



**Resolution calling upon the United States Congress to provide the United States Food and Drug Administration (FDA) the authorities and resources to regulate consumer products containing hemp-derived cannabinoids.**

*Passed November 2023*

**WHEREAS**, cannabinoids are substances derived directly or chemically from the *Cannabis* plant;<sup>1</sup>

**WHEREAS**, under federal law, hemp is any part of the *Cannabis sativa* L. plant containing 0.3 percent or less delta-9 THC on a dry weight basis;<sup>2</sup>

**WHEREAS**, consumer products containing hemp-derived cannabinoids are widely available in the interstate marketplace;

**WHEREAS**, consumer products containing hemp-derived cannabinoids are not subject to federal regulations that establish product safety, ensure product purity or consistency, limit consumer cannabinoid exposure, require accurate product labeling and safety warnings, prohibit marketing to children, or prevent Vaping-Associated Lung Injury;

**WHEREAS**, the inadequacy of federal regulations governing consumer products containing hemp-derived cannabinoids frustrates states' efforts to protect their consumers and public health;

**WHEREAS**, the FDA has concluded, upon a review of scientific evidence, that existing food and dietary supplement authorities are inadequate to manage the risks of cannabidiol (CBD) consumer products, and a new regulatory pathway is needed;<sup>3</sup>

**WHEREAS**, the Cannabis Regulators Association is a nonpartisan association of government agencies engaged in cannabis and hemp regulation across 45 states and territories;

**WHEREAS**, the Cannabis Regulators Association has determined that a new federal regulatory framework and enforcement mechanisms for consumer products containing hemp-derived

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<sup>1</sup> Arijeta Kaba and Sidhartha D. Ray, *Cannabinoids*, 2 *ENCYCLOPEDIA OF TOXICOLOGY* 461-74 (2024).

<sup>2</sup> 7 C.F.R. § 990.1 (2023).

<sup>3</sup> Janet Woodcock, *FDA Concludes that Existing Regulatory Frameworks for Foods and Supplements are Not Appropriate for Cannabidiol, Will Work with Congress on a New Way Forward*, U.S. FOOD AND DRUG ADMINISTRATION (Jan. 26, 2023), <https://www.fda.gov/news-events/press-announcements/fda-concludes-existing-regulatory-frameworks-foods-and-supplements-are-not-appropriate-cannabidiol#:~:text=Today%20we%20are%20announcing%20that,with%20Congress%20on%20this%20matter>.

cannabinoids are urgently needed to mitigate product risks and protect consumers and public health;<sup>4</sup>

**WHEREAS**, the Cannabis Regulators Association has concluded that federal hemp-derived cannabinoid regulations should be based on scientific evidence, and adjustments to such regulations will be essential as additional science emerges;<sup>5</sup>

**THEREFORE, BE IT RESOLVED**, that the National Foundation of Women Legislators (NFWL) recognizes the need for a new federal regulatory framework and enforcement mechanisms for consumer products containing hemp-derived cannabinoids to mitigate product risks and protect consumers and public health;

**BE IT FURTHER RESOLVED**, that the NFWL acknowledges that scientific evidence must underpin hemp-derived cannabinoid regulations, and adjustments to federal regulations will be essential as additional science emerges;

**BE IT FINALLY RESOLVED**, that the NFWL calls upon the United States Congress to provide the FDA the authorities and resources to regulate consumer products containing hemp-derived cannabinoids to mitigate product risks and protect consumers and public health.

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<sup>4</sup> Cannabis Regulators Association, *Cannabis Regulators Association (CANNRA) Response to: Bicameral Congressional Request for Information on the Regulation of CBD and Hemp-Derived Cannabinoid Products* (Aug. 18, 2023), [https://static1.squarespace.com/static/5f7e577e23ad7c718c269776/t/64df8be73b14185fееbc368/1692371974882/CANNRA+Response+to+Hemp+RFI\\_FINAL\\_08172023.pdf](https://static1.squarespace.com/static/5f7e577e23ad7c718c269776/t/64df8be73b14185fееbc368/1692371974882/CANNRA+Response+to+Hemp+RFI_FINAL_08172023.pdf).

<sup>5</sup> Cannabis Regulators Association, *Cannabis Regulators Association (CANNRA) Response to: Bicameral Congressional Request for Information on the Regulation of CBD and Hemp-Derived Cannabinoid Products* (Aug. 18, 2023), [https://static1.squarespace.com/static/5f7e577e23ad7c718c269776/t/64df8be73b14185fееbc368/1692371974882/CANNRA+Response+to+Hemp+RFI\\_FINAL\\_08172023.pdf](https://static1.squarespace.com/static/5f7e577e23ad7c718c269776/t/64df8be73b14185fееbc368/1692371974882/CANNRA+Response+to+Hemp+RFI_FINAL_08172023.pdf).