(1) Engage quarterly with the regulated entities, including farms, restaurants, retail food establishments, and warehouses distributing to retail food establishments and restaurants, to identify and implement, as appropriate, additional flexibilities for satisfying the rule's lot-level tracking requirement, as appropriate, such that regulated entities can comply with the November 21, 2022, rule consistent with section 204(d)(1)(L)(iii), which prohibits the agency from requiring product tracking to the case level.

(2) Within 180 days of enactment of this Act, the Food and Drug Administration is directed to provide industry stakeholders with recommendations for these additional flexibilities satisfying the rule's lot-level tracking requirement, as appropriate.

(3) The FDA shall provide assistance to industry regarding how to handle food waste recovery, reclamation, intra-company transfers, customer returns under the rule and initiate a series of hypothetical data intake exercises to test the capabilities of the FDA's Product Tracing System and, upon request and as resources allow, the covered entity systems and identify any technical difficulties prior to full implementation.

SEC. 781. Effective 365 days after the enactment of this Act, Section 297A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o) is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (4) through (8), respectively; and

(2) by striking paragraph (1) and inserting the following:

"(1) HEMP.—

"(A) IN GENERAL.—The term 'hemp' means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than 0.3 percent on a dry weight basis.

"(B) INCLUSION.—Such term includes industrial hemp.

"(C) EXCLUSIONS.—Such term does not include—

"(i) any viable seeds from a Cannabis sativa L. plant that exceeds a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of 0.3

percent in the plant on a dry weight basis; or

"(ii) any intermediate hemp-derived cannabinoid products containing—

"(I) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

"(II) cannabinoids that—

"(aa) are capable of being naturally produced by a Cannabis sativa L. plant; and

"(bb) were synthesized or manufactured outside the plant; or

"(III) more than 0.3 percent combined total of—

"(aa) total tetrahydrocannabinols (including tetrahydrocannabinolic acid); and

"(bb) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as a tetrahydrocannabinol (as deter-

mined by the Secretary of Health and Human Services); or

''(iii) any intermediate hemp-derived cannabinoid products which are marketed or sold as a final product or directly to an end consumer for personal or household use; or

''(iv) any final hemp-derived cannabinoid products containing—

''(I) cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

''(II) cannabinoids that—

''(aa) are capable of being naturally produced by a Cannabis sativa L. plant; and

''(bb) were synthesized or manufactured outside the plant; or

''(III) greater than 0.4 milligrams combined total per container of—

''(aa) total tetrahydrocannabinols (including tetrahydrocannabinolic acid); and

''(bb) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as a tetrahydrocannabinol (as determined by the Secretary of Health and Human Services).

''(2) INDUSTRIAL HEMP.—The term 'industrial hemp' means hemp—

''(A) grown for the use of the stalk of the plant, fiber produced from such a stalk, or any other non-cannabinoid derivative, mixture, preparation, or manufacture of such a stalk;

''(B) grown for the use of the whole grain, oil, cake, nut, hull, or any other non-cannabinoid compound, derivative, mixture, preparation, or manufacture of the seeds of such plant;

''(C) grown for purposes of producing microgreens or other edible hemp leaf products intended for human consumption that are derived from an immature hemp plant that is grown from seeds that do not exceed the

threshold for total tetrahydrocannabinols concentration specified in paragraph (1)(C)(i);

"(D) that is a plant that does not enter the stream of commerce and is intended to support hemp research at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or an independent research institute; or

"(E) grown for the use of a viable seed of the plant produced solely for the production or manufacture of any material described in subparagraphs (A) through (D).

"(3) HEMP-DERIVED CANNABINOID PRODUCT.—

"(A) IN GENERAL.—The term 'hemp-derived cannabinoid product' means any intermediate or final product derived from hemp (other than industrial hemp), that—

"(i) contains cannabinoids in any form; and

"(ii) is intended for human or animal use through any means of application or administration, such as inhalation, ingestion, or topical application.

"(B) The term 'intermediate hemp-derived cannabinoid product' means a hemp-derived cannabinoid product which—

"(i) is not yet in the final form or preparation marketed or intended to be used or consumed by a human or animal; or

"(ii) is a powder, liquid, tablet, oil, or other product form which is intended or marketed to be mixed, dissolved, formulated, or otherwise added to or prepared with or into any other substance prior to administration or consumption.

"(C) The term 'container' means the innermost wrapping, packaging, or vessel in direct contact with a final hemp-derived cannabinoid product in which the final hemp-derived cannabinoid product is enclosed for retail sale to consumers, such as a jar, bottle, bag, box, packet, can, carton, or cartridge.

"(D) The term container excludes bulk shipping containers or outer wrappings that are not essential for the final retail delivery or sale to an end consumer for personal or household use.

''(E) EXCLUSION.—Such term does not include a drug that is the subject of an application approved under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355).''.

(3) Within 90 days of the enactment of this act, the Food and Drug Administration, in consultation with other relevant Federal agencies, shall publish—

(A) a list of all cannabinoids known to FDA to be capable of being naturally produced by a Cannabis sativa L. plant, as reflected in peer reviewed literature;

(B) a list of all tetrahydrocannabinol class cannabinoids known to the agency to be naturally occurring in the plant;

(C) a list of all other know cannabinoids with similar effects to, or marketed to have similar effects to, tetrahyrocannabinol class cannabinoids; and

(D) additional information and specificity about the term ''container'', as defined in paragraph (3)(C).

SEC. 782. In addition to amounts otherwise made available, there is hereby appropriated $2,000,000, to remain available until expended, for the Meat and Poultry