

ACT 82

H.B. NO. 562

A Bill for an Act Relating to Measurement Standards.

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

SECTION 1. Section 486-120.5, Hawaii Revised Statutes, is amended to read as follows:

**“[[§486-120.5]] Macadamia nuts; labeling requirements.** (a) If a label on a consumer package contains language that all of the raw or processed macadamia nuts contained in the package were grown in Hawaii, the label shall be worded, “100% Hawaii-Grown Macadamia Nuts”, “Hawaii-Grown Macadamia Nuts”, “100% Hawaiian Macadamia Nuts”, or “Hawaiian Macadamia Nuts”, and shall appear on the principal display panel of the package.

(b) All nonconsumer packages containing macadamia nuts grown in the State and introduced into intrastate or interstate commerce, shall bear on the package a label containing language that the package contains Hawaii-grown macadamia nuts. This label shall be in addition to all other labeling requirements specified in this chapter.

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(c) Any person keeping, offering, displaying, exposing for sale, or soliciting for sale, any raw or processed macadamia nut product, which represents or which is branded or labeled that the macadamia nuts were grown in Hawaii, shall make available to the administrator, upon demand, documented proof that one hundred per cent of the macadamia nuts were grown in the State.

(d) It shall be a violation of this part to use a label containing the words, “100% Hawaii-Grown Macadamia Nuts”, “Hawaii-Grown Macadamia Nuts”, “100% Hawaiian Macadamia Nuts”, or “Hawaiian Macadamia Nuts”, or similar wording if any portion of the macadamia nuts contained in the package are not grown in the State.

[(e) For purposes of subsections (a), (b) and (c), only one hundred per cent Hawaii grown macadamia nuts may be labeled either “100% Hawaii-Grown Macadamia Nuts” or “Hawaii-Grown Macadamia Nuts”.]

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 22, 1999.)