

ACT 91

H.B. NO. 2569

A Bill for an Act Relating to Niihau Shell Products.

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

SECTION 1. Chapter 486, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§486- Ni‘ihau shells; representing content. (a) For the purposes of this section, “Ni‘ihau shells” means seashells harvested from the island of Ni‘ihau, its waters, or its beaches.

(b) Except as provided herein, no person shall offer, display, expose for sale, or solicit for sale any product or jewelry item fabricated, processed, or manufactured with seashells, that is described, labeled, or identified using the term “Ni‘ihau” or “Niihau”, either alone or in conjunction with other words, or in a trade or brand name, unless:

- (1) One hundred per cent of all shells in the product or jewelry item are Ni‘ihau shells; and
- (2) The product or jewelry item is fabricated, processed, or manufactured entirely within this State.

(c) Any product or jewelry item that consists of at least eighty per cent Ni‘ihau shells, by count, and that meets the requirement of subsection (b)(2), may be described, labeled, or identified using the term “contains”, followed immediately by the nearest whole number representing the percentage of Ni‘ihau shells, by count, contained in the product or jewelry item, followed by the term, “% Ni‘ihau shells” or “% Niihau shells”.”

SECTION 2. New statutory material is underscored.¹

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

(Approved May 28, 2004.)

Note

1. Edited pursuant to HRS §23G-16.5.