

A Bill for an Act Relating to Measurement Standards.

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

SECTION 1. “Acacia koa” is a species of tree that is endemic to the Hawaiian islands and is of significant value because of its limited supply and inherent qualities. The scientific name for the species Acacia koa derives, in part, from the word “koa” which was used by ancient Hawaiians to refer to the Acacia koa tree. Acacia koa is not grown in commercially significant quantities outside of the State of Hawaii.

The majority of Acacia koa growing in the State is found on state land and is a significant public asset both commercially and culturally.

In recent years, certain vendors of wood and wood products have used the term “koa” to refer to species of wood other than Acacia koa. These species are grown outside of the State and, although sometimes similar in appearance to Acacia koa, they are not Acacia koa and have not been called or known as koa. As a result, purchasers of these imported woods may be confused or misled. Furthermore, the market value of publicly owned Acacia koa will likely be adversely affected by the incorrect representation.

The legislature finds that it is appropriate and necessary to protect the value of the public’s asset and to protect consumers from potentially misleading and deceptive advertising that misrepresents the Acacia koa content of an item.

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

“§486- Acacia koa wood; representing content. In addition to all other label and branding requirements, no person shall offer, display, expose for sale, or solicit for the sale of any timber, lumber, wood, or wood product described or labeled using the term “koa”, either alone or in conjunction with other words unless the item is Acacia koa. Nothing in this section shall prevent the use of the term “koa” to describe wood products which are in part made of Acacia koa and, in part, other materials provided that the extent to which Acacia koa is utilized in the wood product is not misrepresented.”

SECTION 3. New statutory material is underscored.¹

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

(Approved April 12, 2002.)

Note

1. Edited pursuant to HRS §23G-16.5.