



DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA

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**DEPARTMENT OF THE ATTORNEY GENERAL PREVAILS IN FEDERAL
CHALLENGE TO HEMP REGULATIONS**

FOR IMMEDIATE RELEASE

June 6, 2023

HONOLULU, HI – The U.S. District Court for the District of Hawai'i entered judgment in favor of the Hawai'i Department of Health (DOH) and the Director of Health in a lawsuit challenging DOH's regulations prohibiting the sale of Delta-8 and Delta-10 THC products processed from hemp.

In February 2022, DOH promulgated interim rules prohibiting the sale or distribution of hemp with Delta-8 or Delta-10 THC, in addition to hemp containing Delta-9 THC concentrations exceeding 0.3 percent. The Plaintiff Duke's Investments LLC, which operated as "Pinky's Hempire," alleged that DOH's interim administrative rules regarding hemp processing were illegal and that the prohibition on Delta-8 and Delta-10 THC products was unconstitutional.

The U.S. District Court sided with DOH and the Director of Health, represented by Hawai'i Deputy Attorneys General Isaac Ickes and Skyler Cruz, and dismissed the case.

"We appreciate the Court's well-reasoned analysis of the issues in this case," says Ickes. "The Department of the Attorney General will continue to support efforts of the Department of Health to protect the health and safety of the people of Hawai'i."

The case is *Duke's Investments LLC v. Char*, Civil No. 22-00385 JAO-RT. Copies of the Court's orders and judgment can be found [here](#), [here](#), and [here](#).

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