
Senate Floor Alert

AB 45 (Aguiar-Curry) – Legalizes New Smoking Products Including Flavored Ones and Allows Adulteration of Foods Available to Kids with CBD and Psychoactive THC

OPPOSE

DATE: September 6, 2021

TO: Members of the California State Senate

Re: AB 45 (Aguiar-Curry) – *Industrial Hemp Products*

On behalf of the Public Health Institute, a 501c3 that has served California to promote public health for the past 55 years, and its Getting it Right from the Start program, and Youth Forward, a Sacramento-based youth advocacy organization, we respectfully request your nay vote on AB45. AB45 was amended Thursday night (9/2) to allow for the sale of smokable hemp products, previously prohibited when discussed in committee. AB45 will allow the production and sale of foods, beverages, dietary supplements, and pet foods that have been adulterated with CBD, psychoactive THC and other cannabinoids and their sale without age controls.

Vote NO because:

- **The 11th hour amendment creates a new path for kids to start smoking** – legalizing production of hemp e-cigarettes and cigarettes, including flavored products like those the legislature banned for tobacco in 2020
- **It allows foods like sodas to be adulterated with psychoactive THC in quantities exceeding legal cannabis edibles**, and to be sold in regular food stores, and outside of the legal cannabis market.
- As drafted, even with a limit of 0.3% THC, a hemp-infused orange soda sold at Safeway with 1 tbsp of hemp extract **can significantly exceed the THC in a legal edible cannabis beverage** (10mg a dose).
- **Legalized products except smokables would be sold without age restrictions.** Kids shouldn't have to check with a doctor before downing a smoothie, yet they would have unrestricted access to edible hemp products including ones with psychoactive THC that warn them to "consult your doctor first"
- **CBD has side effects like somnolence and can interact with common medications like "blood thinners"**
- **AB45 breaks with longstanding FDA rules that licensed pharmaceuticals cannot be added to the food supply.** Both CBD and THC are already available as licensed medicines as well as legal cannabis products
- **AB 45 specifically legalizes adding hemp derivatives NOT generally recognized as safe (GRAS) to foods.** Both industrial hemp and cannabis come from the same cannabis plant, legally hemp is just cannabis with < 0.3% THC; both contain over 100 other cannabinoids. Few have been studied and negative health impacts may only be discovered following long-term consumption
- **AB45 as amended 9/2 no longer reflects the earlier intent of the Legislature, "that objective scientific research regarding the safety of industrial hemp be conducted,"** as the amendment eliminated research

For these reasons, the Public Health Institute and Youth Forward urge your "NAY" vote on AB 45.

For questions regarding this alert, please contact Dr. Lynn Silver at (917) 974-7065 or lsilver@phi.org