

The Independent Voice



Newsletter of the Kona Coffee Farmers Association
PO Box 5436, Kailua Kona, HI 96745
www.konacoffeefarmers.org • info@konacoffeefarmers.org

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Editor - Christine Sheppard

Can Napa Valley Ruling Help Kona Coffee?

If this sounds like the problem Kona coffee farmers have with the use of the Kona name on 90% foreign, imported coffee, it is!

For some years, Napa Valley wines were plagued by bottlers who used the Napa name on wines made in Napa from grapes grown elsewhere. California passed a truth-in-labeling law in 2000 to protect the Napa wine name from exploitation similar to the misuse of the Kona coffee name in Hawaii. Unless 75% of the grapes in the bottle are grown in Napa, the Napa name cannot be used on the label.

The California truth-in-labeling law was challenged all the way to the US Supreme Court. California and the Napa winemakers won. The law was upheld, because it's basically the right thing to do for Napa grape growers, AND for consumers.

According to the Napa Valley Vintners, the problem stems from

wine brand names that use Napa place names, yet intentionally produce wines from grapes grown outside the Napa appellation. This undercuts the reputation of Napa Valley-grown products while trading on the cache of the renowned wine growing region. The issue at hand is that these "value" wines specifically seek sales by misrepresenting to the consumer that they are seemingly from high-profile, quality-associated brands.

Linda Reiff, executive director, of the NVV, said: "Our goal has been unwavering from the start: if it says Napa on the label, the wine in the bottle better be from Napa."

OUR goal has been unwavering from the start: if it says Kona on the label, the coffee in the package better be from Kona.

Two very significant findings in the case apply obviously to the case of Kona coffee blends and to trademarked names using the geographic origin name, Kona:

Misleading advertising is not protected by "free speech" or by previously registered trademarks. The term "misleading" does not require a deliberate attempt to mislead but can be proven by a demonstration that consumers are misled, even if unintentionally.

The Bureau of Alcohol, Tobacco, and Firearms ruling that explicitly determined that consumers believe that a geographic brand name on a wine label indicates the source of the grapes. Further, that inclusion of an accurate appellation of origin on the front label was insufficient to dispel the misimpression created by the misleading geographic brand name.

Hawaii state law recognizes Kona as a geographic origin for green coffee inspection and certification. Doesn't it then follow that it is a geographic origin in respect of truth-in-labeling? The respected, internationally recognized name of Kona coffee is seriously and increasingly damaged by the use of the Kona name on 90% foreign coffee blends and by trademarked brands that use the Kona name but may contain no Kona beans at all.

Rep. Bob Herkes sponsored a bill this last legislative session, modeled on the California law. The Bill failed to get a hearing because of lack of consensus among the various coffee groups, and by aggressive lobbying by members of the Hawaii Coffee Association, many of whom are the very people who abuse the Kona name by using it on foreign coffees. Some groups weaseled out of supporting the legislation because it called for 75% Kona instead of

100%. But current law in Hawaii only calls for 10%, and federal law doesn't regulate it at all!

If Napa wines require at least 75% of the grapes to come from Napa Valley before California allows the Napa name to be used on a wine label, can Hawaii continue to ignore misleading labeling and misuse of the Kona name on coffee?

Protecting Hawaii-grown, premium agricultural crops is not only good for the growers, it protects consumers from the misleading labeling and advertising of a product that is 90% foreign, imported coffee with the Kona name on the label. The long-term welfare of Kona coffee farmers is at stake, and so also is the image of our State.

Refs: Napa Valley Vintner's "Truth in labeling" web page
<http://www.napavintners.com/legal/>

Press release from Terry Hall, Communications Director, Napa Valley Vintners. 707 968 4217, thall@napavintners.com

What Price the Kona in Kona Blend?

Consumers who buy Kona Blend are actually paying FOUR TIMES the cost for the Kona in their Kona Blend! Can this be called deceptive pricing?

Here is the calculation:

Average price of roasted Arabica beans from South America is \$7 a pound. The 90% foreign beans in a 11b pack of 10% Kona blend thus cost \$6.30. BUT the average cost for 11b Kona Blend is \$15, so you are paying \$8.70 for the 1.6 ounces of Kona beans. That means you are paying \$5.43 an OUNCE for the Kona beans, equivalent to paying nearly \$87 a pound.....

Consumers, use your common sense....., if a blend is what you like to drink, buy 11b of Kona at around

\$22, and mix it yourself, with Arabica beans of known origin. Don't let the blenders rip you off.

Ban Green Imports?

Phil A Aronson, Cornell University, writes:

"Coffee rust is the most economically important coffee disease in the world, and in monetary value, coffee is the most important agricultural product in international trade."

Coffee plantations in Ceylon in the 1870's exported nearly 100 million pounds of coffee a year, mostly to England. In 1867 a "coffee leaf disease" appeared which was determined to be a rust fungus, *Hemileia vastatrix*.

The disease destroyed all the coffee in Ceylon. Within a few years it had spread to India, Sumatra and Java and the center of coffee production shifted to the tropical Americas. Brazil soon became the world's major coffee producer.

In 1970 coffee rust was discovered in Bahia, Brazil. The fungus, flying on the wind, raced through the coffee-growing areas of South America and Central America in less than a decade. It is now found in nearly all coffee producing areas of the world, with the exception of Hawaii.

Hawaii is the only place in the world that allows foreign green coffee to be imported into the coffee farming region. Over 4 million pounds of green coffee was imported into this state in 2004. All green coffee imported in the State of Hawaii is fumigated with methyl bromide (MB). The coffee HAS to be fumigated to prevent the spread of coffee leaf rust and coffee berry borer.

MB is both a carcinogen and a proven atmospheric ozone depletant.

The Montreal Protocol, signed in 1987, ordered the phase-out of MB by 1999. However, no alternative was found for coffee, and the USDA found a loophole in the Treaty that allowed for continued use. That loophole was due to be closed in 2005, but has been extended as there is still no proven alternative.

Many other treasured Hawaiian crops (banana, pineapple, guava, orchids, and more) are completely protected from incoming pests and diseases by import laws which prevent any unprocessed fruits, seeds and plants coming in from foreign sources. Our unique coffees, which add considerably to the economy of Hawaii in many ways, need to be given that same level of protection.

Isn't it time to face up to our responsibilities both to the world and to Hawaii's coffee farmers, and BAN green imports into Hawaii?

And with it the use of MB.

Membership Information

The Kona Coffee Farmers Association is a volunteer, non-profit, community-based organization of coffee farmers with the mission to promote and protect the economic interests of Kona coffee farmers who grow and sell 100% Kona coffee and to seek greater legal protection of the Kona coffee name. It aims to be a network for local coffee farmers, who can pool resources and share coffee related information.

Membership is \$25 per year per individual. Any Kona coffee farmer over 18 may become a voting member of KCFA. Kona coffee farmers are defined as individuals who own or lease land in Kona and who derive the majority of their coffee-related income from the sale of coffee grown on their Kona property.

Nonvoting Members: Individuals or organizations, anywhere in the world, who support 100% Kona coffee and the objectives of the KCFA may become Associate (\$20) or Supporting Members (\$250). To apply, fill out the Application Form on our website, www.konacoffeefarmers.org. Or call Nancy Griffith at 328-2666.

Meetings:

The KCFA Board meetings will be held at the CTAHR meeting room on the third Wednesday of each month at 4-6 PM. The next regular meeting will be May 17. All members are invited to attend the board meetings.

A Special Membership meeting will be held on April 23 at the Old Kona airport park. The meeting will consist of a one hour board meeting with member communications/input and a potluck social event immediately after. All members and their family are invited to attend.