



December 3, 2024

Testimony in Opposition to Senate Bill 326  
Jonathan Miller, General Counsel  
U.S. Hemp Roundtable

Chair Wilkin, Vice Chair Reineke, Ranking Member DeMora, and members of the Ohio Senate General Government Committee, my name is Jonathan Miller and I am the General Counsel for the U.S. Hemp Roundtable. Thank you for the opportunity to address our organization's opposition to Senate Bill 326 today.

The U.S. Hemp Roundtable is a coalition of more than 100 leading companies and organizations in Ohio and across the country committed to safe hemp and CBD products. We advocate for science-driven, equitable, and inclusive law and regulation for hemp industries – including agriculture, oilseed, fiber and extracts, such as CBD – to produce a reliable, sustainable supply chain of responsible commerce.

Our association was deeply involved in the development of the 2018 U.S. Farm Bill that legalized hemp and the sale of hemp products, and then the effort in Ohio to similarly change state law in 2019. We seek your support to continue to allow hemp products to be sold here in Ohio as they have been now for years in businesses large and small throughout the state. Consumer demand continues to grow and new products, such as hemp-infused beverages, are entering the market.

We seek to support and maintain Ohio's hemp industry, most especially Ohio's retail and small business communities that currently benefit from the sale of hemp products. Those businesses will be harmed and likely put in jeopardy by a ban on hemp products, particularly those whose entire brick and mortar operation is based on the sale of legal hemp products today.

When the Ohio Senate passed language last December that would ban hemp products containing anything over the extremely low limits of THC of .5 mg/serving or 2 mg per package, the Roundtable immediately raised alarm bells. We noted that those limits would mean almost all of the hemp product market in Ohio would be prohibited, and not just intoxicating products. Common hemp products such as CBD oils, hemp containing beverages, and even some topical hemp products would be banned under such a proposal.

Over the past year, we engaged in extensive conversations with Ohio legislators to suggest alternatives to banning products, such as new regulations for adult-use products, which would address concerns over sales to youth.

We said that we would support stronger enforcement against violators, licensing for manufacturers and sellers, independent testing of hemp products, adequate labeling which prohibits child-enticing images, and age restrictions on the sale of hemp-derived consumable products. Robust regulation is clearly preferable to misguided prohibition in ensuring that products are safe and kept out of the hands of minors.

Despite our many discussions focused on ideas for regulating adult-use products, we were shocked a few weeks ago to be back to square one as we reviewed SB 326 with similarly restrictive limits for THC content as HB 86 contained. We maintain our strong opposition to this approach and oppose any demarcation of “intoxicating” hemp products at those amounts as the science simply does not support it.

That said, we are heartened by the fact that the sponsor of this bill has recently stated the Senate is willing to consider an alternative regulatory approach to the sale of hemp products in Ohio. We know regulation can be developed, as it has been in many other states, that preserves consumer options while addressing policy makers’ stated concerns over safety and youth access. We stand ready to work with the legislature on developing such a policy with meaningful hemp product regulation and appropriate age limitations.

Strict bans will only support illicit sales of these products, with no enforceable safety or age requirements, which does nothing to address the issues legislators have cited as the need for new hemp legislation.

We respectfully submit that a strong regulatory approach to hemp products, without bans, is the best path forward for businesses and consumers alike. Thank you for your consideration. We welcome further discussion on regulating hemp products.

I’m happy to answer any questions at this time.