
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. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§321- Farm kitchens; homemade food products; rules.

5 (a) The department of health shall adopt rules pursuant to
6 chapter 91 to regulate farm kitchens producing homemade food
7 products; provided that the rules adopted pursuant to this
8 section shall be no more stringent than those for the regulation
9 of home kitchens producing homemade food products and shall:

- 10 (1) Not require a farm kitchen to obtain a food
11 establishment permit solely due to its location on
12 agricultural land;
- 13 (2) Require a farm kitchen to comply with all applicable
14 homemade food product requirements, including but not
15 limited to food safety standards, labeling
16 requirements, sales limitations, and product
17 restrictions; and
- 18 (3) Allow for the inspection of farm kitchens by the
19 department and enforcement of any rules adopted by the
20 department.



1 (b) Nothing in this section shall be construed to limit
2 the department's authority to restrict or prohibit the
3 preparation of foods that pose a higher risk to public health,
4 as determined by rule.

5 (c) For the purposes of this section:

6 "Department" means the department of health.

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

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

14 "Homemade food products" means:

15 (1) Not time/temperature control for safety food produced
16 or packaged in a home kitchen or farm kitchen that
17 does not include dried meats or seafood; and

18 (2) Foods of plant origin that are pickled, fermented, or
19 acidified, except for cantaloupes and other fruits
20 from the melon family, that are produced or packaged
21 in a home kitchen or farm kitchen that have a pH of



1 equal to or less than 4.2 or a Aw value that is less
2 than 0.88; provided that any homemade food product
3 containing cut tomatoes, such as salsa, shall be kept
4 refrigerated at or below forty-one degrees
5 Fahrenheit."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. 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. (HD2)

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