



General Assembly

January Session, 2019

Amendment

LCO No. 7520



Offered by:
SEN. COHEN, 12th Dist.

To: Subst. Senate Bill No. 893

File No. 230

Cal. No. 120

"AN ACT CONCERNING A PILOT PROGRAM FOR HEMP PRODUCTION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) For the purpose of this
4 section and section 2 of this act:

5 (1) "Cannabidiol" or "CBD" means the nonpsychotropic compound
6 by the same name and with a delta-a tetrahydrocannabinol
7 concentration of not more than 0.3 per cent on a dry weight basis
8 derived from hemp, as defined in the federal act;

9 (2) "Certificate of analysis" means a certificate from a laboratory
10 describing the results of the laboratory's testing of a sample;

11 (3) "Certified seed" means hemp seed for which a certificate or any
12 other instrument has been issued by an agency authorized under the
13 laws of a state, territory or possession of the United States to officially

14 certify hemp seed and that has standards and procedures approved by
15 the United States Secretary of Agriculture to assure the genetic purity
16 and identity of the hemp seed certified;

17 (4) "Commissioner" means the Commissioner of Agriculture, or the
18 commissioner's designated agent;

19 (5) "Consumable" means hemp products intended for human
20 ingestion, inhalation, absorption or other internal consumption, that
21 contains a THC concentration of not more than 0.3 per cent on a dry
22 weight basis;

23 (6) "Cultivate" means planting, growing and harvesting a plant or
24 crop for commercial or research purposes;

25 (7) "Federal act" means the United States Agricultural Marketing Act
26 of 1946, 7 USC 1621 et seq., as amended from time to time;

27 (8) "Department" means the Department of Agriculture;

28 (9) "Grower" means a person in the state licensed by the
29 commissioner to cultivate, grow, harvest, handle, store and market
30 hemp pursuant to the federal act, the provisions of this section and the
31 regulations adopted pursuant to this section;

32 (10) "Handle" means possessing or storing hemp for any period of
33 time on premises owned, operated or controlled by a person licensed
34 to cultivate or process hemp, and includes possessing or transporting
35 hemp;

36 (11) "Hemp" has the same meaning as provided in the federal act;

37 (12) "Hemp products" means products with a delta-a
38 tetrahydrocannabinol concentration of not more than 0.3 per cent on a
39 dry weight basis derived from, or made by, the processing of hemp
40 plants or hemp plant parts;

41 (13) "Independent testing laboratory" means a facility:

42 (A) For which no person who has any direct or indirect financial or
43 managerial interest in the laboratory and also has any direct or indirect
44 interest in a facility that:

45 (i) Processes, cultivates, distributes, manufactures or sells hemp or
46 hemp products, or marijuana in any state or territory of the United
47 States; or

48 (ii) Cultivates, processes, distributes, dispenses or sells marijuana;
49 and

50 (B) That is accredited as a laboratory in compliance with section 21a-
51 408-59 of the Regulations of Connecticut State Agencies;

52 (14) "Laboratory" means a laboratory located in the state that is
53 licensed by the Department of Consumer Protection to provide
54 analysis of controlled substances pursuant to section 21a-246 of the
55 general statutes, The University of Connecticut, the Connecticut
56 Agricultural Experiment Station, the Department of Public Health, the
57 United States Food and Drug Administration, the United States
58 Department of Agriculture or a facility that meets the following
59 additional criteria that is accredited as a testing laboratory to
60 International Organization for Standardization (ISO) 17025 by a third-
61 party accrediting body such as the American Association for
62 Laboratory Accreditation or the Assured Calibration and Laboratory
63 Accreditation Select Services;

64 (15) "Law enforcement agency" means the Connecticut State Police,
65 United States Drug Enforcement Administration, Department of
66 Consumer Protection Drug Control Division or other federal, state or
67 local law enforcement agency or drug suppression unit;

68 (16) "Licensee" means a person who possesses a license to cultivate,
69 process or manufacture hemp or hemp products in this state;

70 (17) "Manufacture" means the conversion of hemp for the purpose
71 of creating a consumable;

72 (18) "Manufacturer" means a person in the state licensed by the
73 Commissioner of Consumer Protection to manufacture, handle, store
74 and market hemp pursuant to the federal act, the provisions of section
75 2 of this act and any regulation adopted pursuant to section 2 of this
76 act;

77 (19) "Marijuana" has the same meaning as provided in section 21a-
78 240 of the Connecticut general statutes;

79 (20) "Market" or "marketing" means promoting, distributing or
80 selling a product within the state, in another state or outside of the
81 United States and includes efforts to advertise and gather information
82 about the needs or preferences of potential consumers or suppliers;

83 (21) "On-site manager" means the individual designated by the
84 licensee responsible for on-site management and operations of a
85 licensed grower or licensed processor;

86 (22) "Pesticide" has the same meaning as "pesticide chemical" as
87 provided in section 21a-92 of the general statutes;

88 (23) "Plot" means a contiguous area in a field, greenhouse or indoor
89 growing structure containing the same variety or strain of hemp
90 throughout the area;

91 (24) "Post-harvest sample" means a representative sample of the
92 form of hemp taken from the harvested hemp from a particular plot's
93 harvest that is collected in accordance with the procedures established
94 by the commissioner;

95 (25) "Pre-harvest sample" means a composite, representative portion
96 from plants in a hemp plot, that is collected in accordance with the
97 procedures established by the commissioner;

98 (26) "Process" means using or converting hemp for the purpose of
99 creating a form of the commodity, that is not a consumable, for
100 commercial or research purposes;

101 (27) "Processor" means a person in the state licensed by the
102 commissioner to process, handle, store and market hemp pursuant to
103 the federal act, the provisions of this section and any regulation
104 adopted pursuant to this section;

105 (28) "State plan" means a state plan, as described in the federal act
106 and as authorized pursuant to this section;

107 (29) "Signing authority" means an officer or agent of the applicant
108 with written authorization of such applicant to commit the applicant to
109 a binding agreement;

110 (30) "THC" means delta-9-tetrahydrocannabinol;

111 (31) "Homogenize" means to blend hemp into a mixture that has a
112 uniform quality and content throughout such mixture; and

113 (32) "Business entity" means any corporation, limited liability
114 company, association or partnership.

115 (b) The Commissioner of Agriculture shall establish and operate an
116 agricultural pilot program, as defined in 7 USC 5940, as amended from
117 time to time, for hemp research to enable the department, and its
118 licensees, to study methods of cultivating, processing and marketing
119 hemp. All grower and processor licensees licensed pursuant to this
120 section shall be participants in the state agricultural pilot program for
121 hemp research. Until such time as said commissioner adopts
122 regulations, in accordance with the provisions of chapter 54 of the
123 general statutes, the Department of Agriculture shall utilize
124 procedures and guidance policies that the commissioner deems to be
125 consistent with the provisions of 7 USC 5940, as amended from time to
126 time, provided such procedures and guidance policies shall, at a
127 minimum, require: (1) The commissioner to certify and register any
128 site used to grow hemp, (2) any person who grows hemp to produce
129 plants that meet the definition of hemp and verify such, (3) the
130 maintenance of records by any person who grows hemp and the
131 availability of inspection of such records by the commissioner, and (4)

132 verification of compliance with the definition of hemp by a laboratory,
133 at the expense of any licensee. The provisions of this section shall take
134 precedence over any such procedure or guidance policy. Participants
135 in the state agricultural pilot program for hemp research shall be
136 licensed in accordance with the provisions of this section. Such pilot
137 program shall operate until the earlier of the date of a fully approved
138 state plan under the federal act, as described in this section, or the date
139 of repeal of the federal law permitting the state's agricultural pilot
140 program for hemp research.

141 (c) The commissioner shall prepare a state plan in accordance with
142 the federal act, for approval by the Governor and Attorney General, in
143 consultation with the office of the Chief State's Attorney. The state
144 plan, once approved by the Governor and the Attorney General, shall
145 be submitted by the commissioner to the United States Secretary of
146 Agriculture for his or her approval. The commissioner shall have the
147 authority to amend the state plan, in consultation with the Governor
148 and the Attorney General in consultation with the office of the Chief
149 State's Attorney, as necessary to comply with the federal act.

150 (d) The commissioner shall have the authority to enforce the federal
151 act, as amended from time to time, the state plan, this section and any
152 regulations adopted in accordance with the federal act and chapter 54
153 of the general statutes for hemp cultivation in the state. The
154 commissioner shall have the authority to enforce the applicable
155 processing standard for hemp products that are not consumables. The
156 commissioner may consult, collaborate and enter into cooperative
157 agreements with any federal or state agency, municipality or political
158 subdivision of the state concerning application of the provisions of the
159 federal act and the regulations adopted pursuant to the federal act, as
160 may be necessary to carry out the provisions of this section.

161 (e) Any person who cultivates or processes hemp shall: (1) Be
162 licensed by the commissioner; (2) only acquire certified seeds; and (3)
163 transport hemp and hemp samples in a manner and with such
164 documentation as required by the commissioner.

165 (f) Any person who sells hemp products shall not be required to be
166 licensed provided such person only engages in: (1) The retail or
167 wholesale sale of hemp or hemp products in which no further
168 processing or manufacturing of the hemp products occurs and the
169 hemp products are acquired from a person authorized under the laws
170 of this state or another state, territory or possession of the United
171 States or another sovereign entity; (2) the acquisition of hemp or hemp
172 products for the sole purpose of product distribution for resale; or (3)
173 the retail sale of hemp products that are otherwise authorized under
174 federal or state law.

175 (g) Any applicant for a license pursuant to this section shall meet
176 each of the following requirements, as applicable:

177 (1) Each applicant shall submit an application for a license that
178 consists, at a minimum, of the following: (A) The name and address of
179 the applicant; (B) the name and address of the plot for the hemp
180 cultivation or processing location; (C) the global positioning system
181 coordinates and legal description of the plot used for the hemp
182 cultivation; (D) the acreage size of the plot where the hemp will be
183 cultivated; (E) written consent allowing the commissioner to conduct
184 both scheduled and random inspections of and around the premises
185 on which the hemp is to be cultivated, harvested, stored and
186 processed; and (F) any other information as may be required by the
187 commissioner;

188 (2) The applicant, on-site manager and signing authority for a
189 grower license shall submit to state and national fingerprint-based
190 criminal history records checks conducted in accordance with section
191 29-17a of the general statutes, at his or her own expense, and provide
192 the results to the commissioner for review;

193 (3) No person who has been convicted of any felony, as prescribed
194 in the federal act, shall be eligible to obtain a grower license; and

195 (4) Each applicant who obtains a grower or processor license shall
196 pay for all costs of testing and resampling any hemp samples at a

197 laboratory for the purpose of determining the THC concentration level.

198 (h) Any grower or processor license issued by the commissioner
199 shall expire on the second following December thirty-first and may be
200 renewed during the preceding month of October. Such licenses shall
201 not be transferable.

202 (i) The following fees shall apply for each grower and processor
203 license and inspection:

204 (1) A nonrefundable license application fee of fifty dollars, provided
205 any constituent unit of higher education, state agency or department
206 shall be exempt from such application fee if such cultivation or
207 processing is for research purposes;

208 (2) A nonrefundable biennial grower license fee of fifty dollars per
209 acre of planned hemp plantings, provided any constituent unit of
210 higher education, state agency or department shall be exempt from
211 such license fee if such cultivation is for research purposes;

212 (3) A nonrefundable processor licensing fee of two hundred fifty
213 dollars for a license to process hemp provided any constituent unit of
214 higher education, state agency or department shall be exempt from
215 such license fee if such processing is for research purposes; and

216 (4) In the event that resampling by the commissioner is required due
217 to a test result that shows a violation of any provision of this section or
218 any regulation adopted pursuant to this section, the licensee shall pay
219 an inspection fee of fifty dollars. Such fee shall be paid prior to the
220 inspection and collection of the sample to be used for resampling.

221 (j) After receipt and review of an application for grower or
222 processor licensure, the commissioner may grant a biennial license
223 upon a finding that the applicant meets the applicable requirements.
224 While the pilot program is in effect, the commissioner may grant a
225 conditional approval of a grower license, pending receipt of the
226 criminal history records check required by this section.

227 (k) Whenever an inspection or investigation conducted by the
228 commissioner pursuant to title 22 of the general statutes reveals any
229 violation of this section or any regulation adopted thereunder, the
230 grower, processor, license applicant or respondent, as applicable, shall
231 be notified, in writing, of such violation and any corrective action to be
232 taken and the time period within which such corrective action shall be
233 taken. Any such grower, processor, license applicant or respondent
234 may request a hearing, conducted in accordance with chapter 54 of the
235 general statutes, on any such notification.

236 (l) Nothing in this section shall be construed to limit the
237 commissioner's authority to issue a cease and desist order pursuant to
238 section 22-4d of the general statutes, or an emergency order, in order to
239 respond to a condition that may present a public health hazard, or
240 issue orders necessary to effectuate the purposes of this section,
241 including, but not limited to, orders for the embargo, destruction and
242 release of hemp or hemp products. Any cease and desist order or an
243 emergency order shall become effective upon service of such order by
244 the commissioner. Following service of any such order, subsequent
245 proceedings shall proceed in accordance with the provisions of section
246 22-4d of the general statutes and the rules of practice for such agency.

247 (m) Following a hearing conducted in accordance with chapter 54 of
248 the general statutes, the commissioner may impose an administrative
249 civil penalty, not to exceed two thousand five hundred dollars per
250 violation, and suspend, revoke or place conditions upon any grower or
251 processor licensee who violates the provisions of this section or any
252 regulation adopted pursuant to this section.

253 (n) (1) Any individual who cultivates or processes hemp in this state
254 without obtaining a license pursuant to this section, or who cultivates
255 or processes hemp in this state after having a license suspended or
256 revoked may be fined two hundred fifty dollars in accordance with the
257 provisions of section 51-164n of the general statutes.

258 (2) Any business entity that cultivates or processes hemp in this

259 state without obtaining a license pursuant to this section, or cultivates
260 or processes hemp in this state after having a license suspended or
261 revoked shall be fined not more than two thousand five hundred
262 dollars per violation, after a hearing conducted in accordance with
263 chapter 54 of the general statutes.

264 (o) Any negligent violation, as described in the federal act, of this
265 section or the state plan shall be subject to enforcement in accordance
266 with the federal act.

267 (p) Any person aggrieved by an order issued pursuant to this
268 section may appeal to the commissioner in accordance with the
269 provisions of chapter 54 of the general statutes. Such appeal shall be
270 made in writing to the commissioner and received not later than
271 fifteen days after the date of the order. If no appeal is made pursuant
272 to this subsection the order shall be final.

273 (q) All documents included in an application for a grower or
274 processor license submitted under this section shall be subject to
275 disclosure in accordance with chapter 14 of the general statutes, except
276 any document describing, depicting or otherwise outlining a licensee's
277 security schematics and the results of any criminal history records
278 check.

279 (r) The commissioner may inspect and shall have access to the
280 buildings, equipment, supplies, vehicles, records, real property and
281 other information that the commissioner deems necessary to carry out
282 the commissioner's duties pursuant to this section from any person
283 participating in the planting, cultivating, harvesting, processing,
284 marketing or researching of hemp.

285 (s) The commissioner shall establish an inspection and testing
286 program to determine THC levels and ensure compliance with the
287 limits on THC concentration in all hemp grown in the state by a
288 grower licensee. The grower shall collect a pre-harvest sample no more
289 than fifteen days before the intended harvest date, in accordance with
290 the commissioner's pre-harvest hemp sampling protocol adopted in

291 accordance with chapter 54 of the general statutes and published on
292 the Internet web site of the Department of Agriculture. The grower
293 and processor licensees shall be responsible for all costs of disposal of
294 hemp samples and any hemp produced by a licensee that violates the
295 provisions of this section or any regulation adopted pursuant to this
296 section. A hemp sample fails THC testing if the test report indicates
297 that the sample contains an average THC concentration greater than
298 0.3 per cent on a dry weight basis. The commissioner may order and
299 conduct post-harvest sample THC testing of a plot if the results of an
300 initial THC test on the pre-harvest sample provided and collected by
301 the licensee indicate a THC concentration in the pre-harvest sample in
302 excess of such permitted levels, unless the licensee elects to destroy the
303 crop prior to post-harvest sample THC testing.

304 (t) Nothing in this section shall be construed to apply to any licensee
305 of palliative marijuana authorized pursuant to chapter 420f of the
306 general statutes.

307 (u) All licensees pursuant to this section shall maintain records
308 required by the federal act, this section and any regulation adopted
309 pursuant to this section. Each licensee shall make such records
310 available to the department immediately upon request of the
311 commissioner and in electronic format, if available.

312 (v) The commissioner shall adopt regulations, in accordance with
313 the provisions of chapter 54 of the general statutes, to implement the
314 provisions of this section including, but not limited to, establishing
315 sampling and testing procedures to ensure compliance with the federal
316 act and to prescribe disposal procedures for plants grown in violation
317 of the federal act.

318 (w) Notwithstanding any provision of the general statutes: (1)
319 Marijuana does not include hemp or hemp products; (2) THC that does
320 not exceed 0.3 per cent by dry weight and that is found in hemp shall
321 not be considered to be THC that constitutes a controlled substance; (3)
322 hemp-derived cannabidiols, including CBD, shall not constitute

323 controlled substances or adulterants solely on the basis of containing
324 CBD; and (4) hemp products that contain one or more hemp-derived
325 cannabidiols, such as CBD, intended for ingestion shall be considered
326 foods, not controlled substances or adulterated products solely on the
327 basis of the containing hemp-derived cannabidiols.

328 (x) Whenever the commissioner believes or has reasonable cause to
329 believe that the actions of a licensee or any employee of a grower or
330 processor licensee will violate any state law concerning the growing,
331 cultivation, handling, transporting or possession of marijuana, the
332 commissioner shall notify the Department of Emergency Services and
333 Public Protection and the State Police.

334 (y) The Commissioner of Agriculture may enter an agreement with
335 any state or federally recognized Indian tribe to assist such tribe in the
336 development of a pilot program under the federal act or to have
337 applicants from such tribe participate in the pilot program established
338 pursuant to subsection (b) of this section.

339 Sec. 2. (NEW) (*Effective from passage*) (a) No person shall
340 manufacture in the state without a license to manufacture issued by
341 the Commissioner of Consumer Protection.

342 (b) Each applicant for a manufacturer license shall submit an
343 application on a form and in a manner prescribed by the
344 Commissioner of Consumer Protection.

345 (c) The following fees shall apply for a license to manufacture:

346 (1) A nonrefundable license application fee of fifty dollars; and

347 (2) A nonrefundable licensing fee of two hundred fifty dollars for a
348 license to manufacture hemp.

349 (d) A license to manufacture hemp or hemp products issued by the
350 Commissioner of Consumer Protection pursuant to this section shall
351 expire biennially on June thirtieth. Such licenses shall not be
352 transferable.

353 (e) In accordance with a hearing held pursuant to chapter 54 of the
354 general statutes, the Commissioner of Consumer Protection may deny,
355 suspend or revoke a manufacturer license, issue fines of not more than
356 two thousand five hundred dollars per violation and place conditions
357 upon a manufacturer licensee who violates the provisions of this
358 section and any regulation adopted pursuant to this section.

359 (f) (1) Any individual who manufactures in this state without
360 obtaining a license pursuant to this section or who manufactures in
361 this state after such entity's license is suspended or revoked shall be
362 fined two hundred fifty dollars in accordance with the provisions of
363 section 51-164n of the general statutes.

364 (2) Any business entity who manufactures in this state without
365 obtaining a license pursuant to this section, or who manufactures in
366 this state after having a license suspended, shall be fined not more
367 than two thousand five hundred dollars per violation after a hearing
368 conducted in accordance with the provisions of chapter 54 of the
369 general statutes.

370 (g) Nothing in this section shall be construed to apply to any
371 licensee of palliative marijuana authorized pursuant to chapter 420f of
372 the general statutes.

373 (h) The Commissioner of Consumer Protection may inspect and
374 shall have access to the buildings, equipment, supplies, vehicles,
375 records, real property and other information of any manufacturer
376 applicant or licensee that the commissioner deems necessary to carry
377 out the commissioner's duties pursuant to this section.

378 (i) (1) Each manufacturer shall follow the protocol in this subsection
379 for disposing of hemp or hemp products in the event that any hemp or
380 hemp product is deemed to contain a THC concentration of more than
381 0.3 per cent on a dry weight basis, as determined by the Commissioner
382 of Consumer Protection, or a manufacturer licensee in possession of
383 hemp or hemp products who desires to dispose of obsolete,
384 misbranded, excess or otherwise undesired product. Each

385 manufacturer licensee shall be responsible for all costs of disposal of
386 hemp samples and any hemp produced by such licensee that violates
387 the provisions of this section or any regulation adopted pursuant to
388 this section. Any hemp or hemp product containing a THC
389 concentration of more than 0.3 per cent on a dry weight basis shall be
390 immediately embargoed by such manufacturer and clearly labeled as
391 adulterated by such licensee and such licensee shall immediately
392 notify both the Department of Consumer Protection and the
393 Department of Agriculture, in writing, of such adulterated product.
394 Such adulterated product shall be destroyed and disposed of by the
395 following method, as determined by the Commissioner of Consumer
396 Protection:

397 (A) Surrender, without compensation, of such hemp or hemp
398 product to the Commissioner of Consumer Protection who shall be
399 responsible for the destruction and disposal of such adulterated
400 product; or

401 (B) By disposal in the presence of an authorized representative of
402 the Commissioner of Consumer Protection in such a manner as to
403 render the hemp or hemp product nonrecoverable.

404 (2) Notwithstanding the provisions of subdivision (1) of this
405 subsection, upon written request of a manufacturer, the Commissioner
406 of Consumer Protection may permit such manufacturer to combine
407 different batches to achieve a THC concentration of 0.3 per cent on a
408 dry weight basis, in lieu of embargo or destruction.

409 (j) The person disposing of the hemp or hemp products shall
410 maintain and make available to the Commissioner of Consumer
411 Protection a record of each such disposal or destruction of product
412 indicating:

413 (1) The date, time and location of disposal or destruction;

414 (2) The manner of disposal or destruction;

415 (3) The batch or lot information and quantity of hemp or hemp
416 product disposed of or destroyed; and

417 (4) The signatures of the persons disposing of the hemp or hemp
418 products, the authorized representative of the Commissioner of
419 Consumer Protection and any other persons present during the
420 disposal.

421 (k) Any hemp intended to be manufactured as a consumable shall
422 be tested by an independent testing laboratory or any laboratory that is
423 accredited as a testing laboratory to International Organization for
424 Standardization (ISO) 17025 by a third-party accrediting body. A
425 manufacturer licensee shall make available samples, in an amount and
426 type determined by the Commissioner of Consumer Protection, of
427 hemp or hemp product for an independent testing laboratory
428 employee to select random samples. The independent testing
429 laboratory shall test each sample for microbiological contaminants,
430 mycotoxins, heavy metals and pesticide chemical residue, and for
431 purposes of conducting an active ingredient analysis, if applicable, as
432 determined by the Commissioner of Consumer Protection.

433 (l) Once a batch of hemp or hemp product, intended to be sold as a
434 consumable, has been homogenized for sample testing and eventual
435 packaging and sale, until the independent testing laboratory provides
436 the results from its tests and analysis, the manufacturer licensee shall
437 segregate and withhold from use the entire batch of hemp that is
438 intended for consumable use, except the samples that have been
439 removed by the independent testing laboratory for testing. During this
440 period of segregation, the manufacturer licensee shall maintain the
441 hemp or hemp product batch in a secure, cool and dry location, as
442 prescribed by the Commissioner of Consumer Protection, so as to
443 prevent the hemp or hemp product from becoming adulterated. Such
444 manufacturer shall not manufacture or sell a consumable prior to the
445 time that the independent testing laboratory completes testing and
446 analysis and provides such results, in writing, to the manufacturer
447 licensee who initiated such testing.

448 (m) An independent testing laboratory shall immediately return or
449 dispose of any hemp or hemp product upon the completion of any
450 testing, use or research. If an independent testing laboratory disposes
451 of hemp, the laboratory shall dispose of such hemp in the following
452 manner, as determined by the Commissioner of Consumer Protection:

453 (1) By surrender, without compensation, of such hemp or hemp
454 product to the Commissioner of Consumer Protection who shall be
455 responsible for the destruction and disposal of such hemp or hemp
456 product; or

457 (2) By disposal in the presence of an authorized representative of the
458 Commissioner of Consumer Protection in such a manner as to render
459 the hemp or hemp product nonrecoverable.

460 (n) If a sample does not pass the microbiological, mycotoxin, heavy
461 metal or pesticide chemical residue test, based on the standards
462 prescribed by the Commissioner of Consumer Protection in
463 regulations adopted in accordance with chapter 54 of the general
464 statutes and published on the Internet web site of the Department of
465 Consumer Protection, the manufacturer licensee who sent such batch
466 for testing shall dispose of the entire batch from which the sample was
467 taken in accordance with procedures established by the Commissioner
468 of Consumer Protection by regulations adopted in accordance with
469 chapter 54 of the general statutes.

470 (o) If a sample passes the microbiological, mycotoxin, heavy metal
471 and pesticide chemical residue test, the independent testing laboratory
472 shall release the entire batch for manufacturing, processing or sale.

473 (p) The independent testing laboratory shall file with the
474 Department of Consumer Protection an electronic copy of each
475 laboratory test result for any batch that does not pass the
476 microbiological, mycotoxin, heavy metal or pesticide chemical residue
477 test, at the same time that it transmits such results to the manufacturer
478 licensee who requested such testing. Each independent testing
479 laboratory shall maintain the test results of each tested batch for a

480 period of three years and shall make such results available to the
481 Department of Consumer Protection upon request.

482 (q) Manufacturer licensees shall maintain records required by the
483 federal act, this section and any regulation adopted pursuant to this
484 section. Each manufacturer licensee shall make such records available
485 to the Department of Consumer Protection immediately upon request
486 and in electronic format, if available.

487 (r) The Commissioner of Consumer Protection may adopt
488 regulations, in accordance with the provisions of chapter 54 of the
489 general statutes, to implement the provisions of this section including,
490 but not limited to, establishing sampling and testing procedures to
491 ensure compliance with the federal act, to prescribe disposal
492 procedures for plants grown in violation of the federal act and to
493 establish advertising and labeling requirements for consumables.

494 (s) Any claim of health impacts, medical effects or physical or
495 mental benefits shall be prohibited on any advertising for, labeling of
496 or marketing of consumables. Any violation of this subsection shall be
497 deemed an unfair or deceptive trade practice under chapter 735a of the
498 general statutes.

499 (t) Not later than February 1, 2020, the Commissioners of
500 Agriculture and Consumer Protection shall submit a report, in
501 accordance with section 11-4a of the general statutes, to the joint
502 standing committee of the general assembly having cognizance of
503 matters relating to the environment on the status of the pilot program,
504 the development of the state plan and any regulations for such pilot
505 program or state plan. Additionally such report shall include any
506 legislative recommendations, including, but not limited to, any
507 recommendations for requiring the registration of any consumable
508 offered for sale in this state.

509 Sec. 3. Subdivision (7) of section 21a-240 of the general statutes is
510 repealed and the following is substituted in lieu thereof (*Effective from*
511 *passage*):

512 (7) "Cannabis-type substances" include all parts of any plant, or
513 species of the genus cannabis or any infra specific taxon thereof
514 whether growing or not; the seeds thereof; the resin extracted from any
515 part of such a plant; and every compound, manufacture, salt,
516 derivative, mixture or preparation of such plant, its seeds or resin; but
517 shall not include the mature stalks of such plant, fiber produced from
518 such stalks, oil or cake made from the seeds of such plant, any other
519 compound, manufacture, salt, derivative, mixture or preparation of
520 such mature stalks, except the resin extracted therefrom, fiber, oil or
521 cake, the sterilized seed of such plant which is incapable of
522 germination, or [industrial] hemp, as defined in 7 USC [5940] 1639o, as
523 amended from time to time. Included are cannabimon, cannabimol,
524 cannabidiol and chemical compounds which are similar to
525 cannabimon, cannabimol or cannabidiol in chemical structure or which
526 are similar thereto in physiological effect, and which show a like
527 potential for abuse, which are controlled substances under this chapter
528 unless modified;

529 Sec. 4. Subdivision (29) of section 21a-240 of the general statutes is
530 repealed and the following is substituted in lieu thereof (*Effective from*
531 *passage*):

532 (29) "Marijuana" means all parts of any plant, or species of the genus
533 cannabis or any infra specific taxon thereof, whether growing or not;
534 the seeds thereof; the resin extracted from any part of the plant; and
535 every compound, manufacture, salt, derivative, mixture, or
536 preparation of such plant, its seeds or resin. Marijuana does not
537 include the mature stalks of such plant, fiber produced from such
538 stalks, oil or cake made from the seeds of such plant, any other
539 compound, manufacture, salt, derivative, mixture or preparation of
540 such mature stalks, except the resin extracted therefrom, fiber, oil, or
541 cake, the sterilized seed of such plant which is incapable of
542 germination, or [industrial] hemp, as defined in 7 USC [5940] 1639o, as
543 amended from time to time. Included are cannabimon, cannabimol or
544 cannabidiol and chemical compounds which are similar to
545 cannabimon, cannabimol or cannabidiol in chemical structure or which

546 are similar thereto in physiological effect, and which show a like
 547 potential for abuse, which are controlled substances under this chapter
 548 unless modified;"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	21a-240(7)
Sec. 4	<i>from passage</i>	21a-240(29)