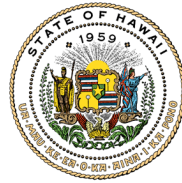


JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



State of Hawai'i
DEPARTMENT OF AGRICULTURE & BIOSECURITY
KA 'OIHANA MAHI'AI A KIA'I MEAOLA
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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 AGRICULTURE AND FOOD SYSTEMS

**WEDNESDAY, MARCH 25, 2026
9:15 AM
CONFERENCE ROOM 325 & VIDEOCONFERENCE**

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

Chair Chun, Vice Chair Kusch, and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2102, SD2. Beginning 7/1/2026, this bill authorizes the use of hemp-derived feed ingredients in certain commercial animal feeds. Authorizes the use of hemp and hemp-derived feed ingredients in commercial feed for livestock. Requires the Department of Agriculture and Biosecurity to adopt rules.

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

The FDA's Center for Veterinary Medicine (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: "Hemp Seed Meal, Mechanically Extracted." 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

Testimony of Sharon Hurd

March 25, 2026

Page 2

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>).

Given these federal restrictions, the Department recommends that this measure may be more appropriate once federal approvals for broader species uses are established.

However, should the legislature proceed to enact this measure, the Department respectfully requests the establishment of one dedicated Feeds Specialist position (ACMS-V, SR-24, Step F, \$82,968) to fulfill the expanded regulatory responsibilities prescribed in this bill.

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

TESTIMONY IN STRONG SUPPORT

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

HOUSE COMMITTEE ON AGRICULTURE
Wednesday, March 25, 2026, 9:15 A.M.
Conference Room 325, Via Videoconference

Dear Chair and Members of the Committee:

I am writing in strong support of S.B. 2102, S.D. 2, and respectfully request the Committee's consideration of the proposed H.D. 1 amendments.

I am the founder of Hawaii Fibers and a licensed hemp grower on O'ahu. This session, Hawaii Fibers was awarded a USDA Western SARE grant to conduct the first producer-led fiber hemp trial in Hawai'i — work that begins May 1. I am writing not just as an advocate for this industry, but as someone who is building it on the ground.

Hawai'i imports over 90 percent of its animal feed. Every bag of feed that comes off a container ship is a missed opportunity for a local farmer. Hemp is one of the few crops that can realistically change that equation — it grows in 90 days, produces three harvests a year in our climate, and generates multiple co-products, including hempseed, hempseed meal, and hempseed oil, that are well-established in animal nutrition.

S.B. 2102 creates the legal framework for locally produced hemp feed ingredients to reach Hawai'i's farmers and their animals. Without it, local producers like me have no legal pathway to sell hemp feed ingredients commercially, even as mainland-produced products already sit on store shelves here.

The proposed H.D. 1 amendments strengthen the bill in ways that matter directly to local producers. The on-farm safe harbor protects vertically integrated operations from duplicative state permitting. The advisory council ensures that rulemaking is informed by people who are actually growing and processing hemp in Hawai'i. The UH CTAHR research directive builds the local science base we need to develop feed ingredients from Hawai'i-grown cultivars. And the local agricultural partnership provision ensures that small-scale and beginning farmers — including Native Hawaiian practitioners — are included from the start.

This bill gives Hawai'i farmers a fair shot at a market that is already here. I respectfully urge the Committee to pass S.B. 2102 with the proposed H.D. 1 amendments.

Mahalo for the opportunity to testify.

Respectfully submitted,

Julia Park
Founder & President, Hawaii Fibers
julia@hawaiifibers.com



TESTIMONY IN STRONG SUPPORT

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

HOUSE COMMITTEE ON AGRICULTURE

Wednesday, March 25, 2026, 9:15 A.M.
Conference Room 325, Via Videoconference

Dear Chair and Members of the Committee:

I am writing in **strong support** of S.B. 2102, S.D. 2, which authorizes the use of hemp-derived feed ingredients in commercial animal feed in the State of Hawai'i, and respectfully request the Committee's consideration of the proposed H.D. 1 amendments described herein.

I. Purpose and Background

S.B. 2102 authorizes hemp-derived feed ingredients—hempseed, hempseed oil, hempseed meal, and hempseed cake—in commercial feed for pets, specialty pets, and horses beginning July 1, 2026, with a phased approach for livestock tied to state rulemaking. The bill is modeled on Montana's successful House Bill 396, enacted in 2021, which established the first comprehensive state framework for hemp in animal feed.

Hawai'i imports over 90 percent of its animal feed. This bill creates the legal framework for locally produced hemp feed ingredients, reducing import dependence, supporting agricultural diversification, and creating new economic opportunities for Hawai'i's farmers.

II. Proposed H.D. 1 Amendments Address Stakeholder Concerns

S.B. 2102, S.D. 2, amends chapter 144, Hawaii Revised Statutes, by adding a new section authorizing hemp-derived feed ingredients in commercial feed for pets, specialty pets, and horses, with supporting definitions and a rulemaking directive. The S.D. 2 took important steps to address concerns raised during Senate hearings. The proposed H.D. 1 amendments build on that foundation to fully resolve each remaining concern:

Attorney General — Constitutional Concerns. The Attorney General raised concerns that earlier versions conditioned state law on actions by the Association of American

Feed Control Officials (a private nonprofit) and on future FDA determinations, which under *State v. Christie*, 70 Haw. 158, 171 (1988), and *State v. Tengan*, 67 Haw. 451, 463 (1984), could constitute an unlawful delegation of legislative power. The S.D. 2 removed the AAFCO/FDA contingency for livestock. The proposed H.D. 1 further strengthens the bill by clarifying the cannabidiol restriction to reference FDA species-specific approval and by confirming that the Department's rulemaking operates through chapter 91—constitutionally sound delegated executive power.

Department of Agriculture and Biosecurity — Enforceability and Livestock. DAB raised concerns about authorizing feed for species for which federal safety determinations are incomplete. The proposed H.D. 1 addresses this by adding a livestock provision tied explicitly to departmental rulemaking: commercial feed for livestock is limited to species and uses for which the Department has adopted rules. The rulemaking section is enhanced with a 120-day trigger for new AAFCO or FDA actions, creating an enforceable, science-based pipeline without requiring re-legislation.

Hemp Task Force and Industry — Regulatory Efficiency. Industry stakeholders and the Hemp Task Force requested that Hawai'i not create duplicative state approval processes. The proposed H.D. 1 establishes a federal floor: the Department shall not impose requirements more stringent than federal law. Rulemaking scope is limited to administrative implementation necessary to align state law with federal standards. An on-farm safe harbor exempts vertically integrated agricultural operations from additional state registration.

III. Proposed H.D. 1 Additions from S.B. 2178

S.B. 2178, which establishes a comprehensive Industrial Hemp Program, passed the Senate and was referred to four House committees. Given the legislative calendar, it is unlikely to clear all referrals this session. However, three provisions of S.B. 2178 are directly germane to S.B. 2102 and would strengthen this bill's implementation without expanding its scope beyond the jurisdiction of this Committee:

Hemp Feed Ingredient Advisory Council (proposed Section 5). Establishes a seven-member advisory council within DAB to advise on rulemaking priorities, species-specific safety, AAFCO/FDA alignment, and opportunities to support local hemp feed production, including hemp cultivated for grain and associated co-products. Members serve without compensation from existing departmental funds. **No appropriation is required.**

University of Hawai'i Research Directive (proposed Section 6). Directs the UH College of Tropical Agriculture and Human Resources to support research on hemp-derived feed ingredients, including nutritional composition, animal safety, feeding trials, and suitability of locally grown cultivars. Findings are made available to DAB for rulemaking and to the advisory council.

Local Agricultural Partnerships (proposed Section 7). Directs DAB to promote partnerships with local agricultural producers, including Native Hawaiian practitioners, cooperatives, and 'aina-based agricultural programs, for hemp feed ingredient production. Ensures programs and resources under this Act are accessible to small-scale and beginning farmers.

These provisions ensure that Hawai'i's hemp feed framework is informed by local science, guided by community expertise, and inclusive of the agricultural communities that stand to benefit most.

IV. Conclusion

This bill started as a mirror of Montana's proven model. The S.D. 2 amendments make it constitutionally sound under Hawai'i law. The proposed H.D. 1 additions make it a **Hawai'i bill**—informed by our university's research, guided by an advisory council that includes our agricultural communities, and rooted in partnerships with Native Hawaiian practitioners and local farmers.

I respectfully urge the Committee to pass S.B. 2102 with the proposed H.D. 1 amendments.

Thank you for the opportunity to testify.

Respectfully submitted,

Ben Draper

CEO & Founder

Hemp Paper Company

ben@hemppaperco.com



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March 25, 2026

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE & FOOD SYSTEMS

TESTIMONY ON SB 2102, SD2
RELATING TO INDUSTRIAL HEMP

Conference Room 325 & Videoconference
9:15 AM

Aloha Chair Chun, Vice-Chair Kusch, 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, which authorizes the use of hemp-derived feed ingredients in commercial animal feed under clearly defined regulatory standards.

Sb 2102, SD2 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.

SB-2102-SD-2

Submitted on: 3/22/2026 4:35:58 PM

Testimony for AGR on 3/25/2026 9:15:00 AM

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

Comments:

I support this bill. Mahalo!

SB-2102-SD-2

Submitted on: 3/24/2026 7:52:00 AM

Testimony for AGR on 3/25/2026 9:15:00 AM

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.



LATE

TO: AGR Chair Chun, Vice Chair Kusch and Committee Members

From: Robert Lawrence Bence, Hawai'i Sustainable Farms, Hemp Feed Coalition member, Hawai'i Hemp Farmers Association board member, Keki O ka 'Āina Farms board member and Hawai'i State Hemp Task Force Member

RE: Support for SB2102 SD2 Hemp derived feed rules with much needed Amendments

Date: 3/23/2026

Aloha Chairs and Committee Members,

I am a member of the Hemp Feed Coalition that got 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 this in 2023.

I support the state adopting rules that follow but are not more stringent than Federal or AAFCO ingredient definitions and enacted by notice of DAB. SB2102 SD2 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 30 days that the 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 thc 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. .

For hemp feed we need combines, at least pneumatic seed separators and an oil press, even then we are in competition with large commodity crop farmers with incredibly efficient economies of scale and flat cheap land and labor in the plains where they already built infrastructure, Manitoba, China and Europe. The hemp hurd for building hempcrete is a byproduct of hemp for seed, fiber or cannabiniol hemp, the use of the seedcake for animal feed ads a much needed revenue stream.

Suggested Amendment language:

§144-Pg. 2 Line 1 (strike and before horses add “...and livestock, where the ingredient is approved or defined by the United States Food and Drug Administration or Association of American Feed Control Officials.”)

Pg.2 after line 12 “(3) Hemp-derived feed ingredients approved by AAFCO or the FDA shall be authorized for use for the approved species without additional rulemaking within 30 days.”

Page 3 after line 3 ‘Hempseed meal may be used in feed for laying hens in accordance with applicable federal standards.’

Pg. 3 line 6 “...provided that such rules shall not prohibit or unduly restrict hemp-derived feed ingredients approved by AAFCO or the FDA.”

Pg 5 Line 11 after biosecurity “...in consultation with feed control officials and state hemp farmers”

Pg 5

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

“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 30 days of being published.**”

“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.”

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

Mahalo
Rob