		(Original Signature of Member)
117TH CONGRESS 1ST SESSION	H.R.	

To authorize the regulation of interstate commerce with respect to food containing cannabidiol derived from hemp, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Miss Rice of New York introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize the regulation of interstate commerce with respect to food containing cannabidiol derived from hemp, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "CBD Product Safety
- 5 and Standardization Act of 2021".

1	SEC. 2. REGULATION OF INTERSTATE COMMERCE WITH RE-
2	SPECT TO FOOD CONTAINING CANNABIDIOL
3	DERIVED FROM HEMP.
4	(a) STANDARDS AND REGULATIONS.—Chapter IV of
5	the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342
6	et seq.) is amended by inserting after section 409 the fol-
7	lowing:
8	"SEC. 409A. FOOD CONTAINING CANNABIDIOL DERIVED
9	FROM HEMP.
10	"(a) STANDARDS.—The standards specified in this
11	section for a food (other than a dietary supplement) con-
12	taining cannabidiol derived from hemp (as defined in sec-
13	tion 297A of the Agricultural Marketing Act of 1946) are
14	that the food—
15	"(1) is—
16	"(A) in conformity with a regulation issued
17	pursuant to section $409(c)(1)(A)$;
18	"(B) the subject of a notice submitted to
19	the Secretary under subpart E of part 170 of
20	title 21, Code of Federal Regulations (or any
21	successor regulations); or
22	"(C) generally recognized, among experts
23	qualified by scientific training and experience to
24	evaluate its safety, as having been adequately
25	shown through scientific procedures to be safe

1	under the conditions of its intended use, within
2	the meaning of section 201(s); and
3	"(2) complies with all other applicable require-
4	ments under, or pursuant to, this Act and the Fair
5	Packaging and Labeling Act.
6	"(b) Regulations.—The Secretary shall issue,
7	through notice and comment rulemaking pursuant to sec-
8	tion 553 of title 5, United States Code, regulations speci-
9	fying, with respect to a food containing cannabidiol de-
10	rived from hemp—
11	"(1) a maximum amount of cannabidiol derived
12	from hemp per serving;
13	"(2) labeling and packaging requirements; and
14	"(3) conditions of intended use, including any
15	conditions specific to a food category described
16	under subpart A of part 170 of title 21, Code of
17	Federal Regulations (or any successor regulations).
18	"(c) Effective Date.—The standards under this
19	section shall apply beginning on the date of enactment of
20	the Act of 2021, regardless of whether regulations
21	have been issued under subsection (b).".
22	(b) Prohibited Acts.—Section 301(ll) of the Fed-
23	eral Food, Drug, and Cosmetic Act (21 U.S.C. 331(ll))
24	is amended, in the matter preceding paragraph (1), by in-
25	serting "(other than a food containing cannabidiol that

1	meets the requirements specified in section 409A)" after
2	"made public".
3	(c) Conforming Amendments.—
4	(1) Adulteration.—Section 402 of the Fed-
5	eral Food, Drug, and Cosmetic Act (21 U.S.C. 342)
6	is amended by adding at the end the following:
7	"(j) If it is a food (other than a dietary supplement)
8	that contains cannabidiol derived from hemp (as defined
9	in section 297A of the Agricultural Marketing Act of
10	1946), unless such food meets the requirements specified
11	in section 409A.".
12	(2) Misbranding.—Section 403 of the Federal
13	Food, Drug, and Cosmetic Act (21 U.S.C. 343) is
14	amended by adding at the end the following:
15	"(z) If it is a food (other than a dietary supplement)
16	that contains cannabidiol derived from hemp (as defined
17	in section 297A of the Agricultural Marketing Act of
18	1946), unless the labeling of such food meets the require-
19	ments specified in or pursuant to section 409A.".