

Radio Frequency Co. INCORPORATED

150 DOVER ROAD, P.O. BOX 158, MILLIS, MA 02054-0158
TEL. 508-376-9555 FAX 508-376-9944 www.radiofrequency.com

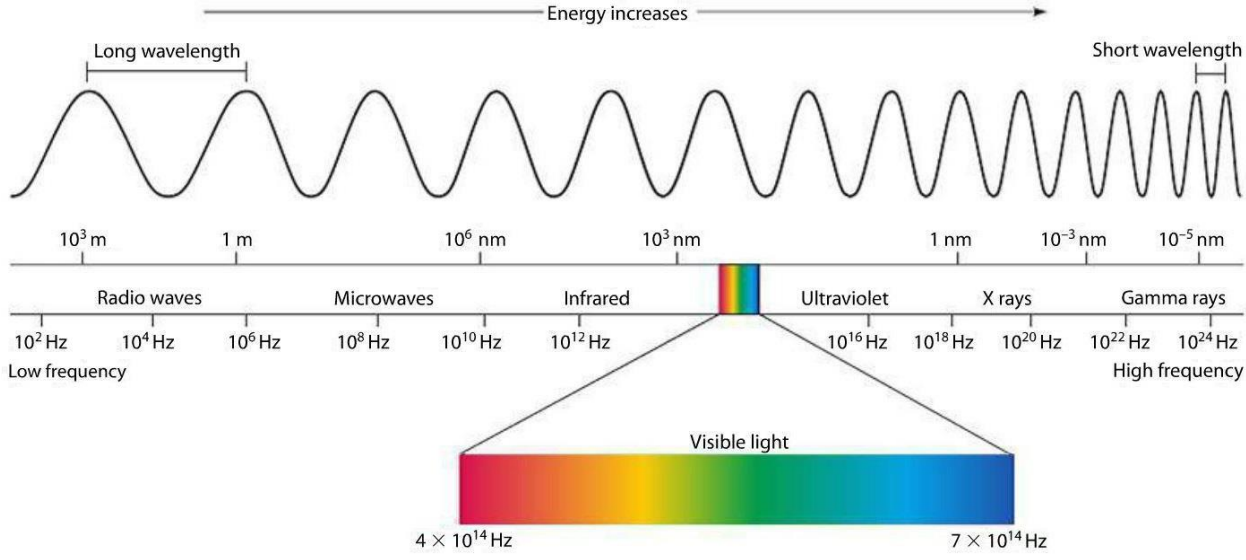
February 5, 2021

Nevada Cannabis Compliance Board
555 E. Washington Avenue, Suite 4100
Las Vegas, NV 89101

Subject: Nevada Reg. 12.065 - regarding usage of the Radura label on products treated with radio frequency energy

Greetings all:

By way of introduction, I am Tim Clark, President and CEO of Radio Frequency Company, Millis, MA (RFC). I have 31 years of experience with RFC, primarily in the design, manufacture and global distribution of radio frequency pasteurization systems for the food industry, namely cereal grains, protein powders, tree nuts and a wide variety of Ready-To-Eat (RTE) finished goods. Over the last approx. 5 years, this experience has been expanded into the medical and adult use cannabis products as well as hemp based consumables. Over the course of those 31 years, I have dealt extensively with the FDA, USDA, and like governing bodies around the world and have a very good understanding of the electromagnetic energy spectrum and, of course, the difference between low energy non-ionizing radiation and high energy ionizing radiation.



Everything across this spectrum is a form of electromagnetic “radiation.” At the low end, there is low energy radio frequency energy, a form of “nonionizing” radiation*, and at the high end, there is high

energy x-rays and gamma rays, a form of “ionizing” radiation, also referred to as “*irradiation*.” As both forms of energy have been extensively utilized in the food industry for many years, they have both been studied extensively by the FDA the USDA the FCC, OSHA and like bodies around the world. All regulatory bodies are in unanimous agreement, that the Radura label is reserved for high energy ionizing forms of radiation (irradiation) only, as it can/does cause changes to food materials on a molecular level, whereas low energy RF cannot. There are huge volumes of published scientific data to this end that can easily be Googled. It is also readily available from the FDA and USDA as well. For that matter, one can also look at the label itself where it clearly designates its use for materials that have been *irradiated*.

[Radura - Wikipedia.](#)

In closing I will simply say that I strongly object to the decision to require cannabis products pasteurized by radio frequency energy to affix the Radura label. The label itself means that the product has been irradiated or treated with ionizing radiation when it has not. Obviously this is misleading to the public and also causing damage to the RF industry as a whole as we pride ourselves and promote our technology as both “organic,” and “natural.” The USDA does not view the RF thermal process as an added ingredient. Therefore an organic product treated with RF can carry the certified organic label. Additionally, the FDA does not view the RF thermal process as invalidating the application of “natural” on the label, unlike irradiation, which is considered an additive, and therefore requires approval and the Radura label. Please reference the following link wherein the FDA clearly defines the ionizing (irradiation) processes which require the Radura label, RF not being one of them:

[https://www.fda.gov/media/81259/download#:~:text=Food%20irradiation%20\(the%20application%20of,food%20safer%20for%20the%20consumer](https://www.fda.gov/media/81259/download#:~:text=Food%20irradiation%20(the%20application%20of,food%20safer%20for%20the%20consumer)

As a practical side note, by including RF on the low energy end of the electromagnetic spectrum, with X-Rays and Gamma rays on the high end of the spectrum, wouldn't that then mean that everything in between should carry the Radura label as well? Obviously the logic is flawed here. Again I'd like to emphasize that this decision is damaging to the RF industry as a whole and request that the CCB amend *Regulation 12.065* to clarify that the regulation's notice labeling requirement apply only to “ionizing radiation.” i.e.: products having been irradiated. Please let me know your decision so that Radio Frequency Company, Inc. can decide its next course of action.

Respectfully,

Timothy D. Clark
President & CEO

www.radiofrequency.com

508.376.9555

* The FCC has reserved for Industrial, Medical and Scientific usage (ISM Frequencies) the allocations of 13.56MHz, 27.12MHz and 40.68MHz for radio frequency heating devices and 915MHz and 2.54GHz for microwave heating devices. All forms of “Non-ionizing” radiation.