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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. 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. (HD1)

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

