

CBD Questions Continue - FDA Warns About Lack of Research

Retailers and suppliers understand the significant consumer interest in CBD products, but many continue to question the legalities of carrying the product. The absence of comprehensive federal guidance with regard to CBD products, coupled with a developing patchwork of state laws regulating the products, has created a lack of clarity for both retailers/wholesalers and customers.

The cannabis compound has been widely touted as a harmless way to treat a slew of ailments, such as anxiety, pain and possibly even cancer — without much evidence to back it up. CBD products flooded the market this year after Congress legalized hemp last December.

Our national partners are working closely with FDA to get clarification to this confusing issue. FMI has just released a CBD guide for the food retail industry that includes best practices for food retailers and product suppliers regarding the marketing and sale of CBD products. Both FMI and NGA have held webinars to educate their members on the latest information from FDA.

“We remain concerned that some people wrongly think that the myriad of CBD products on the market, many of which are illegal, have been evaluated by the FDA and determined to be safe, or that trying CBD ‘can’t hurt,’” FDA Principal Deputy Commissioner Amy Abernethy said in a statement earlier in the month.

Abernethy leads a working group at the FDA tasked with crafting regulations to bring legal CBD products to market. The FDA is under intense pressure from the public, as well as lawmakers including Senate Majority Leader Mitch McConnell, to come up with a solution.

There are still “a number of questions regarding CBD’s safety — including reports of products containing contaminants, such as pesticides and heavy metals — and there are real risks that need

to be considered,” Abernethy said.

Companies are adding CBD to creams, oils, food and beverages. However, it’s currently illegal for companies to sell CBD-infused food and beverages and to market any CBD products with health claims the FDA has not evaluated.

The FDA said it “has seen only limited data about CBD safety and these data point to real risks that need to be considered before taking CBD for any reason.” The agency lays out possible risks of using CBD, such as liver injury, drug interactions and possibly even negative effects on male reproductive health.

This month, FDA provided an update for consumers about CBD. Importantly, consumers should know there is limited available information about CBD, including its effects on the human body.

The FDA recently issued warning letters to fifteen privately owned CBD companies for illegally advertising their products as treating diseases, selling products as dietary supplements and adding CBD to human and animal foods.

GFIA will continue to provide information to its members about the sale of CBD products as we monitor this popular topic. Watch for up to date information in our member emails and future newsletters.

ONLINE RESOURCES:

FMI’s CBD guide for the retail food industry can be found at <https://www.fmi.org/forms/store/ProductFormPublic/hemp-cbd-and-the-retail-food-industry>

FDA’s consumer update about CBD can be found at <https://go.usa.gov/xpRbz>

FDA KEY POINTS

- FDA is concerned that some people “wrongly” think CBD “can’t hurt.”
- Consumers should be aware that the FDA still has questions about the safety and quality of CBD products, the agency says.
- CBD has been widely touted as a harmless treatment — without much evidence to back it up.
- CBD might not be as safe as the companies selling it say it is, the Food and Drug Administration is warning consumers.