

ACT 289

S.B. NO. 154

A Bill for an Act Relating to Food Labeling.

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

SECTION 1. Kona coffee is widely recognized as one of the distinctive products of Hawaii. Because there is no standard of identity for pure Kona coffee or Kona coffee blends, current labeling practices may be confusing to consumers of roasted Kona coffee.

There are two main types of Kona coffee: pure Kona, and blends. The problem lies with the blends, as no standards are set for them. A manufacturer can call any coffee from ninety-nine per cent pure to two per cent pure Kona a "Kona blend." Since Kona coffee has such a distinctive taste, the amount of Kona in the blend substantially changes the taste of the coffee. Some consumers may prefer the milder taste of the lighter blends, while others prefer the robust taste of a higher-percentage blend. However, because manufacturers are not required to state the percentage of Kona coffee in the finished product, the consumer cannot at present distinguish between the Kona blends. This frustrates the consumer, who does not have any way to distinguish between the packaged coffee blends. A consumer may try one blend that is too weak and decide that there is nothing special about Kona coffee, and abandon it for a different brand, or, conversely, find that a near full-strength blend is too hearty. If consumers are aware of the vast differences between blends, the consumer is more likely to make an enlightened choice, enjoy the coffee, and become a devotee.

The purpose of this Act is to establish a standard of identity for one hundred per cent Kona coffee and Kona coffee blends, and to require each manufacturer and packager to label the product in a manner that gives the consumer adequate information concerning the Kona coffee amount.

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

“§486- Kona coffee; minimum content and labeling requirements.

(a) In addition to all other labeling requirements, all roasted or instant coffee

ACT 289

which is produced in whole or in part from Kona coffee beans shall meet the following:

- (1) Identity statement:
 - (A) Only roasted or instant coffee which contains one hundred per cent Kona coffee by weight may be labeled or advertised as roasted or instant Kona coffee.
 - (B) Roasted or instant coffee containing not less than ten per cent but less than one hundred per cent Kona coffee by weight shall be labeled or advertised as "Kona coffee blend," "Kona blend coffee," or "blended Kona coffee." In addition, the following statement shall appear on the front panel of the label: "contains not less than ten per cent Kona coffee"; however, the actual percentage may be substituted in the statement.
- (2) Each word in the identity statement shall be contiguous and conspicuously displayed without any intervening material. Upper and lower case letters may be used interchangeably in the identity statement.
- (b) It shall be a violation of this section:
 - (1) To use the term "Kona coffee," "100% Kona coffee," or similar terms in labeling or advertising unless the package of coffee contains one hundred per cent Kona coffee.
 - (2) To use the term "Kona" in labeling or advertising, including in conjunction with a coffee style or in any other manner, if the roasted or instant coffee contains less than ten per cent Kona coffee by weight.
- (c) For the purpose of this section:
 - (1) "Kona coffee" means coffee that is grown in the geographical regions identified as North Kona and South Kona districts on the island of Hawaii and which meets the grade standard requirements as adopted under chapter 147.
 - (2) "Per cent Kona coffee by weight" means the percentage calculated by dividing the weight in pounds of roasted Kona coffee used in a production run of roasted or instant coffee, by the total weight in pounds of the roasted coffee used in that production run of roasted or instant coffee, and multiplying the quotient by one hundred."

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect January 1, 1992.

(Approved June 19, 1991.)

Note

1. Edited pursuant to HRS §23G-16.5