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Food & Consumer Packaged Goods Litigation

Industry Insights: FDA Submits CBD Enforcement Policy to OMB

On July 22, 2020, the U.S. Food and Drug Administration (FDA) submitted draft enforcement guidance for cannabidiol (CBD) industry for review by the White House's Office of Management and Budget (OMB). The draft guidance is not yet available. No date or proposed deadline for producing a final policy, but this submission indicates that the FDA is making some progress towards long-awaited guidelines for the industry. Perkins Coie attorneys have monitored the FDA's ongoing efforts to regulate the CBD product market, including its [public hearing](#) last year, issuance of [warning letters](#), and series of reports to Congress ([here](#) and [here](#)). Former FDA Commissioner Scott Gottlieb [called](#) for the agency to adopt an expedited process for legally selling CBD in food and beverage products. Perkins Coie attorneys will continue to track this latest development and provide insights to the industry when the draft enforcement policy is available to the public.

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