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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To amend the Federal Food, Drug, and Cosmetic Act with respect to the regulation of hemp-derived cannabidiol and hemp-derived cannabidiol containing substances.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Federal Food, Drug, and Cosmetic Act with respect to the regulation of hemp-derived cannabidiol and hemp-derived cannabidiol containing substances.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REGULATION OF HEMP-DERIVED CANNABIDIOL**
4 **AND HEMP-DERIVED CANNABIDIOL CON-**
5 **TAINING SUBSTANCES.**

6 (a) INCLUSION IN DEFINITION OF DIETARY SUPPLE-
7 MENT.—Section 201(ff)(3)(B) of the Federal Food, Drug,
8 and Cosmetic Act (21 U.S.C. 321(ff)(3)(B)) is amended

1 in each of clauses (i) and (ii) by inserting “(other than
2 hemp-derived cannabidiol or a hemp-derived cannabidiol
3 containing substance)” after “an article”.

4 (b) PROHIBITED ACT.—Section 301(ll) of the Fed-
5 eral Food, Drug, and Cosmetic Act (21 U.S.C. 331(ll))
6 is amended by inserting “(other than hemp-derived
7 cannabidiol or a hemp-derived cannabidiol containing sub-
8 stance)” after “public”.

9 **SEC. 2. MARKETABILITY STUDY AND REPORT.**

10 (a) STUDY.—The Secretary of Agriculture, in con-
11 sultation with other relevant Federal and State agencies,
12 shall complete a study on the market and regulatory bar-
13 riers for producers operating under the domestic hemp
14 production program specified in part 990 of title 7, Code
15 of Federal Regulations (as in effect on the date of enact-
16 ment of this Act).

17 (b) CONTENTS OF STUDY.—The study under sub-
18 section (a) shall include—

19 (1) the costs and requirements for establishing
20 and operating a hemp testing program, including the
21 costs and requirements for operating or contracting
22 with a laboratory approved by the Drug Enforce-
23 ment Agency;

24 (2) the costs and requirements for the destruc-
25 tion of hemp crops determined to be in excess of 0.3

1 percent delta-9 tetrahydrocannabinol or opportuni-
2 ties for remediation or alternative uses;

3 (3) the feasibility of producer compliance with
4 sampling timetables;

5 (4) the feasibility of producer compliance with
6 reporting requirements; and

7 (5) other known or potential challenges by the
8 participation of States or producers in the domestic
9 hemp production program.

10 (c) REPORT.—Not later than 1 year after the date
11 of the enactment of this Act, the Secretary shall submit
12 a report on the study described in this section to the Com-
13 mittee on Agriculture of the House of Representatives and
14 the Committee on Agriculture, Forestry, and Nutrition of
15 the Senate.