

ACT 344

S.B. NO. 2276

A Bill for an Act Relating to Hawaii-Made Products.

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

SECTION 1. Section 486-26.8, Hawaii Revised Statutes, is amended to read as follows:

“**[§486-26.8] Hawaii-made products.** (a) No person shall keep, offer, display, or expose for sale, or solicit for the sale of any item, product, souvenir, or any other merchandise which is labeled “made in Hawaii” or which by any

other means misrepresents the origin of the item as being from any place within the State, which has not been manufactured, assembled, or fabricated within the State and which has not had at least [twenty-five] fifty-one per cent of its wholesale value added by manufacture, assembly, or fabrication within the State.

(b) No person shall keep, offer, display, or expose for sale, or solicit for sale of any processed milk or milk products or raw agricultural commodity which is labeled with the term "island fresh", or other like terms, or by which any other means misrepresents the origin of the item as being from any place within the State unless:

- (1) The processed milk or milk product has been at least ninety per cent produced in this State; or
- (2) The raw agricultural commodity has been one hundred per cent produced in this State.

For the purposes of this subsection, "raw agricultural commodity" means any agricultural product, including but not limited to horticultural (including floricultural), nuts, coffee, fruits (including pineapple), and vegetable products, livestock and livestock products, bees and honey, poultry and poultry products, eggs and egg products, timber and Christmas trees, fish and fish products, in their natural state.'

SECTION 2. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

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 Statutory material to be repealed is bracketed.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 June 14, 1988.)