

**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 CONSUMER PROTECTION & COMMERCE**

**THURSDAY, MARCH 30, 2023**  
**2:00 PM**  
**CONFERENCE ROOM 329 & VIDEOCONFERENCE**

**SENATE BILL NO. 516 SD1 HD1**  
**RELATING TO HEMP**

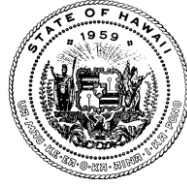
Chairperson Nakashima and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 516 SD1 HD1. This measure requires that the identity statement used for labeling or advertising hemp products identify the percentage of Hawaii grown hemp and hemp of other origins contained in hemp products. The Department of Agriculture (DOA) supports this bill and offers comments.

DOA supports this measure but currently lacks the funding and budget allocation to execute its responsibilities and would require a one full time measurement standards inspector (approximate appropriation request of \$100,000) for the purpose of labeling and packaging enforcement and inspection. The inspector will help rebuild DOA's labeling enforcement capability that was lost during the RIF, and to address labeling enforcement challenges in various Hawaii products such as inspecting and verifying the percentage of Hawaii grown hemp and hemp of other origins contained in hemp products. The inspector will take the lead in researching and utilizing new recognized testing measures to identify different products geographically such as Oritain technology (<https://oritain.com>), which can generate science-based data from specific growing



regions as a proof and confirmation of truth or false labeling. Thank you for the opportunity to testify on this measure.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P. O. BOX 3378  
HONOLULU, HI 96801-3378  
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In reply, please refer to:  
File:

**Testimony COMMENTING on SB0516 SD1 HD1  
RELATING TO HEMP**

REPRESENTATIVE MARK NAKASHIMA, CHAIR  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: 3/30/2023

Room Number: CR 329

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 appreciates the opportunity to provide testimony by  
5 offering comments on SB0516 SD1 HD1, which requires a producer of a hemp product to  
6 include in the identity statement of any hemp product, the percentage of Hawaii grown hemp in  
7 hemp product, and hemp of other origins contained in hemp products.

8 The Department defers to the Department of Agriculture, which enforces a similar  
9 Hawaii-Grown Coffee law, to oversee the percentage of Hawaii grown hemp of local hemp  
10 products and the origin and percentage of hemp products not from Hawaii. The Department  
11 respectfully requests deleting lines 13 to 20, page 7, and lines 1 to 2, page 8.

12

13 Thank you for the opportunity to testify.

14

15 **Offered Amendments:** None

**SB-516-HD-1**

Submitted on: 3/28/2023 2:45:50 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Colehour Bondera	Kanalani Ohana Farm	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members:

Thank you for hearing this Bill.

As a lifelong farmer and someone who sells directly to consumers, it is with honor that I support SB516 essentially because of the value and integrity in truth in labelling.

Hawaii can and should protect our farmers and protect what is sold with Hawaii name on the labels. Consumers are easily confused (remember that we are all consumers and I am crazed when I have to guess if a main ingredient is actually along the lines of the main label in terms of origin of production).

This legislation protects Hawaii and can and should be passed.

Thank you for your consideration.

Yours,

Colehour Bondera

KANALANI OHANA FARM

colemel2@gmail.com



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Rufina Kaauwai  
Molokai

Negus Manna  
Lāna'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 Nakashima, Vice Chair Sayama, and Members of the House Consumer Protection & Commerce 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 SB516.**

As a farmers union, it is our mission to ensure that farmers have access to markets for their products. This bill will help farmers in Hawaii access local markets for hemp products produced in their state. Currently, there is no law that requires hemp producers to disclose the origin of the hemp in their products, which hurts Hawaii farmers. With this bill, customers will have the opportunity to make an informed decision about their purchases and to better understand the quality of the product they are buying. This is important for our farmers, as hemp is a fast-growing market and local farmers need access to markets in order to keep their businesses running. This bill will help our farmers and sustain the hold in the markets they have worked so diligently to create.

Mahalo for the opportunity to testify.

Kaipo Kekona, President HFUU/HFUF



P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
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March 30, 2023

HEARING BEFORE THE  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

**TESTIMONY ON SB 516, SD1, HD1  
RELATING TO HEMP**

Conference Room 329 & Videoconference  
2:00 PM

Aloha Chair Nakashima, Vice-Chair Sayama, 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 516, SD1, HD1**, which requires that the identity statement used for labeling or advertising hemp products identify the percentage of Hawai'i grown hemp and hemp of other origins contained in hemp products.

Hemp continues to provide an opportunity for our farmers to diversify and expand agriculture production into new areas. Hemp is a very versatile agricultural product that is used to make a variety of products including clothing, food, animal feed, paper, biofuels, construction material, medicinal products, and various non-medicinal products.

This measure will continue to support and grow Hawai'i's hemp industry by ensuring that hemp produced in the State is labeled as Hawai'i produced and that hemp produced outside the State is labeled with the appropriate origin.

Thank you for this opportunity to testify in support of this measure.

The decorticating process for hemp removes the tough woody interior (the hurd), from the fibrous exterior of the stalk (the bast); it is necessary to create value added products from the entire hemp stalk.

- The vertical mill decorticates the material to liberate the bast fiber from the inner hurd.
- The material is blown from the mill outlet via air to a settling box/horizontal aspiration chamber to remove it from the airstream and roughly separate the hurd from the fiber.
- The material is then screened to classify it by size and further separate the fiber and hurd.
- The hurd sizing screens are tailored the desired uses of the product. o i.e., large pieces for animal bedding.
- A compression bagging station can be installed for standard bedding packaging.
- Small to medium particles for Hempcrete.
- Fine particles for bioplastics.
- The larger hurd can be size reduced through a hammermill or micronizer to make it suitable for bioplastics.
- The fiber length can be tailored to the end product desired through adjustments to the vertical mill.
- Further fiber processing steps such as cottonizing can be done after the fiber is separated from the hurd.
- The material is then conveyed to bagging stations, bulk bins, live bottom trucks or directly to subsequent manufacturing operations in the facility.

TO: Chair Nakashima, Vice-Chair Jackson and CPC Committee  
FROM: Robert Bence, Farmer, for Hawai'i Sustainable Farms  
RE: Strong Support of SB 516 SD 1 HD1

DATE: 3/28/23

Aloha

The state is supposed to be already following the USDA AMS Hemp program as we don't have a state hemp program approved by the USDA; therefore, any rules relating to the growth of hemp are already supposed to be under UDSA AMS regulatory jurisdiction.

After years of federally illegal duplicate state hemp laws holding back the state's hemp farmers, this bill would allow the excellent new head of HDOA to help farmers by supporting the buy local, grown and made in Hawai'i label to differentiate our high quality Hawai'i grown hemp to benefit the hemp grown here like the protections for Mamaki tea, Coffee Mac Nuts and floriculture.

SECTION 2. Section 141-42, Hawaii Revised Statutes, is amended to read as follows:." "[[§141-42]] Commercial hemp production. (a) ...  
**(4) Hemp shall not be grown within [500] one hundred feet of any pre-existing house, dwelling unit, pre-existing residentially zoned house, apartment, or other residentially zoned structure that is not owned or controlled by the license holder; provided that this restriction shall not apply to an individual or entity licensed to grow hemp in those areas under the State industrial hemp pilot program prior to August 27, 2020; and**

**Or better yet just the official removal of the hemp growing buffer zone entirely from Act 14 as it has been confirmed to be currently in violation of the supremacy clause by USDA and the law firm Clark Hill:**

~~"[(4)] Hemp shall not be grown within [500] one hundred feet of any pre-existing house, dwelling unit, residential apartment, or other residential structure that is not owned or controlled by the license holder; provided that this restriction shall not apply to an individual or entity licensed to~~



~~grow hemp in those areas under the [State] state industrial hemp pilot program [prior to] before August 27, 2020; and”~~

I grew up farming here, after graduating from UH Mānoa with a BBA, returned to Kula to farm full time. Diversified organic farming since and implemented a USDA Natural Resource Conservation Services, (NRCS) Environmental Quality Incentives Program,(EQIP) contract that brought federal funding to help improve the agriculture and environment on the family farm.

After being diagnosed with a previously undiscovered random birth defect, that caused a stroke followed by brain surgery that led to learning to walk and talk again, developed conditions that I treat with hemp. I am licensed to grow hemp by the USDA AMS rules on my farm which was purchased with a loan from USDA FSA. Farming hemp has been a major life goal since returning to farming full-time with a severe disability and the first farm bill over a decade ago.

Plan to include hemp with the farm’s agroforestry conservation plan as part of alley cropping and multistory planting practices with ultra high density planting of several different trees including grafted avocados, mango and endemic forests in this area before human contact. Rotational grazing and no-till cover crop rotations of sunn hemp rolled and crimped followed by hemp making it a great companion plant for the no- till rotations that can be done from tractor allowing more production despite the disability.

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 solvent-less extracts to seed breeding and microgreens... the market potential and environmental benefit list would go on for countless pages. Hawai’i farmers shouldn't be left behind any longer.

Hawaii hemp farmers have been the most regulated hemp farmers in the country and these regulations have made us non-competitive allowing for unscrupulous processors to use foreign imports to supply the local and export markets with sub par and potentially synthetic hemp. Once that quality brand is lost, that will be the final nail in the

coffin for the state hemp industry, we must be known for the quality only Hawai'i can produce.

Greatly appreciate your hearing this bill Please change the 500' growth buffer as it prohibits most of the states farmers, 100' can still be several acres out of production. The buffer isn't on any other crop the crop is not intrinsically harmful. USDA and advice from Clark Hill have confirmed that any buffer zone is under the USDA AMS regulatory jurisdiction. USDA wisely does not require any additional buffer zones solely on the growth of this commodity. Please make all rules under USDA as they are well suited to administer the hemp growing program and have the regulatory jurisdiction over hemp growth in Hawai'i.

**Please support this bill with reduced buffer zones to 100 or with an amendment to clarify the buffer zone does not impact farmers in Ag zone surrounded by other Ag zone properties.**

Mahalo

Robert Bence  
Farmer  
Hawai'i Sustainable Farms

Kula, HI

Farm Board Member of

Keki O Ka 'Āina

**SB-516-HD-1**

Submitted on: 3/29/2023 7:34:07 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vince Kana`i Dodge	`Ai Pohaku-The Stone Eaters	Support	Written Testimony Only

Comments:

Aloha Kakou!

Writing in strong support for SB516.

The hemp industry is going to continue to grow and increase tax revenues for the people and the state of Hawaii. Support it and it will help support us. Please pass SB 516.

Mahalo Nui!

Vince Kana'i Dodge

**SB-516-HD-1**

Submitted on: 3/29/2023 4:42:59 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marilyn Mick	Individual	Support	Written Testimony Only

Comments:

Aloha,

Because Hawaii branded products often garner more in the marketplace, accurate origin labeling is one of the few ways for Hawaii hemp farmers can remain competitive which also creates a more circular economy that benefits Hawaii residents. Origin labeling protects the quality and authenticity of Hawaii's hemp industry and supports the recognition of Hawaii farmers' hard work is accurately represented in the marketplace while supporting consumers right to transparency. Further, the Hawaii hemp cannabinoid market is approximated to be \$32,000,000 to \$54,000,000 annually, but most of that money flows to out-of-state hemp farmers and businesses due in part to Hawaii residents not being able to differentiate between products made with imported hemp and products made with Hawaii grown hemp.

Please support this Bill,

Mahalo, Marilyn Mick, Honolulu

**SB-516-HD-1**

Submitted on: 3/29/2023 4:44:47 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ken Stover	Individual	Support	Written Testimony Only

Comments:

Accurate origin labeling is one of the few ways for Hawaii hemp farmers can remain competitive which also creates a more circular economy that benefits Hawaii residents.

**SB-516-HD-1**

Submitted on: 3/29/2023 5:16:39 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia L. Gardner	Individual	Support	Written Testimony Only

Comments:

I am in STRONG SUPPORT OF SB516, IN LABELING OF HEMP PRODUCTS!

PATRICA GARDNER

HAIKU, MAUI

**SB-516-HD-1**

Submitted on: 3/29/2023 5:20:38 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
cheryl hendrickson	Individual	Support	Written Testimony Only

Comments:

Origin labeling is needed for Hawaii farmers to remain competitive. It protects the quality and authenticity of Hawaii's hemp industry. Supports the recognition that Hawaii farmer's hard work is accurately represented in the marketplace while supporting consumers right to transparency.

**SB-516-HD-1**

Submitted on: 3/29/2023 5:23:45 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Troy Person	Individual	Support	Written Testimony Only

Comments:

**[Hawaii hemp farmers have the highest costs of production among U.S. hemp farmers.](#)**

Because Hawaii branded products often garner more in the marketplace, accurate origin labeling is one of the few ways for Hawaii hemp farmers can remain competitive which also creates a more circular economy that benefits Hawaii residents. Origin labeling protects the quality and authenticity of Hawaii's hemp industry and supports the recognition of Hawaii farmers' hard work is accurately represented in the marketplace while supporting consumers right to transparency. Further, the Hawaii hemp cannabinoid market is approximated to be \$32,000,000 to \$54,000,000 annually, but most of that money flows to out-of-state hemp farmers and businesses due in part to Hawaii residents not being able to differentiate between products made with imported hemp and products made with Hawaii grown hemp.



**SB-516-HD-1**

Submitted on: 3/29/2023 6:56:19 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Parker	Individual	Support	Written Testimony Only

Comments:

Giving people the ability to choose a local product is very important to Hawaii's hemp farmers, this is one of the few ways they can compete with mainland hemp farmers. This is also important to consumers who want to know where their products come from. Please vote in favor of SB516

**SB-516-HD-1**

Submitted on: 3/29/2023 8:17:10 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Raphiell Nolin	Individual	Support	Written Testimony Only

Comments:

In strong support of SB 516

**SB-516-HD-1**

Submitted on: 3/29/2023 7:24:12 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Barbara Barry	Individual	Support	Written Testimony Only

Comments:

Aloha,

Once again, I strongly support.

Mahalo,

**SB-516-HD-1**

Submitted on: 3/29/2023 8:04:42 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sharon Landry	Individual	Support	Written Testimony Only

Comments:

I'm in favor of bill SB516. Mahalo

**SB-516-HD-1**

Submitted on: 3/29/2023 9:12:40 PM

Testimony for CPC on 3/30/2023 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Thomas Brandt	Individual	Support	Written Testimony Only

Comments:

Strong support!



[www.hawaiihempfarmersassociation.org](http://www.hawaiihempfarmersassociation.org)

March 30, 2023

RE: SUPPORT SB 516 Origin Labeling for Hemp Products

Aloha Chair Nakashima and Committee on Consumer Protection and Commerce,

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 strong support of SB 516.

Hawaii hemp farmers have the highest costs of production among U.S. hemp farmers. Because Hawaii branded products often garner more in the marketplace, accurate origin labeling is one of the few ways for Hawaii hemp farmers can remain competitive which also creates a more circular economy that benefits Hawaii residents.

Origin labeling protects the quality and authenticity of Hawaii's hemp industry and supports the recognition of Hawaii farmers' hard work is accurately represented in the marketplace while supporting consumers right to transparency.

Further, the Hawaii hemp cannabinoid market is approximated to be \$32,000,000 to \$54,000,000 annually, but most of that money flows to out-of-state hemp farmers and businesses due in part to Hawaii residents not being able to differentiate between products made with imported hemp and products made with Hawaii grown hemp.

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