

# Regulator Considerations Memo

A practical standards memo for cannabinoid products, labeling, age limits, testing, and manufacturing.

Hemp and Cannabinoid Policy • Audience: Public / Staff / Partner • Draft v2.1 • whole-plant framework



**What this resource does:** *Provides a regulator-facing checklist of the minimum national standards WRCL deems necessary for finished cannabinoid products.*

## Federal floor, state flexibility

WRCL's stance is that Congress should establish a federal minimum for finished cannabinoid products and permit states and territories to enforce stricter standards. That approach best promotes baseline safety while allowing regulators to stay flexible in rapidly evolving markets.

## Minimum federal rule blocks

- **Registration and licensing.** Manufacturers, processors, labs, distributors, and retailers should be identifiable and accountable.
- **Manufacturing standards.** Require sanitary production, ingredient controls, batch records, and clear rules for semisynthetic and biosynthetic cannabinoids.
- **Testing and certificates of analysis.** Set contaminant and cannabinoid-testing expectations appropriate to product type; require retrievable COA linkage.
- **Labeling and packaging.** Require clear cannabinoid content, serving information, warnings, child-resistant packaging where appropriate, and truthful ingredient disclosure.
- **Youth protections.** Ban sales to minors for intoxicating products; impose marketing, placement, and design restrictions to reduce youth appeal.
- **Serving and packaging limits.** Especially for intoxicating products, establish serving-size and total-package constraints through legislation or regulation.
- **Claims and consumer information.** Restrict disease claims outside the medical context; mandate plain-language consumer information.
- **Recall and adverse-event systems.** A national framework should include recall authority, complaint channels, and reporting protocols.
- **E-commerce and delivery.** Enforce age verification, shipment controls, and accountability for remote sales.

## Traceability approach

A federal system should avoid relying on the most cumbersome method of plant-by-plant seed-to-sale tracking for every product. Instead, it should adopt risk-based traceability: tracking cultivation lots, processing batches, finished product lots or package codes, linking Certificates of Analysis (COA), and maintaining recall-ready records. Greater emphasis should be placed on tracking extracts, concentrates, and chemically converted cannabinoids.

## Questions WRCL should keep open

- Which limits should be included in statute versus agency rulemaking?
- Which federal agency should oversee finished-product regulation?
- How should online sales and interstate shipments be prioritized?
- How should non-intoxicating cannabinoid products be managed if the existing supplement framework remains inadequate?

## Selected source basis

**CANNRA: Considerations for federal hemp regulation** — State-regulator view on hemp-derived cannabinoid gaps and needed federal floor standards. <https://www.cann-ra.org/s/Considerations-for-Federal-Hemp-Regulation-April-2023.pdf>

**CANNRA: September 2023 hemp policy recommendations** — Useful on federal floors, state flexibility, total THC, and finished-product limits. <https://www.cann-ra.org/s/CANNRA-Letter-Farm-Bill-Sept2023-FINAL-s4jr.pdf>

**CANNRA policies and factsheets** — Gateway page for safety guidance, hemp challenge factsheets, and related materials. <https://www.cann-ra.org/policies-and-factsheets>

**FDA regulation of Cannabis and cannabis-derived products** — Current FDA baseline for THC/CBD in foods, supplements, cosmetics, and approved drugs. <https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-including-cannabidiol-cbd>

**FDA Drug Supply Chain Security Act (DSCSA)** — Package-level digital traceability model relevant to Cannabis product tracking design. <https://www.fda.gov/drugs/drug-supply-chain-integrity/drug-supply-chain-security-act-dscsa>

**Reason Foundation: A Framework for Federal and State Hemp-Derived Cannabinoid Regulation** — Detailed framework for cannabinoid-hemp federal and state regulation. <https://reason.org/wp-content/uploads/framework-federal-state-hemp-derived-cannabinoid-regulation.pdf>