

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY
ONLY

In reply, please refer to:
File:

**Testimony COMMENTING on HB1359 HD2
RELATING TO HEMP**

REPRESENTATIVE KYLE T. YAMASHITA, CHAIR
HOUSE COMMITTEE ON FINANCE

Hearing Date: 2/23/2023

Room Number: CR 308

1 **Fiscal Implications:** This measure will impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** The Department respectfully offers comments on this bill and
5 supports section 9 extending the sunset date for Chapter 328G, Hawaii Revised Statutes (HRS).

6 It is unclear why a toxicologist or consultant is needed to define the action limits or
7 exposure levels of hemp products since Chapter 11-37, Hawaii Administrative Rules (HAR)
8 specifies the contaminant limits for heavy metals, pesticides, solvents, and microbes of hemp
9 products and respectfully recommends deleting lines 19 to 21, page 18, and lines 1 to 2, page 19.

10 The U.S. Food and Drug Administration (FDA) requires that packaged food labels
11 contain serving sizes based on how much food people typically consume and nonprescription
12 drug labels bear dosage instructions – when, how, and how often to take the product. Hemp
13 product labels do not contain this type of information that consumers are used to since FDA has
14 not developed a regulatory regime that effectively oversees the sale of hemp-derived products.
15 Therefore, the Department does not support “hemp” in foods, beverages, or pet products since it
16 quantifies the delta-9 THC content on a **dry weight basis**. Using this calculation, a
17 manufacturer could add 30 doses (150 milligrams) of delta-9 THC into a 50-gram chocolate bar
18 or 12 doses (60 milligrams) of delta-9 THC to a “snack size” pack of fruits snacks (20 grams).
19 The National Institute on Drug Abuse established a “standard dose” of THC as 5 milligrams. By
20 comparison, Hawaii's medical cannabis dispensaries allow 10 milligrams of delta-9 THC per

1 serving, dose, or single-wrapped item accessible to qualified patients with a valid 329
2 registration card.

3 The Department is uncertain about what a “herb product” (page 9 line 7) means as part of
4 the “finished hemp product” definition. The Department opposes the sale of any hemp leaf,
5 hemp floral material, and cannabinoid product used to aerosolize for respiratory delivery routes
6 intended to be smoked or inhaled. Hemp leaf and hemp floral material could be spiked with
7 synthetic cannabinoids and the effects are often unpredictable, and, in some cases, more
8 dangerous or even life-threatening. Although hemp does not contain an intoxicating level of
9 THC, smoked leaf and floral material contain many of the same toxins and carcinogens found in
10 tobacco smoke.¹ Also, hemp flower is visually indistinguishable from the cannabis flower, and
11 allowing the sale of hemp flower will make it virtually impossible to prevent illicit cannabis
12 sales.

13 The Department thinks differently about the statement “overregulation of
14 production, and processing” (lines 1 to 2, page 2). Regarding processing, Chapter 328G,
15 HRS, and Chapter 11-37 HAR are the only regulations that allow hemp processors to
16 legally process hemp into hemp products that are compliant with contaminant testing and
17 safe for consumer consumption.

18

19 **Offered Amendments:** None.

20

21 Thank you for the opportunity to testify on this measure

22

¹ Moir D, Rickert WS, Levasseur G, et al. A comparison of mainstream and sidestream marijuana and tobacco cigarette smoke produced under two machine smoking conditions. *Chemical Research in Toxicology*. 2008;21(2):494-502.

JOSH GREEN, M.D.
Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

MORRIS M. ATTA
Deputy to the Chairperson

State of Hawai'i
DEPARTMENT OF AGRICULTURE
KA 'OIHANA MAHI'AI
1428 South King Street
Honolulu, Hawai'i 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON FINANCE

THURSDAY, FEBRUARY 23, 2023
11:30 AM
CONFERENCE ROOM 308 AND VIDEOCONFERENCE

HOUSE BILL NO. 1359 HD2
RELATING TO HEMP

Chairperson Yamashita and Members of the Committee:

Thank you for the opportunity to testify on House Bill 1359 HD2. This measure repeals redundant regulations on hemp production, which will reduce costs for the State and Hawaii farmers. Amends the hemp law in a manner that recognizes the unique constraints of Hawaii farmers, while protecting human health. Allows licensed hemp producers to sell hemp biomass. Requires and appropriates moneys for the Department of Health to hire or consult a toxicologist or consultant familiar with hemp industry standards for the purpose of setting defined action limits or exposure levels for different types of hemp products. Extends the State's hemp processor law through 7/1/2027. Repeals on 7/1/2027.

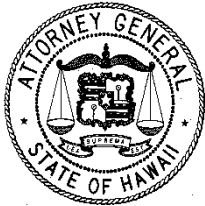
The Department of Agriculture (DOA) supports the labeling requirement to ensure that hemp produced in the State is labeled as Hawaii produced and that hemp produced outside the State is labeled with the appropriate origin and offers the following comments.



DOA strongly supports the Hawaii hemp industry but respectfully does not agree with the statement regarding “overregulation of production” on page 2, lines 1 and 2. DOA does not regulate farming of hemp within the state. The USDA regulates the entire production such as growing, harvesting and other on-farm operations including licensing of Hawaii hemp growers. Monitoring transport of hemp materials (flowers, leaves, viable seeds) and buffer zone restrictions are not part of USDA regulatory function. These are responsibilities assigned to DOA under Act 14, SLH 2020 as amended by Act 137, SLH 2020, that are necessary to ensure such nonfarming intrastate activities are conducted in a safe, healthy, and appropriate manner.

Hemp geographic origin labeling provides transparency and encourages fair advertising practices for hemp products that are being promoted for sale. The DOA supports the labeling requirement to ensure that hemp produced in the State is labeled as Hawaii produced and that hemp produced outside the State is labeled with the appropriate origin. The DOA notes, however that enforcement of the requirement may be challenging because it is difficult to determine the authenticity of the origin of the product.

The DOA looks forward to working with the hemp farmers as they create a vibrant industry for Hawaii. Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

H.B. NO. 1359, H.D. 2, RELATING TO HEMP.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Thursday, February 23, 2023 **TIME:** 11:30 a.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Jodi K. Yi or Bryan C. Yee, Deputy Attorneys General

Chair Yamashita and Members of the Committee:

The Department of the Attorney General (Department) offers the following comments on this bill.

The bill's stated purpose is to reform state laws regarding hemp by repealing redundant regulations, amending hemp laws to remove constraints on hemp farmers, allowing hemp producers to sell hemp biomass, requiring transparency in labeling, appropriating moneys for the Department of Health, and extending the hemp-processor law through July 1, 2027. See section 1 on page 2, line 19, to page 3, line 14, of the bill. However, not all of the regulations that would be repealed are redundant.

Section 141-42, Hawaii Revised Statutes (HRS), currently allows hemp to be grown under regulations enforced by the United States Department of Agriculture (USDA). Additionally, the section allows for a licensed hemp producer to transport hemp that has passed USDA testing from a farm to a hemp processing facility. The Department of Agriculture (DOA) must authorize the transportation and has the authority to inspect or test a shipment to ensure that it is hemp and not marijuana.

This bill would amend section 141-42(b), HRS, by removing the requirement that hemp transported off of a farm pass USDA testing (page 5, lines 12-14). The bill would also remove the authority for DOA to inspect a shipment to ensure it is actually hemp (page 5, lines 17-18) and remove, by repeal of the existing subsection (c) and amendment of the redesignated subsection (c), all penalties for noncompliance with the

transportation requirements (page 6, lines 1-12). As shipments of marijuana may be disguised as hemp, we recommend keeping the existing requirements that hemp pass all USDA testing, DOA's authority to inspect, and the penalties for noncompliant transportation of hemp.

Furthermore, the bill would amend section 141-42, HRS, to add a new subsection (g), which states that "[t]he State shall not issue notices of violations or impose penalties upon any hemp producer licensed by the [USDA]" and effectively prohibit all penalties except for growing hemp without a USDA license (page 7, line 21, to page 8, line 8). That prohibition is very broad and, for instance, would prohibit penalties against hemp growers for the illegal use of pesticides or the production of hemp within the buffer established by section 141-42. We recommend that the wording on page 7, line 21 (from "The State shall not"), to page 8, line 8 (in its entirety), be deleted.

This bill adds two new definitions to chapter 328G, HRS – "finished hemp product" and "intermediate hemp product" – and amends the definitions of "hemp product," "manufacturing," "processing," and "hemp processor." However, this creates uncertainty regarding the operation of chapter 328G. Because no distinction is made between the regulation of intermediate and finished hemp products, there is also no need to make a distinction between manufacturing and processing.

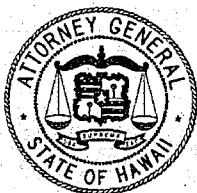
To improve the clarity of the chapter, we recommend deleting the terms "finished help product," "intermediate hemp product," and "manufacturing." We recommend using a single term for all finished hemp products (see below) and a single term for the process of converting hemp into a finished hemp product (see below). An additional amendment to the term "hemp processor" could also be made for conformity with the other changes. We, therefore, respectfully suggest amending existing terms by amending the following definitions:

- (1) "Hemp processor" means a person [~~processing hemp to manufacture a hemp product.~~] or business processing hemp."

(Page 10, lines 8-10).

- (2) "Hemp product" means [~~a product that: . . . for use.~~] any processed hemp being held, offered or distributed for sale." (Page 10, line 12 to page 11, line 13); and
- (3) "Processing" means making a transformative change to the hemp plant [~~following harvest by converting an agricultural commodity into a hemp product.~~], including but not limited to compounding, blending, extracting, and infusing, but does not include planting, growing, harvesting, drying, curing, grading, or trimming a hemp plant or part of a hemp plant." (Page 12, lines 2-5);

Thank you for the opportunity to present this testimony.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

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HOUSE COMMITTEE ON FINANCE

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Jodi K. Yi or Bryan C. Yee, Deputy Attorneys General

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The Department of the Attorney General (Department) offers the following comments on this bill.

The bill's stated purpose is to reform state laws regarding hemp by repealing redundant regulations, amending hemp laws to remove constraints on hemp farmers, allowing hemp producers to sell hemp biomass, requiring transparency in labeling, appropriating moneys for the Department of Health, and extending the hemp-processor law through July 1, 2027. See section 1 on page 2, line 19, to page 3, line 14, of the bill. However, not all of the regulations that would be repealed are redundant.

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This bill would amend section 141-42(b), HRS, by removing the requirement that hemp transported off of a farm pass USDA testing (page 5, lines 12-14). The bill would also remove the authority for DOA to inspect a shipment to ensure it is actually hemp (page 5, lines 17-18) and remove, by repeal of the existing subsection (c) and amendment of the redesignated subsection (c), all penalties for noncompliance with the

transportation requirements (page 6, lines 1-12). As shipments of marijuana may be disguised as hemp, we recommend keeping the existing requirements that hemp pass all USDA testing, DOA's authority to inspect, and the penalties for noncompliant transportation of hemp.

Furthermore, the bill would amend section 141-42, HRS, to add a new subsection (g), which states that "[t]he State shall not issue notices of violations or impose penalties upon any hemp producer licensed by the [USDA]" and effectively prohibit all penalties except for growing hemp without a USDA license (page 7, line 21, to page 8, line 8). That prohibition is very broad and, for instance, would prohibit penalties against hemp growers for the illegal use of pesticides or the production of hemp within the buffer established by section 141-42. We recommend that the wording on page 7, line 21 (from "The State shall not . . ."), to page 8, line 8 (in its entirety), be deleted.

This bill adds two new definitions to chapter 328G, HRS – "finished hemp product" and "intermediate hemp product" – and amends the definitions of "hemp product," "manufacturing," "processing," and "hemp processor." However, this creates uncertainty regarding the operation of chapter 328G. Because no distinction is made between the regulation of intermediate and finished hemp products, there is also no need to make a distinction between manufacturing and processing.

To improve the clarity of the chapter, we recommend deleting the terms "finished help product," "intermediate hemp product," and "manufacturing." We recommend using a single term for all finished hemp products (see below) and a single term for the process of converting hemp into a finished hemp product (see below). An additional amendment to the term "hemp processor" could also be made for conformity with the other changes. We, therefore, respectfully suggest amending existing terms by amending the following definitions:

- (1) "Hemp processor" means a person [~~processing hemp to manufacture a hemp product.~~] or business processing hemp."

(Page 10, lines 8-10).

- (2) "Hemp product" means ~~[a product that: . . . for use.]~~ any processed hemp being held, offered or distributed for sale. (Page 10, line 12 to page 11, line 13); and
- (3) "Processing" means making a transformative change to the hemp plant ~~[following harvest by converting an agricultural commodity into a hemp product.]~~, including but not limited to compounding, blending, extracting, and infusing, but does not include planting, growing, harvesting, drying, curing, grading, or trimming a hemp plant or part of a hemp plant. (Page 12, lines 2-5);

Thank you for the opportunity to present this testimony.



www.hawaiihempfarmersassociation.org

February 13, 2023

RE: Support HB 1359 **with Amendments for Processing and Labeling**

Aloha Chair Yamashita and Members of the House Committee on Finance,

Thank you for your continued support of Hawaii Hemp farmers. The Hawaii Hemp Farmers Association, which is composed of Hawaii hemp farmers, processors, and manufacturers, is in support of HB 1359 provided the following amendments are included.

I. Page 13, lines 7-9 Hemp processor registry, paragraph (c)(4), Minimum documentation, Amend wording to align with SB 637, blue highlighted wording is what we would like added to ensure farmers can once again process on their farm as they did prior to fall of 2021.

Documentation that the indoor facility and planned hemp processing operation complies with all zoning ordinances, building codes, and fire codes; **or is an enclosed indoor facility that is a permit-exempt agricultural structure pursuant to section 46-88 or is in an enclosed indoor facility in a food hub or agricultural park;**

II. Page 7, paragraph f, line 13 – 16, Origin labeling – replace wording to align with origin labeling wording of HB 1424 and SB 516. Blue highlighted wording is from HB 1424 and SB 516.

(d) In addition to all other labeling requirements, the identity statement used for labeling or advertising hemp products shall identify the percentage of Hawaii grown hemp in hemp products; provided that any hemp product containing hemp not grown or processed in Hawaii shall identify the origin and percentage of the hemp from outside Hawaii in the hemp product; provided further that if the hemp product contains hemp from multiple origins, the hemp product shall identify the percentage of hemp origin as "United States" or "Foreign" if the hemp product includes hemp from a source outside of the United States.

III. Page 18, section J, lines 9 to 15, Origin labeling – replace wording to align with origin labeling wording of HB 1424 and SB 516. Blue highlighted wording is from HB 1424 and SB 516.

(d) In addition to all other labeling requirements, the identity statement used for labeling or advertising hemp products shall identify the percentage of Hawaii grown hemp in hemp products; provided that any hemp product containing hemp not grown or processed in Hawaii shall identify the origin and percentage of the hemp from outside Hawaii in the hemp product; provided further that if the hemp product contains hemp from multiple origins, the hemp product shall identify the percentage of hemp origin as "United States" or "Foreign" if the hemp product includes hemp from a source outside of the United States.

It is critical this bill is amended to allow hemp processing in enclosed indoor facilities that are agricultural buildings or structures that are permit-exempt pursuant to HRS 46-88 or are in an enclosed indoor facility in a food hub or agricultural park.

Without this amendment, hemp processing will continue to be at almost at a standstill in Hawaii. Many crops are washed, dried, or processed in ag buildings per HRS 46-88. Until fall of 2021, farmers processed hemp on their farms with no incident in these agricultural buildings. This amendment reinstates an unintentional farmer exclusion from processing.

Without this amendment, most farmers will never be able to process their hemp on their farm and that is the only feasible option for most farmers because processing fees are high and there is only one registered processor that is fee-for-service in the state. Shipping costs are prohibitive and results in extra processing expenses for the farmer not only because of the shipping costs but because humidity control is lost in shipping and drying costs are then charged by processors.

Also, the labeling amendments we are requesting align this bill with the industry supported hemp product labeling bills HB 1424 and SB 516.

Mahalo for your time and consideration.

Respectfully,

Gail Byrne Baber
Gail Byrne Baber

President and Farmer

Ray Maki

Ray Maki

Co-Vice President and Farmer

Brittany Neal

Brittany Neal

Co-Vice President and Farmer

Bill #HB 1359 Relating to Hemp

Testimony from Isabella Sherman

Dear Committee chairs and members,

Thank you so much for allowing me to testify in support of this bill.

My name is Isabella Sherman and I am the Vice President at Kauai Hemp Co. I've been in this position for just three years and have worked diligently to support our company in complying with all state and federal rules and regulations pertaining to hemp.

I support this bill but request the following changes be made:

1. Addressing the Department of Health's concerns related to hemp food products, please separate and define the difference between a finished hemp product and a finished hemp food product. Keep finished hemp products at the USDA THC threshold of 0.3% which is the current allowable limit under Hawaii law. The Department of Health cited that The National Institute on Drug Abuse established a "standard dose" of THC as 5 milligrams. To address the Department of Health's above concerns, all serving sizes of hemp food product will have less than one "standard does" of THC. Please include language that reads:

"finished hemp food products shall allow 0.3% and shall be packaged so that one dose, serving, or single wrapped item contains less than five milligrams of tetrahydrocannabinol; provided that no manufactured finished hemp food product that is sold in a pack of multiple doses, servings, or single wrapped items, shall contain more than a total of one hundred milligrams of tetrahydrocannabinol per pack or container."

2. Prohibit finished hemp food products being advertised or sold to any one under the age of 21.
3. Amend wording to align with SB 637 that would allow hemp farmers to process in an enclosed indoor facility that is a permit-exempt agriculture structure pursuant to section 46-88 or is an enclosed building in a food hub or agricultural park.
4. Defining and protecting Hawaii CBD products allows consumers to "buy local" and supports our island industry.

This bill with the above changes will allow Hawaii's hemp industry to stay alive and will be its best chance to grow and flourish.

Please support HB1359!

Thank you so much for the opportunity to testify.

HB-1359-HD-2

Submitted on: 2/22/2023 10:55:49 AM

Testimony for FIN on 2/23/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maile Walters	Kauai Hemp Co.	Support	Written Testimony Only

Comments:

Bill #HB 1359 Relating to Hemp

Testimony from Maile Walters

Dear Committee chairs and members,

Thank you so much for allowing me to testify in support of this bill.

My name is Maile Walters and I am the Director of Compliance at Kauai Hemp Co. I've been in this position for 2 years and have worked diligently to support our company in complying with federal and state regulations.

I support this bill but request the following changes be made:

- 1. Addressing the Department of Health's concerns related to hemp food products, please separate and define the difference between a finished hemp product and a finished hemp food product. Keep finished hemp products at the USDA THC threshold of 0.3% which is the current allowable limit under Hawaii law. The Department of Health cited that The National Institute on Drug Abuse established a "standard dose" of THC as 5 milligrams. To address the Department of Health's above concerns, all serving sizes of hemp food products will have less than one "standard dose" of THC. Please include language that reads:**

"finished hemp food products shall allow 0.3% and shall be packaged so that one dose, serving, or single wrapped item contains less than five milligrams of tetrahydrocannabinol; provided that no manufactured finished hemp food product that is sold in a pack of multiple doses, servings, or single wrapped items, shall contain more than a total of one hundred milligrams of tetrahydrocannabinol per pack or container."

1. **Prohibit finished hemp food products from being advertised or sold to anyone under the age of 21.**
2. **Amend wording to align with SB 637 that would allow hemp farmers to process in an enclosed indoor facility that is a permit-exempt agriculture structure pursuant to section 46-88 or is an enclosed building in a food hub or agricultural park.**
3. **Defining and protecting Hawaii CBD products allows consumers to “buy local” and supports our island industry.**

This bill with the above changes will allow Hawaii’s hemp industry to stay alive and will be its best chance to grow and flourish.

Please support HB1359!

Thank you so much for the opportunity to testify.

TO: Chair, Vice Chair, and members

FROM: Robert Bence Hawai'i Sustainable Farms

DATE: 2/22/2023

RE: Strong Support HEMP (HB 1359) HD1

The current buffer zones seem to violate my legal rights as a licensed hemp farmer to grow on the land I own. My USDA AMS contact said that where to grow on agriculture zoned land would be regulated by the USDA. If Hawai'i had a state hemp growing program that could limit growing with the buffer zone but as we are under the USDA all hemp growing including the buffer zone should be under the USDA jurisdiction.

Also the Hawai'i Right to Farm Act should make this buffer zone aspect of the Act 14 hemp law null and void. The buffer zones are so large the majority of farms in Hawai'i can't grow any hemp and the production of hemp is not intrinsically offensive in any way. The ones complaining are not from Hawai'i and living in an agricultural zone complaining about noise and supposed smells during the occasional parties they attend at a gentleman estate the type of encroachment of residential to agricultural zoned lands meant to be addressed by the right to farm act. The offending farm is not impacted by these buffer zones; however, the buffer zones have destroyed the entire state's hemp industry for innocent farmers.

I am a local, disabled, diversified farmer growing on family lands, in Kula, purchased with help from a USDA direct farm mortgage and in Waimanalo as part of a partnership on state lease land. Farming full-time since graduation of UH Mānoa with BBA. I am passionate about growing food and hemp. The buffer zone, movement and other double regulations will hopefully be addressed by the new members of this legislature, the governor and are excellent new head of the HDOA. These barriers to hemp farming are better addressed through the same already existing laws for any nuisance operation as the vast majority of the people support this sustainable crop.

Also again, I was told by USDA AMS contact that the state doesn't control growing so the buffer zone aspects of the current law seem to violate the USDA jurisdiction over growing. Also the state of Hawai'i Right to Farm Act. Is there anything to eliminate that buffer provision of the current bill on agriculture lands? The State Agriculture Department testimony mentions agriculture zone next to residential zones, is the current buffer zone only applicable in that situation of a residential zoning neighbor? The current bill reads as though it would be any house. 100 feet is still too large for the typical non-offensive outdoor field as the department testimony also pointed out the offending farms noise was fans associated with indoor growing. The National Organic Program has buffer zones of 25-50 feet, state Restrictive Use Pesticides buffer zones are under the state jurisdiction under federal rules and are addressing a proven health harm unlike hemp which poses no health impacts, the county set backs are usually only 15-40' so the 100 and definitely, the 500 foot buffer zones seem to be a case of the state arbitrarily stopping farmers from here to compete in the national and state market.

The benefits of hemp as a food and a myriad of other uses from soil remediation to advanced nano particles of hemp graphene superconductors from animal bedding to housing from fresh juice to solventless extracts to seed breeding to microgreens...the market potential and environmental benefit list would go on for countless pages. Hawai'i farmers shouldn't be left behind any longer.

Appreciate your help.

Mahalo



Officers

Kaipo Kekona
State President

Anabella Bruch
Vice-President

Maureen Datta
Secretary

Reba Lopez
Treasurer

Chapter Presidents

Madeline Ross
Kohala, Hawaii

Odysseus Yacalis
East Hawaii

Puna, Hawaii

Andrea Drayer
Ka'u, Hawaii

Chantal Chung
Kona, Hawaii

Fawn Helekahi-Burns
Hana, Maui

Reba Lopez
Haleakala, Maui

Kaiea Medeiros
Mauna Kahalawai,
Maui

Kaipo Kekona
Lahaina, Maui

Rufina Kaauwai
Molokai

Negus Manna
Lana'i

Brynn Foster
North Shore, O'ahu

Christian Zuckerman
Wai'anae, O'ahu

Ted Radovich
Waimanalo, O'ahu

Vincent Kimura
Honolulu, O'ahu

Ray Maki
Kauai

Aloha Chair Yamashita, Vice Chair Kitagawa, and Members of the House Finance Committee,

The Hawaii Farmers Union United (HFUU) is a 501(c)(5) agricultural advocacy nonprofit representing a network of over 2,500 family farmers and their supporters across the Hawaiian Islands. **HFUU supports and seeks to amend HB1359.**

HFUU has adopted hemp policies that support origin labeling for hemp, as well as on-farm processing and hemp processing in food hubs or agricultural parks. Towards those ends HFUU seeks the following amendments:

- 1) Origin labeling consistent with HB1424 and SB516
- 2) Allowances for processing in food hubs, agricultural parks, as well as agriculturally exempt farm buildings from permits per HRS 68-88. Without this amendment, many hemp farmers can't process their hemp crops. HFUU supports SB 637 that provides this allowance and suggests the wording from this bill be used in HB 1359.

This bill will allow hemp producers to streamline their production process, reduce costs, and adhere to industry-specific constraints that are pertinent to Hawaii's unique agricultural environment. Furthermore, it will ensure the availability of transparency in labeling, clarifying the percentage of hemp grown in Hawaii. In addition, appropriating money for the Department of Health to hire or consult with a toxicologist or consultant is a great step forward and will allow farmers to confidently participate in hemp growth. We urge you to vote in favor of this bill, as it will help Hawaii farmers remain sustainable and thrive in both the hemp and agricultural markets.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF

KURT R. BOSSHARD

ATTORNEY AT LAW

TELEPHONE: [REDACTED]

FAX: [REDACTED]

EMAIL: kboss@aloha.net

February 22, 2023

Bill #HB 1359 Relating to Hemp
Testimony from Kurt Bosshard

Dear Committee chairs and members,

Thank you so much for allowing me to testify in support of this bill.

My name is Kurt Bosshard, and I was a Consultant for Kauai Hemp Co. for approximately three years and have worked diligently to support the Hawaii Hemp Industry since 2018.

I support this bill but request the following changes be made:

1. Addressing the Department of Health's concerns related to hemp food products, please separate and define the difference between a finished hemp product and a finished hemp food product. Keep finished hemp products at the USDA THC threshold of 0.3% which is the current allowable limit under Hawaii law. The Department of Health cited that The National Institute on Drug Abuse established a "standard dose" of THC as 5 milligrams. To address the Department of Health's above concerns, all serving sizes of hemp food product will have less than one "standard does" of THC. Please include language that reads:

"finished hemp food products shall allow 0.3% and shall be packaged so that one dose, serving, or single wrapped item contains less than five milligrams of tetrahydrocannabinol; provided that no manufactured finished hemp food product that is sold in a pack of multiple doses, servings, or single wrapped items, shall contain more than a total of one hundred milligrams of tetrahydrocannabinol per pack or container."

2. Prohibit finished hemp food products being advertised or sold to any one under the age of 21.

Committee chairs and members
February 22, 2023
Page 2

3. Amend wording to align with SB 637 that would allow hemp farmers to process in an enclosed indoor facility that is a permit-exempt agriculture structure pursuant to section 46-88 or is an enclosed building in a food hub or agricultural park.

4. Defining and protecting Hawaii CBD products allows consumers to "buy local" and supports our island industry.

This bill with the above changes will allow Hawaii's hemp industry to stay alive and will be its best chance to grow and flourish.

Please support HB1359!

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in cursive script that reads "Kurt Bosshard". The signature is written in black ink and includes a small flourish at the end.

KURT BOSSHARD

KB:tes

HB-1359-HD-2

Submitted on: 2/22/2023 10:20:48 PM

Testimony for FIN on 2/23/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
celia tapp	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!

HB-1359-HD-2

Submitted on: 2/22/2023 10:21:35 PM

Testimony for FIN on 2/23/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rusty Tapp	Individual	Support	Written Testimony Only

Comments:

STRONG SUPPORT!

HB-1359-HD-2

Submitted on: 2/23/2023 7:54:24 AM

Testimony for FIN on 2/23/2023 11:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Simmons	Individual	Support	Written Testimony Only

Comments:

Strongly support this!