

JAN 22 2021

A BILL FOR AN ACT

RELATING TO HEMP.

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

1 SECTION 1. Act 14, Session Laws of Hawaii 2020, is amended
2 by amending section -C contained in section 2 of the Act to
3 read as follows:

4 "**§ -C Hemp processing; hemp product sale and**
5 **prohibitions; labeling.** (a) No hemp shall be processed into
6 hemp products, nor shall any hemp processor hold for processing
7 or sale any hemp, unless lawfully obtained from a person
8 approved or otherwise authorized by applicable federal, state or
9 local law to cultivate hemp plants.

10 (b) Hemp and hemp products shall be processed within an
11 enclosed indoor facility secured to prevent unauthorized entry.
12 Hemp, hemp products, and any toxic or otherwise hazardous by-
13 products of hemp processing, or by-products, including but not
14 limited to delta-9 tetrahydrocannabinol, shall be stored within
15 an enclosed indoor facility, secured to prevent unauthorized
16 entry in a manner that prevents cross-contamination and
17 unintended exposures.



1 (c) Hemp shall not be processed within 500 feet of a pre-
2 existing playground, school, state park, state recreation area,
3 residential neighborhood, hospital, or daycare facility.

4 (d) Hemp shall not be processed using butane in an open
5 system where fumes are not contained or by use of any other
6 method of processing the department determines poses a risk to
7 health and safety.

8 (e) No person shall sell, hold, offer, or distribute for
9 sale any food, as that term is defined in section 328-1, into
10 which a cannabinoid, synthetic cannabinoid, hemp extract, hemp
11 derivatives or other hemp product that has been added as an
12 ingredient or component. This section shall not apply to hemp
13 that is generally recognized as safe (GRAS) by FDA for use in
14 foods, as intended, in a public GRAS notification.

15 (f) No person shall sell, hold, offer, or distribute for
16 sale any hemp product into which a synthetic cannabinoid has
17 been added.

18 (g) No person shall sell, hold, offer, or distribute for
19 sale any cannabinoid products used to aerosolize for respiratory
20 routes of delivery, such as an inhaler, nebulizer or other
21 device designed for such purpose.



1 (h) No person shall sell, hold, offer, or distribute for
 2 sale, any hemp leaf or hemp floral material that is intended to
 3 be smoked or inhaled, including but not limited to hemp cigars
 4 or hemp cigarettes.

5 (i) Except for hemp products intended for external topical
 6 application to the skin or hair, no person shall sell, hold,
 7 offer, or distribute for sale any products containing hemp or
 8 hemp derivatives that are intended to be introduced via non-oral
 9 routes of entry to the body, including but not limited to, use
 10 in eyes, ears, and nasal cavities.

11 (j) No person shall sell, hold, offer, or distribute for
 12 sale, hemp products without a label, in a form prescribed by the
 13 department, affixed to the packaging that [~~identifies~~] includes,
 14 at a minimum, the following:

- 15 (1) The hemp product name;
- 16 (2) A list of all ingredients;
- 17 (3) The name and business address of the hemp processor;
- 18 (4) A statement reading "This product has not been
 19 evaluated by the United States Food and Drug
 20 Administration and is not intended to diagnose, treat,
 21 cure, or prevent any disease"; and



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1 (5) Confirmation that the hemp product [~~as having~~] has
2 been tested pursuant to department rules.

3 (k) No person shall sell, offer, or distribute for sale
4 any hemp product to any individual under twenty-one years of
5 age."

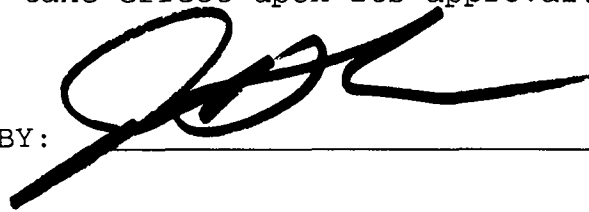
6 SECTION 2. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: _____

A large, bold, handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be the initials 'JBL'.

S.B. NO. 317

Report Title:

Hemp Products; Hemp Processors; Product Labeling; Purchasing Age

Description:

Amends Act 14, Session Laws of Hawaii 2020, to require hemp product labels to include the product name; ingredients; the name and business address of the help processor; and a warning that the product has not been evaluated by the Food and Drug Administration. Prohibits the sale, offer, or distribution for sale of hemp products to any individual under 21 years of age.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

