

Concise Explanatory Statement

Rhode Island Government Register

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: Rhode Island Department of Business Regulation
("Department")

DIVISION: The Office of Cannabis Regulation ("OCR")

RULE IDENTIFIER: 230-RICR-80-10-01

REGULATION TITLE: Rhode Island Industrial Hemp Program

RULEMAKING ACTION: Direct Final Amendment

PUBLIC COMMENT PERIOD: May 12, 2022, to June 11, 2022

A. Statement of Purpose of the Amendments.

The Department proposed to delete § 1.11(J)(5) wherein it prohibited a retailer from selling products intended for aerosolization or vaporization. The final version of the 2021 amendments (effective 10/10/21) deleted a similar and symbiotic provision at § 1.11(H)(1)(f), as represented in the last Concise Explanatory Statement. Vape delivery systems and their associated cartridges/products are already regulated pursuant to 216-RICR-50-15-6, Licensing of Electronic Nicotine-Delivery System Distributors and Retailers, administered by RIDOH. § 1.11 (J)(5) should have been deleted in conjunction with § 1.11(H)((1)(f) in the 2021 proposed amendments. This rulemaking corrected that oversight.

B. Summary of the Regulatory Analysis.

There are no costs associated with this amendment. The benefits of this amendment are a reduction in confusion for retailers and businesses that sell CBD. In the development of the proposed amendment, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

C. Changes to the Text of the Rule

One question was received that inquired whether hemp-derived CBD vape products were regulated in Rhode Island as a hemp-derived CBD products or Electronic Nicotine-Delivery System (ENDS) products. This question made no comment on the proposed regulation.

No objections were received.

The final rule is the same as what was proposed.