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# A BILL FOR AN ACT

RELATING TO LABELING REQUIREMENTS.

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

1           SECTION 1. The legislature finds that local tuna fisheries  
2 and associated seafood markets are an important sector of the  
3 State's economy and food production and that the identification  
4 of foreign imported tuna is critical to inform and safeguard  
5 consumers.

6           According to statistics from the United States Department  
7 of Commerce, the annual dockside value of commercial yellowfin  
8 and bigeye tuna (marked as ahi) landed in Hawaii's ports is  
9 around \$100,000,000, making tuna the highest valued food  
10 commodity produced in the State. Even with these impressive  
11 landings, previously frozen and carbon monoxide-treated foreign  
12 imported tuna dominates sales at local retail establishments.  
13 Due to a loophole in federal country of origin labeling  
14 requirements for seafood, retail establishments are not  
15 providing consumers with information on where the ahi tuna  
16 originates. The legislature is therefore concerned that most  
17 consumers that buy ahi at local retail establishments falsely



1 believe that previously frozen, gas-treated ahi is caught by  
2 Hawaii fisheries.

3       Moreover, the legislature further notes that the majority  
4 of ahi sold at local retail establishments is in the form of  
5 poke and sushi products. Consumers of poke are commonly  
6 subjected to misleading advertisements and in-store terminology,  
7 such as "prepared fresh", "freshly made", and "locally made",  
8 while the ahi used to prepare the poke is foreign-sourced,  
9 previously frozen, gas-treated, and imported in pre-cut cubes.

10       Accordingly, the purpose of this Act is to prohibit the  
11 sale of processed ahi at Hawaii retail establishments without a  
12 label stating the country in which the ahi was landed.

13       SECTION 2. Chapter 486, Hawaii Revised Statutes, is  
14 amended by adding a new section to part V to be appropriately  
15 designated and to read as follows:

16       "§486-        Processed ahi; labeling requirements; retail  
17 establishments. (a) No retail establishment shall keep, offer,  
18 display, expose for sale, or solicit for the sale of any  
19 processed ahi without a label stating the country in which the  
20 ahi was landed.

21       (b) As used in this section:



1       "Ahi" means yellowfin tuna or bigeye tuna, including farm-  
2 raised fish and ahi that meets the definition of "wild fish and  
3 shellfish" as defined in title 7 Code of Federal Regulations  
4 section 60.133, as amended.

5       "Farm-raised fish" has the same meaning as defined in  
6 title 7 Code of Federal Regulations section 60.106, as amended.

7       "Processed ahi" means a retail item derived from ahi that  
8 has undergone specific processing resulting in a change in the  
9 character of the ahi, or that has been combined with at least  
10 one other substantive food component (e.g., breading, tomato  
11 sauce), except that the addition of a component, such as water,  
12 salt, or sugar, that enhances or represents a further step in  
13 the preparation of the product for consumption, would not in  
14 itself result in a processed food item.

15       "Retail establishment" means an establishment licensed  
16 under the Perishable Agricultural Commodities Act of 1930, which  
17 includes any retail establishment that purchases over \$230,000  
18 of fresh or frozen produce per calendar year."

19       SECTION 3. New statutory material is underscored.



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



**Report Title:**

Measurement Standards; Uniform Packaging and Labeling; Food Labeling; Country of Origin; Tuna; Processed Ahi

**Description:**

Prohibits the sale of processed ahi in retail establishments without a label that states the country where the ahi was landed. Effective 7/1/3000. (HD1)

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

