

[Date]

[Addressee]

Re: Hydro Blunts Acts and Advertisements

Dear [Addressee]:

I respectfully request that you exercise your authority to investigate Hydro Blunts, LLC (“Hydro Blunts”) for potential deceptive acts and false advertisements. Hydro Blunts is a California limited liability company that nationally distributes, markets, and sells “Kronic Kandy” lollipops containing hemp oil and/or cannabis flower oil.

Hemp oil and cannabis flower oil are derived from the cannabis plant and contain tetrahydrocannabinol (THC), a Schedule I controlled substance. The safety of hemp oil and cannabis flower oil for human consumption has not been scientifically established, and the Food and Drug Administration has not approved either oil as a food additive.

Federal Drug Enforcement Administration (DEA) regulations prohibit the sale or possession of products intended for human consumption that contain THC. The United States Court of Appeals for the Ninth Circuit has ruled that the DEA may not legally enforce these regulations as against hemp oil products. See Attachment 1. (The Ninth Circuit covers California, Oregon, Washington, Arizona, Montana, Idaho, Nevada, Alaska, and Hawaii.) However, the DEA regulations as to both hemp oil and cannabis flower oil remain in effect and enforceable in all states that do not fall under Ninth Circuit jurisdiction. Thus, the legality of consumer possession of Kronic Kandy products is ambiguous at best.

The Kronic Kandy logo contains a marijuana leaf, and its products are reportedly sold out of buckets with depictions of a marijuana leaf on them. The names of its products include “Hydro,” “Chronic,” and “Rasta.” See Attachment 2. Tony Sosa, head of Hydro Blunts, has publicly promoted his products with the following statements:

- “It has the flavor and essence, without any of the pharmacological ingredients.”
- “It’s FDA-approved and kosher.”
- “Our candy is 100 percent legal.”

See Attachment 3.

Hydro Blunts’ sale of hemp-oil and/or cannabis flower oil lollipops, use of marijuana images and language associated with marijuana use, and statements regarding Kronic Kandy’s content, safety, and legality are likely to mislead consumers in a number

of ways. Primarily, Hydro Blunts' acts are likely to deceive reasonable consumers regarding the nutritional content, safety, and legality of Hydro Blunts' lollipops, other products containing hemp oils, cannabis flower oils or hemp, as well as marijuana. Hydro Blunts' practices and representations are material because they involve consumers' health and safety, in addition to the legality of consumers' actions.

I urge you to proceed vigorously against Hydro Blunts, and I ask that you keep me apprised of your progress on this matter.

Sincerely,

[Name]

Attachments

1. Vote Hemp statement, 06/28/05: http://www.votehemp.com/PR/6-28-05_hemp_candy.html
2. Website display: Marijuana logo and flavors: <http://www.hydroblunts.com/Products.html>
3. Associated Press article, 06/19/05: <http://www.ajc.com/metro/content/metro/0605/19potcandy.html>

cc: [U.S. Senator]
[U.S. Senator]
[U.S. Representative]