
A BILL FOR AN ACT

RELATING TO COFFEE LABELING.

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

1 SECTION 1. The legislature finds that for more than
2 twenty-three years Hawaii has been the only region in the world
3 that statutorily regulates the uses of its geographic names,
4 such as "Kona", "Maui", and "Ka'u", on labels of its specialty
5 agricultural products but requires that only ten per cent of the
6 product originate in the geographic area indicated. The
7 legislature further finds that the low ten per cent requirement
8 directly damages and degrades the reputation of world-famous
9 Hawaii-grown coffees.

10 More than ninety per cent of Hawaii's coffee farms are
11 located on the island of Hawaii. The Hawaii county council
12 unanimously adopted Resolution No. 501-14, entitled "Requesting
13 The Hawaii Legislature To Adopt Provisions For Truth-In-Labeling
14 For Hawaii-Grown Coffee". The council's request to the
15 legislature was based on a number of reasons, including:



- 1 (1) Senate Concurrent Resolution No. 102, S.D. 1, H.D. 1,
2 adopted during the regular session of 2007, which
3 stated in part:
- 4 (A) Existing labeling requirements for Kona coffee
5 causes consumer fraud and degrades the "Kona
6 coffee" name; and
- 7 (B) Confusion as to the difference between Kona
8 coffee and Kona coffee blends caused *Consumer*
9 *Reports* magazine to rate Kona coffee as "second
10 rate";
- 11 (2) It is inherently deceptive and misleading to label
12 coffee as a geographically identified blend, such as
13 "Hamakua Blend", "Ka'u Blend", or "Kona Blend", unless
14 at least a majority of the coffee is from that region;
- 15 (3) The label on the package of a ten per cent Hawaii
16 coffee blend does not advise consumers that ninety per
17 cent of the coffee in the package is imported,
18 foreign-grown, or may be a mixture of multiple
19 Hawaiian regions and foreign-grown coffee;
- 20 (4) Not identifying the origin of ninety per cent of a
21 coffee blend is inherently deceptive to consumers, who



1 are often erroneously led to believe that a package of
2 coffee blend contains a blend of coffees only from
3 farms in Kona or other regions in Hawaii, when in fact
4 a portion of the blended coffee could be foreign-grown
5 coffee;

6 (5) Blending cheaper commodity coffees from Vietnam,
7 Mexico, Panama, Africa, and other foreign countries,
8 to fill ninety per cent of the coffee blend, enriches
9 mainland-based corporations that own the Hawaii
10 blending companies with immense excess profits,
11 without any benefit to Hawaii coffee farmers;

12 (6) The acknowledged blending of beans of various roasts
13 and origins by coffee roasters to create unique flavor
14 profiles is an acceptable practice and is different
15 than the deceptive labeling of blends by using
16 misleading geographic origin names, which violates
17 basic principles of consumer protection and fair
18 marketing; and

19 (7) Immediate legislative action is necessary to protect
20 the reputation of Hawaii-grown coffees as premier,
21 specialty coffees from further degradation.



1 The purpose of this Act is to support Hawaii's coffee
2 growers by:

3 (1) Requiring disclosure on the label of coffee blends of
4 the respective regional origins and per cent by weight
5 of the blended coffees; and

6 (2) Making it a violation of the coffee labeling law to
7 use a geographic origin in labeling or advertising for
8 roasted or instant coffee blends that contain less
9 than fifty-one per cent coffee by weight from that
10 geographic origin.

11 SECTION 2. Section 486-120.6, Hawaii Revised Statutes, is
12 amended by amending subsections (b) and (c) to read as follows:

13 "(b) A listing of the geographic origins of the various
14 Hawaii-grown coffees and the regional origins of the various
15 coffees not grown in Hawaii that are included in a blend [may]
16 shall be shown on the label. [~~If used, this~~] This list shall
17 consist of the term "Contains:", followed by, in descending
18 order of per cent by weight and separated by commas, the
19 respective geographic origin or regional origin of the various
20 coffees in the blend [~~that the manufacturer chooses to list~~].
21 Each geographic origin or regional origin [may] shall be



1 preceded by the per cent of coffee by weight represented by that
2 geographic origin or regional origin, expressed as a number
3 followed by the per cent sign. The type size used for this list
4 shall not [~~exceed~~] be less than half that of the identity
5 statement. This list shall appear below the identity
6 statement [~~, if included~~] on the front panel of the label.

7 (c) It shall be a violation of this section to:

8 (1) Use the identity statement specified in subsection

9 (a)(1)(A) or similar terms in labeling or advertising

10 unless the package of roasted or instant coffee

11 contains one hundred per cent coffee from that one

12 geographic origin;

13 (2) Use a geographic origin in labeling or advertising,

14 including in conjunction with a coffee style or in any

15 other manner, if the roasted or instant coffee

16 contains less than [~~ten~~] fifty-one per cent coffee by

17 weight from that geographic origin;

18 (3) Use a geographic origin in advertising roasted or

19 instant coffee, including advertising in conjunction

20 with a coffee style or in any other manner, without

21 disclosing the percentage of coffee used from that



- 1 geographic origin as described in subsection (a) (1) (B)
2 and (a) (2);
- 3 (4) Use a geographic origin in labeling or advertising
4 roasted or instant coffee, including in conjunction
5 with a coffee style or in any other manner, if the
6 green coffee beans used in that roasted or instant
7 coffee do not meet the grade standard requirements of
8 rules adopted under chapter 147;
- 9 (5) Misrepresent, on a label or in advertising of a
10 roasted or instant coffee, the per cent coffee by
11 weight of any coffee from a geographic origin or
12 regional origin[+] as defined in this chapter;
- 13 (6) Use the term "All Hawaiian" on a label or in
14 advertising of a roasted or instant coffee if the
15 roasted or instant coffee is not produced entirely
16 from green coffee beans [~~produced in geographic~~
17 ~~origins defined in this chapter;~~] grown and processed
18 in Hawaii;
- 19 (7) Use a geographic origin on the front label panel of a
20 package of roasted or instant coffee other than in the
21 trademark or in the identity statement as authorized



- 1 in subsection (a) (1) and (2) unless one hundred per
2 cent of the roasted or instant coffee contained in the
3 package is from that geographic origin;
- 4 (8) Use more than one trademark on a package of roasted or
5 instant coffee unless one hundred per cent of the
6 roasted or instant coffee contained in the package is
7 from that geographic origin specified by the
8 trademark;
- 9 (9) Use a trademark that begins with the name of a
10 geographic origin on a package of roasted or instant
11 coffee unless one hundred per cent of the roasted or
12 instant coffee contained in the package comes from
13 that geographic origin or the trademark ends with
14 words that indicate a business entity; or
- 15 (10) Print the identity statement required by subsection
16 (a) in a smaller font than that used for a trademark
17 that includes the name of a geographic origin pursuant
18 to paragraph (7) and in a location other than the
19 front label panel of a package of roasted or instant
20 coffee."



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

3 SECTION 4. This Act shall take effect on July 1, 2017.

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H.B. NO. 256

Report Title:

Coffee Labeling; Blended Coffee

Description:

Requires coffee blend labels to disclose regional origins and per cent by weight of the blended coffees. Prohibits using geographic origins of coffee in labeling or advertising for roasted or instant coffee that contains less than 51 per cent coffee by weight from that geographic origin.

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