

Senator Carla Nelson



Senate District 24
2301 Minnesota Senate Building
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May 11th, 2023

Chairs Port, Stephenson, and Members of The Conference Committee on HF100,

I appreciate the committee's consideration of some of the concerns I bring forward in this written testimony regarding HF-100. Some of these concerns include:

Potency limitations

Potency limitations are important to protect Minnesotans from harm while using cannabis products, these limitations include:

- Capping THC potency for flower and concentrates at 10%,
- Banning oil cannabis products except for those that are sold prepackaged for use with battery-powered devices,
- Banning flavor additives to cannabis products, and cannabis packaging or product marketing that is designed to attract persons under 21 years of age.

This would reduce cannabidiol dosing to be in line with cautionary food safety announcements made by the U.S. FDA and European food regulators.

The U.S. Food and Drug Administration (FDA) recently denied three citizen petitions to market cannabidiol (CBD) as a dietary supplement citing safety concerns especially with long-term use¹. From the FDA press release: "Studies have shown the potential for harm to the liver, interactions with certain medications and possible harm to the male reproductive system. CBD exposure is also concerning when it comes to certain vulnerable populations such as children and those who are pregnant."

Last month the European Food Safety Authority (EFSA) put on hold 19 applications for CBD containing foods citing knowledge gaps that must be addressed². Based on research findings in healthy subjects, regulators concluded that CBD products

¹ FDA Concludes that Existing Regulatory Frameworks for Foods and Supplements are Not Appropriate for Cannabidiol, Will Work with Congress on a New Way Forward. Statement From: Janet Woodcock, M.D. Principal Deputy Commissioner - Office of the Commissioner. January 26, 2023

² Lachenmeier DW, Sproll C, Walch SG. Does Cannabidiol (CBD) in Food Supplements Pose a Serious Health Risk? Consequences of the European Food Safety Authority (EFSA) Clock Stop Regarding Novel Food Authorisation. *Psychoactives*. 2023; 2(1):66-75. <https://doi.org/10.3390/psychoactives2010005>

exceeding 10 mg per day should be considered “unfit for consumption” while those exceeding 5 mg/kg body weight per day should be considered “injurious to health.”

Currently, Minnesota’s cannabis legislation limits hemp edibles to 25 mg of CBD per serving and 250 mg of CBD per package. At maximum dose limits, the per serving amount would be considered “unfit for consumption” and the entire package amount, if consumed, could be “injurious to health” by European regulatory standards.

Poison Prevention

Certain restrictions surrounding packaging, labeling, and reporting are needed to ensure our State has protection measures in place for cannabis users, such as:

- Individually packaged edibles in opaque single dose packs
- Require warning labels that include the addiction and lowered intellectual ability effects one may encounter with cannabis use
- Change the Substance Use Disorder Advisory Board to SUD and Adverse Event Advisory Board and add advisors with toxicology, pediatric and adult medicine expertise to the board
- Require MDH to report trends in hospital-treated cannabis poisoning and adverse events including admissions for cannabis use disorder to the legislature and the public, yearly. The total number of THC and Cannabis exposure incidents reported to the Minnesota Poison Control System is 397³.

Addiction Prevention

Requiring medical cannabis certifiers to screen patients for depression, anxiety, and psychosis⁴. We must require attestation to the absence of these conditions before certification and/or recertification to protect Minnesotans who may suffer from or develop such conditions.

I appreciate the committee’s attention to these safety measures and urge Members to consider adopting language that would address these imminent needs. I welcome the opportunity to work with Chairs Port and Stephenson or members of the committee to draft this needed language.

Sincerely,



Senator Carla Nelson
District 24

³ Data provided by Samantha C. Lee, PharmD, Director of the Minnesota Poison Control Center

⁴ <https://www.nationalreview.com/news/parents-describe-horror-of-daughters-marijuana-induced-psychosis/>