

HF2605 Implementation Townhall

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What We'll Cover

- ▶ Public Comment Process
- ▶ HHS Rulemaking Authority
- ▶ Key Rules for Registrants
- ▶ Key Dates for Rulemaking

Public Comment Process



As communicated on June 7, **those wishing to speak must have emailed** their information and desire to comment to **consumable.hemp@idph.iowa.gov**.



Priority will be given **in the order they were received**.



If you emailed HHS, **please send a message to the host of the meeting**, Shawnice, so that she can easily identify and promote you. If you are not easily identified, we will move onto the next commenter.



Commenters will be given **two minutes** to speak. This will not be the time for back-and-forth or comment from HHS.



After two minutes, or the commenter yields their remaining time, they will be removed as a panelist and the next commenter will be promoted.

Rulemaking Authority Delegated to HHS by HF2605

- ▶ Pursuant to HF2605, section 204.7, subsection 8, paragraph a, subparagraph (3), Code 2024, is amended to read as follows:
 - *(3) The consumable hemp product complies with packaging and labeling requirements, which shall be established by rules adopted by the department of health and human services...*
- ▶ Pursuant to HF2605, Sec. 7. Section 204.12, subsection 1, Code 2024, is amended to read as follows:
 - *1B. A person required to be registered to manufacture or sell consumable hemp under section 204.7 29 shall not manufacture, produce, distribute, market, or sell a synthetic consumable hemp product, as defined by rules adopted by the department of health and human services.*
- ▶ Pursuant to HF2605, section 204.7, subsection 8, paragraph a, subparagraph (3), Code 2024, is amended to read as follows:
 - *(3) ...Each container storing consumable hemp shall be affixed with a notice advising consumers regarding the risks associated with its use. The department of health and human services shall adopt rules regarding the language of the notice and its display on the container.*

Key Rules: Serving Definition

“**Serving**” means the size or portion customarily consumed per eating occasion, expressed in a common household measure as established in [table 2 of 21 CFR 101.12](#) (as amended through May 27, 2016).

- ▶ If a solid consumable hemp product is packaged in a manner that includes more than a single serving, each serving must be clearly identified and severable from the other servings in the container.
- ▶ If a liquid consumable hemp product is packaged in a manner that includes more than a single serving, the number of servings must be conspicuously labeled. Liquid consumable hemp products shall be packaged in a container that holds a minimum of 12 fluid ounces.
- ▶ These serving definitions have been taken from Federal guidelines for food to avoid ambiguity. Examples of common products and their serving sizes have been provided in the June 7 registrant FAQ. For products not described, please see table 2 linked within the rule. For any product, the serving cannot exceed 4 mg Total THC.
- ▶ HHS may provide further clarity if necessary.

Key Rules: Serving Definition

“***Synthetic consumable hemp products***” means products containing synthetic or semi-synthetic cannabinoids. Synthetic and semi-synthetic cannabinoids refer to a class of cannabinoids created through a chemical process, and are structurally similar to naturally occurring cannabinoids, or cannabinoids that may occur in very small amounts naturally. Examples of synthetic consumable hemp products include, but may not be limited to: Delta-8 tetrahydrocannabinol, Delta-10 tetrahydrocannabinol, Hexahydrocannabinol (HHC), Tetrahydrocannabiphorol (THC-P), Tetrahydrocannabinol-O-acetate (THC-O)

- ▶ HHS has indicated specific cannabinoids that are prohibited on July 1. This list may evolve as other, similar cannabinoids are developed or discovered.
- ▶ Registrants must attest that their products do not contain synthetic cannabinoids, and HHS will verify provided COAs, and labels upon inspection.

Key Rules: Container Definition

“**Container**” means the object which holds one or more servings of a consumable hemp product.

- ▶ Containers may be discrete and contain one or more servings, or individual servings packaged together, depending on the product. The container cannot exceed an aggregate of 10 mg total THC.
- ▶ Examples of common containers and how they would need to be compliantly packaged within the serving definition have been provided in the June 7 FAQ.

HHS may provide further clarity if necessary.

Key Rules: Packaging and Labeling

641—156.4(204) Packaging and labeling

- *k.* A declaration of the net quantity of contents, indicating the numbers of servings and total THC per serving and per container in compliance with Iowa Code section 204.2.

- ▶ Any consumable hemp product must clearly indicate the total THC per serving, and the number of servings if multiple servings are included within the container.

- ▶ This must now be declared when registrants are submitting their product list with their registration and will be verified upon inspection.

Key Dates for Rulemaking

- ▶ Key dates for rulemaking have been provided in the June 7 communication
- ▶ A Notice of Intended Action (NOIA) of proposed administrative rules is expected to be published on June 12.

Virtual public hearings are planned to be hosted by HHS on:

July 2:
3:00 pm - 4:00 pm

July 8:
10:00 am - 11:00 am

Additional Questions

For additional questions on HF2605 or this rulemaking, please send inquiries to:

Consumable.Hemp@hhs.iowa.gov



Thank You

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Health and
Human Services