
A BILL FOR AN ACT

RELATING TO FOOD DONATIONS.

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

1 SECTION 1. Section 145D-1, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding a new definition to be appropriately inserted
4 and to read:

5 "Wild game" means a non-domesticated species of animal,
6 the products of which are food, but does not include poultry,
7 poultry products, livestock, livestock products, seafood,
8 seafood products, or freshwater nongame fish. "Wild game"
9 includes deer."

10 2. By amending the definitions of "donor" and "food
11 product" to read:

12 "Donor" means any person, partnership, corporation,
13 company, or association engaged in the farming, processing,
14 distribution, wholesaling, or retailing of food products who
15 donates such products, without remuneration, to a charitable,
16 religious, or nonprofit organization. "Donor" includes any
17 person, partnership, corporation, company, or association who



1 donates wild game, without remuneration, to a charitable,
2 religious, or nonprofit organization.

3 "Food product" means any fowl, seafood, animal, vegetable,
4 or other stuff, product, or article [~~which~~] that is customary
5 food fit for human consumption, including prepared, canned,
6 milk, dairy, and farm products, before or after the expiration
7 date stamped on the products, if any. "Food product" includes
8 wild game."

9 SECTION 2. Section 145D-2, Hawaii Revised Statutes, is
10 amended by amending subsections (d) and (e) to read as follows:

11 "(d) The exceptions to liability specified in subsection
12 (a) shall include:

13 (1) The donation of perishable or nonperishable food that
14 has exceeded the labeled shelf life date recommended
15 by the manufacturer; [~~and~~]

16 (2) The donation of farm produce; provided that the good-
17 faith donor or distributor reasonably believes that
18 the food is fit for human consumption[~~-~~]; and

19 (3) The donation of wild game; provided that the good-
20 faith donor or distributor reasonably believes that
21 the food is fit for human consumption.



1 (e) [~~For the purposes of~~] As used in this section:

2 "Donor" means any individual, food vendor, food
3 manufacturer, food distributor, grocery or convenience store,
4 charitable or nonprofit organization, or government agency that
5 donates wild game the entity reasonably believes is fit for
6 human consumption or food to needy persons where the food in
7 question, except wild game, has been prepared and packaged in a
8 facility meeting all relevant food safety guidelines,
9 certifications, and requirements and has passed all food safety
10 inspections.

11 "Farm produce" means all agricultural, horticultural, and
12 vegetable produce of the soil, but does not include poultry,
13 poultry products, livestock and livestock products, aquaculture
14 and aquaculture products, and timber or timber products."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Food Donations; Wild Game

Description:

Allows wild game to be donated as food. (HD2)

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