

118TH CONGRESS
1ST SESSION

S. 2451

To allow for hemp-derived cannabidiol and hemp-derived cannabidiol
containing substances in dietary supplements and food.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2023

Mr. WYDEN introduced the following bill; which was read twice and referred
to the Committee on Health, Education, Labor, and Pensions

A BILL

To allow for hemp-derived cannabidiol and hemp-derived
cannabidiol containing substances in dietary supplements
and food.

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 “Hemp Access and Con-
5 sumer Safety Act”.

6 **SEC. 2. REGULATION OF HEMP-DERIVED CANNABIDIOL**
7 **AND HEMP-DERIVED CANNABIDIOL CON-**
8 **TAINING SUBSTANCES.**

9 (a) INCLUSION IN DEFINITION OF DIETARY SUPPLE-
10 MENT.—Section 201(ff)(3)(B) of the Federal Food, Drug,

1 and Cosmetic Act (21 U.S.C. 321(ff)(3)(B)) is amended
2 in each of clauses (i) and (ii) by inserting “(other than
3 hemp, hemp-derived cannabidiol, or a substance con-
4 taining any other ingredient derived from hemp)” after
5 “an article”.

6 (b) DEFINITION.—Section 201 of the Federal Food,
7 Drug, and Cosmetic Act (21 U.S.C. 321) is amended by
8 adding at the end the following:

9 “(tt) The term ‘hemp’ has the meaning given such
10 term in section 297A(1) of the Agricultural Marketing Act
11 of 1946.”.

12 (c) PROHIBITED ACT.—Section 301(ll) of the Federal
13 Food, Drug, and Cosmetic Act (21 U.S.C. 331(ll)) is
14 amended, in the matter preceding subparagraph (1), by
15 inserting “(other than hemp, hemp-derived cannabidiol, or
16 a substance containing any other ingredient derived from
17 hemp)” after “made public”.

18 (d) LABELING.—Consistent with the Federal Food,
19 Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Sec-
20 retary of Health and Human Services may—

21 (1) establish labeling and packaging require-
22 ments for dietary supplements and food that contain
23 hemp, hemp-derived cannabidiol, or a substance con-
24 taining any other ingredient derived from hemp; and

1 (2) take additional enforcement actions with re-
2 spect to products labeled as dietary supplements but
3 not meeting the definition of such term in section
4 201(ff)(3)(B) of the Federal Food, Drug, and Cos-
5 metic Act (21 U.S.C. 321(ff)(3)(B)), as amended by
6 subsection (a).

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