

U.S. Hemp Roundtable

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February 19, 2021

Speaker Melissa Hortman
Leader Ryan Winkler
Senator Melisa Franzen
Senator Erin Murphy
Minnesota Legislature
Minnesota State Capitol
St. Paul, MN 55155

RE: Roundtable Request for Amendments to H.F. 600 and S.F. 757

Honorable Legislators:

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 Minnesota and provide consumers with access to beneficial hemp products. We support the underlying purpose of the hemp-related sections of H.F. 600 and S.F. 757 -- that reasonable labeling and packaging requirements for hemp products can promote consumer awareness and safety.

However, 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:

- **Improving the Definition of Hemp Product**

- Article 1, Section 1, Subd. 25: The definition of "hemp product" should include "dietary supplements" and include products for "animal" use or consumption. These additions would provide clarity on popular products that are explicitly authorized in many other states.

- **Clarification of Hemp Product Labeling Requirements**

- The labeling requirements for hemp-derived consumable or topical products could be improved to better align with other states' requirements and provide clarification for product manufacturers, consumers, and enforcement officials. We recommend the following amendments to Article 1, Section 53, Subd. 5:

- (1) ~~Manufacturer, distributor, or packer name, and location or phone number, and website;~~
- (2) ~~name and address of the testing laboratory used by the manufacturer to test the product;~~
- (3) ~~net quantity of contents weight or volume of the product in the package or container;~~
- (4) type of consumable or topical product;

- (5) serving size, if the product is an edible product intended for human consumption;
 - (6) amount or percentage of cannabidiol or any other cannabinoid, derivative, or extract of hemp, per serving and in total;
 - (7) list of ingredients;
 - (8) if the product is dietary supplement, a statement that the product does not claim to diagnose, treat, cure, or prevent any disease and that the product has not been evaluated or approved by the United States Food and Drug Administration unless the product has been so approved;
- We recommend clarifying paragraphs 1 and 2 above because a hemp product's manufacturing process can be proprietary business information. Additionally, multiple businesses may be involved in the manufacturing process and either the manufacturer, distributor, or packer may bear responsibility for the product or be 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 net quantity of contents is a more appropriate standard for consumer awareness than weight or volume given the large variety of hemp products the standard applies to.
 - 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.

- **Authorization of Reasonable Advertising**

- Article 1, Sec. 54, Subd. 1 prohibits advertising that "promotes the overconsumption" of a hemp-derived consumable or topical product. The bill provides no meaningful standard for a hemp manufacturer or retailer or enforcement official to follow to ensure compliance and it is unclear why such a prohibition would apply to hemp products in general. Hemp products are safe and should be exempt from this restriction.
- Subd. 2. and Subd. 4 unjustifiably prohibit the outdoor or unsolicited internet pop-up advertisement of hemp-derived consumable or topical products. There are no health or safety reasons to limit exposure to these products that promote wellness to millions of consumers. No other state in the union includes such restrictions on hemp advertising, causing unnecessary harm to Minnesota retailers and hemp manufacturers.

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,



Jonathan Miller
General Counsel
U.S. Hemp Roundtable

2021 U.S. HEMP ROUNDTABLE

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