
A BILL FOR AN ACT

RELATING TO FOOD LABELING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 328, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§328- Genetically engineered material; labeling
5 requirement. (a) Beginning January 1, 2014, no food or raw
6 agricultural commodity shall be sold in the State if it contains
7 genetically engineered material or was produced with a
8 genetically engineered material, unless it bears a label that
9 provides the following disclosure notice in bold-face print and
10 not less than ten-point type:

11 "THIS PRODUCT CONTAINS A GENETICALLY ENGINEERED
12 MATERIAL OR WAS PRODUCED WITH A GENETICALLY ENGINEERED
13 MATERIAL."

14 (b) A food or raw agricultural commodity shall be
15 considered to have been produced with a genetically engineered
16 material if:

17 (1) The organism from which the food is derived has been
18 injected or otherwise treated with a genetically



1 engineered material, except that the use of manure as
2 a fertilizer for raw agricultural commodities shall
3 not be construed to mean that those commodities are
4 produced with a genetically engineered material;

5 (2) The animal from which the food is derived has been fed
6 genetically engineered material; or

7 (3) The food contains an ingredient that is a food to
8 which paragraph (1) or (2) applies.

9 (c) For the purposes of this section:

10 "Genetically engineered material" means material derived
11 from any part of a genetically engineered organism, without
12 regard to whether the altered molecular or cellular
13 characteristics of the organism are detectable in the material.

14 "Genetically engineered organism" means:

15 (1) An organism that has been altered at the molecular or
16 cellular level by means that are not possible under
17 natural conditions or processes, including recombinant
18 deoxyribonucleic acid and ribonucleic acid techniques,
19 cell fusion, microencapsulation, macroencapsulation,
20 gene deletion and doubling, introduction of a foreign
21 gene, and changing the positions of genes, other than
22 a means consisting exclusively of breeding,



1 conjugation, fermentation, hybridization, in vitro
2 fertilization, tissue culture, or mutagenesis; or

3 (2) An organism made through sexual or asexual
4 reproduction, or both, involving an organism described
5 in paragraph (1), if possessing any of the altered
6 molecular or cellular characteristics of the organism
7 so described.

8 (d) This section shall not apply to food or raw
9 agricultural commodity that is:

10 (1) Served in restaurants or other establishments in which
11 food is served for immediate human consumption;

12 (2) Processed and prepared primarily in a retail
13 establishment and is ready for human consumption, of
14 the type described in paragraph (1), and is offered
15 for sale to consumers but not for immediate human
16 consumption in the establishment and is not offered
17 for sale outside of the establishment; or

18 (3) A medical food as defined in section 346-67.

19 (e) A violation of this section or any rule adopted
20 pursuant to this section shall be punishable by a fine of not
21 more than \$1,000 for each violation.



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1 (f) The director of health shall adopt rules, pursuant to
 2 chapter 91, necessary for the purposes of this section,
 3 including rules for the testing of foods and raw agricultural
 4 commodities to determine the presence and content of genetically
 5 engineered material."

6 SECTION 2. New statutory material is underscored.

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

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Report Title:

Genetically Engineered Material; Labeling

Description:

Requires, beginning 01/01/14, specific labeling for any food or raw agricultural commodity sold in the State that contains or was produced with a genetically engineered material.

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