

Suzie Trigg in Law360: Headaches Abound as States Try to Clarify CBD Landscape

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Haynes Boone Partner [Suzie Trigg](#) talked with *Law360* about the U.S. Food and Drug Administration building a framework to regulate the sale of CBD products and how those regulations will square with CBD rules passed by states and localities.

Here is an excerpt:

Companies that sell CBD products face contradictory regulations within the same states and across borders, and even lawyers are struggling to keep up with who can sell what products where and how products can be labeled and transported, attorneys said.

The question of what to do with CBD has been in the air since the 2018 Farm Bill removed hemp products with less than 0.3% THC — the ingredient in cannabis that produces a high — from the Controlled Substances Act. Congress maintained that the FDA can regulate products featuring cannabis derivatives under the Federal Food, Drug, and Cosmetic Act, and the agency has been figuring out how it wants to regulate CBD ever since.

The FDA said Nov. 25 that it cannot give CBD products its "generally recognized as safe" designation, which allows a substance to be used as a food additive without going through the FDA's approval process. It said more guidance will follow in the coming weeks.

In the meantime, CBD oils, candies, lattes and other products have flooded store shelves and cafes across the nation. Some states and cities have decided to take action on their own.

"Over time, it just gets more complicated for a company that really wants to do business lawfully in the right way. That's when you really need the federal government to step in," said Haynes Boone LLP partner Suzie Trigg.

To read the full article, click [here](#). (Subscription required)