

**ACT 5**

**S.B. NO. 19**

**A Bill for an Act Relating to Export of Fruits, Vegetables, Nuts, and Coffee.**

***Be It Enacted by the Legislature of the State of Hawaii:***

SECTION 1. Section 147-22, Hawaii Revised Statutes, is amended to read as follows:

**"§147-22 Rules.** The department shall have the necessary powers to carry out and effectuate the purposes of this part, including the following:

To establish, prescribe, modify, or alter, by rules, [which shall have the force and effect of law,] such grades, standards, grade labels, and classifications as shall be the minimum requirements for fresh and processed agricultural commodities destined for shipment by commercial exporters to points outside the State; provided that the provisions of such grades, standards, grade labels, and classifications shall not excuse failure to comply with the provisions of the federal and state food, drug, and cosmetic acts. The department in establishing such rules shall consult with appropriate state and federal agencies and with any appropriate industry or trade organization. The standards, grades, grade labels, and [classification] classifications so established shall be on the basis of what the department may deem best suited to the agricultural, horticultural, or other interests of the State; provided that the minimum requirements for the grades, standards, grade labels, and classifications so established for processed agricultural commodities shall not be higher than that of any standardized product which is sanitary and which has been demonstrated to be a commercially-acceptable product of the class to which it belongs and for which a market has been established; provided further that different minimum requirements may be applied to different styles of processed agricultural commodities; and provided further that any processed pineapple product, in which the fruit ingredient is at least ninety-five per cent pineapple in compliance with the provisions of the federal and state food, drug, and cosmetic acts, may be exported from the State."

SECTION 2. Section 147-23, Hawaii Revised Statutes, is amended to read as follows:

**"§147-23 Prohibited acts.** No commercial exporter shall ship any fresh or processed agricultural commodities to points outside the State unless such products meet the quality [and], condition, and labeling requirements of the rules adopted under this part."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 11, 1985.)