

U.S. Hemp Roundtable

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VIA EMAIL

May 21, 2021

Sen. Charles Perry
Chair, Water, Agriculture & Rural Affairs Committee

RE: S.B. 1778 by Sen. Perry - Hemp Clean-up Bill

Senator Perry:

I write on behalf of the U.S. Hemp Roundtable—the hemp industry’s national business advocacy organization—which represents dozens of leading hemp businesses and organizations committed to safe hemp and CBD products. Members are located across the country and represent each link of the hemp supply and sales chain.

As I wrote to your colleagues Rep. Dewayne Burns and Sen. Kelly G. Hancock last month, the Roundtable registers its general support for H.B. 3948 (as amended). The Roundtable is deeply concerned, however, with how H.B. 3948’s companion bill, S.B. 1778, defines a consumable hemp product’s total tetrahydrocannabinol (THC) concentration. The bill defines total THC concentration to include “all isomers, acids, compounds, and other forms of tetrahydrocannabinol.”

This definition goes too far because it includes all isomers of THC, including non-intoxicating isomers such as cannabidiol (CBD). While the Roundtable applauds S.B. 1778’s effort to prohibit intoxicating levels of total THC and artificially or synthetically derived isomers of THC—like delta-8 and delta-10 THC—the bill would effectively ban most legal hemp-derived CBD products. We fear this ban would not only deny Texas consumers safe and legal consumable products but would also negatively impact Texas farmers, who are already facing difficult agribusiness challenges.

Instead, we urge you to amend S.B. 1778 as follows:

(b) For purposes of Subsection (a), the total tetrahydrocannabinol concentration includes ~~all isomers, acids, compounds, and other forms of tetrahydrocannabinol~~ **acid and a tetrahydrocannabinol that is a structural, optical, or geometric isomer of a tetrahydrocannabinol, whether artificially or naturally derived**, and shall be determined without any adjustment for a measurement of uncertainty in a test result.

The Roundtable supports a well-regulated hemp market that rewards responsible actors in the marketplace and protects consumers while discouraging irresponsible business practices. But S.B. 1778’s definition of total THC concentration fails to meet those goals because, in practice, it would penalize responsible actors manufacturing legal hemp products and shutter critical economic markets for Texas hemp farmers.

Sincerely,



Jonathan Miller
General Counsel
U.S. Hemp Roundtable

2021 U.S. HEMP ROUNDTABLE

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