

JAN 25 2012

A BILL FOR AN ACT

RELATING TO HAWAII-GROWN TEA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the tea whose
2 scientific name is *Camellia sinensis* was first brought to Hawaii
3 in 1887. Although the tea was not as profitable as other crops
4 like pineapple and sugar cane, the University of Hawaii's
5 college of tropical agriculture and human resources recently
6 discovered from research over the past twenty years that Hawaii-
7 grown tea has a potential of becoming a specialty crop for the
8 State.

9 The legislature further finds that the tea market globally
10 is a multi-billion dollar industry. The specialty tea market is
11 anticipated to double in the next five years. Hawaii- grown tea
12 has the potential to take advantage of that tremendous boom in
13 the tea industry, particularly in Asia where tea is a staple
14 beverage and with health-conscious consumers.

15 The purpose of this Act is to protect the marketing of
16 Hawaii-grown tea by requiring labeling standards.



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

"§486- Hawaii-grown tea; labeling requirements. (a) In addition to all other labeling requirements, the identity statement used for labeling or advertising tea produced wholly or in part from Hawaii-grown tea shall meet the following requirements:

(1) For Hawaii-grown tea that is one hundred per cent Hawaii-grown tea by weight, the identity statement shall consist of the wording "One hundred per-cent Hawaii-grown tea";

(2) For Hawaii-grown tea that is a blend of Hawaii-grown tea and other teas not grown in Hawaii, the identity statement shall consist of the wording, "Blended from Hawaii-grown teas and other teas not grown in Hawaii"; provided that a blended Hawaii-grown tea shall consist of no less than twenty-five per cent Hawaii-grown by weight; and

(3) Each word or character in the identity statement shall be of the same type size and shall be contiguous. The smallest letter or character of the identity statement



1 on packages of sixteen ounces or less net weight shall
2 be at least one and one-half times the type size
3 required under federal law for the statement of net
4 weight or three-sixteenths of an inch in height,
5 whichever is smaller. The smallest letter or
6 character of the identity statement on packages of
7 greater than sixteen ounces net weight shall be at
8 least one and one-half times the type size required
9 under federal law for the statement of net weight.
10 The identity statement shall be conspicuously
11 displayed without any intervening material in a
12 position above the statement of net weight. Upper and
13 lower case letters may be used interchangeably in the
14 identity statement.

15 (b) It shall be a violation of this section to
16 misrepresent on a label or in advertising of a Hawaii-grown tea,
17 the percentage of Hawaii-grown tea by weight.

18 (c) Violation of this section shall be punishable by a
19 fine of no more than \$ for each separate offense. For
20 purposes of this section, each mislabeled package shall
21 constitute a separate offense.

22 (d) As used in this section:



1 "Per cent Hawaii-grown tea by weight" means a percentage
2 calculated by dividing the total weight in pounds in a
3 production run of tea grown in Hawaii by the total weight in
4 pounds of tea in that same production run, and multiplying the
5 quotient by one hundred."

6 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:

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S.B. NO. 2957

Report Title:

Hawaii-grown Tea; Labeling

Description:

Establishes labeling requirements for Hawaii-grown tea.

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