
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 extend country
11 of origin labeling requirements for certain ahi tuna products at
12 Hawaii retail establishments.

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- Raw ahi; ahi poke; processed ahi; labeling**
17 **requirements; country of origin; retail establishments.** (a) No
18 retail establishment shall keep, offer, display, expose for
19 sale, or solicit for the sale of any raw ahi, including ahi
20 poke, processed ahi, or any raw ahi that has been combined,



1 mixed, marinated, or otherwise prepared for human consumption,
2 without a label stating the country in which the ahi was landed.

3 (b) For the purposes of this section:

4 "Ahi" means yellowfin tuna or bigeye tuna, including those
5 that meet the definition of:

6 (1) "Wild fish and shellfish" as defined in title 7 Code
7 of Federal Regulations section 60.133, as amended; or

8 (2) "Farm-raised fish" as defined in title 7 Code of
9 Federal Regulations section 60.106, as amended.

10 "Ahi poke" means cubed, cut, or sliced raw ahi mixed with
11 other ingredients, including but not limited to seasonings and
12 vegetables.

13 "Processed ahi" means a retail item derived from ahi that
14 has undergone specific processing resulting in a change in the
15 character of the ahi, or that has been combined with at least
16 one other substantive food component, except that the addition
17 of a component that enhances or represents a further step in the
18 preparation of the product for consumption would not in itself
19 result in a processed food item, and does not mean canned tuna.

20 "Retail establishment" means an establishment licensed
21 under the Perishable Agricultural Commodities Act of 1930, which



1 includes any retail establishment that purchases over \$230,000
2 of fresh or frozen produce per calendar year."

3 SECTION 3. If any provision of this Act, or the
4 application thereof to any person or circumstance, is held
5 invalid, the invalidity does not affect other provisions or
6 applications of the Act that can be given effect without the
7 invalid provision or application, and to this end the provisions
8 of this Act are severable.

9 SECTION 4. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Uniform Packaging and Labeling; Food Labeling; Country of Origin; Raw Ahi; Ahi Poke; Processed Ahi

Description:

Prohibits the sale of raw ahi, including ahi poke or processed ahi, in retail establishments without a label that states the country where the ahi was landed. Effective 7/1/2050. (SD2)

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