

# U.S. Hemp Roundtable

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## TESTIMONY OF JONATHAN MILLER, GENERAL COUNSEL OF THE U.S. HEMP ROUNDTABLE

### *Food and Drug Administration's (FDA) Public Hearing on Scientific Data and Information: Products Containing Cannabis or Cannabis-Derived Compounds*

Silver Spring, MD  
May 31, 2019

The U.S. Hemp Roundtable is the hemp industry's leading business advocacy organization, committed to fostering regulatory discussions about hemp products and building an accountable industry. With members from more than sixty firms from across the country, the Roundtable's Board of Directors and members constitute many of the hemp industry's largest businesses. We also are closely aligned with the Hemp Industries Association, the industry's leading trade association and grassroots force.

Today, hemp is used in a variety of products including clothing, biofuels, personal care, and food. Hemp also supports U.S. farmers, as the durable crop grows in a variety of climates and soil types, opening up bright new economic opportunities for American agriculture. Due to recent growth, economic experts are predicting a multi-billion-dollar U.S. hemp industry by 2020.

During most of the last century, hemp has been mistakenly classified as a controlled substance and has not been legal to grow in the U.S. That all changed a few years ago when the U.S. Congress and more than 40 state legislatures permitted hemp cultivation as part of agricultural pilot programs. With this, thousands of jobs have been created across the country, and American farmers have started to realize this meaningful new economic opportunity.

This successful experiment is now becoming a permanent reality. Together, citizens from across government, the agricultural industry, U.S. manufacturers, the small business community, and beyond, helped secure passage of the 2018 Farm Bill that established hemp as an agricultural commodity, permanently removing it from the purview of the Controlled Substances Act.

But there's more work to do.

Over the past several weeks, the U.S. Hemp Roundtable and our industry partners have been advising members of Congress on the drafting of legislation that would provide a more efficient pathway for CBD, while the FDA considers a rulemaking to allow the use of CBD in food and dietary supplements. We believe Congress clearly intended on having hemp-derived products available to consumers as food and dietary supplements when it passed the 2018 Farm Bill.

The Roundtable appreciates the FDA's willingness to work with stakeholders to develop an appropriate framework for hemp-derived CBD as a dietary supplement ingredient and food ingredient. However, we believe the FDA has all the tools necessary to expeditiously issue a rule allowing CBD in foods and dietary supplements. Multiple reviews, including the World Health Organization's June

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2018 Critical Review of Cannabidiol and ones from the FDA itself, have found that CBD is safe, with a growing body of scientific research that demonstrates CBD's potential benefits.

Although hemp-derived CBD is safe, our members are not just relying on the current scientific literature, but they are also investing millions of dollars to conduct their own safety studies. We know that some of our members will be providing this safety data to the FDA.

Finally, it is important to mention the U.S. Hemp Authority's Certification Program -- our industry's initiative to provide high standards, best practices and self-regulation, giving confidence to consumers and law enforcement that hemp products are safe and legal. This effort was seed funded by the U.S. Hemp Roundtable, joined by organizations such as the Hemp Industries Association, top-tier testing laboratories, and quality assessors. The initiative provides comprehensive guidance for growers and processors of hemp to help ensure the safety and quality of hemp-derived products including CBD. We welcome the opportunity to discuss this important initiative with the FDA, and use what we've learned to help establish timely measures of quality, safety, and transparency for the entire industry.