

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson
Board of Agriculture & Biosecurity

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Deputy to the Chairperson

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

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

**FRIDAY, FEBRUARY 13, 2026
3:10 PM
CONFERENCE ROOM 224 & VIDEOCONFERENCE**

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

Chair Gabbard, Vice Chair Richards, and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2102. Beginning 7/1/2026, this bill authorizes the use of hemp-derived feed ingredients to be manufactured, distributed, and used in commercial feed for pets, specialty pets, and horses. Authorizes the use of hemp and hemp-derived feed ingredients in commercial feed for livestock, contingent on approval by the United States Food and Drug Administration or Association of American Feed Control Officials (AAFCO). Requires the Department of Agriculture and Biosecurity to adopt rules.

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

Currently, AAFCO has approved only one specific hemp product for animal feed. This approval applies solely to "Hemp Seed Meal, Mechanically Extracted," which AAFCO defines as the product obtained by grinding or milling the cake that remains after most of the oil is mechanically removed from *Cannabis sativa L.* seeds. The meal shall contain no more than 20 ppm of total cannabidiol (CBD) and no more than 2 ppm of total tetrahydrocannabinol (THC).

The AAFCO-approved ingredient "hemp seed meal" is currently authorized for use only in feed for laying hens as a source of protein and fat. It is not approved for use with other animals mentioned in the bill, such as pets, specialty pets, horses, or livestock. Because the FDA has not determined that "hemp seed meal" is safe for other animal species, AAFCO currently permits its use only for laying hens, not for the additional species included in this bill.

In addition, the bill proposes to expand the types of feed products regulated under state law and rules. Currently, our feed regulations do not include pet food; they apply only to “commercial feed,” defined as feed used in the commercial production of food, fiber, or labor. Expanding these laws to include hemp-derived products for use in pet food would significantly increase our workload. Due to reduced staffing especially the loss of our Feed Specialist during the 2009 RIF, we currently lack the expertise to manage these new responsibilities unless additional dedicated funding and staffing are provided.

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



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

S.B. NO. 2102, RELATING TO INDUSTRIAL HEMP.

BEFORE THE:

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

DATE: Friday, February 13, 2026 **TIME:** 3:10 p.m.

LOCATION: State Capitol, Room 224

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Travis T. Moon or Christopher J.I. Leong,
Deputy Attorneys General

Chair Gabbard and Members of the Committee:

The Department of the Attorney General provides the following comments.

This bill authorizes the manufacturing, distribution, and use of hemp-derived feed ingredients in commercial feed for pets, specialty pets, and horses. The bill also provides that the manufacturing, distribution, and use of hemp-derived feed ingredients in commercial feed for livestock in the State shall be contingent upon approval by the United States Food and Drug Administration (FDA) or upon publication of a definition for the ingredient and its intended use in the official publication of the Association of American Feed Control Officials (AAFCO).

AAFCO is a private, nonprofit organization composed of state, federal, and international feed regulatory officials. Although AAFCO's official publication is widely relied upon by states for model ingredient definitions and regulatory guidance, AAFCO is not a governmental entity and does not exercise sovereign regulatory authority.

As currently drafted, this bill would allow the FDA or AAFCO to determine whether hemp or hemp-derived feed ingredients may be manufactured, distributed, and used for commercial feed for livestock in the State. See page 2, line 13 - page 3, line 4; page 4, line 21 - page 5, line 4; page 6 lines 7–13). By conditioning the legality of livestock feed ingredients on future approvals by the FDA or future publications by AAFCO, the bill may be subject to challenge as an unlawful delegation of legislative

power. See *State v. Christie*, 70 Haw. 158, 171, 766 P.2d 1198, 1205 (1988) ("legislation empowering 'private persons to decide what the law shall be' may be invalid."); cf. *State v. Tengan*, 67 Haw. 451, 463, 691 P.2d 365, 373 (1984) ("state legislation which adopts by reference *future* legislation, rules, or regulations, or amendments thereof, which are enacted, adopted, or promulgated by another sovereign entity, [would constitute] an unlawful delegation of legislative power.") (emphasis in original).

We stand ready to work with the Committee to develop wording that would address these concerns while preserving the bill's policy objectives. Thank you for the opportunity to provide comments.



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February 13, 2026

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 2102
RELATING TO INDUSTRIAL HEMP

Conference Room 224 & Videoconference
3:10 PM

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

This measure modernizes Hawai'i's feed law by allowing hemp-derived ingredients in pet, specialty pet, and horse feed, while appropriately conditioning livestock use on federal approval or publication of a definition by the Association of American Feed Control Officials. Aligning state policy with federal science-based standards provides clarity for producers, feed manufacturers, and regulators.

SB 2102 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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Aloha Chair Gabbard, Vice Chair Richards, and Members of the Senate Agriculture and Environment Committee,

The Hawai'i Farmers Union is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFU supports SB2102.**

SB2102 is a beneficial initiative for the agricultural community and sustainability efforts in Hawaii. By authorizing hemp-derived feed ingredients in commercial animal feed, the bill offers an opportunity to diversify agricultural production and reduce reliance on traditional feed sources. Hemp is a versatile crop that grows well in Hawaii's climate; it is highly efficient in terms of land and water use. Allowing hemp-derived ingredients in animal feed could lower costs for local farmers, enhance feed quality, and encourage the development of a burgeoning hemp industry within the state.

The inclusion of hemp products in livestock feed could potentially improve animal health and nutrition, leading to better-quality meat, dairy, and other animal products. Contingent on approval by the federal government or the Association of American Feed Control Officials, this forward-looking legislation aligns with broader agricultural trends that emphasize sustainable practices. The role of the Department of Agriculture and Biosecurity in adopting rules ensures that these changes are implemented safely and effectively, maintaining high standards for both animal welfare and food safety. SB2102 represents a thoughtful approach to expanding agricultural capabilities in Hawaii, supporting local farmers, and contributing to a more sustainable and self-reliant food system.

Mahalo for the opportunity to testify.

Hunter Heavilin
Advocacy Director
Hawai'i Farmers Union



TO: AEN Chair Gabbard, Vice Chair Richards and Committee Members

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

RE: Comments and Support for SB2102 Hemp derived feed rules in theory

Date: 2/12/2026

Aloha Senators,

Mahalo Chairs Gabbard and Richards for saving the horrible hemp bill SB2178 from ending all hemp. Although officially Jun's written testimony did mention the problem with adding additional redundant unnecessary fines and regulations already performed by USDA his failure to mention that until pressed in questioning and failure to officially oppose the bill was the last straw for many experienced hemp farmers, some who were able to submit testimony, some like myself who missed the window. When asked what he does, by senator Kim if memory serves, it was clear not much...and that question has been asked by several hemp farmers and the hemp task force consultant.

The hemp task force recommended eliminating the hemp movement reports and the buffer zones the only two things Jun does for hemp not done by the USDA or other states. The amount of time required to do these two things that hurt hemp, as feed or hemp for anything, does not require a full time position and they do not help anyone.

I am a member of the Hemp Feed Coalition and the task force recommended this with a lot of my input.

I support the state automatically adopting AAFCO ingredient definitions as they are published so the federally approved or AAFCO livestock feed definition automatically becomes state law instead of the state trying to duplicate each new ingredient list published. The state lab could offer free thc testing for compliance.

Perhaps this bill could be merged with SB2178 and both bills could be improved to better align with the Hemp Task Force Reports Recommendations to eliminate the duplicate enforcement position at DAB. The FTE DAB hemp employees proposed

annual salaries would far better serve Hawai'i hemp farmers with grants to hemp farmers.

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 it would be a better return on investment. The state has missed several federal grants that they could have applied for if we had a more proactive hemp team that could be made up of volunteers. Also experienced hemp farmers can save the state time for example we can already meet the current building codes with hemp.

To be profitable as farmers will take passion and unfortunately Jun does not have the passion or knowledge of hemp to bring it through the troubled waters needed to support Hawai'i hemp farmers. 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. A&B were great at commodity crop movement and they looked at hemp. The hemp hurd for building hempcrete is a byproduct of hemp for seed, fiber or cannabino hemp, the use of the seedcake for animal feed adds a much needed revenue stream; however, Kelly and Bob switched to sunflowers for many reasons. Fiber is not profitable anywhere in North America unfortunately.

If the state can help us farm by 1. Eliminating the DAB hemp position that's does nothing but completely needless, duplicative regulation and shift the responsibilities to a hemp board of volunteers or low paid members 2. Instead of funding other positions shift those funds to grants to the few remaining hemp farmers the farmers we might have a chance.

Suggested language:

“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 without further state approval.”

“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.”

Mahalo

Rob

SB-2102

Submitted on: 2/10/2026 5:16:33 PM

Testimony for AEN on 2/13/2026 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Azelski	Individual	Oppose	Written Testimony Only

Comments:

In opposition to. There is no way to know if it is safe to feed to animals intended for human consumption especially the unborn and young children. Thank you.