

MAR 11 2022

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## SENATE RESOLUTION

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REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL; DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM; AND DEPARTMENT OF AGRICULTURE TO DEVELOP RECOMMENDATIONS OF A SYSTEM FOR PROTECTING HAWAII'S REGIONAL NAMES FROM DECEPTIVE USE IN THE MARKETING OF PRODUCTS NOT GROWN OR MADE IN HAWAII.

1 WHEREAS, the fame and favorable reputation of Hawaii, its  
2 islands, and its geographic regions have great appeal for  
3 consumers in the State, in the United States, and throughout the  
4 world; and

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6 WHEREAS, Hawaii's fame and reputation generate consumer  
7 demand and willingness to pay premium prices for agricultural  
8 products, crafts, art, clothing, and other goods believed to be  
9 grown or produced in Hawaii; and

10  
11 WHEREAS, other states in the United States and regions  
12 around the world have enacted laws and enforcement systems to  
13 protect their producers from deceptive and fraudulent use of  
14 their regional or national identities in the marketing of goods;  
15 and

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17 WHEREAS, two examples of such protection systems developed  
18 in other states and countries are:

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20 (1) France's prohibition and usage of the name "Champagne"  
21 on bottles of sparkling wine not containing one  
22 hundred percent wine from grapes grown in the  
23 Champagne region; and

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25 (2) Legal actions taken by Idaho against marketers in  
26 Idaho and in other states that use the "Idaho" name on  
27 packages not containing one hundred percent Idaho-  
28 grown potatoes; and

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30 WHEREAS, in contrast, for thirty years, Hawaii has been the  
31 only region anywhere in the world to permit by law the use of  
32 its regional names of one of the State's premier agricultural



1 products, coffee, with only ten percent genuine content from the  
2 named region; and  
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4 WHEREAS, in addition to coffee, marketers use Hawaii names  
5 and symbols to mislead consumers to believe that crafts,  
6 clothing, other agricultural products, and other goods produced  
7 outside of Hawaii are made in Hawaii; and  
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9 WHEREAS, by way of example of the need for Hawaii to join  
10 the rest of the world in protecting its farmers and producers,  
11 the Legislature adopted Senate Concurrent Resolution No. 102,  
12 Senate Draft 1, House Draft 1, Regular Session of 2007, which  
13 found that labeling requirements for Kona coffee causes consumer  
14 fraud and confusion and degrades the "Kona coffee" name; and  
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16 WHEREAS, despite the stance of the Legislature, the State  
17 has failed to make corrective changes to the ten percent Hawaii  
18 coffee blend labeling law in the subsequent fifteen years; and  
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20 WHEREAS, Hawaii urgently needs to take affirmative steps to  
21 provide needed protections for its farmers, artisans, and other  
22 producers; now, therefore,  
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24 BE IT RESOLVED by the Senate of the Thirty-first  
25 Legislature of the State of Hawaii, Regular Session of 2022,  
26 that the Department of the Attorney General; Department of  
27 Business, Economic Development, and Tourism; and Department of  
28 Agriculture are requested to jointly develop recommendations to  
29 protect the economic interests of Hawaii producers and to  
30 protect consumers against misleading marketing of products and  
31 goods not produced in Hawaii by deceptive use of Hawaii names  
32 and symbols; and  
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34 BE IT FURTHER RESOLVED that the Department of the Attorney  
35 General; Department of Business, Economic Development, and  
36 Tourism; and Department of Agriculture are requested to submit a  
37 report of their findings and recommendations, including any  
38 proposed legislation, to the Legislature no later than twenty  
39 days prior to the convening of the Regular Session of 2023; and  
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41 BE IT FURTHER RESOLVED that certified copies of this  
42 Resolution be transmitted to the Hawaii Attorney General;



S.R. NO. 100

1 Director of Business, Economic Development, and Tourism; and  
2 Chairperson of the Board of Agriculture.  
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OFFERED BY:

Laura Acasio

