STAND. COM. REP. NO. 760

Honolulu, Hawaii

February 13, 2019

RE: H.B. No. 909 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Agriculture, to which was referred H.B. No. 909 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

begs leave to report as follows:

The purpose of this measure is to increase the current level of protection of Hawaii's coffee industry from counterfeiting by extending the offense of false labeling of Hawaii-grown coffee to include all the stages of coffee production and violations of grade standard requirements.

The Department of Agriculture (HDOA), Kona Coffee Council, and We Are One, Inc. testified in support of this measure.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 31, 2051, to promote further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that the testimony of HDOA indicates that HDOA presently does not have the necessary resources to determine the actual origin of coffee to prove the alleged fraudulent claim. HDOA is aware of a methodology that can determine a chemical fingerprint to determine the production area of commodities other than coffee. Whether that methodology can be applied to coffee or blended coffee has yet to be determined by HDOA. Further, HDOA will need an appropriation of funds to cover the costs of an analysis of the methodology to determine its effectiveness in substantiating a fraudulent claim.

As affirmed by the record of votes of the members of your Committee on Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 909, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 909, H.D. 1, and be referred to your Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on behalf of the members of the Committee on Agriculture,

RICHARD P. CREAGAN, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature



## **Record of Votes of the Committee on Agriculture**

Bill/Resolution No.: Committee  HB 909  AGR	e Referral:	JUD Date: 1/30/2019		
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
AGR Members	Ayes	Ayes (WR)	Nays	Excused
1. CREAGAN, Richard P. (C)				
2. DeCOITE, Lynn (VC)	$\checkmark$			
3. CABANILLA ARAKAWA, Rida				
4 CACUOLA D. M				
4. CACHOLA, Romy M.				
5. HOLT, Daniel				
5. HOL1, Dainer		A. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2.		
6. ONISHI, Richard H.K.				
7. PERRUSO, Amy A.				Large Addition of the S
8. OKIMOTO, Val	V		APPENA ASSOCIATION Continues de la company de la constante de	and the second s
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TOTAL (8)	7		-	1
The recommendation is:  Adopted  If joint referral, did not support recommendation.  Committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				