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# A BILL FOR AN ACT

RELATING TO HOMEMADE FOOD PRODUCTS.

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

1           SECTION 1. The legislature finds that homemade food  
2 product operations provide important opportunities for small-  
3 scale food producers to participate in local food systems while  
4 maintaining public health protections. In 2025, the department  
5 of health adopted administrative rules clarifying food safety,  
6 labeling, and operational standards for home kitchens and  
7 homemade food products.

8           The legislature further finds that many small farms prepare  
9 value-added food products in kitchens located on their farms,  
10 commonly referred to as "farm kitchens", and that these  
11 operations often face regulatory uncertainty despite posing  
12 similar or lower public health risks than homemade food product  
13 operations.

14           The purpose of this Act is to require the department of  
15 health to adopt rules for the regulation of farm kitchens  
16 producing homemade food products that are no more stringent than  
17 those for home kitchens producing homemade food products.



1 SECTION 2. (a) The department of health shall adopt rules  
2 pursuant to chapter 91, Hawaii Revised Statutes, to regulate  
3 farm kitchens producing homemade food products; provided that  
4 the rules adopted pursuant to this Act shall be no more  
5 stringent than those for the regulation of home kitchens  
6 producing homemade food products and shall:

7 (1) Not require a farm kitchen to obtain a commercial food  
8 establishment permit solely due to its location on  
9 agricultural land;

10 (2) Require a farm kitchen to comply with all applicable  
11 homemade food product requirements, including but not  
12 limited to food safety standards, labeling  
13 requirements, sales limitations, and product  
14 restrictions; and

15 (3) Allow for the inspection of farm kitchens by the  
16 department and enforcement of any rules adopted by the  
17 department.

18 (b) Nothing in this Act shall be construed to limit the  
19 department's authority to restrict or prohibit the preparation  
20 of foods that pose a higher risk to public health, as determined  
21 by rule.



1 (c) For the purposes of this Act:

2 "Department" means the department of health.

3 "Farm kitchen" means a kitchen located on agricultural  
4 land, including land zoned for agricultural use or land actively  
5 used for agricultural production, in which homemade food  
6 products are prepared using ingredients that may include  
7 agricultural products grown or raised on the same farm.

8 "Home kitchen" means a kitchen designed and intended for  
9 use by the residents of a home.

10 "Homemade food products" means:

- 11 (1) Not time/temperature control for safety food produced  
12 or packaged in a home kitchen or farm kitchen that  
13 does not include dried meats or seafood; and
- 14 (2) Foods of plant origin that are pickled, fermented, or  
15 acidified, except for cantaloupes and other fruits  
16 from the melon family, that are produced or packaged  
17 in a home kitchen or farm kitchen that have a pH of  
18 equal to or less than 4.2 or a Aw value that is less  
19 than 0.88; provided that any homemade food product  
20 containing cut tomatoes, such as salsa, must be kept  
21 refrigerated at or below forty-one degrees Fahrenheit.



**1** SECTION 3. This Act shall take effect on July 1, 3000.



**Report Title:**

DOH; Farm Kitchens; Home Kitchens; Homemade Food Products; Rules

**Description:**

Requires the Department of Health to adopt rules for the regulation of farm kitchens producing homemade food products that are no more stringent than those for home kitchens producing homemade food products. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

