that grows, processes, and packages 100% Hawaiian Macadamia nuts. We create gourmet macadamia nut products with an emphasis on quality, and 100% Hawaiian Macadamia nuts are the most important ingredient. We support over 70 local Hawaiian macadamia nut farmers that bring us their nuts and are proud to support 100% Hawaiian grown pledge. However, competition from foreign macadamia nut kernel placed in Hawaiian looking packaging makes it impossible to compete with these large powerhouses. In addition, Hawaiian macadamia nuts are far superior in taste and quality over foreign nuts, but consumers are unknowingly eating lesser quality foreign nuts thinking that they are from Hawaii. Not only do these foreign nuts dilute the market, they also dilute the quality and taste perception of true Hawaiian macadamia nuts.

The macadamia nut industry is a significant contributor to Hawaii's agricultural economy. There are currently about 16,000 acres of macadamia nuts statewide on roughly 620 farms. In 2021, the industry generated \$62.73 million (51 million pounds of wet-in shell sales), and in 2020, it was the 2nd largest agricultural commodity produced in Hawai'i, behind only seed crops.

The Hawaii macadamia nut industry is under great stress from economic and environmental pressures. One of the greatest threats to the viability of macadamia farming in Hawaii is the misleading labeling of macadamia nut products. Currently there is little to no regulation to prevent the use of Hawaiian names and images to market macadamia nuts grown outside of Hawaii.

House Bill 1348 in its current form enacts positive changes to HRS 486-120.5; however, the bill is limited as it only pertains to consumer packaging of macadamia nuts labeled as "Hawaiian-Grown Macadamia Nuts". It does not pertain to consumer packages that contain macadamia nuts of non-Hawaiian origin while misrepresenting the origin of the macadamia nuts by including Hawaii-based names and images on the consumer packages.

To address this issue, please include additional language clearly disallowing the use of Hawaii-based names and images on consumer packages containing macadamia nuts grown outside of Hawaii, unless the foreign origin is clearly disclosed on the display panel of the packaging.

Thank you for taking the time to consider this bill and my testimony.

Mahalo,

Chad Cleveland

Owner, Ahualoa Family Farms LLC

HB-1348

Submitted on: 2/2/2023 8:38:08 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Brittainy Holmes	Ahualoa Family Farms	Support	Written Testimony Only

Comments:

I support this bill.

HB-1348

Submitted on: 2/2/2023 9:12:20 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Bradford Werner	Onomea LLC	Support	Written Testimony Only

Comments:

In support of HB 1348 RELATING TO LABELING OF MACADAMIA NUTS.

The Hawaii Mac Nut industry needs all the support it can get.

Aloha,

As the owner of 150 acres of macadamia nuts in East Hawaii Island, we've been greatly impacted by the competition from overseas imports. We've been farming mac nuts for over 20 years in Hawaii. The last few years have been especially difficult with rising costs and low prices for nuts.

Foreign imports that are used in Hawaii branded products are misleading. Mauna Loa has stopped buying nuts from local producers and is importing nuts from overseas to make their products.

The Hawaii mac nut industry is an industry that is on the brink of failure. If the Hawaii mac nut industry collapses, thousands of people will lose their jobs in rural hawaii.

The next crop suited to replace mac nuts are sweet potatoes however Mexico is beginning to grow the Okinawan sweet potato and even sweet potato farming in Hawaii will be a thing of the past. I can't think of another crop that can replace lands in mac nut production at this scale.

Hawaii produces quality macadamias that are world reknown. Just like Kona coffee, origin labeling and branding can help to save the mac nut industry in Hawaii.

Please support this bill. Rural communities and livelihoods depend on a viable mac nut industry.

Thank you,

Brad Werner

Onomea LLC

HB-1348

Submitted on: 2/2/2023 6:39:57 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Bruce Corker	Rancho Aloha	Support	Written Testimony Only

Comments:

To Members of the Agriculture Committee:

As a Hawaii County farmer, I strongly support HB1348 and applaud Rep. Kahaloa for introducing this bill.

This measure provides truth-in-labeling for the benefit of farmers and consumers. The State of Hawaii needs to protect the integrity of its specialty agricultural crops in the same way that Idaho protects Idaho Potatoes, Vermont protects Vermont Maple Syrup, and California protects its wine grape growers.

Why is Hawaii allowing use of the Hawaii name and Hawaii regional names on package labels containing products not produced in Hawaii?

I also encourage the Committee to schedule early hearings on HB259 and HB55—bills to protect the state’s coffee growers from deceptive use of Hawaii regional names on labeling of packages containing foreign-grown coffee.

Thank you,

Bruce Corker

Rancho Aloha

Holualoa, Hawaii County



Testimony of Nathan Trump

Island Harvest

February 3, 2023

RE: HB1348 RELATING TO LABELING OF MACADAMIA NUTS

Aloha Chair Gates, Vice Chair Kahaloe, and the members of the House Committee on Agriculture and Food Systems,

My name is Nathan Trump, and I'm writing on behalf of Island Harvest Inc. to support House Bill 1348 RELATING TO LABELING OF MACADAMIA NUTS.

Island Harvest is a 700-acre organic macadamia nut farm located in Kapaa on the Big Island. In addition to macadamia nuts, we grow breadfruit, limes, and raise sheep. As a farming company, we employ agricultural and business practices that contribute positively to our environment and community while ensuring that our farming team can work in a safe environment.

Many of the macadamia nut products sold to consumers in Hawaii contain macadamia nuts grown in foreign countries, like Kenya, South Africa, Guatemala, and Australia. These products are often sold under brands that use Hawaii-based language and images on their packaging.

We are not opposed to macadamia nuts grown in foreign countries being sold in Hawaii, however, we feel consumers should not be misled to believe that the product they are purchasing contains "Hawaiian Macadamia Nuts" when it does not.

We believe the House Bill 1348, as currently worded, is a step in the right direction in supporting Hawaii's macadamia nut growers and protecting consumers of macadamia nuts.

With that said, we suggest including additional language in HB1348 that requires consumer packages that contain foreign-grown macadamia nuts and utilize Hawaii-based names and imagery to disclose the country of origin on the packaging.

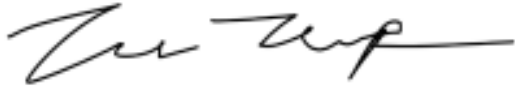
Please consider adopting the following language into HB1348:

(b) If a label on a consumer package contains language that a portion of the raw or processed macadamia nuts contained in the package was grown in Hawaii, or that by any other means represents the origin of the macadamia nuts as being from any place within the State of Hawaii, including but not limited to brand name and images of Hawaii, the label shall be worded "Hawaii-Grown Macadamia Nuts", preceded by the per cent by weight of the macadamia nuts contained in the package that were grown in Hawaii, and shall appear on the principal display panel of the package. The per cent by weight of the macadamia nuts in the package shall be the percentage calculated by dividing the weight in pounds of the macadamia nuts grown in Hawaii that are in the package by the weight in pounds of all macadamia nuts in the package and multiplying the quotient by one hundred. A listing of the countries of origin of the portion of

the raw or processed macadamia nuts not grown in Hawaii that are included in the package shall also be shown on the label.

Thank you for considering my testimony.

Mahalo,

A handwritten signature in black ink, appearing to read "Nathan Trump". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nathan Trump
General Manager
Island Harvest Inc.

HB-1348

Submitted on: 2/2/2023 7:44:00 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Monica Riedel	Kiolakaa orchards, LLC	Support	Written Testimony Only

Comments:

I fully support labeling country of origin of Mac nuts. Especially hawaii grown.

HB-1348

Submitted on: 2/2/2023 7:41:05 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Donna Miller	Yamada Enterprises, Inc.	Support	Written Testimony Only

Comments:

Our family owns property on the Big Island of Hawaii on which we grow macadamia nuts. This orchard has been in our family for 5 decades and has passed through four generations of family members. The trees were planted by my grandfather, along with many hands. We hope that our children, and their children, will also be able to tend these trees.

And now there is a threat that the macadamia industry in Hawaii will disappear because of competition from cheap foreign-produced macadamia nuts. More products made in Hawaii are using foreign nuts.

The macadamia nut industry makes a significant contribution to the local economy. We need help to survive this influx of foreign nuts and this bill will help by protecting our labeling and point of origin, distinguishing Hawaii macadamia nuts from imposter nuts. Other industries have such protections in place such as Vermont Maple Syrup, Napa Valley Wine and Australia Macadamias. Stronger protections and enforcement of existing laws are critical to our industry's survival.

I speak in favor of HB1348.

Thank you.

Testimony of Jeffrey Clark

Hamakua Macadamia Nut Company and Ka'u Farms Management

February 3, 2023

RE: HB1348 RELATING TO LABELING OF MACADAMIA NUTS

Aloha Chair Gates, Vice Chair Kahaloa, and the members of the House Committee on Agriculture and Food Systems,

My name is Jeffrey Clark and I manage Ka'u Farms Management which grows Hawaii-grown macadamia nuts in Ka'u. I am the Chief Operating Officer of the Edmund C Olson Trust No 2 which owns Hamakua Macadamia Nut Company and Ka'u Farms Management. I am writing you to support House Bill 1348 RELATING TO LABELING OF MACADAMIA NUTS.

Our organization farms macadamia nuts in Ka'u on approximately 1,500 acres of land. We also process macadamia nuts in our factory at Hamakua Macadamia Nut Company in Kawaihae. Our factory had always purchased 100% Hawaii-grown macadamia nuts from about 150 small independent farmers from around the island up until a few years ago. Since then, the factory has not purchased nuts from small farmers which left many of them with nowhere to sell their crop. Hamakua Macadamia Nut Company has a hard time competing with brands that use cheaply grown foreign nuts that do not identify where their nuts are grown, yet continue to use Hawaiian imagery and Hawaiian place names to promote their brand. Consumers have no idea where those nuts were grown. If this is allowed to continue, more brands may be forced to purchase foreign-grown nuts to compete, which would be the end of the Hawaii-grown macadamia nut farming industry.

The amount of foreign grown macadamia nuts entering the state is threatening the future of Hawaii-grown macadamia nut farmers and the industry as a whole.

The macadamia nut industry is a significant contributor to Hawaii's agricultural economy. There are currently about 16,000 acres of macadamia nuts statewide on roughly 620 farms. In 2021, the industry generated \$62.73 million (51 million pounds of wet-in shell sales), and in 2020, it was the 2nd largest agricultural commodity produced in Hawai'i, behind only seed crops.

The Hawaii macadamia nut industry is under great stress from economic and environmental pressures. One of the greatest threats to the viability of macadamia farming in Hawaii is the misleading labeling of macadamia nut products. Currently there is little to no regulation to prevent the use of Hawaiian names and images to market macadamia nuts grown outside of Hawaii.

House Bill 1348 in its current form enacts positive changes to HRS 486-120.5; however, the bill is limited as it only pertains to consumer packaging of macadamia nuts labeled as "Hawaiian-Grown Macadamia Nuts". It does not pertain to consumer packages that contain macadamia nuts of non-Hawaiian origin while misrepresenting the origin of the macadamia nuts by including Hawaii-based names and images on the consumer packages.

To address this issue, please include additional language clearly disallowing the use of Hawaii-based names and images on consumer packages containing macadamia nuts grown outside of Hawaii, unless the foreign origin is clearly disclosed on the display panel of the packaging.

Thank you for taking the time to consider this bill and my testimony.

Mahalo,



Jeffrey Clark

Chief Operating Officer

Edmund C Olson Trust No 2

Hamakua Macadamia Nut Company/Ka'u Farms Management

HB-1348

Submitted on: 2/1/2023 2:52:46 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
tyler blanco-louis	Individual	Support	Remotely Via Zoom

Comments:

I Tyler Blanco-Louis support this bill and is for it. It will be of great help to all local businesses.

HB-1348

Submitted on: 2/1/2023 3:06:29 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Diann Wilson	Individual	Support	Written Testimony Only

Comments:

As a small mac nut farmer, it has become difficult to sell my product on the island due to nuts being imported from other countries. The labelling of local nuts as Hawaii Mac Nuts, will benefit Hawaii growers.

HB-1348

Submitted on: 2/1/2023 3:15:53 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Ann Marumoto	Individual	Support	Written Testimony Only

Comments:

I, Carol Ann Marumoto, support HB1348. Thank you!

HB-1348

Submitted on: 2/1/2023 3:29:44 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Guy Ward	Individual	Support	Written Testimony Only

Comments:

I am a small macadamia nut grower in North Hilo. I have a good yield this year but the price that I can get this year is only \$0.80/lb. Previously it had been \$1.20/lb. Unverified rumor has it that my previous buyer has stopped buying nuts from local growers and is bringing nuts from overseas. Yet, they imply that their product is local.

I am guessing that it would not be a huge burden for them to pay local growers a fair price. How much of the value added of a can of nuts goes to the farmer? I would guess that more is spent on packaging than on buying nuts from farmers.

Our little farm has suffered from overseas competition in the growing of sugar cane, guava, taro, and now macadamia nut.

I've heard a lot about how the Hawaii government wants to support agriculture. Requiring that those who present their products as local actually use local ingredients as much as possible would be very helpful.

Mahalo,

Guy Ward

Papaaloa

(Insert Letterhead if Applicable)

Testimony of (Insert Name)

(Insert Organization Name)

February 3, 2023

RE: HB1348 RELATING TO LABELING OF MACADAMIA NUTS

Aloha Chair Gates, Vice Chair Kahaloa, and the members of the House Committee on Agriculture and Food Systems,

Joseph BARRD

53-4541 Kōhāhiki Rd KāLOA KōNA

My name is (Insert Name) and I am a farmer of Hawaii-grown macadamia nuts in (insert location). I am writing you to support House Bill 1348 RELATING TO LABELING OF MACADAMIA NUTS.

(OPTIONAL: say something about your farm or organization. Tell about your experience as a macadamia nut farmer)

The macadamia nut industry is a significant contributor to Hawaii's agricultural economy. There are currently about 16,000 acres of macadamia nuts statewide on roughly 620 farms. In 2021, the industry generated \$62.73 million (51 million pounds of wet-in shell sales), and in 2020, it was the 2nd largest agricultural commodity produced in Hawai'i, behind only seed crops.

The Hawaii macadamia nut industry is under great stress from economic and environmental pressures. One of the greatest threats to the viability of macadamia farming in Hawaii is the misleading labeling of macadamia nut products. Currently there is little to no regulation to prevent the use of Hawaiian names and images to market macadamia nuts grown outside of Hawaii.

House Bill 1348 in its current form enacts positive changes to HRS 486-120.5; however, the bill is limited as it only pertains to consumer packaging of macadamia nuts labeled as "Hawaiian-Grown Macadamia Nuts". It does not pertain to consumer packages that contain macadamia nuts of non-Hawaiian origin while misrepresenting the origin of the macadamia nuts by including Hawaii-based names and images on the consumer packages.

To address this issue, please include additional language clearly disallowing the use of Hawaii-based names and images on consumer packages containing macadamia nuts grown outside of Hawaii, unless the foreign origin is clearly disclosed on the display panel of the packaging.

Thank you for taking the time to consider this bill and my testimony.

Mahalo,

(Signature)

Joseph Barrd

Name

owner

(Title and Name of Farm)

Nuthouse Farm

HB-1348

Submitted on: 2/1/2023 3:55:32 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John Varel	Individual	Support	Written Testimony Only

Comments:

I support HB1348, as the sole commercial macnut farm on Maui, supplying thw local market place here on Maui only and supporting 30 families who work to produce a finished product, we desperately need the support that this bill would start to provide.

We have been forced to keep our wholesale price at virtually the same price for the last decade, due to pressures of cheaper nuts coming in from outside Maui.

We lose more money each year on our operation, for every expense item, labor, fuel, fertilizers have all increased but not our sales price.

We must support efforts to at least to let folks know that they are really getting one of Hawaii's famous products that started the industry world wide.

Please support HB1348 for all the farmers in Hawaii.

HB-1348

Submitted on: 2/1/2023 4:17:43 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn Witcover	Individual	Support	Written Testimony Only

Comments:

I support this Bill and precise language to assure that products properly disclose the county of origin of macadamia nuts. It is important to protect this Hawaii product which has a unique taste that is far superior to those grown elsewhere. Regardless, we need to prevent companies from capitalizing on the Hawaii name without protecting famers, our reutation, and state from a loss or revenue

HB-1348

Submitted on: 2/1/2023 5:10:57 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
PAMELA A. SALMO	Individual	Support	Written Testimony Only

Comments:

I Pamela A. Salmo Supervisor of Hawaiian Macadamia Nut Services support Bill - HB1348.

HB-1348

Submitted on: 2/1/2023 6:14:39 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan Gaspar	Individual	Support	Written Testimony Only

Comments:

I am favor of this bill and would like to see this pass.

HB-1348

Submitted on: 2/1/2023 6:30:20 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Elmer Gorospe	Individual	Support	Written Testimony Only

Comments:

Dear legislators:

I'm writing in support of HB1348 regarding labeling. Companies that utilize the Hawaii name or any form of representation of Hawaii that sells or market their Mac Nut product shall not mislead consumers and instead be transparent and label the origins of the Mac abut being sold if it's less than 100% grown in Hawaii.

HB-1348

Submitted on: 2/1/2023 7:44:42 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Tristie Licoan	Individual	Support	Written Testimony Only

Comments:

I support HB1348

HB-1348

Submitted on: 2/1/2023 8:01:07 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Megan Blazak	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 1348. Truth in labeling is important for consumer protection as well as protecting the value of authentic agricultural products grown in Hawaii that earn a premium in the marketplace. It is common practice in the global food industry to use Hawaii imagery and branding to market products that do not contain raw ingredients grown in the islands. This practice is unethical, harms consumers, short changes local farmers, conflicts with our community values, and dilutes Hawaii's brand as a food and culinary destination.

Value-added products are critical in the value chain for many of agricultural industries in Hawaii. We must protect the integrity of our products, which includes the hard and honest work of the farmers. The macadamia nut industry is facing serious competition from international producers such as Australia and New Zealand. Hawaii macadamia nuts are able to compete because we have a distinguished geography (a terroir) and this is our distinct value proposition in the global marketplace. Just like French Champagne, Napa Valley wine, and Kona coffee, where macadamia nuts are grown, and how that information is truthfully expressed on packaging labels, is crucial for protecting the competitiveness and future of the Hawaii mac nut industry.

For these reasons, I support HB 1348.

Mahalo,

Megan M. Blazak, MBA

Hilo, HI

HB-1348

Submitted on: 2/1/2023 8:26:15 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Hemstead	Individual	Support	Written Testimony Only

Comments:

I support the labeling of macadamia nuts in order to support local growers across the island. Too many products are being sold in Hawaii that are deceiving on where they are grown or produced. By passing a law to require macadamia nuts to be labeled on origin, it will not only support the local growers, but will also help our local economy and build awareness on buying local.

HB-1348

Submitted on: 2/2/2023 5:53:25 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruby Soares	Individual	Support	Written Testimony Only

Comments:

I support the country of origin labeling requirements for macadamia nuts because greater transparency with respect to origin is important to me. I like to support the macadamia nut industry in Hawaii, and packaging that accurately conveys the origin of macadamia nuts will make it easier for me, as the consumer, and ensure that I am truly supporting the Hawaii macadamia nut industry.

Further, I purchase macadamia nuts for family and friends as a gift from Hawaii and I fully intend for the macadamia nuts to actually be Hawaii-grown nuts.

Macadamia nuts have long been a well-known Hawaii commodity, but the increase in macadamia nuts being grown globally has threatened our local industry. Enacting this bill will help to keep the Hawaii macadamia nut industry going, in turn supporting the livelihood of those who work in the macadamia nut industry in Hawaii, their families and our local economy.

HB-1348

Submitted on: 2/2/2023 6:35:03 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
John C. Cross	Individual	Support	Written Testimony Only

Comments:

Dear Chair Gates and Members of the House Agriculture Committee, My name is John C. Cross and I am in strong support of HB 1348. My whole life has been involved in someway or another with Hawaiian grown Macadamia Nuts. My father was manager of Royal Hawaiian Macadamia Nut company and planted the first trees at Keaau on the Big Island in 1949.

This orchard would become the epi-center of the largest macadamia operation in the WORLD. The State of Hawaii became the world leader in growing and producing macadamia nuts for consumption. Other countries started to grow macadamias seeing the sucess in Hawaii. Sadly now some of those countries are threatening to destroy the industry where it all started. Unscrupulous processors are blending cheap foreign grown kernal into bags of what is suppedly a Hawaii labeled product! This must stop. The Hawaiian kernal is known to be of SUPERIOR quality and taste to that grown in other world locations. These sub-quality foriegn grown macadmais are threatening the industry in Hawaii. Local Hawaiian growers are finding no where to sell their Hawaii grown nuts due to processors shutting their doors to local grown nuts and having replaced them with foreign grown kernal.

Hawaii has made a name for itself as being leaders in the macdamia nut industry. Our University of Hawaii CTAHR has developed some of the best varieties of trees, as well as improved metods of cultivation, disease control and even processing methods. Dont let all this wonderful research and decades of dedication to the soil and the orchards go the way of sugarcane and pineapple. Please support this bill and the Macadamia growers of Hawaii !

HB-1348

Submitted on: 2/2/2023 7:08:34 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Maricel Aguinaldo	Individual	Support	Written Testimony Only

Comments:

I Maricel Aguinaldo, Employed at Hawaiian Maccadamia Nut Services. And I fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:08:05 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Judith simolata	Individual	Support	Written Testimony Only

Comments:

I will support hb1348

HB-1348

Submitted on: 2/2/2023 7:11:12 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Almaliza Tuzon	Individual	Comments	Written Testimony Only

Comments:

Im Almaliza Tuzon, employed at Hawaiian Macadamia Nut Services. And I fully Support HB1348.

HB-1348

Submitted on: 2/2/2023 7:13:52 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kerman Dilipau	Individual	Comments	Written Testimony Only

Comments:

I Kerman Dilipau working at Hawaiian Macadamia Nut Services. And I fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:21:26 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Trump	Individual	Support	Written Testimony Only

Comments:

As a second generation Hawai'i macadamia farmer, I support this bill to clarify labeling of macadamia products. It should be clear to consumers the country of origin of the macadamia products they are buying here in the state.

HB-1348

Submitted on: 2/2/2023 7:21:36 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sally Rose Aguinaldo	Individual	Support	Written Testimony Only

Comments:

I am Sally Rose Aguinaldo, Employed at Hawaiian Macadamia Nut Services. And I fully Support HB1348.

HB-1348

Submitted on: 2/2/2023 7:24:41 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ernesto Abellera	Individual	Support	Written Testimony Only

Comments:

I Ernesto Abellera, Employed at Hawaiian Macadamia Nut Services and I fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:33:11 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jhames Kenneth Soriano	Individual	Support	Written Testimony Only

Comments:

I Jhames Kenneth Soriano, employed at Hawaiian Macdamia Nurt Services, ANd i Fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:36:01 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor Salmo	Individual	Support	Written Testimony Only

Comments:

I Victor Salmo, employed at Hawaiian Macadamia Nut Services and I fully support Hb1348.

Testimony of James Trump
Island Harvest
February 2, 2023

RE: HB1348 RELATING TO LABELING OF MACADAMIA NUTS

Aloha Chair Gates, Vice Chair Kahaloa, and the members of the House Committee on Agriculture and Food Systems,

This is a letter in support of HB 1348. We are a medium sized grower (700m acres) of macadamia nuts in North Kohala but this testimony also reflects the views of most, if not all, small growers in our district.

North Kohala macadamia growers ship their in-shell nuts to on-island processors who buy, crack and package our crop. Hawaii kernel has a great reputation for its freshness, distinct oil content and its association to the State of Hawaii. We can compete globally because of these distinctions. When cheaper foreign kernel is sold implying Hawaii as a place of origin, local growers cannot compete. Fairness in labeling is necessary or Hawaii macadamia nut farming will be history. Truth in labeling is the request; we are not asking for subsidies or bailouts.

Please feel to contact me regarding this important legislation.

Thank you,

James Trump
President
Island Harvest Inc.
808-895-3448
jamestrump@gmail.com

HB-1348

Submitted on: 2/2/2023 7:39:54 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Clive Galban	Individual	Support	Written Testimony Only

Comments:

I Clive Galban, employed at Hawaiian Macadamia Nut Services. I Fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:42:59 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Philip Alaoan	Individual	Support	Written Testimony Only

Comments:

I Philip Alaoan, employed at Hawaiian Macadamia Nut Services and i fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:45:20 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lauren Galban	Individual	Support	Written Testimony Only

Comments:

I Lauren Galban, employed at Hawaiian Macadamia Nut Services, and I fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:48:08 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Brendon natividad	Individual	Support	Written Testimony Only

Comments:

I will support hb1348

HB-1348

Submitted on: 2/2/2023 7:49:54 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
bonie gamilo	Individual	Support	Written Testimony Only

Comments:

I support bill

HB-1348

Submitted on: 2/2/2023 7:50:12 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Alfred Keanu	Individual	Support	Written Testimony Only

Comments:

I Alfred Keanu, employed at Hawaiian Macadamia Nut Services and I fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:51:45 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Roselyn Molina	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill and would like to see it pass.

HB-1348

Submitted on: 2/2/2023 7:57:58 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jordan Ancheta	Individual	Support	Written Testimony Only

Comments:

I am Jordan Ancheta, employed at Hawaiian Macadamia Nut Services and I fully support HB1348.

HB-1348

Submitted on: 2/2/2023 7:58:13 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Harris Bautista	Individual	Support	Written Testimony Only

Comments:

I will support hb1348

HB-1348

Submitted on: 2/2/2023 8:08:52 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Philip Rafael	Individual	Support	Written Testimony Only

Comments:

I'm supporting Bill HB1348

HB-1348

Submitted on: 2/2/2023 8:08:52 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Pablo Sebastian	Individual	Support	Written Testimony Only

Comments:

I Pablo Sebastian working at Hawaiian Macadamia Nut Services and I fully Support HB1348.

HB-1348

Submitted on: 2/2/2023 8:13:56 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
dillin ballo	Individual	Support	Written Testimony Only

Comments:

I Dillin,

have worked for this company for 10 years. I enjoy what I do & the people I work with. It would be difficult for us to have to travel an hour & a half away just to find employment. Please help to support local.

Mahalo

HB-1348

Submitted on: 2/2/2023 8:21:22 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ernesto Gallarde	Individual	Support	Written Testimony Only

Comments:

I Ernesto Gallarde employed at Hawaiian Macadamia Nut Services and I fully support HB1348.

OPPOSITION ON HOUSE BILL 1348

Regarding: OPPOSITION ON HOUSE BILL 1348

From: Stephen West

964 Makani Road
Makawao Hi 96768
(808) 856-6687
STEPHENWVWEST@ICLOUD.COM

Thank you for the opportunity to testify in opposition on House Bill 1348,
The reason I'm opposed to this bill is that it brings less to Hawaii.
We should be providing opportunities for our children and for the community.

By allowing this bill to pass the only thing this legislature will be doing is putting the money in the pockets of a large corporation and taking Jobs & Money out of the pockets of Working Families.

The Governor Spoke about Providing Jobs growing opportunities for our communities to feed their families this does not do that.

Support Working Families, Support Our Community, Support More Jobs, Not Less, Do Not Pass HOUSE BILL 1348.

Thank you in advance for Not Passing House Bill 1348.

Mahalo & Me Ke Aloha Pumehana

HB-1348

Submitted on: 2/2/2023 8:56:02 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Erald Aurelio	Individual	Support	Written Testimony Only

Comments:

I will support HB1348

HB-1348

Submitted on: 2/2/2023 8:58:02 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Alex Self	Individual	Support	Written Testimony Only

Comments:

I strongly support the proper labelling of macadamia's and a private right of action.

HB-1348

Submitted on: 2/2/2023 8:59:34 AM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Renny	Individual	Support	Written Testimony Only

Comments:

I support bill



INTERNATIONAL LONGSHORE & WAREHOUSE UNION
LOCAL OFFICE • 451 ATKINSON DRIVE • HONOLULU, HAWAII 96814 • PHONE 949-4161

HAWAII DIVISION: 100 West Lanikaula Street, Hilo, Hawaii 96720 • **OAHU DIVISION:** 451 Atkinson Drive, Honolulu, Hawaii 96814
MAUI COUNTY DIVISION: 896 Lower Main Street, Waikuku, Hawaii 96793 • **KAUAI DIVISION:** 4154 Hardy Street, Lihue, Hawaii 96766
HAWAII LONGSHORE DIVISION: 451 Atkinson Drive, Honolulu, Hawaii 96814

LOCAL 142

February 2, 2023

The Thirty-Second Legislature
Regular Session of 2023

THE HOUSE OF REPRESENTATIVES
Committee on Agriculture & Food Systems

Rep. Cedric Asuega Gates, Chair
Rep. Kirstin Kahaloa, Vice Chair
State Capitol, Conference Room 325 & Videoconference
Friday, February 3, 2023; 9:00 AM

**STATEMENT OF THE ILWU LOCAL 142 ON HB 1348 – RELATING TO LABELING
OF MACADAMIA NUTS**

The International Longshore and Warehouse Union Local 142 (ILWU 142) testifies in **strong support of HB 1348**. The ILWU 142 is a labor union comprised of 18,000 members in the longshore, tourism, pineapple, and general trades industries – including workers in the Hawaiian Macadamia Nut Industry.

HB 1348 concerns the integrity of the Hawaiian Macadamia Nut industry-identity. Out of that matter arises several matters, job security for local workers in the agricultural industry; labor, environmental and health standards within the agricultural industry more broadly; and consumer protections. HB 1348 provides important clarification on existing statute that will close a loophole in the law. In doing so, it provides greater clarity to business in the industry and further protects the industry-identity of the Hawaiian Macadamia Nut industry. The ILWU has a strong interest in protecting the industry-identity of the Hawaiian Macadamia Nut industry where many of our members work and take pride in their labor.

We appreciate the opportunity to testify in **strong support** to this measure.

Respectfully,

Christian West
President



HB-1348

Submitted on: 2/2/2023 8:36:50 PM

Testimony for AGR on 2/3/2023 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Monk	Individual	Support	Written Testimony Only

Comments:

Please support HB1348 with some changes as shown below.

House Bill 1348 in its current form enacts positive changes to HRS 486-120.5; however based on our reading, the bill is limited as it only pertains to consumer packaging of macadamia nuts labeled as “Hawaiian-Grown Macadamia Nuts”. It does not pertain to consumer packages that contain macadamia nuts of non-Hawaiian origin, which misrepresent the origin of the macadamia nuts by including Hawaii-based names and images on the consumer packages.

To address the foregoing, HRS 486-120.5 subsection (b) should read as follows:

(b) If a label on a consumer package contains language that a portion of the raw or processed macadamia nuts contained in the package was grown in Hawaii, or that by any other means represents the origin of the macadamia nuts as being from any place within the State of Hawaii, including but not limited to company name and images of Hawaii, the label shall be worded "Hawaii-Grown Macadamia Nuts", preceded by the per cent by weight of the macadamia nuts contained in the package that were grown in Hawaii, and shall appear on the principal display panel of the package. The per cent by weight of the macadamia nuts in the package shall be the percentage calculated by dividing the weight in pounds of the macadamia nuts grown in Hawaii that are in the package by the weight in pounds of all macadamia nuts in the package and multiplying the quotient by one hundred. A listing of the countries of origin of the portion of the raw or processed macadamia nuts not grown in Hawaii that are included in the package shall also be shown on the label.

Thank you for your support,

Jim Monk, Farmer on the Big Island