

# U.S. Hemp Roundtable

859.244.3255 | [info@hempsupporter.com](mailto:info@hempsupporter.com)  
250 West Main Street, Suite 2800, Lexington, KY 40507

February 19, 2021

Senator Rosalyn Baker  
Senator Stanley Chang  
Hawaii State Senate  
Hawaii State Capitol  
Honolulu, HI 96813

## **RE: Roundtable Request for Amendments to S.B. 252**

Senators Baker and Chang:

The U.S. Hemp Roundtable, the hemp industry's national advocacy organization, is very grateful for your efforts to promote the hemp industry within Hawaii and provide consumers with access to beneficial hemp products. We strongly support the underlying purpose of the bill -- that hemp-derived CBD should be authorized in all ingestible hemp products, to include dietary supplements and foods.

There are a few aspects of your bills where the Roundtable requests amendments, we welcome the opportunity to partner with you to address these areas. Simply put, we share your goal of providing high-quality, safe hemp products to consumers and remain available to you as we work collectively towards this goal. These include:

- **Clarification on the Status of Dietary Supplements**
  - Throughout the bill, "dietary supplements" should be added everywhere food, beverage, or cosmetic is mentioned to make clear that hemp may be used in food and dietary supplements.
- **Health-Related Labeling Statements**
  - The prohibition of health-related statement should be revised to only prohibit disease claims, similar to the following: "A manufacturer, distributor, or seller of an industrial hemp product shall not include on the label of the product, or publish or disseminate in advertising or marketing, any industrial hemp or industrial hemp products diagnosis, cure, mitigation, treatment, or prevention of any disease." Such language is in line with other states and would provide better clarity for hemp product manufacturers than the current version of the bill.
- **Pregnancy or Breastfeeding Warning**
  - The required warning against using CBD products while pregnant or breastfeeding should be removed because there is no scientific evidence that CBD is harmful to pregnant or breastfeeding women. Furthermore, no other state requires a similar statement on their labels, creating a burden on manufacturers to develop a label unique to Hawaii.

The Roundtable again thanks you for your support of the hemp industry and respectfully requests you amend your legislation as outlined above. Should you have any questions or wish to discuss any of these points, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Miller', with a long horizontal flourish extending to the right.

Jonathan Miller  
General Counsel  
U.S. Hemp Roundtable

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859.244.3255 | [info@hempsupporter.com](mailto:info@hempsupporter.com)  
250 West Main Street, Suite 2800, Lexington, KY 40507

February 19, 2021

Senator Jarrett Keohokalole  
Hawaii State Senate  
Hawaii State Capitol  
Honolulu, HI 96813

## **RE: Roundtable Request for Amendments to S.B. 317**

Senator Keohokalole:

The U.S. Hemp Roundtable, the hemp industry's leading national advocacy organization, is very grateful for your efforts to promote the hemp industry within Hawaii and provide consumers with access to beneficial hemp products. We support the underlying purpose of the bill -- that reasonable labeling and packaging requirements for hemp products can promote consumer awareness and safety.

However, we strongly oppose the provision in the bill that would impose age restrictions on the purchase of hemp products like CBD. Unlike most products that have age restrictions, hemp and CBD are not intoxicating, and should not be treated as if they were controlled substances. That's why of the dozens of states that have explicitly sanctioned the retail sale of hemp-derived CBD, only two states have age restrictions -- and even those states struggle to enforce the restrictions because enforcement creates moral hazards by diverting resources and attention from real health issues that actually impose health risks and/or criminal activity. Burdening retail stores with the responsibility of needlessly seeking identification for proof of age is improper and costly and creates an undue burden on small businesses. Additionally, age restrictions would serve to further limit markets for hemp products, dealing yet another blow to Hawaiian hemp farmers, who have been struggling due to sharp declines in hemp biomass prices.

Further, we ask that you consider the following amendments to the labeling requirements that would be imposed by your legislation:

- Hemp product labels should list the name and business address of the "manufacturer, packer, or distributor" instead of the "hemp processor". Processing can be a proprietary part of the manufacturing process. In many instances, requiring the processor to be identified on a product label would mean revealing proprietary business information. Additionally, while there may be multiple businesses involved in the manufacture of a company, the manufacturer, packer, or distributor oftentimes bears responsibility for the product or is best positioned to handle consumer inquiries. Our suggested edit would protect potentially proprietary information, avoid confusion among consumers and enforcement officials, and reduce the risk of disparate treatment.
- The statement that a product has not been evaluated by the FDA should only apply to dietary supplements since such statements are more appropriate for supplements than for other products, like topicals.
- The requirement that a label confirm that a hemp product has been tested pursuant to department rules should be removed because it is unclear what type of statement would be required and because this requirement is unique to Hawaii. Unique labeling and packing requirements increase manufacturing, retail, and enforcement costs, which are oftentimes passed on to farmers.

The Roundtable again thanks you for your support of the hemp industry and respectfully requests you amend your legislation as outlined above. Should you have any questions or wish to discuss any of these points, please do not hesitate to contact me.

Sincerely,

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Jonathan Miller  
General Counsel  
U.S. Hemp Roundtable

# 2021 U.S. HEMP ROUNDTABLE

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