

CONCISE EXPLANATORY STATEMENT

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 Cannabis Control Commission

RULE IDENTIFIER: 560-RICR-10-20-1

REGULATION TITLE: Rhode Island Industrial Hemp Program

REASON FOR RULEMAKING: Full Rulemaking, Adoption

The reason for this rule is to describe the licensing and regulation requirements of industrial hemp growth, production, distribution and retail sales as provided for in the Hemp Growth Act, R.I. General Laws Chapter 2-26. In accordance with amendments made to the Hemp Growth Act, as amended by H5076 effective July 1, 2025, regulatory authority over the state’s industrial hemp program has transferred from the Department of Business Regulation (“DBR”) to the Rhode Island Cannabis Control Commission (“Commission”). As a result of the legislative amendment, which did not contain any transitionary time period between DBR and the Commission, upon enactment the DBR regulations governing the Industrial Hemp Program, 230-RICR-80-10-1, were rendered unenforceable by DBR and the Commission was required to immediately promulgate its own regulations to ensure a regulatory framework was in place for existing licensees and to maintain public safety.

The Commission immediately promulgated the existing DBR regulations under the Commission’s regulatory title as an emergency rule, with only minimal changes made to the text of the regulations to effectuate the aforementioned transition of authority between DBR and the Commission. The enacted emergency rule allowed the Commission to transition the existing hemp program—which, among other things, oversees the sale of intoxicating hemp products—to the Commission’s jurisdiction, maintain continuity for existing licensees and consumers, ensure there was no lapse in enforcement, and mitigate public safety concerns while ensuring the maintenance of public health. Through this proposed rulemaking the Commission now seeks to

promulgate the content of the existing emergency rule as a proposed final rule, thereby keeping in place the current regulatory structure beyond the effective period of the emergency rule.

The Commission also intends to continue studying regulatory hemp issues and make more substantive changes to the currently proposed hemp regulation in the future. In the most recent legislative session, the General Assembly enacted joint resolution H6270A, which requests that the Commission conduct a study regarding industrial hemp and devise recommendations regarding a number of regulatory topics, including but not limited to dosage limits, packaging standards, labeling requirements, licensing conditions and age requirements. The Commission intends to conduct this comprehensive hemp study, which is requested (in the resolution) to be completed by March 1, 2026, and devise recommendations concerning hemp regulation for the General Assembly. The Commission intends to use the public comments received during the recent public comment period for the proposed regulation, as described below, to inform the Commission's study and recommendations. The Commission further intends to use this working group study to delve deeply into issues surrounding the regulation of industrial hemp—which is constantly evolving—and, while also providing important recommendations to the General Assembly, use the study to craft proposed future amendments to improve upon the Commission's own regulatory framework.

REGULATORY ANALYSIS:

All industrial hemp licensees and applicants seeking to become licensed must comply with the requirements set forth in this regulation. There are no new costs associated with this proposed regulation that did not already exist previously.

Overall, this regulation implements existing statutory and regulatory requirements and does not impose any additional regulatory burdens or costs for individuals or licensees that are not already in existence.

In the development of the proposed adoption 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 at this time.

SUMMARY OF COMMENTS RESULTING IN POST-COMMENT CHANGES TO TEXT OF THE RULE:

There were no comments resulting in post-comment changes to the text of the proposed rule.

SUMMARY OF COMMENTS NOT RESULTING IN REGULATORY LANGUAGE CHANGES:

Below is a summary of public comments received that did not result in changes to the text of the regulation, and a brief description of the Commission's reason(s) for not making any such changes after due consideration.

1. Commentary was received requesting allowing safe harbor for manufacturers to produce hemp-derived beverages for export, noting that without it, Rhode Island businesses may be at a competitive disadvantage in higher-THC markets.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

2. Commentary was received commending the proposed rule for maintaining continuity with the effective framework previously administered by the Department of Business Regulation.

This public comment is a commendation and does not require a response.

3. Commentary was received encouraging the Commission to study the broader industrial hemp market, noting neighboring states' varying approaches and the need for regional alignment while ensuring safety and stability.

The Commission made no substantive changes to the regulatory language based on this public comment; the Commission intends to study the broader industrial hemp market in the future and the public comment will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

4. Commentary was received recommending that hemp pre-rolls and vape products not be classified as tobacco, since this restricts hemp licensees from producing comparable non-intoxicating products and excludes small farms and manufacturers from a key segment of the state's cannabis economy.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

5. Commentary was received urging preserving full-spectrum CBD tinctures and other long-established hemp products.

The Commission made no substantive changes to the corresponding regulatory language; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

6. Commentary was received urging permitting the responsible sale of hemp flower, pre-rolls, vapes, and beverages under clear COA and labeling requirements to align Rhode Island's hemp program with federal law and neighboring states.

The Commission made no substantive changes to the corresponding regulatory language; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

7. Commentary was received requesting a public hearing on the hemp regulatory process to ensure participation from small businesses in Rhode Island.

The Commission declines to hold a public hearing on this regulation at this time, as no substantive changes were made to the regulatory language and there existed ample opportunity for written public comment.

8. Commentary was received requesting a science-based approach to the regulations to protect consumers and support local businesses.

The Commission declines to make any substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

9. Commentary was received requesting considering product-specific THC allowances (e.g., tinctures, beverages, gummies) to promote product diversity and better consumer outcomes while maintaining clear safety standards.

The Commission declines to make any substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

10. Commentary was received expressing support for consumer protections while also raising concern that several proposed rules, as written, could negatively impact farmers, small businesses, and consumers in Rhode Island.

The Commission made no substantive changes to the corresponding regulatory language; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

11. *§ 1.5, Definitions.* Commentary was received noting the “cannabinoids” should be defined as compounds acting on cannabinoid receptors, including both naturally occurring phytocannabinoids (e.g., delta-9-tetrahydrocannabinol (delta-9-THC), cannabidiol (CBD), cannabigerol (CBG), cannabinol (CBN), cannabichromene (CBC), cannabidivarian (CBDV)) and synthetic cannabinoids produced or chemically converted by human processes.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

12. *§ 1.5, Definitions.* Commentary was received noting that “phytocannabinoids” should be defined as cannabinoids naturally biosynthesized within the hemp plant, producing in glandular trichomes, including compounds such as delta-9-tetrahydrocannabinol (delta-9-THC), cannabidiol (CBD), cannabigerol (CBG), cannabinol (CBN), cannabichromene (CBC), cannabidivarian (CBDV), cannabigerovarian (CBGV), cannabichromevarin (CBCV), tetrahydrocannabinolic acid (THCA), cannabidiolic acid (CBDA), and cannabigerolic acid (CBGA), and other molecules verified by peer-reviewed research or recognized scientific evidence.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

13. *§ 1.5, Definitions.* Commentary was received noting that “synthetic cannabinoids” should be defined as cannabinoids or analogs artificially created or chemically converted by human processes—including conversion of cannabidiol (CBD) or other cannabinoids into delta-9-tetrahydrocannabinol (delta-9-THC), delta-8-tetrahydrocannabinol (delta-8-THC), or related analogs—excluding naturally occurring phytocannabinoids or cannabinoids formed through post-harvest processes like decarboxylation, oxidation, or aging.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

14. § 1.5, *Definitions*. Commentary was received noting that “terpenes” should be defined as volatile organic compounds naturally produced by hemp and other plants that contribute to aroma, flavor, and potential synergistic effects with cannabinoids, including myrcene, limonene, pinene, linalool, and caryophyllene, with non-cannabis-derived terpenes treated equivalently if they meet all purity and safety standards.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

15. § 1.5(A)(2), *Definitions*. Commentary was received requesting retaining the prior 100 milligrams THC per tincture allowance for therapeutic products to support patient and consumer wellness.

The Commission made no substantive changes to the corresponding regulatory language; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

16. § 1.5(A)(2), *Definitions*. Commentary was received recommending establishing new THC limits for the “inhalable concentrates” product type.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

17. § 1.5(A)(2), *Definitions*. Commentary was received recommending that hemp-derived beverage regulations be science-based, such as a 15:1 CBD:THC ratio, to allow safe, accessible beverages while balancing stakeholder interests.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

18. § 1.5(A)(1)-(2), *Definitions*. Commentary was received stating that “serving” and “package” should be clearly defined, with a Total THC limit of under one milligram of delta-9-THC per package for all hemp-derived consumables, to prevent products from meeting the 0.3% THC limit by weight while still causing intoxication.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

19. § 1.5(A)(2), *Definitions*. Commentary was received stating that post-harvest testing should not be required, as it is not mandated under federal law and could risk noncompliance for outdoor farms.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

20. § 1.5(A)(2), *Definitions*. Commentary was received expressing concern that the THC limits of one (1) milligram per serving and five (5) milligrams per package are far below the previous allowance of 100 mg per tincture, which patients have relied on.

The Commission made no substantive changes to the corresponding regulatory language; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

21. § 1.5(A)(2), *Definitions*. Commentary was received urging revising the per-serving and per-package THC limits to match federal standards or implementing a CBD:THC ratio limit that preserves full spectrum products.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

22. § 1.5(A)(2), *Definitions*. Commentary was received recommending removing the post-harvest Total THC test or, if retained, allowing up to 1% Total THC post-harvest, consistent with prior DBR guidance documents.

The Commission made no substantive changes to the corresponding regulatory language; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

23. § 1.5(A)(2), *Definitions*. Commentary was received suggesting adopting a framework like New York’s, allowing up to one (1) milligram THC per serving and ten (10) milligrams THC per package for general hemp consumables, while permitting higher Total THC in products that maintain a minimum 15:1 CBD:THC ratio, which formulations are scientifically recognized as non-intoxicating.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

24. § 1.5(A)(1)-(2), *Definitions*. Commentary was received stating that “serving” and “package” should be clearly defined, with a Total THC limit of under one milligram of delta-9-THC per package for all hemp-derived consumables, to prevent products from meeting the 0.3% THC limit by weight while still causing intoxication.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

25. § 1.5(A)(1)-(2), *Definitions*. Commentary was received recommending requiring a 10:1 CBD:THC ratio per serving to ensure CBD remains the primary component of hemp products.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

26. § 1.5(C), *Definitions*. Commentary was received expressing that hemp products should be tested by licensed Rhode Island cannabis labs and held to the same standards as cannabis.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

27. § 1.5(C), *Definitions*. Commentary was received expressing that out-of-state testing labs should be individually approved by RIDOH to ensure they meet or exceed Rhode Island’s standards.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

28. § 1.5(C), *Definitions*. Commentary was received expressing concerns about a gap in testing for the shelf stability of canned hemp-derived beverages.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

29. § 1.5(P), *Definitions*. Commentary was received stating that hemp-derived consumable CBD products may contain cannabidiol from hemp as defined by law, and recommended that for out-of-state hemp, buyers must verify through pre- and post-harvest testing by labs meeting Rhode Island standards that all cannabinoids originate from hemp.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

30. § 1.6, *Application Process – Grower and Handler*. Commentary was received recommending adding specific provisions for bulk out-of-state delta-9-THC, including requirements to verify it is derived from hemp and disclosure of the processes used to isolate the cannabinoids.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

31. § 1.6(E)(6), *Application Process – Grower and Handler*. Commentary was received recommending requiring an attestation that products are not made from synthesized materials.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

32. § 1.8(G), *Issuance of Licensing Agreement and License*. Commentary was received requesting defining “growing area” as the fields, plots, or rows designated for hemp cultivation and clarifying that THC-rich cannabis plants permitted under recreational or medical laws may be cultivated in separate locations on the same property without conflict.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

33. § 1.8(I), *Issuance of Licensing Agreement and License*. Commentary was received requesting that hemp products containing synthesized, converted, or isolated delta-9-THC not be sold in Rhode Island, regardless of origin, to close a regulatory loophole.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

34. § 1.8(I), *Issuance of Licensing Agreement and License*. Commentary was received agreeing that hemp licensees should not be permitted to convert CBD or any other cannabinoid into delta-9-THC or other cannabinoids.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

35. § 1.8(I), *Issuance of Licensing Agreement and License*. Commentary was received noting that while the sale of synthetic cannabinoids is prohibited unless approved by a variance, out-of-state manufacturers appear to bypass this, and recommended stronger enforcement, required pre-import verification, additional documentation, and stricter testing for out-of-state cannabinoids.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

36. § 1.9(D)(1)(a), *Testing*. Commentary was received requesting the development of outdoor-specific testing standards that reflect the conditions of field-grown hemp and cannabis.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

37. § 1.9(D)(1)(a), *Testing*. Commentary was received requesting that the regulations clearly address both CBD-rich hemp and THC-rich outdoor cannabis to ensure fairness and scientific accuracy.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

38. § 1.9(D)(4)(a), *Testing*. Commentary was received expressing concern about the ability to enforce this provision when out-of-state labs are used.

The Commission declines to make the suggested substantive changes to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

39. § 1.9(D)(7)(d), *Testing*. Commentary was received questioning why hemp and cannabis are tested differently, urging adoption of dry weight testing for cannabis—similar to Massachusetts—to ensure consistency and improve market competitiveness.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

40. § 1.10, *Program Registry Identification Cards*. Commentary was received requesting revising the requirement that all employees of hemp beverage producers hold a cannabis registration card, noting that applying this to non-Rhode Island staff in roles like finance, sales, and marketing is burdensome and may deter larger companies from operating in the state.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

41. *§ 1.10, Program Registry Identification Cards.* Commentary was received recommending requiring hemp licensees to complete a Form 2, similar to cannabis licensees, to provide public transparency on cannabinoid retailers.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

42. *§ 1.10(B)(5), Program Registry Identification Cards.* Commentary was received questioning why hemp licensees should be treated differently, noting that cannabis licensees pay \$100 per registry card.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

43. *§ 1.11, Operational Requirements.* Commentary was received recommending establishing a daily purchase limit for total THC from hemp products, set significantly lower than the cannabis dispensary limit.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

44. *§ 1.11(B)(1), Limitations on Sales and Transfers.* Commentary was received recommending that licensees only source of hemp from intrastate partners meeting Rhode Island standards to avoid disadvantaging local businesses.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

45. *§ 1.11(B)(2), Limitations on Sales and Transfers.* Commentary was received recommending that any out-of-state testing be held to the same standards as Rhode Island's in-state testing.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

46. § 1.11(B)(4), *Limitations on Sales and Transfers*. Commentary was received recommending stronger requirements for licensees to demonstrate compliance with the Hemp Growth Act, particularly § 1.8(I), including proof that cannabinoids originate from hemp and are not synthesized, along with enforcement mechanisms.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

47. § 1.11(C)(4), *Inventory Tagging*. Commentary was received urging clarifying that resealable packaging is not required if packaging complies with § 1.11(C)(4), aligning with federal standards, reducing burdens, and providing clarity for operators and regulators.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

48. § 1.11(G), *Allowable Product Types*. Commentary was received requesting explicitly allowing hemp seedlings and plant starts with $\leq 1\%$ Total THC as an allowable retail product type.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

49. § 1.11(G), *Allowable Product Types*. Commentary was received requesting extending the “Cannabis Exemption” to hemp and CBD licensees, explicitly recognizing hemp pre-rolls and rolling papers as non-tobacco cannabis products to prevent unfair taxation and packaging restrictions.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

50. § 1.11(G), *Allowable Product Types*. Commentary was received recommending collaboration with the Division of Taxation to remove hemp vape cartridges from the definition of tobacco products and establish clear, product-specific Total THC limits to support compliance and market growth.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

51. § 1.11(G), *Allowable Product Types*. Commentary was received recommending a uniform standard permitting hemp-derived beverages with under one milligram THC per serving and 10 milligrams per package, with a 15:1 CBD:THC ratio for higher-dose therapeutic products.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

52. § 1.11(G), *Allowable Product Types*. Commentary was received recommending clarifying distribution pathways so that hemp-derived beverages with a CBD:THC ratio above 15:1 may be sold in traditional retail outlets, while those below 15:1 are sold through cannabis dispensaries, ensuring consumer safety and supporting both sectors.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

53. § 1.11(G), *Allowable Product Types*. Commentary was received urging that labeling and testing requirements for hemp-derived THC beverages be consistent with other hemp consumables, including clear dosage information to ensure safety, accessibility, and economic viability.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

54. § 1.11(G), *Allowable Product Types*. Commentary was received recommending establishing clear pathways for hemp licensees to produce and sell non-intoxicating pre-

rolls and vape cartridges within federally compliant THC limits to support local farms, expand consumer choice, and strengthen Rhode Island's in-state cannabis supply chain.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

55. § 1.11(H)(1)(c), *Product Prohibitions*. Commentary was received requesting defining “synthetic cannabinoids” as compounds not naturally occurring in the cannabis plant and produced solely through artificial chemical synthesis.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

56. § 1.11(H)(1)(c), *Product Prohibitions*. Commentary was received requesting clarification that hemp-derived isolates of naturally occurring cannabinoids (CBD, CBG, CBN, CBC, etc.) are permitted in hemp-derived consumable products to prevent misclassification.

The Commission declines to make the suggested change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

57. § 1.11(H)(1)(c), *Product Prohibitions*. Commentary was received suggesting distinguishing between intoxicating cannabinoids and non-intoxicating cannabinoids to ensure consumer access to safe, well-documented hemp-derived products.

The Commission declines to make the suggested change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

58. § 1.11(H)(1)(c), *Product Prohibitions*. Commentary was received recommending that licensees be required to prove that retail hemp-derived CBD products do not contain synthetic cannabinoids, with enforcement mechanisms established for the regulating body.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

59. § 1.11(I)(1), *Packaging and Labeling Requirements for allowable Hemp-Derived Consumable CBD Products available for sale to a consumer at retail*. Commentary was received that suggested that hemp-derived beverages with up to five (5) milligrams Total THC per container to use non-resealable, child-resistant packaging to align with adult-use cannabis beverages and ensure regulatory consistency.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

60. § 1.11(I)(1), *Packaging and Labeling Requirements for allowable Hemp-Derived Consumable CBD Products available for sale to a consumer at retail*. Commentary was received that recommended adding a “CONTAINS THC – 5 MG TOTAL – SINGLE SERVING” label on hemp-derived beverages capped at five (5) milligrams Total THC per container to ensure consumer awareness and align with the Adult Use labeling requirements.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

61. § 1.11(I)(1), *Packaging and Labeling Requirements for allowable Hemp-Derived Consumable CBD Products available for sale to a consumer at retail*. Commentary was received suggesting that hemp-derived beverages exceeding five (5) milligrams of Total THC per container require a resealable closure and comply with all other packaging provisions, noting that mandating resealable packaging for low-dose, single-serve beverages would raise per-unit costs and harm local competitiveness.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

62. § 1.11(I)(2)(a), *Labeling Requirements*. Commentary was received expressing concern that current hemp labeling requirements—such as listing solvents, gases, or other chemical compounds—are not being followed, and recommended that noncompliant

products be removed from shelves and violators be fined, as is done for cannabis products.

The public comment makes an enforcement suggestion and does not suggest a change to the regulatory language.

63. § 1.11(I)(2)(a)(5), *Packaging and Labeling Requirements for allowable Hemp-Derived Consumable CBD Products available for sale to a consumer at retail*. Commentary was received requesting that hemp-derived products be required to contain on the label any non-naturally derived cannabinoids, rather than mandating cannabis cultivators to label for delta-9-THC.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

64. § 1.11(I)(2)(a)(8), *Labeling Requirements*. Commentary was received recommending that labeling documentation include information on any pesticides and nutrients used during hemp cultivation.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

65. § 1.11(I)(3)(a), *Packaging and Labeling Prohibitions*. Commentary was received recommending including a prohibition on marketing that could mislead consumers into believing a hemp product contains cannabis.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

66. § 1.11(I)(4), *Warnings*. Commentary was received recommending that THC warnings be displayed in a yellow box with at least size 8 font to protect children from accidental consumption.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

67. § 1.11(J), *Advertising and Marketing*. Commentary was received requesting that labeling and marketing of hemp products be clearly distinguished from cannabis products to prevent consumer confusion.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

68. § 1.11(J)(3), *Advertising and Marketing*. Commentary was received recommending specifying that advertising should not reference THC exclusively.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

69. § 1.11(K)(3), *Retail Sales*. Commentary was received requesting clarification that “separate location” may refer to a distinct self, cabinet, or room on the same premises, provided products are clearly labeled and separated from non-CBD items to ensure consistent and practical application for retailers.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

70. § 1.11(M)(2), *Recalls*. Commentary was received recommending including provisions addressing mislabeling and improper packaging of multiple servings.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

71. § 1.12, *Methods of Extraction*. Commentary was received recommending allowing licensed THC-rich cannabis cultivators to process and extract hemp under their existing cannabis licenses to reduce redundancy, expand extraction access, and strengthen Rhode Island’s in-state supply chain.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

72. § 1.12(A), *Methods of Extraction*. Commentary was received recommending that compliance with these standards apply both in Rhode Island and other states, and that the licensee purchasing the product should be required to provide proof of the same.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

73. § 1.12(D), *Methods of Extraction*. Commentary was received expressing concern that products prohibited in Rhode Island are still being sold from other states and recommends stronger enforcement of this section.

The public comment makes an enforcement suggestion and does not suggest a change to the regulatory language.

74. § 1.13(A)(1), *Reporting Requirements*. Commentary was received recommending that any certified laboratory be approved by RIDOH to ensure compliance with Rhode Island regulations.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

75. § 1.13(A)(1)-(7), *Reporting Requirements*. Commentary was received recommending requiring these standards for out-of-state CBD consumables.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

76. § 1.13(D)(1)(a), *Reporting Requirements*. Commentary was received recommending that this information be made available to the public upon request.

The identified information is available to the public upon request, no change to the regulations needs to be made to effectuate this availability.

77. *§ 1.13(D)(2)-(3), Reporting Requirements.* Commentary was received recommending that this reporting requirement apply to all license types.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

78. *§ 1.14, Institutes of Higher Education.* Commentary was received recommending the addition of explicit protections for institutions of higher education to ensure they are not penalized under state law or regulation for participating in cannabis or hemp research, stating that such protections would demonstrate state support for cannabis science and education, reduce institutional risk, and encourage research partnerships.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

79. Commentary was received emphasizing that a safe and effective regulatory framework—that protects the health and wellbeing of production employees, consumers, livestock, international customers, and the environment—is essential to the success of the American industrial hemp industry.

The public comment makes an general suggestion and does not suggest a specific change to the regulatory language.

80. Commentary was received encouraging the exemption of industrial hempseed (hemp seed or grain), stalks and branches, roots, and all food, feed, fiber, natural health, and non-prescription drug products derived from these plant tissues from regulations intended for high-THC cannabis or products containing concentrated, isolated, or semi-synthetic phytocannabinoids extracted from *Cannabis sativa* L. plant.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

81. Commentary was received endorsing the regulation of phytocannabinoid extraction from industrial hemp and high-THC cannabis flowers under the same framework as high-THC cannabis.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

82. Commentary was received stating that maintaining clear distinction between the three industrial sectors—medical cannabis (disease reduction and therapeutics), adult use cannabis (intoxication and recreation), and industrial hemp (food, feed, and fiber)—has allowed many jurisdictions to develop appropriate, risk-informed regulations tailored to each sector.

The public comment makes a general suggestion and does not suggest a specific change to the regulatory language.

83. Commentary was received noting the importance of ensuring that any regulatory framework includes safeguards to prevent fraud and the diversion of unsafe or illegal products into the food, feed, or phytochemical extraction sectors.

The Commission declines to make the suggested change to the regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

84. Commentary was received recommending that hemp cultivation not require licensing, asserting that it should be regulated in the same manner as other agricultural or horticultural sectors under the authority of agricultural agencies, consistent with guidance from the United Nations Conference on Trade and Development.

Requiring a license for hemp cultivation is a statutory requirement.

85. Commentary was received recommending that, if multi-year licensing for hemp cultivators is adopted, such licensing should encompass activities including the purchase of hempseed for sowing, cultivation of hemp plants, and sale of hemp products such as whole plants, hempseed or grain, stalks and branches, roots, and flowers and leaves.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

86. Commentary was received recommending that hemp cultivators be permitted to engage in multi-purpose production, including grain-flower, fiber-flower, or grain-fiber-flower cultivation.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

87. Commentary was received recommending that criminal background checks not be required for hemp cultivators, hempseed processors, and other hempseed handlers in jurisdictions where phytocannabinoid extraction from hemp flowers is separately regulated under elevated licensing requirements.

Requiring a criminal background check for all applicants is a statutory requirement.

88. Commentary was received noting that representative sampling and random testing for total available delta-9-THC in flowers and leaves at the physiological maturity is standard practice where hemp is grown for hempseed production, including breeder, select, foundation, registered, certified, and non-certified seed types.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

89. Commentary was received recommending that pre-harvest THC testing not be required for commercially grown hemp plants when cultivators use recognized industrial hemp varieties certified by globally recognized programs, proven to produce plants with THC levels in flowers and leaves at physiological maturity within regulated limits.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

90. Commentary was received noting that mandatory pre-harvest THC testing is required in jurisdictions that do not mandate certified hempseed for sowing, and where certified compliant seed is not regulated, USDA performance-based representative sampling with standardized protocols should be implemented by the USDA or relevant state authorities.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

91. Commentary was received recommending raising the maximum total available delta-9-THC from 0.3% to 1%, citing the proven safety of hemp produced and processed at this level in regions such as Switzerland, Australia, and New Zealand.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

92. Commentary was received noting that foods and food ingredients containing hemp may not include concentrated or isolated phytocannabinoids, or semi-synthetic or synthetic cannabinoids, and that any products containing these compounds should not be classified as hemp.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

93. Commentary was received noting that no maximum total available delta-9-THC limits should be required for hempseed-derived food ingredients when certified hemp cultivars, proven to produce plants with THC below regulated limits at physiological maturity, are used exclusively.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

94. Commentary was received noting that no maximum total available delta-9-THC limits should be required for foods or food ingredients derived from hemp roots, stalks and branches, or leaves outside the inflorescence.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

95. Commentary was received noting that no maximum total available delta-9-THC limits should be required for foods containing hemp ingredients if the included hemp-derived ingredients meet the following: (1) are derived from certified hemp cultivars proven to produce plants with THC below regulated limits at physiological maturity, (2) are from hemp roots, stalks and branches, or leaves outside the inflorescence, and (3) do not

contain concentrated or isolated phytocannabinoids, or semi-synthetic or synthetic cannabinoids.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

96. Commentary was received noting that no upper limit for total available CBD is needed in hemp food ingredients or food containing hemp, as natural residual CBD levels in hempseed, roots, stalks and branches, or leaves outside the inflorescence do not pose risks to human health or wellbeing.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

97. Commentary was received noting that no 20-ppm maximum total available delta-9-THC limit should be required for hempseed-derived foods or ingredients when certified hemp cultivars proven to produce plants below regulated THC limits at physiological maturity are used exclusively.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

98. Commentary was received noting that, because natural levels of total available delta-9-THC, CBD, and other phytocannabinoids are well below concentrations of concern for human health, hemp food products sold in wholesale or consumer markets should not require cannabinoid warning statements, content labels, or warning symbols.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

99. Commentary was received noting that, because random testing for total delta-9-THC can identify adulterated products and ingredient labeling requirements already exist, no serving size limits or age restrictions are needed for food products derived from hempseed, hulled/dehulled hempseed, hemp protein, hempseed oil, hemp roots, stalks and branches, leaves outside the inflorescence, or their derivatives.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 100.* Commentary was received noting that hempseed-derived byproducts from food processing are low-risk, containing minimal residual cannabinoids, provide nutritional benefits for livestock and pets, and repurposing them supports both economic and environmental interests of food processors.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 101.* Commentary was received noting that hempseed-derived livestock feed ingredients retain over 90% of THC and CBD in the precursor THCA form, which is not readily absorbed in animal tissues, and that certified industrial hemp varieties produce consistently low delta-9-THC in flowering tops, resulting in trace levels on seeds that pose no processing, employee, or animal safety concerns.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 102.* Commentary was received noting that hemp feed ingredients and mixed feeds containing hemp should not include concentrated or isolated phytocannabinoids, and any product containing these compounds should not be classified as hemp.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 103.* Commentary was received noting that no maximum total available delta-9-THC limits should be required for hempseed-derived livestock feed ingredients when certified hemp cultivars, proven to produce plants with delta-9-THC below regulated limits at physiological maturity, are used exclusively.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 104.* Commentary was received noting that no maximum delta-9-THC limits should be required for livestock feed ingredients derived from hemp roots, stalks and branches, or leaves outside the inflorescence.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 105.* Commentary was received noting that no maximum total available delta-9-THC limits should be required for livestock feeds containing hemp ingredients if the ingredients (1) are derived from certified hemp cultivars proven to produce plants with THC below regulated limits at physiological maturity, (2) are from hemp roots, stalks and branches, or leaves outside the inflorescence, and (3) do not contain concentrated or isolated phytocannabinoids, or semi-synthetic or synthetic cannabinoids.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 106.* Commentary was received noting that a maximum total available delta-9-THC limit of 100 ppm should apply to hempseed-derived livestock feed ingredients when certified hemp cultivars producing plants below regulated THC limits at physiological maturity are not used exclusively.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 107.* Commentary was received noting that a maximum total available delta-9-THC limit of 100 ppm should apply to whole-plant hemp livestock feed ingredients, including whole hemp plants for grazing or ground/shredded whole plants.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

108. Commentary was received noting that no upper limit for total available CBD is required in hempseed, roots, stalks and branches, or leaves outside the inflorescence, as natural residual CBD levels do not pose risk to human or animal health or wellbeing.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

109. Commentary was received noting that the efficacy of hemp-derived feed ingredients (e.g., weight gain, palatability, tolerance at various inclusion rates) should be demonstrated using animal nutrition science and, when necessary, credible livestock feeding trial literature from any jurisdiction.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

110. Commentary was received noting that food safety of meat, milk, and eggs from livestock fed hemp feed ingredients—including cannabinoid concentrations and nutritional profiles—should be demonstrated using literature reviews of credible livestock feeding trials from any jurisdiction.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

111. Commentary was received recommending that, because natural levels of total available delta-9-THC, CBD, and other phytocannabinoids are well below concentrations of concern for animal health, hemp livestock feed ingredient products sold in wholesale or consumer markets should not require cannabinoid warning statements, content labels, or warning symbols.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

112. Commentary was received recommending that, because random testing for total available delta-9-THC can identify adulterated products and ingredient labeling requirements exist, no feed inclusion rate limits are needed for products derived from hempseed,

hulled/dehulled hempseed, hemp protein, hempseed oil, roots, stalks and branches, leaves outside the inflorescence, or their derivatives.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 113.* Commentary was received recommending that additional regulatory provision is not required for feed ingredients derived from whole hempseed, dehulled/hulled hempseed, hempseed oil, hemp protein, hempseed hulls, hempseed meal, hempseed screenings, and hempseed fines, provided no cannabinoids are added.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 114.* Commentary was received stating that non-food animal feed ingredients derived from hempseed, including mixed feeds and nutritional supplements containing hemp ingredients, should not contain concentrated or isolated phytocannabinoids or semi-synthetic or synthetic cannabinoids, as any product containing such compounds is not hemp.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 115.* Commentary was received recommending that no maximum total available delta-9-THC limits be required for non-food animal feed ingredients derived from hemp if certified hemp cultivars proven to produce plants with total available delta-9-THC not exceeding the regulated maximum concentration at physiological maturity are exclusively used.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 116.* Commentary was received noting that no maximum delta-9-THC limits should be required for non-food animal feed ingredients derived from hemp roots, stalks and branches, or leaves outside the inflorescence.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 117.* Commentary was received noting that no maximum total available delta-9-THC limits in hempseed-derived non-food animal feeds are required if included ingredients (1) are derived from certified hemp cultivars proven to produce plants with THC below regulated limits at physiological maturity, (2) are from hemp roots, stalks and branches, or leaves outside the inflorescence, and (3) do not contain concentrated or isolated phytocannabinoids, or semi-synthetic or synthetic cannabinoids.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 118.* Commentary was received recommending a maximum total available delta-9-THC limit of 100 ppm for hempseed-derived non-food animal feed ingredients if certified hemp cultivars proven to produce plants with total available delta-9-THC less than the regulated maximum concentration at physiological maturity are not exclusively used.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 119.* Commentary was received recommending a maximum total available delta-9-THC limit of 100 ppm for non-food animal feed ingredients consisting of whole hemp plants (grazing) or ground/shredded whole hemp plants.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 120.* Commentary was received stating that no upper threshold limit for total available CBD is required, as research indicates that natural residual constituent CBD levels in hempseed, hemp roots, hemp stalks and branches, or hemp leaves outside of the inflorescence do not pose risks to human or animal health or wellbeing.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

121. Commentary was received stating that demonstration of hempseed-derived food ingredient efficacy (i.e., nutritional profile and feeding rates) may be supported through the application of animal nutrition science and, where necessary, literature reviews of credible feeding trials completed in any jurisdiction.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

122. Commentary was received stating that because the natural constituent levels of total available delta-9-THC, CBD, and other phytocannabinoids are well below concentrations of concern for animal health and wellbeing, no cannabinoid warning statements, cannabinoid content, or warning symbols should be required on hemp feed ingredient product packaging sold for non-food animals in wholesale or consumer markets.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

123. Commentary was received stating that as random testing for total available delta-9-THC will identify adulterated products and requirements already exist to identify all ingredients on feed packaging for non-food animals, further limits on hempseed-derived products, hemp roots, leaves outside the inflorescence, or hemp stalks should not be required.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

124. Commentary was received recommending that further regulatory provisions for feed ingredients for non-food animals derived from whom hempseed, dehulled/hulled hempseed, hempseed oil, hemp protein, hempseed hulls, hempseed meal (protein cake), hempseed screenings, and hempseed fines without added cannabinoids are not required.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

125. Commentary was received stating that hemp flowers and leaves of the inflorescence, when separated from the plant and without cannabinoid extraction, should be sold as natural health product or non-prescription drug ingredients, provided they do not contain concentrated, isolated, semi-synthetic, or synthetic cannabinoids, and that any disease reduction or therapeutic claims must be supported by credible peer-reviewed research.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

126. Commentary was received stating that hemp flowers and leaves of the inflorescence, when separated from the plant and without cannabinoid extraction, could be sold as infusion products (e.g., tea), provided they do not contain concentrated, isolated, semi-synthetic, or synthetic cannabinoids.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

127. Commentary was received stating that hemp flowers and leaves of the inflorescence, when separated from the plant, not having cannabinoids extracted, and prepared for inhalation, are no longer considered hemp products and should be regulated separately in a manner aligned with tobacco products as well as natural health and non-prescription drug products.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

128. Commentary was received stating that hemp flowers and leaves of the inflorescence, when separated from the plant and without cannabinoid extraction, not be used as livestock feed or as feed ingredients for non-food animals until further safety research is available.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

129. Commentary was received recommending that extracted, concentrated, and isolated phytocannabinoids are not hemp products and may pose risks not associated with the hemp plant or processed hempseed products, and that semi-synthetic and synthetic cannabinoids may include intoxicating or harmful contaminants for humans or animals.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

130. Commentary was received stating that food and livestock feed ingredients derived from hemp roots, stalks, or hempseed can become unsafe if supplemented with or adulterated by concentrated, isolated, chemically altered, or synthetic cannabinoids, and that products containing such cannabinoids are not hemp and should be regulated separately under medical or adult-use cannabis, natural health products, or non-prescription drug frameworks, which have distinct value chains, regulatory systems, and customer bases from industrial hemp.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

131. Commentary was received recommending that the World Health Organization's Expert Committee on Drug Dependence (ECDD) determined the safe threshold for delta-9-THC in unregulated tinctures is 1,500 ppm (0.15%), and, recognizing measurement challenges below 2,000 ppm (0.2%), recommended a footnote to Schedule I of the 1961 Single Convention on Narcotic Drugs stating: "Preparations containing predominantly cannabidiol and not more than 0.2% [2,000 ppm] if delta-9-tetrahydrocannabinol are not under international control."

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

132. Commentary was received stating that separate and distinct regulatory actions are necessary to address the risks of intoxication, addiction, habituation, therapeutic effects,

toxicity, and contamination associated with the extraction, concentration, isolation, and chemical alteration of hemp flower-derived phytocannabinoids.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

133. Commentary was received noting that regulations should employ risk-based approaches considering consumer age, cannabinoid concentration, and daily dose limits to ensure safety across natural health and non-prescription drugs (e.g., supplements), inhalation products (e.g., dried flowers and vapes), topical products (e.g., transdermals and emollients), oral products (e.g., supplemented foods and beverages), sublingual products, and other dosage forms.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

134. Commentary was received recommending that research licenses be made available to study concentrated and isolated phytocannabinoids, as well as semi-synthetic and synthetic cannabinoids, to evaluate their potential to safely and positively influence health outcomes in humans and animals.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

135. Commentary was received suggesting that regulatory exemptions for “Low-THC cannabis” products without semi-synthetic or synthetic cannabinoids should be considered to allow the sale of safe food products containing extracted (concentrated or isolated) phytocannabinoids in the consumer market.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

136. Commentary was received recommending maximum delta-9-THC considerations for eligible low-THC tinctures, supplemented foods, and beverages based on the ECDD findings that the minimum intoxicating delta-9-THC dose is 1.5 mg, and providing

dosing guidance for companion dogs (CBD 0.2-2 mg/kg orally twice daily), with further advisement on targeted use for companion animals to be guided by emerging peer-reviewed research.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

137. Commentary was received stating that the distribution and sale of safe products containing non-phytocannabinoid compounds (e.g., terpenes, flavonoids, sterols, fatty acids, polysaccharides, and polyphenols) in the consumer market should not require industrial hemp or high-THC cannabis licensing, as these compounds are common in many agricultural crops, and that existing food, supplement, and non-prescription drug regulations should apply to products extracted from industrial hemp or high-THC cannabis flowers.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

138. Commentary was received stating that hemp flowers and leaves of the inflorescence should be processed to extract phytocannabinoids, terpenes, flavonoids, phenolics, and other bioactive compounds, and that regardless of the extraction method—solvent-based (e.g., alcohol, hexane, CO₂, water) or solventless (e.g., ultrasonic, microwave, hydrodynamic cavitation, heat)—the remaining post-extraction biomass represents a valuable ingredient for livestock and pet feed.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

139. Commentary was received stating that when solvent extraction technology is used, solvent residues in hemp-derived feed ingredients should not exceed the allowable levels established for other livestock feed ingredients (e.g., avocado meal, canola meal, coconut meal, corn meal, cottonseed meal, olive meal, peanut meal, safflower meal, soybean meal, or sunflower meal).

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to

the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 140.* Commentary was received stating that maximum total available delta-9-THC limit of 100 ppm should be required for post-extraction cannabinoid biomass used in livestock feed and non-food animal feed ingredients, excluding dogs and cats.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.

- 141.* Commentary was received stating that no upper threshold limit for total available CBD should be required for post-extraction cannabinoid biomass used in livestock feed and non-food animal feed ingredients.

The Commission declines to make the suggested substantive change to the corresponding regulatory language at this time; the public comment and suggestion will be provided to the hemp study working group that will convene to discuss future amendments to the regulatory language.