
A BILL FOR AN ACT

RELATING TO EDIBLE CANNABIS PRODUCTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that studies have shown
2 the benefits of using cannabis to alleviate certain serious
3 illnesses. The legislature further finds that several states
4 permit the sales of edible cannabis products, either for
5 recreational use or for medical use. These states generally
6 place restrictions on the edible cannabis products, such as
7 limiting the amount of psychoactive ingredients per serving,
8 banning manufacturers from making candy-like edibles that might
9 attract children, and requiring proper labeling.

10 The purpose of this Act is to legalize the manufacturing of
11 edible cannabis products for medical purposes and establish
12 basic regulations on edible cannabis products.

13 SECTION 2. Section 328-1, Hawaii Revised Statutes, is
14 amended by amending the definition of "food" to read as follows:

15 ""Food" means:

16 (1) Articles used for food or drink by humans, dogs, or
17 cats;



1 (2) Chewing gum; or

2 (3) Articles used for components of any such article.

3 "Food" does not include edible cannabis products, as defined in
4 section 329D-10."

5 SECTION 3. Section 329D-1, Hawaii Revised Statutes, is
6 amended by amending the definition of "manufactured cannabis
7 product" to read as follows:

8 "Manufactured cannabis product" means any [~~capsule,~~
9 ~~lozenge, oil or oil extract, tincture, ointment or skin lotion,~~
10 ~~pill, transdermal patch, or pre-filled and sealed container used~~
11 ~~to aerosolize and deliver cannabis orally, such as an inhaler or~~
12 ~~nebulizer,~~] product that has been manufactured using cannabis [~~,~~
13 ~~or any other products as specified by the department]~~ pursuant
14 to section 329D-10 [~~(a)(9)] ."~~

15 SECTION 4. Section 329D-9, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

17 "(b) The department shall establish health, safety, and
18 sanitation standards regarding the manufacture of manufactured
19 cannabis products [~~-~~]; provided that:

20 (1) Manufactured cannabis products shall only be
21 manufactured in a facility that meets the minimum



1 sanitary requirements adopted by the department of
2 health that are at least equivalent to the standards
3 for food establishments provided for in chapter 11-50,
4 Hawaii Administrative Rules;

5 (2) Cannabis products shall not be manufactured in any
6 facility permitted by the department of health as a
7 food establishment; and

8 (3) Cannabis products shall not be manufactured in any
9 home kitchen."

10 SECTION 5. Section 329D-10, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "§329D-10 Types of manufactured cannabis products. (a)

13 The types of medical cannabis products that may be manufactured
14 and distributed pursuant to this chapter shall be limited to:

- 15 (1) Capsules;
- 16 (2) Lozenges;
- 17 (3) Pills;
- 18 (4) Oils and oil extracts;
- 19 (5) Tinctures;
- 20 (6) Ointments and skin lotions;
- 21 (7) Transdermal patches;



1 (8) Pre-filled and sealed containers used to aerosolize
2 and deliver cannabis orally, such as with an inhaler
3 or nebulizer; [and]

4 (9) Edible cannabis products; and

5 [~~9~~] (10) Other products as specified by the department.

6 (b) As used in this section [~~7~~ "lozenge"]:

7 "Edible cannabis products" means manufactured cannabis
8 products that are intended to be used, in whole or in part, for
9 human consumption, including but not limited to chewing gum,
10 drinks, baked products, and candy; provided that edible cannabis
11 products:

12 (1) Shall be tested and specifically labeled for each
13 product's dosage and strength;

14 (2) Shall not include products such as gummies, brightly
15 colored candies, or other products that may attract
16 children or bear resemblance to other commercially
17 available products; and

18 (3) May include liquid products that contain no more than
19 ten milligrams of activated tetrahydrocannabinol per
20 serving.



1 "Lozenge" means a small tablet manufactured in a manner to
2 allow for the dissolving of its medicinal or therapeutic
3 component slowly in the mouth."

4 SECTION 6. Section 329D-11, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[+]§329D-11[+] Advertising and packaging. (a) The
7 department shall establish standards regarding the advertising
8 and packaging of cannabis and manufactured cannabis products;
9 provided that the standards, at a minimum, shall require the use
10 of packaging that:

- 11 (1) Is child-resistant and opaque so that the product
12 cannot be seen from outside the packaging;
- 13 (2) Uses only black lettering on a white background with
14 no pictures or graphics;
- 15 (3) Is clearly labeled with the phrase "For medical use
16 only";
- 17 (4) Is clearly labeled with the phrase "Not for resale or
18 transfer to another person";
- 19 (5) Includes instructions for use and "use by date";
- 20 (6) Contains information about the contents and potency of
21 the product;



- 1 (7) Includes the name of the production center where
- 2 cannabis in the product was produced, including the
- 3 batch number and date of packaging;
- 4 (8) Includes a barcode generated by tracking software; and
- 5 (9) In the case of a manufactured cannabis product, [a
- 6 ~~listing~~] includes a:
- 7 (A) Listing of the equivalent physical weight of the
- 8 cannabis used to manufacture the amount of the
- 9 product that is within the packaging, pursuant to
- 10 section 329D-9(c) [-];
- 11 (B) Clearly labeled warning stating that the product:
- 12 (i) Is a medication that contains cannabis, and
- 13 is not a food;
- 14 (ii) Should be kept away from children; and
- 15 (iii) Contains nuts or other known allergens, if
- 16 applicable; and
- 17 (C) Date of manufacture.
- 18 (b) Any capsule, lozenge, or pill containing cannabis or
- 19 its principal psychoactive constituent tetrahydrocannabinol
- 20 shall be packaged so that one dose, serving, or single wrapped
- 21 item contains no more than ten milligrams of



1 tetrahydrocannabinol; provided that no manufactured cannabis
2 product that is sold in a pack of multiple doses, servings, or
3 single wrapped items, nor any containers of oils, shall contain
4 more than a total of one hundred milligrams of
5 tetrahydrocannabinol per pack or container.

6 (c) All manufactured cannabis products shall be
7 individually wrapped at the original point of manufacture."

8 SECTION 7. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 8. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 9. This Act shall take effect on January 1, 2050.

14



Report Title:

Medical Cannabis; Edible Cannabis Products

Description:

Allows and regulates the manufacturing of edible cannabis products as manufactured cannabis products by licensed medical cannabis dispensaries. Establishes requirements for manufacturing, handling, labeling, and packaging of manufactured cannabis products. Takes effect on 1/1/2050. (SD1)

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