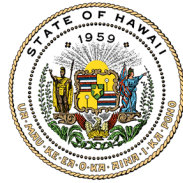


JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
KA 'OIHANA MAHI'AI A KIA'I MEAOLA
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9560 FAX: (808) 973-9613

SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

DEAN M. MATSUKAWA
Deputy to the Chairperson

**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE AND BIOSECURITY**

**BEFORE THE HOUSE COMMITTEE ON CONSUMER PROTECTION AND
COMMERCE**

**THURSDAY, APRIL 9, 2026
2:00 PM
CONFERENCE ROOM 329 & VIDEOCONFERENCE**

**SENATE BILL NO. 2102, SD2, HD1
RELATING TO INDUSTRIAL HEMP**

Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2102, SD2, HD1. Beginning 7/1/2026, this bill authorizes the use of hemp or hemp-derived feed ingredients in commercial feed for pets, specialty pets, and horses. This bill requires the Department of Agriculture and Biosecurity to adopt rules. Effective 7/1/3000.

The Department of Agriculture and Biosecurity (Department) offers the following comments.

The FDA's Center for Veterinary Medicine (CVM) currently regulates hemp-derived ingredients under the Federal Food, Drug, and Cosmetic Act, requiring pre-market safety review for all animal feed inputs. (<https://www.fda.gov/animal-veterinary/products/animal-foods-feeds>). FDA CVM recognizes ingredients listed in the Official Publication (OP) of the Association of American Feed Control Officials (AAFCO) as being acceptable for use in animal food (<https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-including-cannabidiol-cbd#hempanimal>).

Currently, AAFCO has approved only one hemp-derived feed ingredient, a defatted seed by product. This ingredient is approved solely for use in laying hens as a source of protein and fat, and must meet strict limits: no more than 20 ppm for total cannabidiol (CBD) and no more than 2 ppm total tetrahydrocannabinol (THC). Source: 2025 Official Publication, Association of American Feed Control Officials Incorporated, T71.5 Hemp Seed Meal, Mechanical Extracted, Page 447.

With the exception of this single approved use, FDA has not approved any food additive petitions or AAFCO ingredient definitions for substances derived from hemp for other species, including pets, specialty pets, or horses as referenced in this measure. Under federal law, all ingredients used in animal food must be either approved through food additive petition or be Generally Recognized As Safe (GRAS) for their intended use in the intended species. Otherwise, that animal food is considered adulterated under section 402(a)(2)(C)(i) of the FD&C Act [21 U.S.C. § 342(a)(2)(C)(i)] (<https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-including-cannabidiol-cbd#hempanimal>).

Furthermore, FDA maintains that under section 301(II) of the FD&C Act [21 U.S.C. § 331(II)], adding THC or CBD to any food (including any animal food or feed) intended for interstate commerce constitutes a prohibited act (<https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-including-cannabidiol-cbd#food>).

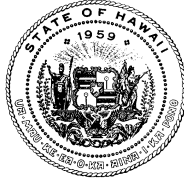
Without federal approval and comprehensive safety evaluations, introducing hemp-derived feed ingredients into the feed supply poses potential risks to animal and public health (<https://hemptoday.net/wp-content/uploads/2022/09/Hemp-Joint-Open-Letter-AAFCO-FINAL-3.pdf>).

With these federal restrictions and safety concerns, the Department is strongly recommending that this measure be deferred and considered only after broader federal authorizations are established and sufficient safety data are available.

If this bill is enacted, we respectfully request a dedicated Feeds Specialist position (ACMS-V, SR-24, Step F, \$82,968) that was lost during the 2009 RIF to fulfill the regulatory responsibilities prescribed in this bill.

Thank you for the opportunity to provide testimony on this measure.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII'



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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**Testimony COMMENTING on SB2102 SD2 HD1
RELATING TO INDUSTRIAL HEMP**

REPRESENTATIVE SCOT Z. MATAYOSHI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Hearing Date, Time and Room Number: 04/09/2026, 2:00 pm, CR329

1 **Fiscal Implications:** Undetermined. This measure may impact the priorities identified in the
2 Governor's Executive Budget Request for the Department of Health's ("Department")
3 appropriations and personnel priorities.

4 **Department Position:** The Department offers comments on this measure.

5 **Department Testimony:** The Environmental Health Services Division Food and Drug Branch
6 ("EHSD-FDB") provides the following testimony on behalf of the Department:

7 SB2102 SD2 HD1 authorizes the use of hemp or hemp-derived feed ingredients in
8 commercial feed for pets, specialty pets, and horses by amending Chapter 144, Hawaii Revised
9 Statutes ("HRS").

10 The Department notes that Chapter 144, HRS, authorizes the regulation of feed for non-
11 domesticated animals by the Department of Agriculture and Biosecurity ("DAB"). Section 144-2,
12 HRS, defines feed as "edible materials consumed by animals, other than dogs, cats, or other
13 domestic pets." Adding a section to Chapter 144, HRS, to include feed for pets and specialty
14 pets appears to create a conflict with the statutory definition of "feed," and other statutes
15 governing the regulation of dog and cat food.

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1 Broadly, hemp or hemp-derived ingredients are not authorized pet food ingredients and
2 are considered adulterants by federal and state regulatory agencies. Enacting this measure may
3 create jurisdictional and subject matter conflicts within applicable regulations.

4 The Department notes that consistent with HRS, ingredients used in animal feed or pet
5 food must either be an approved food additive or generally recognized as safe (“GRAS”), as
6 determined by the United States (“U.S.”) Food and Drug Administration (“FDA”). To date, the
7 U.S. FDA has not approved hemp as a food additive in pet food, nor has the U.S. FDA
8 determined that hemp is GRAS in pet food. The Department also shares its concerns that there
9 are no comprehensive safety evaluations demonstrating the safety of incorporating hemp
10 products in pet food, as reflected by the lack of approval or GRAS status by the U.S. FDA. If non-
11 GRAS adulterants are identified in pet food, the Department may remove the product and
12 prohibit it from sale.

13 It may be more appropriate to consider this measure if the U.S. FDA authorizes the use
14 of hemp products in pet food or defines such products as GRAS. If this measure is enacted, the
15 Department defers to the Hawai’i State Department of Agriculture and Biosecurity (“DAB”) for
16 implementation of this measure, including resources requested.

17 **Offered Amendments:** None.

18 Thank you for the opportunity to testify on this measure.



info@hawaiisustainable.com

TO: Committee on Consumer Protection and Commerce

Chair Rep. Scot Z. Matayoshi, Vice Chair Rep. Tina Nakada Grandinetti, Committee Members: Rep. Cory M. Chun, Rep. Greggor Ilagan, Rep. Linda Ichiyama, Rep. Kim Coco Iwamoto, Rep. Sam Satoru Kong, Rep. Nicole E. Lowen, Rep. Lisa Marten, Rep. Adrian K. Tam, Rep. Elijah Pierick

From: Robert Lawrence Bence, Hawai'i Sustainable Farms, Hemp Feed Coalition Member, Hawai'i Hemp Farmers Association Board Member, Keki O ka 'Āina Farms Inc. Board Member and Member of the Hawai'i State Hemp Task Force

RE: **Support for SB2102 SD2 HD1 Hemp derived feed rules with offered Amendments**

Date: 4/7/2026

Aloha Chair, Vice Chair and Committee Members,

I am a farmer from Kula, member of the Hemp Feed Coalition that received federal approval of hemp seed meal cake for laying hens. I am following the research from Kansas State University, looking forward to the federal approval for our dairy cows. I was also on the state hemp task force that recommended expanding hemp feed in 2023.

I support the state adopting rules that follow but are not more stringent than Federal GRASS or AAFCO ingredient definitions and enacted by notice of DAB. SB2102 SD2 HD1 needs to ensure livestock feed definitions becoming state law instead of the state trying to duplicate each new ingredient list published. **Recommend DAB should issue notice within 120 days of initiating state rules that hemp livestock feed is allowed to be produced in Hawai'i after federal publication. For example the Hemp Seed Meal (HSM) has been legal since August 2024; however, DAB has still not enacted state rules so we still can't feed it to hens in Hawai'i.** Even though it's almost no work for DAB to simply post notice based on not more stringent than federal rules.

Hawai'i can follow other states like Minnesota, and Montana in allowing hemp farmers to have a market or Kansas at leading research.

The state reference lab at UH Hilo College of Pharmacy could offer state farmers free testing for compliance testing. The UH CTHAR livestock extension could work with farmers on each island to perform a research pilot program for other livestock allowed by DAB.

Including hemp farmers from the task force with UH CTAHR would help as we have already gone through all things hemp for over a decade. Experienced hemp farmers can save the state time for example we could have already had DAB adopt the HSM rules and be selling if we had a better hemp program coordinator at DAB. Unfortunately, Jun might be nice but he has failed hemp farmers here and in several other missed opportunities. The 3-6 DAB employees in the PID livestock feed division should be able to do this without additional staff as it's following federal rules for livestock.

The use of the hemp seedcake for livestock feed in particular at least the ones already federally legal such as for lysing hens and the hopeful upcoming federal approval for ruminants adds a much needed revenue stream for Hawai'i farmers.

Suggested Amendment language §144-:

Pg. 2 line 21 add "...provided that such rules shall not prohibit or unduly restrict hemp-derived feed ingredients approved by AAFCO or the FDA and rules adopted by the state."

Pg. 5 Line 9 (strike ~~or~~ before horse add: "horse or livestock.")

Page 5 following line 9 add: (5) "Any hemp-derived feed ingredient approved by the U.S. Food and Drug Administration for use in animal feed, or defined as an approved ingredient by the Association of American Feed Control Officials, shall be deemed lawful for manufacture, distribution, and use in the State within 120 days of being published and initiation of state rule making. The department shall not impose requirements, testing standards, labeling standards, or restrictions on hemp-derived feed ingredients that are more stringent than those required under applicable federal law. Rulemaking authority shall be limited to administrative implementation necessary to align state feed statutes with federal law and shall not create duplicative approval processes."

Section 4. Pg 5 Line 13 "The Department shall conclude rule making in less than 120 days from the initiation of rule making."

"No person shall be subject to civil or criminal liability for the lawful use of hemp-derived feed ingredients in compliance with this section."

"On-farm use of hemp-derived feed ingredients produced and consumed within the same agricultural operation shall not require additional registration beyond federal compliance."

Pg 5 “The department and/or UH CTAHR may establish a pilot program for hemp-derived livestock feed research. The state reference lab at UH Hilo College of Pharmacy may offer state farmers free compliance testing. The UH CTAHR livestock extension may work with farmers on each island to perform a research pilot program for other livestock allowed by DAB”

Mahalo

A handwritten signature in black ink, appearing to read "Rob", written in a cursive style.

Rob



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

April 9, 2026

HEARING BEFORE THE
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

TESTIMONY ON SB 2102, SD2, HD1
RELATING TO INDUSTRIAL HEMP

Conference Room 329 & Videoconference
2:00 PM

Aloha Chair Matayoshi, Vice-Chair Grandinetti, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports SB 2102, SD2, HD1, which authorizes the use of hemp-derived feed ingredients in commercial animal feed under clearly defined regulatory standards.

Sb 2102, SD2, HD1 modernizes Hawai'i's feed law by allowing hemp-derived ingredients in pet, specialty pet, and horse feed. It creates potential new market opportunities for agricultural producers while maintaining important safeguards related to testing, labeling, and compliance. The bill appropriately restricts unauthorized use of cannabinoids and requires rulemaking to ensure product safety and transparency.

Providing additional lawful feed ingredient options can support agricultural diversification and value-added production in Hawai'i without imposing new mandates on existing producers.

Mahalo for the opportunity to testify in support of this measure.

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TESTIMONY IN STRONG SUPPORT

S.B. 2102, S.D. 2, H.D. 1, RELATING TO INDUSTRIAL HEMP
(With Proposed H.D. 2 Amendments)

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Thursday, April 9, 2026, 2:00 P.M.
Conference Room 329, Via Videoconference

FROM: Julia Park, Hawaii Fibers

Dear Chair Matayoshi and Members of the Committee:

I am writing in **strong support** of S.B. 2102, H.D. 1, and respectfully request the Committee's consideration of the proposed H.D. 2 amendments. As a licensed hemp grower on O'ahu, this bill would allow farmers like myself to grow, process, and sell Hawai'i-made hemp feed instead of importing it from the mainland.

What This Bill Does

S.B. 2102 updates Hawai'i's animal feed law to allow hemp-derived feed ingredients in commercial animal feed. The current H.D. 1 covers pets, specialty pets, and horses. Right now, there is no legal pathway for hemp feed ingredients in Hawai'i. This bill creates one.

What Is Missing: Laying Hens

Laying hens are the only animal species with full federal approval for hemp feed — but they are not in H.D. 1. In August 2024, all 48 AAFCO member states voted to approve Hemp Seed Meal for laying hens, subsequently published in the AAFCO Official Publication in 2025. The approved definition caps THC at 2 parts per million and CBD at 20 parts per million — essentially zero.

Laying hens were in the original bill but removed during the Senate process. The proposed H.D. 2 adds them back through a constitutional mechanism: federal approval triggers a 120-day window for Hawai'i's Department of Agriculture to begin its own rulemaking under chapter 91 — with public notice, public comment, and a public hearing. The state always makes the final decision. **This bill does not allow hemp feed for cattle, swine, or any other livestock.**

Consumer Safety

Under the 2018 Farm Bill, every hemp crop must be tested before harvest. The legal limit is 0.3% delta-9 THC — if any crop exceeds that, it is destroyed. No exceptions. For context, marijuana contains 15–30% THC. Hemp feed ingredients contain less than one ten-thousandth

LATE

of one percent. Peer-reviewed studies confirm no THC or CBD accumulates in eggs or hen body tissue. Nothing passes through to consumers.

Why This Matters for Hawai'i

Hawai'i imports over 90% of its animal feed. Hemp can be grown and processed locally — lower costs for farmers, less dependence on mainland supply chains. Research shows hens fed hemp seed meal produce eggs with higher omega-3s, lower cholesterol, and stronger shells. Healthier local eggs for Hawai'i families.

We are open to any additional consumer protections the Committee wishes to include. The complete proposed H.D. 2 language in Ramseyer format is attached.

I respectfully urge the Committee to pass S.B. 2102 with the proposed H.D. 2 amendments. Mahalo.

Respectfully submitted,

Julia Park

Hawaii Fibers

julia@hawaiifibers.com

LATE

PROPOSED

A BILL FOR AN ACT

RELATING TO INDUSTRIAL HEMP.

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

*(Note: Proposed HD2 amendments to the HD1 shown in Ramseyer format.
Material to be deleted is [bracketed and stricken]. New material is underscored.)*

1 **SECTION 1.** The legislature finds that allowing industrial
2 hemp-derived ingredients in certain animal feeds, in a manner aligned
3 with federal law and science-based standards, would diversify the
4 State's agriculture and strengthen supply-chain resilience. The
5 legislature recognizes that Montana succeeded in enacting a
6 regulatory framework in 2021 that allows hemp ingredients in pet,
7 specialty pet, and horse feed while allowing it in livestock feed
8 contingent on federal action. Accordingly, the purpose of this Act
9 is to adopt a federally aligned approach to updating the State's feed
10 law to regulate the integration of hemp-derived ingredients.

11 **SECTION 2.** Chapter 144, Hawaii Revised Statutes, is amended by
12 adding a new section to be appropriately designated and to read as
13 follows:

14 "S144- Hemp and hemp-derived ingredients in commercial feed;
15 regulation. (a) Beginning July 1, 2026, hemp or hemp-derived feed
16 ingredients may be manufactured, distributed, and used in commercial
17 feed for pets, specialty pets, and horses in the State; provided that
18 each hemp or hemp-derived feed ingredient shall be:

19 (1) Registered pursuant to section 144-3 and labeled pursuant
20 to section 144-4 and any rules adopted under this chapter;

21 (2) Sourced from hemp produced in compliance with any
22 applicable federal or state laws; and

23 (3) In compliance with department rules on tetrahydrocannabinol
24 limits, contaminants, good manufacturing practices, and
25 species-specific directions for use.

26 (b) Hemp or hemp-derived feed ingredients may be manufactured,
27 distributed, and used in commercial feed for livestock, including
28 poultry, in the State; provided that:

29 (1) The United States Food and Drug Administration has approved
30 the ingredient for its intended use in the species, or the
31 Association of American Feed Control Officials has published a
32 definition for the ingredient and its intended use in its official
33 publication; and

34 (2) The department has adopted rules pursuant to chapter 91 for
35 the ingredient and species.

1 Within one hundred twenty days of the approval or publication
2 described in paragraph (1), the department shall initiate rulemaking
3 pursuant to chapter 91 to consider adoption of the ingredient for the
4 approved species.

5 ~~+(b)+~~ (c) Manufacturers and distributors of commercial feed
6 containing hemp or hemp-derived feed ingredients shall maintain
7 records as required by the department pursuant to subsection
8 ~~+(e)+~~(f), including lot identity, certificates of analysis, and proof
9 of lawful hemp sourcing, and shall provide product samples for
10 testing upon request by the department.

11 ~~+(e)+~~ (d) Nothing in this section shall be construed to
12 authorize the manufacture, distribution, or use of cannabinoids,
13 including cannabidiol.

14 ~~+(d)+~~ (e) Nothing in this section shall be construed to
15 authorize the use of cannabinoids in human food, beverages, or
16 cosmetics regulated pursuant to chapter 328.

17 ~~+(e)+~~ (f) The department shall adopt rules pursuant to chapter
18 91 to implement this section. The rules shall provide for:

- 19 (1) Ingredient registration;
20 (2) Testing;
21 (3) Labeling;
22 (4) Recordkeeping;
23 (5) Inspection and sampling;
24 (6) Tolerances for tetrahydrocannabinol and contaminants;
25 (7) Good manufacturing practices; and
26 (8) Enforcement consistent with this chapter and applicable
27 Association of American Feed Control Officials model regulations."

28 **SECTION 3.** Section 144-2, Hawaii Revised Statutes, is amended
29 as follows:

30 1. By adding three new definitions to be appropriately inserted
31 and to read:

32 "Hemp" has the same meaning as in title 7 United States Code
33 section 1639o.

34 "Hemp-derived feed ingredient" means a substance derived from
35 hemp that is manufactured and used for commercial feed in compliance
36 with this chapter and rules adopted pursuant to this chapter,
37 including hempseed, hempseed oil, hempseed meal, and hempseed cake.

38 "Specialty pet" means any animal normally maintained in a
39 household, including but not limited to rodents, ornamental birds,
40 ornamental fish, reptiles and amphibians, ferrets, hedgehogs,
41 marsupials, and rabbits not raised for food or fur."

42 2. By amending the definition of "commercial feed" to read:

1 "Commercial feed" means all feed except:

- 2 (1) Whole seeds unmixed or physically altered entire unmixed
3 seeds, when not adulterated within the meaning of section 144-6, that
4 are distributed for use as feed or for mixing in feed;
5 (2) Hay, straw, stover, silage, cobs, husks, and hulls when:
6 (A) Unground; or
7 (B) Unmixed with other materials;
8 (3) Wet garbage;
9 (4) Individual chemical compounds when not mixed with other
10 materials; and
11 (5) Unmixed feeding cane molasses, unmixed pineapple pulp,
12 unmixed pineapple hay, and unmixed sugarcane hay.

13 "Commercial feed" includes feed containing or mixed with hemp or
14 hemp-derived feed ingredients for a pet, specialty pet, or horse~~{.};~~

15 provided further that "commercial feed" includes feed containing
16 or mixed with hemp or hemp-derived feed ingredients for livestock,
17 including poultry; provided that the ingredient has been approved by
18 the United States Food and Drug Administration or defined in the
19 official publication of the Association of American Feed Control
20 Officials for the intended species, and the department has adopted
21 rules for the ingredient and species pursuant to section 144- (b)."

22 **SECTION 4.** No later than December 31, 2026, the department of
23 agriculture and biosecurity shall initiate rulemaking for the purpose
24 of implementing section 144- ~~{(e)}~~(f), Hawaii Revised Statutes.

25 **SECTION 5.** If any provision of this Act, or the application
26 thereof to any person or circumstance, is held invalid, the
27 invalidity does not affect other provisions or applications of the
28 Act that can be given effect without the invalid provision or
29 application, and to this end the provisions of this Act are
30 severable.

31 **SECTION 6.** Statutory material to be repealed is bracketed and
32 stricken. New statutory material is underscored.

33 **SECTION 7.** This Act shall take effect on July 1, 3000.

SB-2102-HD-1

Submitted on: 4/7/2026 7:59:59 PM

Testimony for CPC on 4/9/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Glen Kagamida	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!!!

A great way to diversify and strengthen Hawaii's agriculture industry.

Mahalo!

SB-2102-HD-1

Submitted on: 4/7/2026 9:15:08 PM

Testimony for CPC on 4/9/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kendrick Farm	Individual	Support	Written Testimony Only

Comments:

Please pass the bill in its current form. I strongly support this measure.

Mahalo,

Ken Farm

SB-2102-HD-1

Submitted on: 4/8/2026 11:52:10 AM

Testimony for CPC on 4/9/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Loren Capps	Individual	Support	Written Testimony Only

Comments:

TESTIMONY IN SUPPORT

S.B. 2102, S.D. 2, H.D. 1

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

FROM: Loren Capps, Ewa Beach, Oahu

Dear Chair Matayoshi and Members of the Committee:

I support S.B. 2102.

I own Capps Custom Coops LLC on Oahu.

Finding good quality feed for my chickens have always been a challenge for me. Same with bedding. Hemp would help so much on both these issues.

Hawai'i imports over 90% of its animal feed. This bill lets local farmers grow and sell hemp seed as feed for chickens — keeping dollars in our state. The federal government already approved hemp seed meal for laying hens in 2024. It's safe, it's proven, and it's already being used on the mainland. Hawai'i just needs the state law to catch up.

Please pass S.B. 2102. Mahalo.

Loren Capps,

lorencapps40@gmail.com

LATE

SB-2102-HD-1

Submitted on: 4/8/2026 8:01:50 PM

Testimony for CPC on 4/9/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Support	Written Testimony Only

Comments:

This bill offers an opportunity to diversify agricultural production with a crop that grows well in Hawaii's climate. This is an important "win" as it will reduce reliance on traditional feed sources, helping our local agricultural system become more resilient. Please pass this helpful measure.