

## **Hemp Access and Consumer Safety Act**

In 2018, Congress passed the Hemp Farming Act, which legalized the production and sale of industrial hemp and hemp derivatives, including hemp-derived CBD. However, in order for producers to take full advantage of the 2018 law and market hemp derived-CBD products in interstate commerce, the FDA must act, which – two and half years later – it has failed to do.

In recent years, the public has developed a widespread interest in the production and use of CBD, one of the primary non-psychoactive compounds of the hemp plant. However, CBD remains in a regulatory grey zone, and consumers lack certainty that the products they purchase are of the topmost quality, from the highest quality producers, and are meeting standards required of other food and dietary supplement products in the marketplace.

Currently, the Food, Drug, and Cosmetics Act prohibits any new dietary ingredient, food, or beverage from entering the market if it has been studied or approved as a drug. The FDA has the authority to exempt items from this prohibition, but has yet to exempt hemp-derived CBD despite Congressional action to legalize its production and sale. By exempting hemp-derived CBD from the prohibition, the FDA can regulate hemp-derived CBD like all other new dietary ingredients, foods, and beverages.

### **The Hemp Access and Consumer Safety Act would :**

- Give hemp-derived CBD products an opportunity to lawfully be used in dietary supplements, foods and beverages under the Federal Food, Drug and Cosmetic Act.
- Prioritize consumer safety, requiring manufacturers to comply with all existing federal regulations for the products that contain CBD.
- Ensure that these products are properly labeled.

The *Hemp Access and Consumer Safety Act* has support from the Consumer Brands Association, the Wine and Spirits Wholesalers of America, Hemp Roundtable, American Herbal Products Association, Oregon Farm Bureau, Vote Hemp, and the National Industrial Hemp Council.