

U.S. Hemp Roundtable

859.244.3255 | info@hempsupporter.com
100 M Street, S.E., Suite 600, Washington, DC 20003

June 30, 2020

State of Nevada
Legal Division
Legislative Counsel Bureau
401 S. Carson St.
Carson City, Nevada 89701
Via Email: Regulations@lcb.state.nv.us

RE: Comments on Proposed Regulation – LCB File No. R034-20

The U.S. Hemp Roundtable appreciates the opportunity to comment on the Nevada Department of Health and Human Services (“DHHS”) Proposed Regulation LCB File No. R0-34-20 concerning the testing, labeling, and related requirements for the sale of hemp or cannabidiol (“CBD”) products intended for human consumption (“the Proposed Regulation”). The Roundtable is the industry’s leading national business advocacy organization that represents over 80 firms from across the country – at each link of the hemp supply and sales chain – and includes the ex officio membership of the industry’s major grassroots organizations.

The Roundtable applauds DHHS’s efforts to establish requirements for the sale of hemp and CBD products in Nevada. We offer the following comments and recommended revisions to the Proposed Regulation that we believe will provide clarity and promote compliance within the industry, as well as uniformity and consistency with applicable federal requirements.

- **Section 3.**
 - “CBD” is defined by reference to NRS 453.033 of Nevada’s Uniform Controlled Substances Act, which defines “CBD” as “cannabidiol, which is a primary phytocannabinoid compound found in marijuana.” We request the deletion of this definition, or the modification suggested below to clarify that CBD that meets definition of “hemp” is not a controlled substance subject to Chapter 435.
 - “CBD” means a cannabinoid derived from “hemp” as defined under NRS 557.160, except that CBD derived from marijuana has the meaning ascribed to it in NRS 453.033.
- **Section 4.**
 - We recommend the following modification to the definition of “Hemp or CBD product” as products “intended for human consumption” may be understood to apply to products intended for ingestion only. In addition, the definition should be expanded to allow hemp or CBD products intended for pets.

~~production run. If the THC content of a production run of a hemp or CBD product has been verified by an independent testing laboratory pursuant to this section and the recipe of the product has not been changed, the homogeneity of the THC content of an additional production run of the product may be verified by testing a single unit or serving from the production run.~~

- **Section 7, 2.**

- We request the following modification to allow additional time for manufacturers or third parties to notify the Division of testing results.
 - 2....The manufacturer or third party, whichever performs the test, shall notify the Division of the results of the testing not later than **24 48** hours after the completion of the testing.

In closing, we appreciate the opportunity to comment on the Proposed Regulation and respectfully urge DHHS to modify the Regulation as described above, as we believe these changes will provide much needed clarity and further encourage compliance within the hemp and CBD industry.

Thank you for your consideration.

Sincerely,



Jonathan Miller
General Counsel
U.S. Hemp Roundtable

2020 U.S. HEMP ROUNDTABLE

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