Three weeks ago, I flew out to Albuquerque, New Mexico, for the annual National Association of States Departments of Agriculture (NASDA) meeting. U.S. territories are also included in this group. It was a great opportunity to interact with most of the leaders, from all the other Departments of Agriculture. In one way or another, we all face challenges in agriculture in our states or territories, and there is always something to learn from what is going on around the country.

One of the challenges we are dealing with, is the issue of hemp production, and the sale and regulation of hemp products, especially CBD. There continues to be a real concern, that too many people are jumping into hemp farming, and that the market will soon become saturated, and as a result, prices will begin to fall. USDA Secretary Perdue voiced that concern, along with many other Commissioners. I have come to the conclusion that the Farm Bill actually put the cart before the horse, when it came to hemp.

One of the issues that has largely been ignored, as states struggle to deal with hemp and the sale of CBD oil, is relative to what is legal to sell. It really does seem to be the Wild West around the country, with few, if any states having figured out how to deal with the many products that are on the market. We heard from a company that has one of the few products, that has actually been approved by the FDA, as a drug for the treatment of epilepsy. What we learned, was that once something has been approved as a drug, it cannot then be approved as a food additive, but that is exactly what is going on right now. In other words, nothing that is being sold as an additive, has been tested or approved for use in animals or people by the FDA.

Of more concern, is that because nothing has been approved, the effects or proper dosage of any of these additives has not been properly studied. I was unaware, that it is possible for liver damage to occur from the use of CBD products, but since the FDA has not approved any of these products, no safe levels have been established. Just as concerning, is that fact that even though the CBD oil comes from hemp plants containing 3% or less THC, that oil can be condensed to the point, where the potency is extremely high. The end result can be that the THC levels in unregulated products such as gummy bears, can rival the potency of gummy bears sold in states, where marijuana is legal.

I am hopeful that our state along with others, will soon be in a position to ensure that only products approved for human use by the FDA are sold. Since no hemp product, has been approved by the state of NH for use in feeds, the Department of Agriculture, Markets and Foods has been putting stop sales orders on any product, we have found containing any non-approved additive.
It seems that society may have become victims of the belief that the government will protect us from the sale of untested food additives and that all claims made by manufacturer have been verified. Unfortunately, this market has exploded, and no one seems to be taking responsibility for ensuring the public health. We need look no further than the deaths and health problems which may be tied to ingesting flavored vaping products to realize that we still bear the ultimate responsibility for protecting our own health and that of our children.

Shawn N. Jasper – Commissioner