

JAN 25 2023

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# 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 Kaua‘i to Hawai‘i island and flourishes at an  
6 elevation between four hundred feet to over six thousand feet.

7           The legislature further finds that māmaki tea is a growing  
8 agricultural commodity. To ensure the viability of Hawai‘i-grown  
9 māmaki tea, labeling requirements should be implemented.

10           The purpose of this Act is to protect Hawai‘i-grown māmaki  
11 tea by:

12           (1) Imposing labeling requirements for māmaki tea grown in  
13           the State; and

14           (2) Appropriating funds to the department of agriculture  
15           for purposes of administering the māmaki tea labeling  
16           requirements.



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

4 "§486- Mamaki tea; labeling requirements. (a) If a  
5 label on a consumer package contains language that all of the  
6 mamaki tea contained in the package was grown in Hawaii, the  
7 label shall be worded, "100% Hawaii-Grown Mamaki Tea", "Hawaii-  
8 Grown Mamaki Tea", "100% Hawaiian Mamaki Tea", or "Hawaiian  
9 Mamaki Tea", and shall appear on the principal display panel of  
10 the package.

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



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

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

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

15       (1) To use a label containing the words, "100% Hawaii-  
16 Grown Mamaki Tea", "Hawaii-Grown Mamaki Tea", "100%  
17 Hawaiian Mamaki Tea", or "Hawaiian Mamaki Tea", or  
18 similar wording, or to otherwise represent that all of  
19 the mamaki tea in the package was grown in Hawaii, if  
20 any portion of the mamaki tea contained in the package  
21 was not grown in the State;



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

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

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

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

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

20       SECTION 4. New statutory material is underscored.

21       SECTION 5. This Act shall take effect on July 1, 2023.



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INTRODUCED BY: *Justin R. ...*



# S.B. NO. 1487

**Report Title:**

Mamaki Tea; Labeling Requirements; Department of Agriculture;  
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.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

