
A BILL FOR AN ACT

RELATING TO MĀMAKI TEA.

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

1 SECTION 1. The legislature finds that māmaki is a plant
2 that is endemic to the Hawaiian islands, meaning that the
3 Hawaiian islands are the only place in the world where māmaki
4 grows naturally. Māmaki is found across the entire Hawaiian
5 island chain from the island of Kauai to the island of Hawaii
6 and flourishes at elevations between four hundred feet and six
7 thousand feet.

8 The legislature further finds that māmaki tea is a growing
9 agricultural commodity. The legislature believes that, to
10 ensure the viability of Hawaii-grown māmaki tea, labeling
11 requirements should be implemented.

12 Accordingly, the purpose of this Act is to protect
13 Hawaii-grown māmaki tea by:

14 (1) Imposing labeling requirements for māmaki tea that is
15 grown in the State; and



1 (2) Appropriating funds to the department of agriculture
2 for purposes of administering the māmaki tea labeling
3 requirements.

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

7 "§486- Mamaki tea; labeling requirements. (a) If a
8 label on a consumer package contains language stating that all
9 of the mamaki tea contained in the package was grown in Hawaii,
10 the label shall appear on the principal display panel of the
11 package and shall read, "100% Hawaii-Grown Mamaki Tea",
12 "Hawaii-Grown Mamaki Tea", "100% Hawaiian Mamaki Tea", or
13 "Hawaiian Mamaki Tea".

14 (b) If a label on a consumer package contains language
15 stating that a portion of the mamaki tea contained in the
16 package was grown in Hawaii, the label shall appear on the
17 principal display panel of the package and shall read
18 "Hawaii-Grown Mamaki Tea", preceded by the per cent, by weight,
19 of the mamaki tea contained in the package that was grown in
20 Hawaii. The per cent by weight of the mamaki tea in the package
21 shall be calculated by dividing the weight in ounces of the



1 mamaki tea in the package that is grown in Hawaii by the weight
2 in ounces of all mamaki tea in the package, and multiplying the
3 quotient by one hundred.

4 (c) All nonconsumer packages containing mamaki tea grown
5 in the State and introduced into intrastate or interstate
6 commerce shall bear on the package a label containing language
7 stating that the package contains Hawaii-grown mamaki tea. This
8 label shall be required in addition to all other labeling
9 requirements specified in this chapter.

10 (d) Any person keeping, offering, displaying, exposing for
11 sale, or soliciting for sale any mamaki tea product that
12 represents, or that is branded or labeled, that all or a
13 percentage or portion of the mamaki tea was grown in Hawaii
14 shall make available to the administrator, upon demand,
15 documented proof that the amount of mamaki tea represented to be
16 grown in the State, was grown in the State.

17 (e) It shall be a violation of this section:

18 (1) To use a label containing the words, "100%
19 Hawaii-Grown Mamaki Tea", "Hawaii-Grown Mamaki Tea",
20 "100% Hawaiian Mamaki Tea", or "Hawaiian Mamaki Tea",
21 or similar wording, or to otherwise represent that all



1 of the mamaki tea in the package was grown in Hawaii,
2 if any portion of the mamaki tea contained in the
3 package was not grown in the State;

4 (2) To use a label, as provided for under subsection (b),
5 containing the words "Hawaii-Grown Mamaki Tea"
6 preceded by a percentage, if less than the specified
7 percentage, or none of the mamaki tea in the package,
8 was grown in the State; or

9 (3) To use a label representing that any of the mamaki tea
10 contained in the package was grown in the State, if
11 none of the mamaki tea contained in the package was
12 grown in the State.

13 (f) Any person who violates this section shall be subject
14 to penalties under section 486-32."

15 SECTION 3. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for fiscal year 2023-2024 and
18 the same sum or so much thereof as may be necessary for fiscal
19 year 2024-2025 for the purpose of administering the mamaki tea
20 labeling requirements imposed by this Act.



1 The sums appropriated shall be expended by the department
2 of agriculture for the purposes of this Act.

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

HDOA; Mamaki Tea; Labeling Requirements; Appropriation

Description:

Imposes labeling requirements for mamaki tea grown in the State. Appropriates funds to the Department of Agriculture to administer the mamaki tea labeling requirements. Effective 7/1/3000. (SD1)

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