
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 raw 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 food items with raw ahi products as an
12 ingredient at Hawaii retail establishments without a label
13 stating the country in which the ahi was landed.

14 SECTION 2. Chapter 481B, Hawaii Revised Statutes, is
15 amended by adding a new section to part I to be appropriately
16 designated and to read as follows:

17 "§481B- Raw processed ahi; labeling requirements; retail
18 establishments. (a) No retail establishment shall keep, offer,
19 display, expose for sale, or solicit for the sale of any raw ahi
20 product that is an ingredient in a processed food item without a
21 label stating the country in which the ahi was landed.



1 (b) For the purposes of this section:

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

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

8 "Retail establishment" means an establishment:

- 9 (1) Licensed under the Perishable Agricultural Commodities
10 Act of 1930; and
11 (2) That purchases over \$230,000 of fresh or frozen
12 produce per calendar year."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Uniform Packaging and Labeling; Food Labeling; Country of Origin; Tuna; Raw Ahi Product; Unfair and Deceptive Practices

Description:

Prohibits the sale of any processed food item with raw ahi product as an ingredient by retail establishments without a label that states the country where the ahi was landed. Effective 7/1/2050. (SD1)

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