
A BILL FOR AN ACT

RELATING TO AGRICULTURAL PRODUCTS.

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

1 SECTION 1. Chapter 147, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 "PART . ORGANIC AGRICULTURAL PRODUCTS

5 §147- Definitions. As used in this part:

6 "Agricultural product" means all agricultural,
7 horticultural, and vegetable produce of the soil; poultry,
8 poultry products, livestock, and livestock products; processed
9 products; and wild crops.

10 "Board" means the board of agriculture.

11 "National Organic Program" means the federal National
12 Organic Program administered by the United States Department of
13 Agriculture.

14 "Processed product" means a product that has been handled
15 and packaged; or combined, processed, and packaged.

16 §147- Organic agricultural product certification,
17 labeling, and advertising. (a) Beginning January 1, 2018, no



1 agricultural product that is sold in the State shall be labeled,
2 advertised, or otherwise represented to be organic unless the
3 farm or handling facility that produced or processed the product
4 has been certified by a qualified certifying agent pursuant to
5 the National Organic Program.

6 (b) Nothing in this part shall be construed to relieve any
7 agricultural product from any other labeling or advertising
8 requirement pursuant to federal or state statute, rule, or
9 regulation.

10 §147- Rules; violations; penalties. (a) The board
11 shall adopt rules, pursuant to chapter 91, necessary for the
12 purposes of this part.

13 (b) A violation of this part, or any rule adopted pursuant
14 to this part, shall be punishable by a fine of not more than
15 \$1,000 for each violation."

16 SECTION 2. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 3. If any provision of this Act, or the
20 application thereof to any person or circumstance, is held
21 invalid, the invalidity does not affect other provisions or



1 applications of the Act that can be given effect without the
2 invalid provision or application, and to this end the provisions
3 of this Act are severable.

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

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H.B. NO. 452

Report Title:

Agricultural Products; Organics; Labeling and Advertising;
Requirements; Penalties

Description:

Requires that all agricultural products labeled or advertised as organic shall be certified as organic by a qualified certification agent pursuant to the federal National Organic Program.

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