

Joe Lombardo
Governor

Richard Whitley, MS
Director



**DEPARTMENT OF
HEALTH AND HUMAN SERVICES**
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
Helping people. It's who we are and what we do.



Lisa Sherych
Administrator

Ihsan Azzam,
Ph.D., M.D.
Chief Medical Officer

LCB File No. R035-22 Public Workshop Minutes

Wednesday, March 1, 2023 – 10:00 AM

Teams Teleconference

COMMUNITY MEMBERS PRESENT:

Rend Al-Mondhiry

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH STAFF PRESENT:

Teresa Hayes, Health Program Manager III, Environmental Health Section

Kayla Samuels, Management Analyst I, Health Care Quality and Compliance

Autumn Blattman, Executive Assistant, Administration

1. Call to Order and Introduction of Workshop Process – Teresa Hayes

Teresa Hayes called the meeting to order at 10:00 AM.

2. Public comment on proposed amendments to Nevada Administrative Code Chapter 439 – Teresa Hayes

Ms. Hayes introduced herself as the program manager for the Nevada Division of Public and Behavioral Health, Environmental Health Section. Ms. Hayes said the meeting was for the public comment on Legislative Council Bureau (LCB) File Number R035-22 regarding hemp components used as a food product. Ms. Hayes gave a brief summary, saying the Nevada Department of Health and Human Services is putting forth proposed changes to R035-22 Nevada Administrative Code (NAC) chapter 439. The changes are a result of Senate Bill (SB) 114 in 2021 and SB 204 in 2019. R035-22 seeks to make the following amendments to NAC 439: Unless otherwise required by federal law or regulation, a person shall not sell or offer for sale a hemp product that is processed in the state, unless that hemp product is an approved hemp component by the United States Food and Drug Administration and has been determined to be safe and generally recognized for safe, for use as an ingredient in a food intended for human consumption, it has been tested by an independent testing laboratory, is processed in accordance with all applicable federal and state laws and regulations, and is labeled in accordance with all federal and state laws and regulations. The hemp product will be deemed adulterated if the THC concentration of the hemp product exceeds the maximum concentration for THC established by federal law, levels of pesticides in the hemp product exceed what is

specified by the State Department of Agriculture or the Environmental Protection Agency, an unlisted or unapproved pesticide is present in the hemp product, the hemp product meets any other condition prescribed by federal or state law or regulations for being adulterated. Hemp products processed, sold, or offered for sale in Nevada must be tested by an independent testing laboratory certified by the Cannabis Compliance Board in the same way Marijuana products are required to be tested. Testing must include analysis of the THC content of the hemp product and the content of any other cannabinoid or terpenoid in the product. The processor of the hemp product must keep the final certificate of analysis for the hemp product for at least two years after the product is sold and provide the certificate of analysis to the state upon request. This information has been posted on the Environmental Health Section trending topics webpage if individuals would like to see the language. Ms. Hayes opened the meeting for public comment.

No public comment was made by community members attending the public workshop.

3. General Public Comment

No public comment was made by community members attending the public workshop.

4. Adjournment – Kayla Samuels

Meeting adjourned at 10:15 AM.