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Hemp-Derived Beverage Legality Analysis: On-Premise Consumption

This analysis includes state law only. Certain localities impose additional requirements or prohibitions regarding the on premise sale of hemp beverages. Please contact VLLP to confirm applicable local requirements. Some states that are SILENT regarding consumable hemp permissibility have aggressive local enforcement due to local prosecution and law enforcement priorities, including violations of the states' controlled substance laws. For example, the Lancaster County DA in Pennsylvania has been seizing hemp products from retailers. There are similar prosecutions reported in NC, SC and TX, as well In some states, there are restrictions regarding the legality of beverage sales on public property.



STATE EXPRESSLY PERMITS
THE SALE OF HEMP DELTA-9
THC BEVERAGES AND THE
SALE FOR ON-SITE
CONSUMPTION

STATE EXPRESSLY PERMITS
THE SALE OF HEMP DELTA-9
THC BEVERAGES <u>BUT IS</u>
<u>SILENT</u> ON THE SALE FOR ONSITE CONSUMPTION

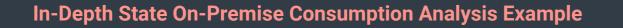
STATE LAW IS SILENT
REGARDING THE SALE OF
HEMP DELTA-9 THC
BEVERAGES FOR ON-SITE
CONSUMPTION

STATE PERMITS SALE OF HEMP DELTA-9 THC BEVERAGES BUT PROHIBITS ON-SITE CONSUMPTION

HEMP DE A 9

IMPORTANT INFORMATION: The following chart outlines relevant state laws governing the legality of on-premise sales of hemp-delta 9 beverages. Please note that this chart focuses whether a state allows on-premise sales of hemp beverages. This chart does not include all potentially applicable laws governing the production, sale, and marketing of hemp beverages in a state including but not limited to testing, packaging, tabeling, prohibitions on synthetic or converted cannabinoids, etc. Note that many states prohibit converted or synthetic cannabinoids, which may include certain hemp-derived D9 ingredients. In any state where hemp beverages are sold on-premise, the product must be compliant with all other applicable state laws. A summary of these requirements can be found in the Hemp Beverage Retail Sales Guide. The requirements stated herein are explicitly applicable to hemp-derived cannabinoid products and are in addition to any other applicable state and local laws as well as federal law. The determinations contained herein are based on Vicente LLP's interpretations of current state law, regulation, guidance, and/or discussions, emails, or other correspondence with state or federal regulators. This is meant for informational purposes only and is not legal advice. A product-specific legal analysis should be conducted by legal counsel before making a determination as to whether a specific product is lawful to sell in a particular jurisdiction. The information contained herein is valid as of August 7, 2025.

STATE	HEMP DELTA 9 THC BEVERAGE PERMISSIBLE (YES/NO)	CANNABINOID MILLIGRAM OR RATIO LIMITATION (YES/NO)	LICENSE, REGISTRATION, OR PERMIT REQUIRED TO SELL HEMP BEVERAGES? (YES/NO)		CAN HEMP BEVERAGES BE SOLD IN AN ALCOHOL LICENSED VENUE? (YES/NO) (i.e bars, restaurants, events)	AGE RESTRICTION (YES/NO)		STATE LIQUOR LICE AUTHORITY AND REL LIQUOR LICENSIN PROHIBITIONS		UI ERI LEMENTS	1	PLICABLE LEGISLATIVE / RULEMAKING ATTACKED ATTAC	STATE (FI ET IYPE: ADULT-USE / MED / BOTH	STATE REGULATORY AGENCY (Alcohol and /or Hemp)	PRODUCT PERMISSIBILITY CITATIONS
ALABAMA	YES Ala. Code § 80-10-21 (https://admincode.legislature.state.al.us/administrative-code/80-10-21) AL HB 445 (https://alison.legislature.state.al.us/files/pdf, SearchableInstruments/2025RS/HB445-enr.pdf	Beverages: 10 total mg THC/serving. A beverage serving size may	YES	NO (Effective January 1, 2026) A retailer (A person located in this state and licensed by the board which sells consumable hemp products at retail in this state) may not sell any consumable hemp product for consumption on the licensed premises or conduct any tastings for customers. H8445 Note that will this is not currently in effect, given the prospective implementation of the law and clear prohibition, it has been identified as a prohibited state.	NO (HB 445; Alz. Code § 28-12-45(a)(1))	YES - 21+ (HB 445; Ala. Code § 28-12-48(a)) Effective January 1, 2026, consumable hemp products be sold in this state by retailers licensed by the boar accordance with this article to adults 21 years o age or older. (HB 445; Ala. Code § 28-12-40)	~ 3	Ala ma Alcoholic Bourd	(HB	emp products must be package of products sold in mite user be located in a product sold in mite user be located in a product sold in mite user of persons updo user in a product retailers and prohibits or TC and delivery sales, as well as products de cannabinoids chemically synthesized it is material, alcohol, or other intoxicants. (HB 445)	The one system of the one on site of the original to the origi	May the Governor of Alabama signed HB 445 into law, establishing a regulated consumable hemp agram in the state that suprecedes the Alabama pair, of Public Health vs. 751. Holdings, LLC court decisions he bill authorize the Alcoholic Deverage Control Board to license consumable hemp product retailers and prohibits siste consumption, DTC and delivery sales, as well as products that are smokable, include cannabinoids chemically inthesized from non-cannabis material, alcohol, or other intoxicants. Other than pharmacies also selling topical and sublingual hemp products or retail food stores selling hemp beverages, retailers will be limited to liquot icenses or ores that only sell consumable hemp products and that restrict entry to those 21 and older. Starting January 1, 2026, all consumable hemp products must be tested and limited to 10 mg THC per serving and 40 mg per package for verages and edibles, and 40 mg THC per container for topicals, sublingual, and other consumable hemp products. A severage serving size may not exceed 12 fluid ounces or 355 milliliters and one carton of beverages may not contain more than four 12-ounce containers. The act took effect on July 1, 2025, with additional provisions, including retail licensing requirements, effective January 1, 2026.	MED	Alabama Department of Agriculture & Industries ("ADA!") Alabama Alcoholic Beverag Control Board	Ala. Code § 80-10-21 (https://admincode.legislature.state.al.us/adminis trative-code/80-10-21) AL HB 445 (https://alison.legislature.state.al.us/files/pdf/Sear chableInstruments/2025RS/HB445-enr.pdf)





STATE	STATE HAS A PRODUCT LABELING OR PACKAGING REQUIRED FOOD/BEVERAGES	IT FOR STATEQUEL FINISHED PRODUCT OR INGREDIENT TEST (S.C.)	STATE REQUIRES A REGISTRATION/ ENDORSEMENT: RETAIL OR PRODUCT SPECIFIC
ALABAMA	YES (Ala. Code § 13A-12-214.4)	NO	NO Ala. Admin. Code r. 80-10-2101 et seq. (https://www.ams.usda.gov/sites/default/files/media/AlabamaHempPlan.pdf)