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## TITLE 4 DEPARTMENT OF AGRICULTURE

### SUBTITLE 4 DIVISION OF MARKETING AND CONSUMER SERVICES

#### CHAPTER 42

#### STANDARDS FOR HAWAII-GROWN FLOWERS AND FOLIAGE

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Historical Note: Chapter 42 of title 4 is based sub-stantially upon "Regulation 2. Relating to Standards for Grades, Minimum Requirements for Export, and Minimum Export Requirements for Standard Containers and Packaging for Hawaii-Grown Fresh or Processed Flowers and Foliage and Products of Flowers and Foliage," of the Division of Marketing and Consumer Services, Department of Agriculture. [Eff. 10/6/67; R 5/29/81 ]

SUBCHAPTER 1

MINIMUM EXPORT REQUIREMENTS

§4-42-1 Minimum grades for export. (a) The following minimum grades shall apply to Hawaii-grown flowers which are exported, intended for export, or otherwise destined for shipment by commercial exporters to points outside the State:

- (1) Anthuriums shall meet the requirements of Hawaii Choice anthuriums, except that such flowers may not be fresh, may be poorly colored, and may show extensive seed formation, but the seeds shall not be mature, and except that flowers classified as Hawaii Standard anthuriums may be exported during the month of December;

- (2) Baby wood rose clusters shall meet the requirements of Hawaii Standard baby wood rose clusters;
- (3) Dendrobium orchid sprays shall meet the requirements of Hawaii Fancy dendrobium orchid sprays, except that sprays classified as Hawaii Standard dendrobium orchid sprays may be exported during the period from December 1 through March 31;
- (4) Individual dendrobium orchids shall meet the requirements of Hawaii Fancy dendrobium orchids;
- (5) Lipstick clusters shall meet the requirements of Hawaii Standard lipstick clusters;
- (6) Red ginger shall meet the requirements of Hawaii Standard red ginger;
- (7) Vanda joaquim orchids shall meet the requirements of Hawaii Standard vanda joaquim orchids;
- (8) Wood roses shall meet the requirements of Hawaii Standard wood roses; and
- (9) Leis shall be made from flowers which are properly developed, clean, well formed, fresh, firm, and reasonably intact. Leis shall be well strung and free from injury caused by bruises, discoloration, disease, insects, birds, or mechanical or other means, and shall not be less than thirty-six inches in length; provided that leis less than thirty-six inches in length may be shipped after the commercial exporter has obtained a permit from an authorized agent of the department, who shall issue the permit only if the commercial exporter has a firm order for the leis. Flowers used in a lei shall be considered properly developed when the flowers are at the stage of maturity considered to be suitable for lei making. Definitions of terms used in this paragraph shall be as provided in section 4-42-4.

(b) The following minimum grades shall apply to Hawaii-grown foliage which are exported, intended for export, or otherwise destined for shipment by commercial exporters to points outside the State:

- (1) Green ti leaves shall meet the requirements of Hawaii Standard green ti leaves;
- (2) Lycopodium sprays shall meet the requirements of Hawaii Standard lycopodium sprays;
- (3) Variegated ti leaves shall meet the requirements of Hawaii Standard variegated ti leaves;

and

(4) Volcano grass shall meet the requirements of Hawaii Standard volcano grass.

(c) Hawaii-grown dendrobium orchid plants which are exported, intended for export, or otherwise destined for shipment by commercial exporters to points outside the State shall meet the requirements of Hawaii Fancy dendrobium orchid plant.

(d) The requirements in subsections (a) and (b) may be deferred:

(1) When the flowers and foliage are to be exported for use in the tournament of roses or similar occasions, provided a written permit is obtained from an authorized inspector of the department; or

(2) When flowers and foliage are damaged by floods, high winds, volcanic eruptions, or other natural disasters and upon the recommendation of the flowers and foliage advisory committee member or members for the island involved, the department may declare that it is in the best interest of the flowers and foliage industry to relax the minimum export requirements on the items involved. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-33)

§4-42-2 Minimum container and packaging requirements for export. (a) No commercial exporter shall ship any flower or foliage item, except long-stem flowers, to any point outside the State unless the item is packaged in a new container which bears no printing, brands, labels, or other marks to indicate that the container is intended for some purpose other than for the shipment of flowers or foliage.

Long-stem flowers consisting of red ginger, shell ginger, heliconia, and birds-of-paradise may be packaged in used containers until the board of agriculture, acting on the advice and recommendation of the flowers and foliage advisory committee, finds the continued use of these containers unnecessary and not in the best interest of the flowers and foliage industry. Used containers shall be clean and sound and shall have all printings, labels, brands, or other markings not applicable to the current shipment completely obliterated.

(b) Vanda joaquim orchids shall be laid flat in layers in the package used for shipment; each layer shall be separated from other layers by wax paper or

other suitable material and shall be only one flower thick; and there shall be no more than six layers in each package. Vanda joaquim orchids for sale for use in the tournament of roses need not meet these packing requirements; provided a written permit is obtained from an authorized inspector of the department. [Eff. 5/29/81; comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-33)

§4-42-3 Provisions for enforcement, penalties, and prosecution. (a) Any authorized inspector of the department, during normal business hours, may enter any place or conveyance where flowers and foliage are processed, packed, stored, delivered for shipment, loaded, shipped, or transported and may take for inspection representative samples of these flowers and foliage and the containers used to ship these items, to determine if the flowers and foliage and the shipping containers meet the requirements of sections 4-42-1 and 4-42-2.

(b) Any authorized inspector of the department, upon determining that the requirements of sections 4-42-1 and 4-42-2 are being violated, may place stop sale notices on all flowers and foliage that are in violation. Flowers and foliage affected by stop sale notices shall not be moved until the stop sale notices have been removed by an authorized inspector of the department.

No person shall remove, deface, or otherwise tamper with any stop sale notice except upon authorization of an authorized inspector of the department.

(c) Any person who violates any provision of this chapter may be subject to the actions, procedures, and penalties provided in section 147-37, Hawaii Revised Statutes. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §§147-34 and 147-37)

## SUBCHAPTER 2

### STANDARDS FOR GRADES OF FLOWERS AND FOLIAGE

§4-42-4 Definitions. As used in this subchapter, unless otherwise defined:

"Clean" means free from dirt, mildew, and other foreign matter;

"Damage" means any defect or combination of defects

which materially affects the appearance or shipping quality of the flower or foliage;

"Dry" means free from moisture;

"Fairly clean" means not more than slightly affected by the presence of dirt, mildew, or other foreign matter;

"Fairly firm" means not more than very slightly wilted or very slightly flabby;

"Fairly well colored" means the colors are not more than very slightly faded;

"Fairly well formed" means the shape of the flower does not vary more than slightly from that typical of the variety;

"Firm" means there is no evidence of wilting;

"Fresh" means not wilted or flabby;

"Injury" means any defect or combination of defects which affects more than slightly the appearance or shipping quality of the flower or foliage. Any slight defect which so blends in with the general appearance of the product as to make it scarcely noticeable shall not constitute an injury;

"Intact" means the flower has all parts normally present and these parts are whole;

"Labellum" means the central petal (most highly colored portion) of the vanda joaquim orchid;

"Serious damage" means any defect or combination of defects which seriously affects the appearance or shipping quality of the flower or foliage;

"Similar varietal characteristics" means the flowers or foliage have the same general character of growth and color;

"Well colored" means the colors are bright and typical of the variety and there is no evidence of fading;

"Well developed" means full growth has been attained and all parts are fully developed;

"Well formed" means the flower has the form typical of the variety; and

"Well strung" means the flowers are neatly strung on unbroken twine or wire and the two ends of the twine or wire are securely joined in such a manner that the join is not conspicuous. If the lei is beribboned, the ribbon shall be tied firmly and the bow attractively formed. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
(Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-5 Tolerances for defects. Unless otherwise provided for in this subchapter, the following tolerances for defects shall apply to grades of flowers and foliage:

- (1) In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the flowers and foliage in any lot designated Hawaii Extra Fancy or Hawaii Fancy may fail to meet the requirements of the grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing damage; and
- (2) In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the flowers and foliage in any lot designated Hawaii Standard may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing serious damage. [Eff. 5/29/81; comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-6 Application of tolerances. Averages for the entire lot, based on the examination of representative samples, shall be within the tolerances specified, but individual quantities of any one type of flower or foliage in any package may contain not more than double the tolerance, provided that at least one specimen which fails to meet the requirements shall be permitted. [Eff. 5/29/81; comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-7 Standards for akulikuli leis. (a) As used in this section:

"Akulikuli lei" means a lei which is made from buds or partially opened akulikuli flowers with the stem removed;

"Fairly well developed" means the flowers are slightly less than fully opened;

"Length" means the circumference of the circle formed by the lei, measured along the centerline of the lei;

"Reasonably intact" means the appearance and shipping quality of the lei are not affected by the absence of any floral part of any flower;

"Slightly developed" means the flowers are not more than just past the bud stage of development and are not more than very slightly opened; and

"Width" means the greatest measurement at right angles to the centerline of the lei.

(b) Hawaii Fancy akulikuli leis consist of akulikuli leis made from flowers of similar varietal characteristics which are not more than slightly developed, clean, well formed, fresh, firm, reasonably intact, and well colored. Leis shall be clean, well strung, and free from injury caused by disease, insects, birds, or mechanical or other means. Unless otherwise specified, each lei shall be not less than forty inches in length, nor less than two and one-half inches in width.

Leis which conform to all the requirements of Hawaii Fancy except as to similarity between the colors of the individual flowers in the lei, may be designated Hawaii Fancy Mixed Colors.

(c) Hawaii Standard akulikuli leis consist of akulikuli leis made from flowers of similar varietal characteristics which are not more than fairly well developed, clean, well formed, fresh, firm, and fairly well colored. Leis shall be clean, well strung, and free from damage caused by disease, insects, birds, or mechanical or other means. Unless otherwise specified, each lei shall be not less than thirty-six inches in length, nor less than two and one-half inches in width.

Leis which conform to all the requirements of Hawaii Standard except as to similarity between the colors of the individual flowers in the lei, may be designated Hawaii Standard Mixed Colors.

(d) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leis in any lot may fail to meet the specified minimum length or width, but not more than one-fifth of this amount, or one per cent, shall be permitted for leis more than two inches shorter than the minimum length specified. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)



§4-42-8 Standards for anthuriums. (a) As used in this section:

"Anthuriums" means that portion of the anthurium plant consisting of the stem, the spathe or leaf-like portion, and the spadix or fleshy spike on which the true flowers are borne, which shall be referred to in this section as the flower although the true flower is borne on the spadix. True flowers on the spadix shall be referred to in this section as true flowers;

"Damage" means any defect which materially affects the appearance or shipping quality of the flower. Any cut, tear, or bruise, or any combination of these defects, on the spathe or spadix, exceeding an aggregate area one-eighth inch in diameter on a medium-size flower, shall be considered damage. Smaller flowers shall have lesser areas of defects and larger flowers may have greater areas, provided that such defects do not affect the appearance of the flowers to a greater extent than that caused by defects which are permitted on a medium-size flower;

"Evidence of seed development" means the formation of the spadix indicates that seeds are beginning to develop;

"Fairly well developed" means the flower may be slightly immature, the spathe may be not quite full grown, and the development of true flowers on the spadix may extend not more than one-fourth its length;

"Fairly well formed" means the stem is not excessively bent or twisted, and the spathe and spadix are fairly typical of the variety and not excessively lopsided, curled, twisted, or otherwise misshapen;

"Firm" means the flower is fairly rigid in all respects. The stem is particularly rigid at the neck and the spathe and spadix are not limp or flabby;

"Good true flower development" means the true flowers on at least one-third of the length of the spadix have opened, indicating that the flower is mature;

"Length" means the distance between parallel lines drawn at right angles to the longitudinal axis at the base and at the tip of the spathe;

"Poorly colored" means the flower is considerably faded;

"Properly trimmed" means the stem is cut off cleanly;

"Similar varietal characteristics" means the stems, spathes, and spadices of the flowers are uniform in color and character of growth. Different shades of a color shall not be permitted;

"Size" means the dimension of the flower, determined by averaging the length and width of the spathe, expressed in inches;

"Slight evidence of seed development" means not more than one-fourth of the surface of the spadix is knobby;

"Well developed" means the spathe is full-grown and the spadix exhibits good true flower development for the variety;

"Well formed" means the two sides of the spathe are fairly symmetrical, the stem is fairly straight, and the conformation of the spadix and the various parts of the flower in relation to each other is characteristic of the variety; and

"Width" means the greatest distance between two lines drawn parallel to the longitudinal axis of the spathe at the two points which are furthest from the longitudinal axis.

(b) Hawaii Extra Fancy anthuriums consist of anthuriums of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, properly trimmed, well colored, show no evidence of seed development, and free from injury caused by disease, insects, or mechanical or other means. The length of the stem shall be two and one-half times the size of the individual anthurium.

In order to allow for variations incident to proper grading and handling, not more than two per cent, by count, of the flowers in any lot may fail to meet the requirements of this grade.

(c) Hawaii Fancy anthuriums consist of anthuriums which are well developed, clean, well formed, intact, fresh, firm, properly trimmed, well colored, show no evidence of seed development, and free from injury caused by disease, insects, or mechanical or other means. Unless otherwise specified, the length of the stem shall be two and one-half times the size of the individual anthurium.

In order to allow for variations incident to proper grading and handling, not more than a total of two per cent, by count, of the flowers in any lot may fail to meet the requirements of this grade.

(d) Hawaii Choice anthuriums consist of anthuriums which are well developed, clean, fairly well formed, intact, fresh, firm, properly trimmed, fairly well

colored, show no evidence of seed development, and free from damage caused by disease, insects, or mechanical or other means. Unless otherwise specified, the length of the stem shall be two times the size of the individual anthurium.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the flowers in any lot may fail to meet the requirements of this grade.

(e) Hawaii Standard anthuriums consist of anthuriums which are fairly well developed, clean, fairly well formed, fairly fresh, fairly firm, properly trimmed, not poorly colored, show no more than slight evidence of seed development, and free from serious damage caused by disease, insects, or mechanical or other means. Unless otherwise specified, the length of the stem shall at least equal the size of the individual anthurium.

In order to allow for variations incident to proper grading and handling, not more than a total of eight per cent, by count, of the flowers in any lot may fail to meet the requirements of this grade.

(f) Size of anthuriums may be specified in connection with the grade, based on the following optional size classifications:

- (1) Miniature, under three inches;
- (2) Small, three to four inches;
- (3) Medium, over four and up to five inches;
- (4) Large, over five and up to six inches; or
- (5) Extra large, over six inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the flowers in any lot may vary from the size specified, but not more than one-tenth of this amount, or one per cent, shall be permitted for flowers which are more than one-fourth inch smaller than the size specified.

[Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-9 Standards for baby wood rose clusters.

(a) As used in this section:

"Baby wood rose cluster" means the stem, sepals, and four or more fruiting capsules of the silver morning glory vine (*Argyrea nervosa*);

"Damage" means any defect or combination of defects which materially affects the appearance or shipping quality of the wood rose cluster. Punctures in the fruiting capsules that are scarcely noticeable and the

removal of fruiting capsules and attached sepals and stem which does not materially affect the appearance of the cluster, shall not constitute damage;

"Fairly well colored" means the brown coloring of the fruiting capsules is not more than slightly faded;

"Fairly well formed" means the baby wood rose cluster is not excessively spread and not so otherwise misshapen as to seriously affect its appearance;

"Firm" means the stems are stiff and the sepals and fruiting capsules are firmly attached;

"Injury" means any defect which affects the appearance or shipping quality of the baby wood rose cluster more than slightly. Any slight defect which blends in with the general appearance of the cluster and is barely noticeable shall not be considered as injury, but any insect puncture on the fruiting capsule shall be considered as injury. The removal of fruiting capsules and attached sepals and stem which does not affect the appearance of the cluster more than slightly, shall not be considered as injury;

"Length of stem" means the distance from the point where the stem has been severed from the vine to the first bunch;

"Properly trimmed" means the stem has been cut off neatly;

"Reasonably intact" means the baby wood roses in a cluster have all parts normally present and these parts are whole, provided that no more than three sepals per cluster and no more than one sepal per baby wood rose are missing or broken and provided that no broken sepal is ragged in appearance;

"Well colored" means the color of the stems and underside of the sepals is characteristically grayish white, and the fruiting capsules have the brown color typical of the variety; and

"Well formed" means the baby wood rose cluster has the shape typical of the variety and the sepals are mostly widespread.

(b) Hawaii Fancy baby wood rose clusters consist of baby wood rose clusters of similar varietal characteristics which are well developed, clean, well formed, reasonably intact, firm, dry, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means. A cluster shall consist of seven or more fruiting capsules. Stems shall be not less than three inches in length.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the baby wood rose clusters in any

lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing damage, including not more than one per cent for clusters with less than seven fruiting capsules.

(c) Hawaii Standard baby wood rose clusters consist of baby wood rose clusters of similar varietal characteristics which are well developed, clean, fairly well formed, firm, dry, fairly well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means. A cluster shall consist of four or more fruiting capsules. Stems shall be not less than one inch in length.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the baby wood rose clusters in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing serious damage, including not more than one per cent for clusters with less than four fruiting capsules.  
[Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-10 Standards for birds-of-paradise. (a) As used in this section:

"Bird-of-paradise" means the stem and inflorescence of the *Strelitzia reginae* plant, consisting of one or two boatshaped bracts borne on the stem and the flowers which are held in the bract;

"Clean" means the bird-of-paradise is practically free from dirt and other foreign matter. A small amount of dirt inside the bracts, which cannot be removed by good commercial methods of washing, shall be permitted;

"Damage" means any defect which materially affects the appearance or shipping quality of the bird-of-paradise. Any defect or combination of defects so located as to be prominent or affects an aggregate area exceeding three-fourths inch in diameter shall be considered as damage, unless such defect or combination of defects is on the stem;

"Fairly well colored" means the color of the sepals on the first appearing flower may be very slightly brown but the color of the sepals on the remaining flowers shall be bright and characteristic of the variety, and the tongue may be light colored;

"Injury" means any defect which more than slightly affects the appearance or shipping quality of the bird-

of-paradise. Any defect or combination of defects affecting an aggregate area more than three-eighths inch in diameter shall be considered as injury, unless such defect or combination of defects is on the stem;

"Properly trimmed" means the stem has been cut off neatly and is at least ten inches in length;

"Reasonably intact" means the bird-of-paradise has all parts normally present and these parts are whole, except that one flower may have been removed; and

"Well developed" means the bract is quite plump and the first flower is exposed.

(b) Hawaii Fancy birds-of-paradise consist of birds-of-paradise of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means.

(c) Hawaii Standard birds-of-paradise consist of birds-of-paradise of similar varietal characteristics which are well developed, clean, well formed, reasonably intact, fresh, firm, fairly well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32)  
(Imp: HRS §147-32)

§4-42-11 Standards for carnation leis. (a) As used in this section:

"Carnation lei" means a lei made using carnation flowers with the stems removed;

"Length" means the circumference of the circle formed by the lei, measured along the centerline of the lei; and

"Reasonably intact" means the appearance and shipping quality of the lei are unaffected by the absence of any floral part of any flower.

(b) Hawaii Fancy carnation leis consist of carnation leis made from flowers of similar varietal characteristics which are well developed, clean, reasonably intact, fresh, firm, and well colored. Leis shall be clean, well strung, and free from injury caused by disease, birds, insects, or mechanical or other means. Unless otherwise specified, each lei shall be not less than forty inches in length.

Leis which conform to all the requirements of Hawaii Fancy except as to similarity between the colors of the individual flowers in the lei, may be designated Hawaii Fancy Mixed Colors.

(c) Hawaii Standard carnation leis consist of carnation leis made from flowers of similar varietal characteristics which are well developed, clean, fairly fresh, fairly firm, and fairly well colored. Leis shall be clean, well strung, and free from damage caused by disease, birds, insects, or mechanical or other means. Unless otherwise specified, each lei shall be not less than thirty-six inches in length.

Leis which conform to all the requirements of Hawaii Standard except as to similarity between the colors of the individual flowers in the lei, may be designated Hawaii Standard Mixed Colors.

(d) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leis in any lot may fail to meet the specified minimum length, but not more than one-fifth of this amount, or one per cent, shall be permitted for leis more than two inches shorter than the minimum length specified. [Eff. 5/29/81; am and comp

JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-12 Standards for croton leaves. (a) As used in this section:

"Broad-leaf types" means types of croton which bear leaves that are less than three times as long as wide;

"Damage" means any defect which materially affects the appearance or shipping quality of the leaf. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

- (1) Breaks, cuts, or bruises, when aggregating more than one-fourth inch in diameter;
- (2) Breaks, cuts, or bruises, when more than three are present; or
- (3) Breaks, cuts, or bruises, when so close together as to materially affect the appearance of the leaf;

"Length" means the greatest dimension of the leaf blade measured in a straight line, exclusive of the stem;

"Narrow-leaf types" means types of croton which bear leaves that are three times as long as wide or longer. For the purpose of these standards, a lot of similar croton leaves will be considered as belonging to the narrow-leaf type if any leaf fails to meet the requirements for broad-leaf croton leaves. In the case of mixed varieties, any one variety in the mixture will

be considered a narrow-leaf type if any leaf of that variety in the mixture fails to meet the requirement for broad-leaf croton leaves;

"Properly trimmed" means the stems are neatly cut off;

"Well developed" means the leaf shows normal growth and is reasonably tough in texture; and

"Well formed" means the leaf is symmetrical and has the normal shape of the variety.

(b) Hawaii Fancy croton leaves consist of croton leaves of similar varietal characteristics which are well developed, clean, well formed, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means.

Broad-leaf type croton leaves shall be five inches or more in length and narrow-leaf type croton leaves shall be seven inches or more in length.

Croton leaves which conform to all the requirements of Hawaii Fancy except as to variety, may be designated Hawaii Fancy Mixed Varieties.

(c) Hawaii Standard croton leaves consist of croton leaves of similar varietal characteristics which are well developed, clean, well formed, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means.

Broad-leaf type croton leaves shall be five inches or more in length and narrow-leaf type croton leaves shall be seven inches or more in length.

Croton leaves which conform to all the requirements of Hawaii Standard except as to variety, may be designated Hawaii Standard Mixed Varieties.

(d) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leaves in any lot may fail to meet the requirement for length, but not more than one-fifth of this amount, or one per cent, shall be permitted for leaves more than one-half inch shorter than the minimum length specified. [Eff. 5/29/81; am and comp JAN 16 1984] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-13 Standards for cymbidium orchid sprays.

(a) As used in this section:

"Cymbidium orchid sprays" means the racemes of various cymbidium orchids, each consisting of the stalk, stems, and four or more flowers;

"Damage" means any defect or combination of defects which materially affects the appearance or shipping



quality of the spray. Removal of any flower other than those at the base of the spray constitutes damage;

"Intact" means the spray has all parts present and these parts are whole, except that old or damaged flowers may be removed from the base of the spray, provided its appearance or shipping quality is not affected;

"Properly trimmed" means the stalks have been cut off cleanly;

"Size" means the average of the width and the length of the largest flower in the spray as measured, respectively, at right angles and parallel to the longitudinal axis;

"Well developed" means the specified minimum number of flowers in the spray have attained full growth; and

"Well formed" means the general structure of the spray and the shape of the individual flowers are typical of the variety, and the flowers are symmetrical.

(b) Hawaii Extra Fancy cymbidium orchid sprays consist of cymbidium orchid sprays of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of six or more flowers.

(c) Hawaii Fancy cymbidium orchid sprays consist of cymbidium orchid sprays which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of five or more flowers.

(d) Hawaii Standard cymbidium orchid sprays consist of cymbidium orchid sprays which are well developed, clean, well formed, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of four or more flowers.

(e) The applicable size classification for cymbidium orchid sprays may be specified in connection with the grade, as follows:

- (1) Small, under three and one-half inches;
- (2) Medium, three and one-half to four and one-half inches; or
- (3) Large, over four and one-half inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the sprays in any lot may vary from the size specified, but not more than one-half of this amount, or five

per cent, shall be permitted for sprays which are more than one-fourth inch smaller than the size specified. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-14 Standards for dendrobium orchid sprays.

(a) As used in this section:

"Dendrobium orchid sprays" means the racemes of the various dendrobium orchids, consisting of the stalk, stems, and flowers;

"Firm" means the flowers and stems are turgid and firmly attached to the main stalk;

"Intact" means all flowers present are whole and not more than two damaged flowers have been removed from the spray, provided that the appearance or shipping quality of the spray is not appreciably affected by such removal of damaged flowers;

"Properly trimmed" means the stalk has been cut off cleanly; removed flowers have been severed neatly; and the distance from the lowermost flower to the cut end of the stem is not less than four inches;

"Well developed" means at least sixty per cent of the flowers on the spray have attained full bloom; and

"Well formed" means the general structure of the spray and the shape of the individual flowers are typical of the variety, and the flowers are symmetrical.

(b) Hawaii Fancy dendrobium orchid sprays consist of dendrobium orchid sprays which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, birds, or mechanical or other means.

(c) Hawaii Standard dendrobium orchid sprays consist of dendrobium orchid sprays which are well developed, clean, well formed, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, birds, or mechanical or other means.

(d) The applicable spray length classification for dendrobium orchid sprays may be specified in connection with the grade, as follows:

- (1) Short, nine to thirteen inches;
- (2) Medium, fourteen to twenty inches; or
- (3) Long, twenty-one or more inches.

In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the sprays in any lot may vary from the

length specified. [Eff. 5/29/81; am and comp  
 JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS  
 §147-32)

§4-42-15 Standards for red ginger. (a) As used in this section:

"Clean" means the red ginger flowers are practically free from dirt or other foreign matter. Small amounts of dirt deep inside the bracts which cannot be removed by good commercial methods shall be permitted;

"Damage" means any defect which materially affects the appearance or shipping quality of the flower. Any defect or combination of defects affecting an aggregate area exceeding three-eighths inch in diameter shall be considered damage;

"Fairly well formed" means the flower spike is fairly compact and not more than slightly lacking in symmetry;

"Injury" means any defect that more than slightly affects the appearance or shipping quality of the flower. Any defect or combination of defects affecting an aggregate area exceeding one-fourth inch in diameter shall be considered injury, unless such defect or combination of defects is on the stem or leaf;

"Intact" means the red ginger flower has all parts normally present and these parts are whole. Leaves may or may not be present;

"Length of spike" means the distance from the axil of the uppermost leaf to the tip of the inflorescence;

"Length of stem" means the distance from the axil of the uppermost leaf to the cut end of the stem;

"Properly trimmed" means the stem has been cut off cleanly and the stumps of removed leaves are not so prominent or ragged as to materially affect the appearance of the flower;

"Reasonably intact" means the appearance or shipping quality of the red ginger flower is not noticeably affected by the absence of entire flower parts or portions of flower parts;

"Red ginger flower" means the flower spike, stem, and any attached leaves of the species *Alpinia purpurata*;

"Well colored" means the characteristic red color of the flower bracts is bright; the stem is not discolored or off-colored; and any leaves present are uniformly green;

"Well developed" means approximately one-third or

more of the bracts on the spike have opened; there is some evidence of flower development; and the stem is at least three-eighths inch in diameter at the cut end; and "Well formed" means the flower spike is compact and symmetrical.

(b) Hawaii Fancy red ginger consists of red ginger flowers of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means. Flower spikes shall be at least eight inches in length and stems shall be at least twelve inches in length.

(c) Hawaii Standard red ginger consists of red ginger flowers of similar varietal characteristics which are well developed, clean, fairly well formed, reasonably intact, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means. Flower spikes shall be at least six inches in length and stems shall be at least eight inches in length. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-16 Standards for shell ginger. (a) As used in this section:

"Clean" means practically free from dirt or other foreign matter;

"Damage" means any defect which materially affects the appearance or shipping quality of the shell ginger flower. Any defect or any combination of defects affecting an aggregate area exceeding three-eighths inch in diameter shall be considered as damage, unless such defect or combination of defects is on the stem or leaf;

"Injury" means any defect which more than slightly affects the appearance or shipping quality of the shell ginger flower. Any defect or combination of defects affecting an aggregate area one-fourth inch in diameter shall be considered as injury, unless such defect or combination of defects is on the stem or leaf;

"Intact" means the shell ginger flower has all parts normally present and these parts are whole. Leaves may or may not be present;

"Length of spike" means the distance from the base of the two bracts enclosing the inflorescence to the opposite end of the spike;

"Length of stem" means the distance from the base of the two bracts enclosing the inflorescence to the cut

end of the stem;

"Properly trimmed" means the stem is twelve inches or more in length and cut off cleanly, and the stumps of removed leaves are not so prominent or ragged as to materially affect the appearance of the shell ginger flower;

"Shell ginger flower" means the flower spike made up of the numerous bracts and flowers of the species *Alpinia nutans*, and includes the leaves and stem;

"Well colored" means the colors of the shell ginger flower are bright and typical of the variety and any leaves present are uniformly green;

"Well developed" means the two bracts enclosing the flower spike are loose enough to allow easy separation for exposure of the enclosed flowers and the stem at its outer end is at least three-eighths inch in diameter; and

"Well formed" means the flower spike is compact and tapering and has the normal shape of the variety.

(b) Hawaii Fancy shell ginger consists of shell ginger flowers of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means. Flower spikes shall be at least nine inches in length.

(c) Hawaii Standard shell ginger consists of shell ginger flowers of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means. Flower spikes shall be at least seven inches in length. [Eff. 5/29/81; am and comp

JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-17 Standards for green ti leaves. (a) As used in this section:

"Damage" means any defect which materially affects the appearance or shipping quality of the leaf. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

- (1) Breaks or cuts, when exceeding two inches in length;
- (2) Discolored areas and bruises (other than those affecting the margin), when exceeding one-half inch in diameter in the aggregate; or

- (3) Yellow or brown spots (exclusive of slight yellowing allowed along the margin of the leaf), when prominent or when not blending with the green color of the leaf so as to materially affect appearance;

"Fairly fresh" means the leaf is not more than slightly wilted;

"Fairly well colored" means the characteristic green color is not so faded as to materially affect the appearance of the leaf and a slight yellowing is permitted along the margin of the leaf;

"Green ti leaves" means the leaves of the species *Cordyline terminalis*;

"Intact" means the leaf blade is whole and untrimmed;

"Length" means the length of the leaf blade, exclusive of the petiole;

"Mature" means the leaf is reasonably tough in texture;

"Not poorly colored" means the characteristic green color is not so faded as to seriously affect the appearance of the leaf and yellowing is permitted along the margin of the leaf;

"Properly trimmed" means the stem is cleanly cut off and extends at least three inches below the bottom of the leaf blade;

"Serious damage" means any defect or combination of defects which seriously affects the appearance or shipping quality of the leaf. Yellow or brown spots (exclusive of the yellowing allowed along the leaf margin), when prominent or when not blending with the green color of the leaf so as to seriously affect appearance shall be considered as serious damage;

"Well colored" means the color of the leaf is practically uniform and characteristically green; and

"Well formed" means the leaf is symmetrical and has the normal shape for the variety.

(b) Hawaii Extra Fancy green ti leaves consist of green ti leaves of similar varietal characteristics which are well developed, mature, clean, well formed, intact, fresh, well colored, properly trimmed, and free from yellow or brown spots and from injury caused by disease, insects, or mechanical or other means.

(c) Hawaii Fancy green ti leaves consist of green ti leaves which are well developed, mature, clean, well formed, intact, fresh, fairly well colored, properly trimmed, and free from damage caused by yellow or brown spots, disease, insects, or mechanical or other means.

In order to allow for variations, other than size,

incident to proper grading and handling, not more than a total of ten per cent, by count, of the leaves in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or four per cent, shall be allowed for defects causing serious damage.

(d) Hawaii Standard green ti leaves consist of green ti leaves which are well developed, clean, well formed, intact, fairly fresh, not poorly colored, properly trimmed, and free from serious damage caused by yellow or brown spots, disease, insects, or mechanical or other means.

In order to allow for variations, other than size, incident to proper grading and handling, not more than a total of ten per cent, by count, of the leaves in any lot may fail to meet the requirements of this grade.

(e) Size of green ti leaves may be specified in connection with the grade, based on the following size classifications:

- (1) Small, ten to sixteen inches in length;
- (2) Medium, sixteen to twenty-five inches in length; or
- (3) Large, twenty-five inches and longer.

In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leaves in any lot may fail to meet the requirement for length, but not more than one-fifth of this amount, or one per cent, shall be permitted for leaves more than one-half inch shorter than the minimum length specified. [Eff. 5/29/81; am and comp

JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-18 Standards for heliconias. (a) As used in this section:

"Clean" means practically free from dirt or other foreign matter, except that small amounts of dirt inside the bracts which cannot be removed by good commercial methods of washing shall be permitted;

"Damage" means any defect which materially affects the appearance or shipping quality of the heliconia. Any defect or combination of defects affecting an aggregate area exceeding one-half inch in diameter shall be considered as damage, unless such defect or combination of defects is on the stem or is otherwise inconspicuous;

"Fairly well developed" means one bract is at least slightly opened and the flower is visible;

"Heliconias" means the inflorescences of the

several species of the heliconia plant, consisting of the stem, bracts, and flowers;

"Intact" means the heliconia has all parts normally present and these parts are whole, except that flowers may be removed;

"Properly trimmed" means both ends of the stem are cut off neatly and the length of the stem below the spike is at least six inches;

"Serious damage" means any defect which seriously affects the appearance or shipping quality of the heliconia. Any defect or combination of defects affecting an aggregate area exceeding three-fourths inch in diameter shall be considered as serious damage, unless such defect or combination of defects is on the stem or is otherwise inconspicuous;

"Well developed" means at least two bracts are open and show some evidence of flower development; and

"Well formed" means the shape of the heliconia varies no more than slightly from the shape normal for the variety, and the bracts are plump and not straggly for the variety.

(b) Hawaii Fancy heliconias consist of heliconias of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the heliconias in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing serious damage.

(c) Hawaii Standard heliconias consist of heliconias of similar varietal characteristics which are fairly well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from serious damage caused by disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the heliconias in any lot may fail to meet the requirements of this grade. [Eff. 5/29/81; am and comp **JAN 16 1984** ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-19 Standards for individual cymbidium orchids. (a) As used in this section:

"Size" means the greatest dimension of the flower,



measured in a straight line and with the various parts of the flower in normal position; and

"Well formed" means the flower is symmetrical and its form is typical of the variety.

(b) Hawaii Extra Fancy cymbidium orchids consist of individual cymbidium orchids of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from injury caused by disease, insects, birds, or mechanical or other means.

(c) Hawaii Fancy cymbidium orchids consist of individual cymbidium orchids which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from injury caused by disease, insects, birds, or mechanical or other means.

(d) Hawaii Standard cymbidium orchids consist of individual cymbidium orchids which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from damage caused by disease, insects, birds, or mechanical or other means.

(e) Size of cymbidium orchids may be specified in connection with the grade, based on the following size classifications:

- (1) Small, under two inches;
- (2) Medium, two to three inches; or
- (3) Large, over three inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the flowers in any lot may vary from the size specified, but not more than one-half of this amount, or five per cent, shall be permitted for flowers which are more than one-fourth inch smaller than the size specified. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
(Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-20 Standards for individual dendrobium orchids. (a) As used in this section:

"Size" means the greatest dimension of the flower, measured in a straight line and with the various parts of the flower in normal position; and

"Well formed" means the flower is symmetrical and its form is typical of the variety.

(b) Hawaii Fancy dendrobium orchids consist of individual dendrobium orchids which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from injury caused by disease, insects, birds, or mechanical or other means.

(c) Hawaii Standard dendrobium orchids consist of

individual dendrobium orchids which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from damage caused by disease, insects, birds, or mechanical or other means.

(d) Size of dendrobium orchids may be specified in connection with the grade, based on the following size classifications:

- (1) Small, under two inches;
- (2) Medium, two to three inches; or
- (3) Large, over three inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the flowers in any lot may vary from the size specified, but not more than one-half of this amount, or five per cent, shall be permitted for flowers which are more than one-fourth inch smaller than the size specified. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
(Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-21 Standards for individual vanda hybrid orchids. (a) As used in this section:

"Damage" means any defect or combination of defects which materially affects the appearance or shipping quality of the flower. Any defect or combination of defects exceeding an aggregate area one-eighth inch in diameter shall be considered as damage;

"Individual vanda hybrid orchids" means vanda hybrid orchids which have been detached from the main flower spike and consist of the stem and all floral parts normally present;

"Size" means the average of the width and length of the flower as measured, respectively, at right angles and parallel to the longitudinal axis;

"Well developed" means the flower has attained full growth and is fully opened; and

"Well formed" means the flower is practically symmetrical and its form is typical of the variety.

(b) Hawaii Extra Fancy vanda hybrid orchids consist of individual vanda hybrid orchids of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from injury caused by insects, birds, or mechanical or other means.

(c) Hawaii Fancy vanda hybrid orchids consist of individual vanda hybrid orchids which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from injury caused by insects, birds, or mechanical or other means.

(d) Hawaii Standard vanda hybrid orchids consist of individual vanda hybrid orchids which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from damage caused by insects, birds, or mechanical or other means.

(e) Size of individual vanda hybrid orchids may be specified in connection with the grade, based on the following size classifications:

- (1) Small, under three inches;
- (2) Medium, three to three and one-half inches; or
- (3) Large, over three and one-half inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the flowers in any lot may vary from the size specified, but not more than one-half of this amount, or five per cent, shall be permitted for flowers which are more than one-fourth inch smaller than the size specified. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
 (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-22 Standards for lani leis. (a) As used in this section:

"Intact" means the flower has all parts present (except for the stem and two white petals) and these parts are whole;

"Lani lei" means a lei which is made using the flowers of the vanda joaquim orchid, with or without the stems removed, and with the wire passing through alternate sides of the labellum. This lei is also known as the chenille lei;

"Length" means the circumference of the circle formed by the lei, measured along the centerline of the lei;

"Serious damage" means any defect or combination of defects which seriously affects the appearance or shipping quality of the lei. Any injury to the pollinium shall constitute a serious damage; and

"Well formed" means the flower is symmetrical and has the form characteristic of the variety, and the general formation of the lei is characteristic of the type.

(b) Hawaii Fancy lani leis consist of lani leis made from flowers of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, and well colored. Leis shall be clean, well strung, and free from injury caused by disease, insects, birds, or mechanical or other means.

In order to allow for variations incident to proper

grading and handling, not more than a total of five per cent, by count, of the leis in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing damage, including not more than two per cent which shall be permitted for leis made from flowers which show injury to the pollen cap, provided that there shall be no tolerance for leis made from flowers from which the pollen grains have been dislodged.

Unless otherwise specified, each lei shall be not less than forty inches in length and shall consist of not less than thirty-five flowers.

(c) Hawaii Standard lani leis consist of lani leis made from flowers of similar varietal characteristics which are well developed, clean, well formed, intact, fairly fresh, fairly firm, and fairly well colored. Leis shall be clean, well strung, and free from damage caused by disease, insects, birds, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the leis in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing serious damage, including not more than two per cent which shall be permitted for leis made from flowers which show injury to the pollen cap, provided that there shall be no tolerance for leis made from flowers from which the pollen grains have been dislodged.

Unless otherwise specified, each lei shall be not less than forty inches in length and shall consist of not less than thirty-five flowers.

(d) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leis in any lot may fail to meet the minimum length, but not more than one-fifth of this amount, or one per cent, shall be permitted for leis more than two inches shorter than the minimum length specified. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
(Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-23 Standards for lipstick clusters. (a) As used in this section:

"Damage" means any defect which materially affects the appearance or shipping quality of the lipstick cluster. Any defect or combination of defects affecting

an aggregate area exceeding one-fourth inch in diameter shall be considered as damage, unless such defect or combination of defects is on the stem or is otherwise inconspicuous;

"Fairly well colored" means the outside of the capsules may be slightly blackened at the base but not to such an extent as to materially affect the appearance of the lipstick cluster;

"Fairly well formed" means the fruiting capsule of the lipstick cluster is not excessively spread and not so otherwise misshapen as to materially affect the appearance of the cluster;

"Firm" means the stems are stiff and the capsules and seeds are firmly attached;

"Length of stem" means the distance from the point where the cluster is cut off to the first branch, or when several clusters are attached to the same plant part, the greatest distance between the lowermost branch holding the fruiting capsule and the farthest point at which the stem can be cut off to form a cluster and at the same time not affect stems from other clusters on the same plant part;

"Lipstick cluster" means the stems and fruiting capsules containing matured seeds of the arnotto dye (*Bixa orellana*) plant. Although several clusters may be present on the same plant part, a cluster is considered to be a group of closely associated fruit capsules on a single stem. When two or more clusters are present on the same plant part, for the purpose of these standards, each cluster shall be considered a separate cluster;

"Properly trimmed" means the stems have been cut off cleanly and if capsules have been removed, these have been severed neatly;

"Reasonably intact" means the lipstick cluster has all parts normally present and these parts are whole, except that some capsules and attached stems may be removed, provided the appearance or shipping quality of the cluster is not materially affected;

"Well colored" means the color of the outside of the capsule is characteristically brown and the covering of the seeds is characteristically dull red in color;

"Well developed" means the lipstick cluster has attained full growth, all parts are fully developed, and at least eighty per cent of the capsules are open so that the seeds are exposed; and

"Well formed" means the lipstick clusters are fairly compact and have the shape typical of the variety.

(b) Hawaii Fancy lipstick clusters consist of

lipstick clusters of similar varietal characteristics which are well developed, clean, well formed, reasonably intact, firm, dry, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means. Each cluster shall consist of at least five capsules. Unless otherwise specified, stems shall be more than two inches in length.

(c) Hawaii Standard lipstick clusters consist of lipstick clusters of similar varietal characteristics which are well developed, clean, fairly well formed, reasonably intact, firm, dry, fairly well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means. Each cluster shall consist of at least three capsules. Unless otherwise specified, stems shall be more than one inch in length. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-24 Standards for lycopodium sprays. (a) As used in this section:

"Damage" means any defect or combination of defects which materially affects the appearance or shipping quality of the lycopodium spray. More than a light spore formation at the tips of the branches shall constitute damage;

"Fairly well formed" means the spacing of the branches on the stem does not cause the spray to present a straggly appearance; the lowest branch is not more than five inches from the lower end of the stem; there are at least six fairly well developed branches on a twenty inch lycopodium spray and proportionately larger numbers of branches on longer lycopodium sprays; and the general formation is fairly typical of the variety;

"Injury" means any defect or combination of defects which more than slightly affects the appearance or shipping quality of the lycopodium spray. Removal of broken or damaged tips from the lower branches, which does not materially affect the general appearance of the lycopodium spray, shall not constitute injury;

"Length" means the distance from the cut end to the tip of the stem at the opposite end of the plant;

"Lycopodium sprays" means the stems, branches, leaves, and cone (strobili) of the club moss *Lycopodium cernuum*;

"Properly trimmed" means the stems have been severed neatly;

"Reasonably intact" means no branch above the lowermost branch has been removed;

"Serious damage caused by removal of branches above the lowermost branch" means branches have not been neatly removed or more than two branches have been removed;

"Well colored" means the lycopodium spray is uniformly green in color and there are no brown areas present; and

"Well formed" means the branches are fairly uniformly spaced on the main stem; the lowest branch is not more than five inches from the lower end of the stem; there are at least six well developed branches on a twenty inch lycopodium spray and proportionately as many well developed branches on longer or shorter lycopodium sprays; and the general appearance is typical of the variety.

(b) Hawaii Extra Fancy lycopodium sprays consist of lycopodium sprays of similar varietal characteristics which are clean, well formed, reasonably intact, fresh, well colored, properly trimmed, and free from visible yellow spores and from injury caused by disease, insects, or mechanical or other means.

Unless otherwise specified, the minimum length of lycopodium sprays shall be twenty inches.

(c) Hawaii Fancy lycopodium sprays consist of lycopodium sprays of similar varietal characteristics which are clean, fairly well formed, reasonably intact, fresh, well colored, properly trimmed, and free from damage caused by yellow spores, disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than five per cent, by count, of the lycopodium sprays in any lot may fail to meet the requirements of this grade.

Unless otherwise specified, the minimum length of lycopodium sprays shall be twenty inches.

(d) Hawaii Standard lycopodium sprays consist of lycopodium sprays of similar varietal characteristics which are clean, fresh, well colored, properly trimmed, and free from damage caused by yellow spores, disease, insects, or mechanical or other means and from serious damage caused by the removal of branches above the lowermost branch.

In order to allow for variations incident to proper grading and handling, not more than five per cent, by count, of the lycopodium sprays in any lot may fail to meet the requirements of this grade.

(e) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the lycopodium sprays in any lot may fail

to meet the minimum length specified, but not more than one-fifth of this amount, or one per cent, shall be permitted for lycopodium sprays more than two inches shorter than the minimum length specified.

[Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-25 Standards for mauna loa vanda leis. (a) As used in this section:

"Length" means the circumference of the circle formed by the lei, measured along the centerline of the lei; and

"Mauna loa vanda lei" means a lei which is made using the central portion of the vanda joaquim orchid called the labellum, which shall be referred to in this section as flowers.

(b) Hawaii Fancy mauna loa vanda leis consist of mauna loa vanda leis made from flowers which are well developed, clean, well formed, fresh, firm, and well colored. Leis shall be clean, well strung, and free from injury caused by disease, insects, birds, or mechanical or other means. Unless otherwise specified, the length of each lei shall be not less than forty inches.

(c) Hawaii Standard mauna loa vanda leis consist of mauna loa vanda leis made from flowers which are well developed, clean, well formed, fairly fresh, fairly firm, and fairly well colored. Leis shall be clean, well strung, and free from damage caused by disease, insects, birds, or mechanical or other means. Unless otherwise specified, the length of each lei shall be not less than forty inches.

(d) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leis in any lot may fail to meet the minimum length specified, but not more than one-fifth of this amount, or one per cent, shall be permitted for leis more than two inches shorter than the minimum length specified. [Eff. 5/29/81; am and comp JAN 16 1984] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-26 Standards for monstera leaves. (a) As used in this section:

"Damage" means any defect which materially affects the appearance or shipping quality of the leaves. Any defect or combination of defects affecting an aggregate area exceeding one inch in diameter on a medium size



leaf shall be considered as damage. Small leaves shall have lesser areas of defects and large leaves may have greater areas, provided that such defects do not affect the appearance of the leaves to a greater extent than that caused by defects which are permitted on a medium size leaf;

"Fairly well formed" means the leaf may be slightly abnormal in shape but not to the extent which it materially affects appearance;

"Monstera leaves" means the leaves of the species *Monstera deliciosa* or *Philodendron pertusum*;

"Properly trimmed" means the stem has been cut off neatly and the stems are at least six inches in length on small leaves, nine inches in length on medium leaves, and twelve inches in length on large leaves;

"Serious damage" means any defect which seriously affects the appearance or shipping quality of the leaves. Any defect or combination of defects affecting an aggregate area exceeding one and one-half inches in diameter on a medium size leaf shall be considered as serious damage. Small leaves shall have lesser areas of defects and large leaves may have greater areas, provided that such defects do not affect the appearance of the leaves to a greater extent than that caused by defects which are permitted on a medium size leaf;

"Size" means the greatest distance between any two points on the monstera leaf, exclusive of the stem;

"Well colored" means the leaf is characteristically and uniformly dark green in color;

"Well developed" means the leaf is full grown and reasonably tough in texture. Small leaves which have characteristic indentations but do not have characteristic holes or slots are well developed; and

"Well formed" means the leaf is symmetrical and has the normal shape of the variety.

(b) Hawaii Fancy monstera leaves consist of monstera leaves of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the monstera leaves in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing serious damage.

(c) Hawaii Standard monstera leaves consist of monstera leaves of similar varietal characteristics

which are well developed, clean, fairly well formed, intact, fresh, firm, well colored, properly trimmed, and free from serious damage caused by disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the monstera leaves in any lot may fail to meet the requirements of this grade.

(d) Size of monstera leaves may be specified in connection with the grade, based on the following size classifications:

- (1) Small, ten to twenty inches;
- (2) Medium, twenty to thirty inches; or
- (3) Large, over thirty inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the monstera leaves in any lot may vary from the size specified, but not more than one-tenth of this amount, or one per cent, shall be permitted for leaves which are more than one inch smaller than the size specified.

[Eff. 5/29/81; am and comp JAN 16 1984] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-27 Standards for phalaenopsis orchid sprays.

(a) As used in this section:

"Damage" means any defect or combination of defects which materially affects the appearance or shipping quality of the spray. Removal of any flower other than those at the base of the spray constitutes damage;

"Firm" means the sepals and petals of the flowers are reasonably tough in texture and not wilted, and the flowers are firmly attached to the stalk;

"Intact" means the spray has all parts present and these parts are whole, except that old or damaged flowers may be removed from the base of the spray, provided its appearance or shipping quality is not appreciably affected;

"Phalaenopsis orchid sprays" means the racemes of the many varieties of phalaenopsis orchids, consisting of the stalk, stems, and three or more flowers;

"Properly trimmed" means the stalks have been cut off neatly;

"Size" means the greatest dimension of the flower, measured in a straight line;

"Well developed" means the specified minimum number of flowers on the spray have attained full growth; and

"Well formed" means the general structure of the spray and the shape of the individual flowers are

typical of the variety, and the flowers are symmetrical.

(b) Hawaii Extra Fancy phalaenopsis orchid sprays consist of phalaenopsis orchid sprays of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of at least four flowers.

(c) Hawaii Fancy phalaenopsis orchid sprays consist of phalaenopsis orchid sprays which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of at least four flowers.

(d) Hawaii Standard phalaenopsis orchid sprays consist of phalaenopsis orchid sprays which are well developed, clean, well formed, fresh, and free from damage caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of at least three flowers.

(e) Size of phalaenopsis orchid sprays may be specified in connection with the grade, based on the following size classifications:

- (1) Small, under three inches;
- (2) Medium, three to three and three-fourths inches; or
- (3) Large, over three and three-fourths inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the sprays in any lot may fail to meet the size specified, but not more than one-half of this amount, or five per cent, shall be permitted for sprays which are more than one-fourth inch smaller than the size specified. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
(Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-28 Standards for princess leis. (a) As used in this section:

"Length" means the circumference of the circle formed by the lei, measured along the centerline of the lei; and

"Princess lei" means a lei which is made using the central portion of the vanda joaquim orchid called the labellum, which shall be referred to in this section as flowers. This lei is also known as the dark frill lei.

(b) Hawaii Fancy princess leis consist of princess leis made from flowers which are well developed, clean,

well formed, fresh, firm, and well colored. Leis shall be clean, well strung, and free from injury caused by disease, insects, birds, or mechanical or other means. Unless otherwise specified, the length of each lei shall be not less than forty inches.

(c) Hawaii Standard princess leis consist of princess leis made from flowers which are well developed, clean, well formed, fairly fresh, fairly firm, and fairly well colored. Leis shall be clean, well strung, and free from damage caused by disease, insects, birds, or mechanical or other means. Unless otherwise specified, the length of each lei shall be not less than forty inches.

(d) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leis in any lot may fail to meet the minimum length specified, but not more than one-fifth of this amount, or one per cent, shall be permitted for leis more than two inches shorter than the minimum length specified. [Eff. 5/29/81; am and comp JAN 16 1984] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-29 Standards for unassembled flower and foliage arrangements. (a) As used in this section:

"Very serious damage" means any defect which very seriously affects the appearance or shipping quality of the individual flower or plant part, or which makes the individual flower or plant part decidedly unsuitable for use in the arrangement.

(b) Hawaii Fancy unassembled flower and foliage arrangements consist of unassembled flower and foliage arrangements comprised of flowers or other plant parts each of which meets all of the requirements of the Hawaii Fancy grade established for such flower or plant part and each of which is free from very serious damage by any cause; provided that there shall be no requirement for stem length of any flower or plant part.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the individual flowers or plant parts in any lot of arrangements may fail to meet the requirements of this grade; provided that not more than one-fifth of this amount, or one per cent, shall be allowed for flowers or plant parts affected by defects causing very serious damage or which fail to meet the requirements of the Hawaii Standard grade established for the flower or plant part, except for stem length.

(c) Hawaii Standard unassembled flower and foliage

arrangements consist of unassembled flower and foliage arrangements comprised of flowers or other plant parts each of which meets all the requirements of the Hawaii Standard grade established for such flower or plant part and each of which is free from very serious damage by any cause; provided that there shall be no requirement for stem length of any flower or plant part.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the individual flowers or plant parts in any lot of arrangements may fail to meet the requirements of this grade; provided that not more than one-fifth of this amount, or one per cent, shall be allowed for defects causing very serious damage.

[Eff. 5/29/81; comp JAN 16 1984 ] (Auth: HRS §147-32)  
(Imp: HRS §147-32)

§4-42-30 Standards for vanda hybrid orchid sprays.

(a) As used in this section:

"Damage" means any defect or combination of defects which materially affects the appearance or shipping quality of the spray. Removal of any flower other than those at the base of the spray constitutes damage;

"Firm" means the flowers and stems are turgid and firmly attached to the main stalk;

"Intact" means the spray has all parts present and these parts are whole, except that old or damaged flowers may be removed from the base of the spray provided its appearance or shipping quality is not appreciably affected;

"Properly trimmed" means the stalks have been cut off cleanly and removed flowers have been severed neatly;

"Size" means the average of the width and the length of the largest flower in the spray as measured, respectively, at right angles and parallel to the longitudinal axis;

"Vanda hybrid orchid sprays" means the racemes of the various vanda hybrid orchids, consisting of the stalk, stems, and four or more flowers;

"Well developed" means at least the specified minimum number of flowers on the spray have attained full growth; and

"Well formed" means the general structure of the spray and the shape of the individual flowers are typical of the variety, and the flowers are symmetrical.

(b) Hawaii Extra Fancy vanda hybrid orchid sprays consist of vanda hybrid orchid sprays of similar

varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of at least six flowers.

(c) Hawaii Fancy vanda hybrid orchid sprays consist of vanda hybrid orchid sprays which are well developed, clean, well formed, intact, fresh, firm, well colored, properly trimmed, and free from injury caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of at least five flowers.

(d) Hawaii Standard vanda hybrid orchid sprays consist of vanda hybrid orchid sprays which are well developed, clean, well formed, fresh, firm, well colored, properly trimmed, and free from damage caused by disease, insects, birds, or mechanical or other means. Each spray shall consist of at least four flowers.

(e) Size of vanda hybrid orchid sprays may be specified in connection with the grade, based on the following size classifications:

- (1) Small, under three inches;
- (2) Medium, three to three and one-half inches; or
- (3) Large, over three and one-half inches.

In order to allow for variations incident to proper sizing, not more than a total of ten per cent, by count, of the sprays in any lot may vary from the size specified, but not more than one-half of this amount, or five per cent, shall be permitted for sprays which are more than one-fourth inch smaller than the size specified. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
(Auth: HRS §147- 32) (Imp: HRS §147-32)

§4-42-31 Standards for vanda joaquim orchids. (a)  
As used in this section:

"Damage" means any defect or combination of defects which materially affects the appearance or shipping quality of the flower. Any defect or combination of defects exceeding an aggregate area of one-eighth inch in diameter shall be considered as damage;

"Serious damage" means any defect or combination of defects which seriously affects the appearance or shipping quality of the flower. Any injury to the pollinium shall be considered as serious damage;

"Size" means the average diameter of the circle formed by the sepals and petals in their normal position; and

"Well formed" means the flower is symmetrical and

the shape is typical of the variety.

(b) Hawaii Extra Fancy vanda joaquim orchids consist of vanda joaquim orchids of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, well colored, and free from injury caused by disease, insects, birds, or mechanical or other means. The size of each orchid shall be not less than two inches.

In order to allow for variations, other than size, incident to proper grading and handling, not more than a total of five per cent, by count, of the flowers in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing damage, provided that there shall be no tolerance for injury to the pollinium at shipping point.

(c) Hawaii Fancy vanda joaquim orchids consist of vanda joaquim orchids of similar varietal characteristics which are well developed, clean, well formed, intact, fresh, firm, fairly well colored, and free from injury caused by disease, insects, birds, or mechanical or other means. The size of each orchid shall be not less than two inches.

In order to allow for variations, other than size, incident to proper grading and handling, not more than a total of five per cent, by count, of the orchids in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing damage, provided that there shall be no tolerance for injury to the pollinium at shipping point.

(d) Hawaii Standard vanda joaquim orchids consist of vanda joaquim orchids of similar varietal characteristics which are well developed, fairly clean, fairly well formed, intact, fairly fresh, fairly firm, fairly well colored, and free from damage caused by disease, insects, birds, or mechanical or other means. The size of each orchid shall be not less than two inches.

In order to allow for variations, other than size, incident to proper grading and handling, not more than a total of ten per cent, by count, of the orchids in any lot may fail to meet the requirements of this grade, but not more than one-half of this amount, or five per cent, shall be allowed for defects causing serious damage, including not more than two per cent for orchids which show injury to the pollen cap at shipping point, provided that there shall be no tolerance for orchids from which the pollen grains have been dislodged.

(e) In order to allow for variations incident to

proper sizing, not more than a total of five per cent, by count, of the flowers in any lot may fail to meet the minimum size specified, but not more than one-tenth of this amount, or one-half of one per cent, shall be permitted for flowers in excess of one-fourth inch smaller than the specified minimum size. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32)  
(Imp: HRS §147-32)

§4-42-32 Standards for variegated hala leaves.

(a) As used in this section:

"Damage" means any defect or combination of defects which materially affects the appearance or shipping quality of the leaves. The following defects shall be considered as damage:

- (1) Broken ribs, when the breaks cause discoloration of the leaves or cause the leaves to droop at an acute angle;
- (2) Cuts, breaks, or bruises, when exceeding one-fourth inch in length;
- (3) Cuts, breaks, or bruises, when so close together as to materially affect appearance;
- (4) Discolored tips, when exceeding three and one-half inches; and
- (5) Material discoloration caused by sunbleaching or other factors;

"Injury" means any defect or combination of defects which more than slightly affects the appearance or shipping quality of the leaves. The following defects shall be considered as injury:

- (1) Appreciable discoloration caused by sunbleaching or other factors;
- (2) Discolored tip, when the tip has been clipped off; and
- (3) Discolored tips, when exceeding two and one-half inches on unclipped leaves;

"Length" means the length of the midrib;

"Mature" means the leaf is reasonably tough in texture;

"Properly trimmed" means the basal portion of the leaf is cut off neatly approximately at right angle to the longitudinal axis. The tip of the leaf, when cut, shall be clipped off neatly and shall not be more than one-fourth inch in width where clipped;

"Variegated hala leaves" means the thornless, striped leaves of the green and yellow and the green and white varieties of *Pandanus baptistii*; and

"Well formed" means the leaf is symmetrical and has



the normal shape of the variety.

(b) Hawaii Fancy variegated hala leaves consist of variegated hala leaves of similar varietal characteristics which are well developed, mature, clean, well formed, fresh, well colored, properly trimmed, and free from injury caused by discolored tips, disease, insects, or mechanical or other means.

(c) Hawaii Standard variegated hala leaves consist of variegated hala leaves of similar varietal characteristics which are well developed, mature, clean, well formed, fresh, well colored, properly trimmed, and free from damage caused by discolored tips, disease, insects, or mechanical or other means.

(d) Size of variegated hala leaves may be specified in connection with the grade, based on the following size classifications:

- (1) Jumbo or large, when over thirty-six inches in length;
- (2) Medium, when twenty-four to thirty-six inches in length; or
- (3) Small or short, when less than twenty-four inches in length.

In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leaves in any lot may fail to meet the length requirement, but not more than one-fifth of this amount, or one per cent, shall be permitted for leaves more than one-half inch shorter than the size specified. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-33 Standards for variegated ti leaves. (a) As used in this section:

"Damage" means any defect which materially affects the appearance or shipping quality of the leaf. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

- (1) Breaks, cuts, or bruises, when exceeding one-fourth inch in length;
- (2) Breaks, cuts, or bruises, when more than four are present; or
- (3) Breaks, cuts, or bruises, when so close together as to materially affect appearance;

"Length" means the greatest dimension of the blade measured in a straight line, exclusive of the stem;

"Mature" means the leaf is reasonably tough in texture;

"Properly trimmed" means the stem is at least one-half inch in length and typical of the variety;

"Variegated ti leaves" means the leaves of the numerous variegated varieties of the species *Cordyline terminalis*, including the leaves commonly known as red ti or brown ti; and

"Well formed" means the leaf is symmetrical and has the normal shape of the variety.

(b) Hawaii Fancy variegated ti leaves consist of variegated ti leaves of similar varietal characteristics which are well developed, mature, clean, well formed, fresh, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means. Each leaf shall be at least eight inches in length.

Variegated ti leaves which conform to all the requirements of this grade except for uniformity as to variety may be classified as Hawaii Fancy Mixed Varieties.

(c) Hawaii Standard variegated ti leaves consist of variegated ti leaves of similar varietal characteristics which are well developed, mature, clean, well formed, fresh, well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means. Each leaf shall be at least eight inches in length.

Variegated ti leaves which conform to all the requirements of this grade except for uniformity of variety may be classified as Hawaii Standard Mixed Varieties.

(d) In order to allow for variations incident to proper sizing, not more than a total of five per cent, by count, of the leaves in any lot may fail to meet the length requirement, but not more than one-fifth of this amount, or one per cent, shall be permitted for leaves more than one-half inch shorter than the specified minimum length. [Eff. 5/29/81; am and comp JAN 16 1984 ]  
(Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-34 Standards for volcano grass. (a) As used in this section:

"Clean" means practically free from dirt, mildew, and other foreign matter;

"Fairly well colored" means the color of the inflorescence may be slightly faded, dull, or discolored, but not to such an extent as to materially affect appearance;

"Fairly well formed" means the inflorescence is not

so straggly or so misshapen as to materially affect appearance;

"Firm" means the stems are stiff and the various parts of the inflorescence are firmly attached;

"Length of inflorescence" means the distance from the lowermost part of the inflorescence to the upper tip of the stalk, exclusive of any stem;

"Properly trimmed" means the stems have been cut off neatly;

"Reasonably intact" means the volcano grass stalk has all parts normally present and these parts are whole, except that broken or damaged tips of the inflorescence may be removed provided the general appearance is not materially affected;

"Stalks of volcano grass" means the stem and inflorescence of the sedges *Cladium angustifolium* and *Cladium meyenii*, sometimes called black grass;

"Well colored" means the color of the inflorescence is typical of the variety and the color is reasonably bright; and

"Well formed" means the inflorescence is plump, bushy, fairly compact, and typical of the variety.

(b) Hawaii Fancy volcano grass consists of stalks of volcano grass of similar varietal characteristics which are well developed, clean, well formed, reasonably intact, firm, dry, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means. Stalks shall be at least fourteen inches long and the inflorescence at least six inches in length.

(c) Hawaii Standard volcano grass consists of stalks of volcano grass of similar varietal characteristics which are well developed, clean, fairly well formed, reasonably intact, firm, dry, fairly well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or other means. Stalks shall be at least twelve inches long and the inflorescence at least six inches in length. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-35 Standards for wood roses. (a) As used in this section:

"Badly misshapen" means the wood rose is excessively spread or lopsided, severely elongated, and otherwise so misshapen as to seriously affect the appearance of the wood rose;

"Damage" means any defect which materially affects

the appearance or shipping quality of the wood rose. Any defect or combination of defects affecting an area exceeding one-fourth inch in diameter shall be considered as damage, unless such defect or combination of defects is on the stem or is otherwise inconspicuous;

"Fairly clean" means the wood rose is reasonably free from dirt, mildew, and other foreign matter, and the general appearance of the wood rose is not seriously affected by dirt, mildew, and other foreign matter;

"Fairly well colored" means the outside of the pedicel and the lower portion of the sepals may be blackened or discolored and the inside of the sepals slightly streaked, but not to such an extent as to materially affect the appearance of the wood rose;

"Fairly well developed" means although the wood rose has not attained full growth, the sepals have opened sufficiently to disclose the fruiting capsule;

"Fairly well formed" means the wood rose is not materially spread and not so elongated or otherwise misshapen as to materially affect the appearance of the wood rose;

"Firm" means the pedicel, fruiting capsule, and sepals are stiff and firmly attached;

"Poorly colored" means the outside of the pedicel and sepals is severely blackened or splotched, or the inside of the sepals is so streaked or spotted as to seriously affect the appearance of the wood rose;

"Properly trimmed" means the stem has been severed neatly;

"Well colored" means the outside of the pedicel and sepals has the characteristic tan to brown color and the inside of the sepals and fruiting capsule has the characteristic light tan to cream color of the variety;

"Well formed" means the wood rose is cup-shaped and neither elongated nor lopsided. Curling of the tips of the sepals shall not be a factor in determining shape; and

"Wood rose" means the pedicel, fruiting capsule, and sepals of the species *Ipomoea tuberosa*.

(b) Hawaii Extra Fancy wood roses consist of wood roses of similar varietal characteristics which are well developed, clean, well formed, intact, firm, dry, well colored, properly trimmed, and free from injury caused by disease, insects, or mechanical or other means.

(c) Hawaii Fancy wood roses consist of wood roses of similar varietal characteristics which are well developed, clean, dry, fairly well formed, intact, firm, fairly well colored, properly trimmed, and free from damage caused by disease, insects, or mechanical or

other means.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the wood roses in any lot may fail to meet the requirements of this grade, but not more than two-fifths of this amount, or two per cent, shall be allowed for defects causing serious damage.

(d) Hawaii Standard wood roses consist of wood roses of similar varietal characteristics which are fairly well developed, fairly clean, not badly misshapen, intact, firm, dry, not poorly colored, properly trimmed, and free from serious damage caused by disease, insects, or mechanical or other means.

In order to allow for variations incident to proper grading and handling, not more than a total of five per cent, by count, of the wood roses in any lot may fail to meet the requirements of this grade. [Eff. 5/29/81; am and comp JAN 16 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

§4-42-36 Standards for dendrobium orchid plants.

(a) As used in this section:

"Healthy" means the plant is free from disease and does not show any evidence of chlorosis or other discoloration; and

"Well grown" means the plant is free from tipburn and serious damage caused by pests, chemical, or mechanical or other means and has canes that are sturdy and reasonably straight and upright; leaves that are of normal size, shape, color, and texture; and a vigorous root system.

(b) Hawaii Fancy dendrobium orchid plant consists of dendrobium orchid plants which are clean, healthy, and well grown.

(c) Hawaii Standard dendrobium orchid plant consists of dendrobium orchid plants which fail to meet the requirements of subsection (b). [Eff. and comp JAN 1 6 1984 ] (Auth: HRS §147-32) (Imp: HRS §147-32)

SUBCHAPTER 3

COMMERCIAL EXPORTER LICENSE

§4-42-50 REPEALED. [Eff. and comp 1/16/84;  
R May 26 1992 ]

§4-42-50

[Eff. and comp 1/16/84; R May 26 1992 ]

§4-42-51 REPEALED [Eff. and comp 1/16/84;  
R May 26 1992 ]

SUBCHAPTER 4INSPECTION AND CERTIFICATION

§4-42-52 Definitions. As used in this subchapter, unless otherwise defined:

"Inspection certificate" means any form of certification, either written or printed, issued by an inspector under this chapter to certify the identity, class, grade, quality, size, quantity, or condition of flowers and foliage, including compliance of the products with applicable specifications;

"Inspector" means an employee of the department, authorized to investigate, sample, inspect, and certify for any interested party the quality and condition of flowers and foliage under this chapter;

"Interested party" means any person having a financial interest in the product involved in an inspection; and

"Office of inspection" means the office of an authorized inspector of flowers and foliage.

[Eff. and comp JAN 16 1984 ] (Auth: HRS §147-34)  
(Imp: HRS §147-34)

§4-42-53 Application for inspection. (a) Any person having a financial interest in the product involved, including the shipper, receiver, or carrier, or an authorized person on behalf of the applicant, may apply for an inspection.

(b) The application shall be filed in the office of inspection or with any authorized inspector at or near the place where the inspection is desired.

(c) The application, due to noncompliance with this chapter, may be rejected by the inspector in charge of the office of inspection in which the application is filed. The inspector shall immediately notify the applicant, by telephone or in writing, of the reasons for the rejection.

(d) An application may be withdrawn by the applicant at any time before the inspection is performed upon payment of any expenses incurred by the department by reason of the application having been made.

(e) Proof of the authority of any person applying for inspection on behalf of another may be required by the inspector. [Eff. and comp JAN 16 1984 ] (Auth: HRS §147-34) (Imp: HRS §147-34)

§4-42-54 Inspection. (a) The applicant shall make the product to be inspected accessible for sampling and inspection, and placed so as to readily disclose its quality and condition.

(b) As many inspections shall be made as facilities permit and as far as practicable, in the order applications are received.

(c) No inspector shall inspect any product in which the inspector has a direct or indirect financial interest.

(d) Unless the applicant requests otherwise, inspection and certification for quality or condition shall be based on the official standards of the State, or shall be by description where official standards are lacking. [Eff. and comp JAN 16 1984 ] (Auth: HRS §147-34) (Imp: HRS §147-34)

§4-42-55 Inspection certificate. The original certificate, immediately upon its issuance, shall be delivered or mailed to the applicant or person designated by the applicant. Upon the request of the applicant prior to the issuance, not more than two additional copies of the certificate may be issued without extra charge. Additional copies subject to the extra charge may be supplied upon payment of a fee of \$1 for each page. [Eff. and comp JAN 16 1984 ] (Auth: HRS §147-34) (Imp: HRS §147-34)

§4-42-56 Appeal inspection. (a) An application for an appeal inspection may be made by any interested party dissatisfied with the determination stated in the original certificate. The application may be made in writing or orally.

(b) Inspections requested to determine factors of quality or condition which may have undergone material change since the original inspection shall not be considered appeal inspections.

(c) An application for an appeal inspection may be denied for any of the following conditions:

- (1) Reason stated for an appeal inspection is frivolous or unsubstantial;
- (2) Quality or condition of the product has undergone a material change since the original inspection;
- (3) Inaccessibility of all parts of the lot for a thorough examination; or
- (4) Noncompliance with this chapter.



(d) Appeal inspections shall as far as practicable be made in the order in which the applications are received and shall take, precedence over all other pending applications.

(e) An appeal inspection certificate which differs from the original as to grade shall nullify the original. [Eff. and comp 1/16/84] (Auth: HRS §147-34) (Imp: HRS §147-34)

§4-42-57 Inspection fees. (a) Fees for inspection service shall be paid by the applicant for such service at the rate of \$33.40 per hour for regular time and \$50.10 per hour for overtime.

(b) Additional charges may be made for transportation, travel time, per diem, traveling expenses, and other actual expenses incurred by the department.

(c) Fees charged for appeal inspection in which the findings of the original inspection are sustained shall be double the fees of the original inspection. When it is judged that a material error in determination occurred in the original inspection and findings are reversed, the fee for the appeal inspection shall not be charged to the applicant.

(d) Fees and related charges shall be paid in advance if required by the inspector.

(e) When payments of inspection fees are by check, a service fee shall be assessed for each check that is not honored. [Eff. and comp 1/16/84; am 3/24/86; am 5/26/92; am 10/5/02] (Auth: HRS §147-34) (Imp: HRS §147-34)

§4-42-58 Denial of service. Any willful misrepresentation or any deceptive or fraudulent practice made or committed by any applicant for inspection or reinspection may be deemed sufficient cause for the department to refuse to provide inspection services. [Eff. and comp 1/16/84] (Auth: HRS §147-34) (Imp: HRS §147-34)