

# U.S. Hemp Roundtable

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February 4, 2020

Representative Roy Takumi  
Chair, House Committee on Consumer Protection and Commerce

Chair Takumi, Vice-Chair Ichiyama, and members of the House Committee on Consumer Protection and Commerce:

Thank you for the opportunity to provide testimony **in strong support of HB 2102 RELATING TO HEMP PRODUCTS**. This measure would require labels on hemp products, prohibit unwarranted health-related statements about hemp products, and establish standards for manufacturing, distributing and selling products that contain hemp, cannabinoids, or derivatives from hemp.

The U.S. Hemp Roundtable is a coalition of leading companies and organizations committed to safe hemp and CBD products. We proudly represent the industry's major national grassroots organizations, and are leading the way forward for hemp and CBD products through education and action. We do not view industrial hemp derived products as medication, and believe that the most effective way to realize the potential of the industrial hemp market and allow for safe and regulated CBD products in the market is to establish the right conditions for the market to flourish.

Since the passage of the federal Farm Bill in 2018, which effectively legalized the sale of cannabidiol products from the commercial cultivation of hemp, more than sixteen thousand hemp growers have emerged throughout the United States. The hemp industry across the country has grown rapidly, and hemp-derived products including cannabidiol are used by a wide range of consumers. In Hawaii, there are currently over 30 registered hemp growers under the Industrial Hemp pilot program.

It is expected that the Food and Drug Administration will eventually use its authority to regulate hemp-derived products. However, the only enforcement action that the FDA has taken to date is to issue warning letters against improper disease remediation claims made by food and supplement companies. The Hawaii Department of Health has adhered to guidance from the FDA that provides that food, beverage, or cosmetic products that contain cannabidiol are adulterated and therefore prohibited under law. Despite this suggested prohibition, cannabidiol products continue to be sold across Hawaii, with no regulatory oversight.

Given the time expected for the FDA to act, other states have considered and enacted their own regulatory frameworks for hemp-derived cannabidiol. We believe that it is prudent for Hawaii to also do so, and support the approach outlined in HB 2102.

We believe that HB 2102 provides legal clarity to businesses and consumers by explicitly authorizing the production and sale of hemp-derived cannabidiol products, while at the same time establishing and provides needed regulatory oversight to eliminate the confusion in the marketplace that exists today. This bill establishes that products containing cannabidiol are not adulterated food, beverage or cosmetics, and also provides for consumer protections and safety through the following mechanisms:

- Requiring the hemp to come from an established hemp program that meets federal law.
- Requiring the hemp to be tested for potency and contaminants under industrial hemp regulations.
- Requiring labels to be placed on all products cautioning against use while pregnant and keeping out of reach of children.
- Prohibiting misleading health related claims from being made about the use of CBD.

We believe that this measure provides the necessary framework to establish a viable hemp/cannabidiol industry and would continue to maintain the current unregulated market being fulfilled through on-line sales and unregulated marketplaces.

For these reasons the U.S. Hemp Roundtable respectfully urges you to pass HB 2102. Thank you for the opportunity to submit testimony in support of this measure.

**HB-2102**

Submitted on: 2/3/2020 1:03:37 PM

Testimony for CPC on 2/5/2020 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
DOC	irie Hawaii	Oppose	No

Comments:

**HB-2102**

Submitted on: 2/3/2020 6:49:31 PM

Testimony for CPC on 2/5/2020 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eric Heaukulani	Individual	Oppose	No

Comments:

**HB-2102**

Submitted on: 2/3/2020 7:34:00 PM

Testimony for CPC on 2/5/2020 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
pua	Individual	Oppose	No

Comments:

**HB-2102**

Submitted on: 2/3/2020 9:07:32 PM

Testimony for CPC on 2/5/2020 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alayna Revell	Individual	Oppose	No

Comments:

I oppose this bill.

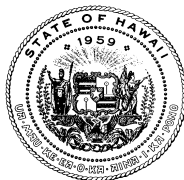
**HB-2102**

Submitted on: 2/4/2020 1:58:19 PM

Testimony for CPC on 2/5/2020 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
krissy halemanu	Individual	Oppose	No

Comments:



**STATE OF HAWAII  
DEPARTMENT OF HEALTH**

P. O. Box 3378  
Honolulu, HI 96801-3378  
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**Testimony COMMENTING on HB 2102  
RELATING TO HEMP PRODUCTS**

REPRESENTATIVE ROY M. TAKUMI, CHAIR  
HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE  
Hearing Date: 2/5/2020 Room Number: 329

1 **Fiscal Implications:** This measure may 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 comments on  
5 this measure.

6 This measure seeks to amend HRS 328 to allow hemp in cosmetics, foods, as a food additive,  
7 and as a dietary supplement, or herb so long as it is grown under a legal hemp program in  
8 another state or country and hemp products are made under a food safety program that includes  
9 third-party lab testing for THC and contaminants. This measure also contains language  
10 prohibiting a hemp product from making health claims and seeks to amend the medical cannabis  
11 dispensary statute (HRS 329D) by allowing licensees to manufacture, distribute or sell hemp  
12 products that are compliant with the proposed provisions of HB2102.

13 The Department has concerns over allowing hemp products, which include cannabinoids, to be  
14 marketed as a food and used as a food ingredient without it being evaluated by FDA for safe use  
15 in the food supply. FDA has the primary legal responsibility for determining the safe use of a  
16 food additive. Currently there are over 3000 ingredients in FDA database of ingredients allowed  
17 in food. To market a new food additive, a manufacturer or other sponsor must first petition FDA  
18 for its approval. These petitions must provide evidence that the substance is safe for its intended  
19 use. Currently, FDA has not approved hemp derivatives, like CBD or other cannabinoids, for



1 safe use in the food supply. Allowing hemp to be used in foods without evaluating safety data to  
2 determine safe use limits is not good public health policy. We are asking for patience to allow  
3 FDA to adequately determine if hemp derivatives, like CBD and other cannabinoids, should be  
4 allowed as a food additive.

5 Our testimony respectfully recommends the committee consider the rule making authorities  
6 given to DOH over hemp processing via bill HB2278. We believe the language offered in  
7 HB2278 regarding DOH oversight of hemp processing will allow for local growers to have their  
8 hemp processed into products that are widely available on the market today as either a dietary  
9 supplement or as a hemp-based cosmetic, but expressly prohibits hemp derivatives from being  
10 allowed in food. HB2278 would also allow for the sale of out of state hemp products that are  
11 dietary supplements or hemp-based cosmetics provided they demonstrate compliance with lab  
12 testing requirements for contaminants and content. Rulemaking authority would include, but not  
13 be limited to, establishing good manufacturing practice standards, laboratory testing  
14 requirements conducted by labs certified by the State, and proper labeling of hemp derived  
15 products manufactured and/or sold in Hawaii.

16 The Department would like to request that proposed amendments to HRS 329D found in Section  
17 3 of HB2102 (pg. 9, line 14) include a provision granting DOH the authority to approve requests  
18 made by licensees before including any hemp product as an ingredient into their manufactured  
19 cannabis products.

20 **Offered Amendments:** None

21 Thank you for the opportunity to testify on this measure.

**HB-2102**

Submitted on: 2/5/2020 12:01:20 AM

Testimony for CPC on 2/5/2020 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Calvert	Individual	Support	No

Comments:

Aloha Members of the Committee,

My name is John Calvert and I'm a hemp licensee and small farmer in Puna district, Big Island. I am growing CBD hemp using the horticultural method, in a greenhouse.

HB2102 appears to be consistent with a new [bi-partisan bill in Congress, H.R.5587](#), which would allow hemp-derived CBD to be lawfully marketed as a dietary supplement. I think there's a very good chance the Senate will pass a version of this legislation in 2020, with Leader Mitch McConnell representing the vanguard hemp farmers of Kentucky.

I am in full support of this well-written legislation, HB2102, in its entirety without any amendments.

mahalo nui loa,  
John Calvert