

2019 -- S 0406 SUBSTITUTE A AS AMENDED

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LC001642/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO AGRICULTURE AND FORESTRY -- ASSENT TO FOOD SAFETY
MODERNIZATION ACT

Introduced By: Senators Sosnowski, Conley, Coyne, DiPalma, and Euer

Date Introduced: February 27, 2019

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 2-1 of the General Laws entitled "Agricultural Functions of
2 Department of Environmental Management" is hereby amended by adding thereto the following
3 section:

4 **2-1-10.1. Assent to food safety modernization act.**

5 The state of Rhode Island assents to the provisions of the act of Congress entitled "FDA
6 Food Safety Modernization Act," 21 U.S.C. § 2201 et seq., and the director of environmental
7 management is authorized, empowered, and directed to perform those acts relating to produce on
8 the farm that may be necessary for the modernization of the safety of the food supply, as defined
9 in that act of Congress, in compliance with that act and with the rules and regulations
10 promulgated by the Food and Drug Administration that are consistent with that act.

11 SECTION 2. Section 21-28-1.02 of Chapter 21-28 of the General Laws entitled "Uniform
12 Controlled Substances Act" is hereby amended by amending § 21-28-1.02(30) [effective until
13 January 1, 2023] and § 21-28-1.02(29) [effective January 1, 2023] as follows:

14 (30) "Marijuana" means all parts of the plant cannabis sativa L., whether growing or not;
15 the seeds of the plant; the resin extracted from any part of the plant; and every compound,
16 manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, but shall not
17 include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the
18 seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of

1 mature stalks, (except the resin extracted from it), fiber, oil or cake, or the sterilized seed from the
2 plant which is incapable of germination. [Marijuana shall not include "industrial hemp" or](#)
3 ["industrial hemp products" which satisfy the requirements of chapter 26 of title 2, nor shall it](#)
4 [include products that have been approved for marketing as a prescription medication by the U.S.](#)
5 [Food and Drug Administration and legally prescribed.](#)

6 (29) "Marijuana" means all parts of the plant cannabis sativa L., whether growing or not;
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8 manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, but shall not
9 include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the
10 seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of
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13 ["industrial hemp products" which satisfy the requirements of chapter 26 of title 2, nor shall it](#)
14 [include products that have been approved for marketing as a prescription medication by the U.S.](#)
15 [Food and Drug Administration and legally prescribed.](#)

16 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO AGRICULTURE AND FORESTRY -- ASSENT TO FOOD SAFETY
MODERNIZATION ACT

1 This act would have Rhode Island assent to the FDA Food Safety Modernization Act, and
2 empowers the director of DEM to perform those acts necessary, as related to produce on the farm,
3 to be in compliance with the provisions of the act for the modernization of the safety of the food
4 supply.

5 This act would take effect upon passage.

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