

Proposed amendments to address lowest-detectable THC levels HSC section 111922 (in red below; **black bolded amendments** already proposed and released to the author by GO.

SEC. 5. Section 111922 of the Health and Safety Code is amended to read:

111922. (a) The department, through regulation **which shall be exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code)**, may determine **or modify** maximum serving sizes for hemp-derived cannabinoids, hemp extract, and products derived therefrom, active cannabinoid concentration per serving size, the number of servings per container, and any other requirements **for foods and beverages**.

(b) **Industrial hemp human food and beverage final form products** ~~Food and beverages~~ shall be prepackaged and shelf stable **and shall also meet the following:**

(1) A single serving of an industrial hemp product will be based on the amount of food or beverage customarily consumed in one eating occasion for that food or beverage.

(2) A single serving of an industrial hemp dietary supplement in pill, tablet, or capsule form shall be one unit.

(3) A product shall not exceed 5 servings per package.

(c)(1) An industrial hemp final form product shall not have a level of total THC that exceeds 0.001 mg/g. A qualified testing laboratory shall establish a Limit of Detection (LOD) of 0.001 mg/g or lower for total THC and a sample shall pass if total THC does not exceed the Limit of Detection.

(2) "Limit of detection" (LOD) means the lowest quantity of a substance or analyte that can be distinguished from the absence of that substance within a stated confidence limit.