

Hemp-Derived Food, Beverage, and Dietary Supplement: 50 State Packaging and Labeling Requirements

This matrix summarizes and analyzes state hemp-derived food, beverage, and dietary supplement packaging and labeling requirements under state hemp product laws and regulations. Not all states permit or regulate the sale of hemp-derived products. A lack of labeling requirements does not mean that all hemp-derived products are permitted for sale in that state; the legality of the sale of any product in a particular state should be confirmed with counsel.

KEY
✓ = State-Specified Labeling Requirement Applies
~ = Labeling Requirement Not Required

The requirements highlighted in Yellow below are applicable to all food and dietary supplement products sold in the U.S. under the Federal Food Drug and Cosmetics Act (FDCA). These requirements universally apply to sales in all states regardless of whether a state has hemp labeling requirements in addition to federal requirements. Where the state has further refined the FDCA requirement we have made a note.

STATE	PACKAGING/LABELING REQUIREMENT SUMMARY	STATEMENT OF / PRODUCT NAME	NET WEIGHT/TOTAL QUANTITY STATEMENT	NUTRITION FACTS PANEL or SUPPLEMENT FACTS PANEL (as applicable)	MANUFACTURER OR DISTRIBUTOR	DATE OF MANUFACTURE	BATCH ID NUMBER (A UNIQUE IDENTIFICATION NUMBER FOR THE SPECIFIC MANUFACTURING BATCH OF PRODUCT)	DATE OF MANUFACTURE	SCANNABLE BAR CODE/QR CODE/URL	INGREDIENTS	PERCENTAGE OF HEMP INGREDIENTS	CANNABINOID CONTENT	EXPIRATION DATE	INSTRUCTIONS FOR USE	SERVING SIZE OR RECOMMENDED DOSE	REQUIRED STATEMENTS	CANNOT BE ATTRACTIVE TO CHILDREN	OTHER PROHIBITED STATEMENTS	HEALTH/DISEASE CLAIMS EXPRESSLY PROHIBITED (In addition to any state hemp law prohibition on healthy/disease claims, product claims are subject to compliance with the Federal Food Drug & Cosmetic Act, the FTC Act, state food and drug consumer protection laws. Legal review of product claims is strongly advised)	PACKAGING REQUIREMENTS	ADVERTISING Hemp Cannabinoid-Related Advertising and Marketing Laws	OTHER NOTES
COLORADO	Labeling requirements apply to hemp products. A "hemp product" means a finished product that contains hemp and that: is a cosmetic, a dietary supplement, a food, a food additive, or an herb and is intended for human use or consumption. Labeling must be performed in accordance with 21 CFR 101, subparts A-G and the state's labeling requirements for hemp products. (6 Colo. Code Regs. § 1010-24.4)	Product Identity Statement (in bold type) which indicates the common or usual name of the food ingredient. (6 CCR 1010-21.7; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))	Net Weight Statement placed as a distinct item parallel to the base of the package in the bottom third of the principal display panel. (6 CCR 1010-21.7; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))	~ ✓	Manufacturing address or a qualifying phrase which states the firm's relation to the product (e.g., "manufactured for" or "distributed by"). (6 CCR 1010-21.7; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))	~	A code or numbering system that identifies the date and location of manufacturing and packaging is required for tracking and assisting in recalls or trace forward/trace back efforts. (6 CCR 1010-21.7; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))	~	~	Identify on the principal display panel or the information panel that the product is produced from hemp, then sequentially: (1) If applicable, identify as broad spectrum product; (2) If applicable, identify as full spectrum product; (3) Identify additional isolated cannabinoids; (4) Identify additional ingredients, in descending order of predominance by weight. Identify, in milligrams, the total THC per serving and per package, and the ratio of CBD to THC per serving in the ingredient list or directly below the ingredient list in bold type. If a serving contains more than 1.25 mg of total THC, and less than a 20:1 CBD to THC ratio, the principal display panel must bear a statement that individuals must be 21 years or older to purchase. (6 CCR 1010-24.7(E) - Effective June 1, 2024)	~	~	~	~	~	With the exception of broad spectrum products and cosmetics, the label of any hemp product that contains THC, potentially intoxicating, or intoxicating cannabinoids must include a statement that discloses the presence of THC, the potentially intoxicating or intoxicating cannabinoids, and includes, at minimum, the following notices: the potential for these products to cause a positive drug test result; the potential for these products to create impairment; statement that these products have not been evaluated for safety or efficacy; recommending those who are pregnant, may become pregnant, or are breastfeeding to consult with their physician about the use of these products; and a statement to keep out of the reach of children. The label of products that contain CBD must include a consumer notice that discloses the presence of the CBD, and includes the following notices: Recommending those who are pregnant, may become pregnant, or are breastfeeding to consult with their physician about the use of these products; and the product may cause health problems including liver injury, damage to male reproductive health, and sedative effects that may impair your ability to drive a motor vehicle or operate machinery. The consumer notice statement requirements in must be on the label in at least one-sixteenth inch (1/16") letter height and in bold type. (6 CCR 1010-24.7(E) - Effective January 14, 2024)	~ ✓ Labels cannot contain any content that reasonably appears to target individuals under 21. (6 CCR 1010-24.7(E) - Effective June 1, 2024)	~	~ ✓ Health claims for hemp or hemp-derived ingredients must be qualified and must follow Federal Trade Commission ("FTC") and FDA regulations and guidance, including marketing materials and electronic communications. A manufacturer, distributor, or seller of an industrial hemp product shall not include on the label of the product, or publish or disseminate in marketing or electronic communications, any claims that the industrial hemp product can, or is intended to, diagnose, cure, mitigate, treat, or prevent disease. (6 CCR 1010-24.7(E))	~ ✓ Product packaging must be food-grade or generally recognized as safe. (6 CCR 1010-21.7; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))	~ ✓ Labeling rules are applicable to promotional materials, including digital communications. Health claims for hemp products must follow Federal Trade Commission (FTC) and FDA regulations and guidance, including marketing materials and electronic communications. Advertisement shall not contain claims indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease. No cartoon characters, marketing designed to appeal to children. 6 Colo. Code Regs. § 1010-24.7	Safe harbor product labels and packaging shall include a notice that identifies that the product is approved for sale outside of Colorado. All information appearing on the principal display panel or the information panel must appear prominently and conspicuously, but in no case may the letters and numbers be less than one-sixteenth inch (1/16") in height unless the regulated hemp facility product is a small product. In that case, the product must be accompanied by labeling attached to the package that appears predominantly and conspicuously. (6 CCR 1010-24.7(E) - Effective June 1, 2024)

In-Depth State Packaging and Labeling Requirements Example

STATE	COLORADO
PACKAGING/LABELING REQUIREMENT SUMMARY	<p>Labeling requirements apply to hemp products. A “hemp product” means a finished product that contains hemp and that is a cosmetic, a dietary supplement, a food, a food additive, or an herb and is intended for human use or consumption. Labeling must be performed in accordance with 21 CFR 101, subparts A-G and the state’s labeling requirements for hemp products.</p> <p>(6 Colo. Code Regs. § 1010-24.4)</p>
STATEMENT OF / PRODUCT NAME	<p>Product Identity Statement (in bold type) which indicates the common or usual name of the food ingredient.</p> <p>(6 CCR 1010-217; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))</p>
NET WEIGHT/TOTAL QUANTITY STATEMENT	<p>Net Weight Statement placed as a distinct item parallel to the base of the package in the bottom third of the principal display panel.</p> <p>(6 CCR 1010-217; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))</p>
NUTRITION FACTS PANEL	
MANUFACTURER OR DISTRIBUTOR	<p>Manufacturing address or a qualifying phrase which states the firm's relation to the product (e.g., "manufactured for," "imported by," "distributed by").</p> <p>(6 CCR 1010-217; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))</p>
DATE OF MANUFACTURE	
BATCH ID NUMBER (A UNIQUE IDENTIFICATION NUMBER FOR THE SPECIFIC MANUFACTURING BATCH OF PRODUCT)	<p>A code or numbering system that identifies the date and lot number of the product. No packaging is required for tracking and assisting in recalls or trace forward tracking efforts.</p> <p>(6 CCR 1010-217; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))</p>
BATCH SIZE (THE QUANTITY OF PRODUCT INCLUDED IN THE MANUFACTURING BATCH)	
SCANNABLE BAR CODE/QR CODE/URL	
LIST OF INGREDIENTS	<p>List all ingredients in descending order of predominance by weight: (1) Identify industrial hemp seed oil as an ingredient and the amount labeled in milligrams when using a broad or full spectrum product. (2) Identify isolated cannabidiol as an ingredient and the amount labeled in milligrams when using a broad or full spectrum product. Allergens must be clearly identified and listed separately.</p> <p>(6 CCR 1010-217; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))</p>
SOURCE OF EACH INGREDIENT	
CANNABINOID CONTENT	<p>Identify the percentage of total cannabinoid content per serving and per package, and the ratio of CBD to THC per serving and per package, directly below the ingredient list in bold type. The label of products that contain CBD must include a consumer notice that discloses the presence of the CBD, and includes the following notices: Recommending those who are pregnant, may become pregnant, or are breastfeeding to consult with their physician about the use of these products; and a statement to keep out of the reach of children.</p> <p>(6 CCR 1010-217; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))</p>
EXPIRATION DATE	
WEBSITE WHERE BATCH INFORMATION CAN BE FOUND	
INSTRUCTIONS FOR USE	
SERVING SIZE OR RECOMMENDED DOSE	
REQUIRED STATEMENTS	<p>The consumer notice statement requirements in must be on the label in at least one-sixteenth inch (1/16") letter height and in bold type.</p> <p>(6 CCR 1010-24.7(E)) - Effective January 14, 2024)</p>
CANNOT BE ATTRACTIVE TO CHILDREN	<p>Labels cannot contain any content that reasonably appears to target individuals under 21.</p> <p>(6 CCR 1010-24.7(E)) - Effective June 1, 2024)</p>
OTHER PROHIBITED STATEMENTS	
HEALTH/DISEASE CLAIMS EXPRESSLY PROHIBITED	<p>Health claims for hemp or hemp-derived ingredients must be qualified and must follow Federal Trade Commission ("FTC") and FDA regulations and guidance, including marketing materials and electronic communications. A manufacturer, distributor, or seller of an industrial hemp product shall not include on the label of the product, or publish or disseminate in marketing or electronic communications, any claims that the industrial hemp product can, or is intended to, diagnose, cure, mitigate, treat, or prevent disease.</p> <p>(6 CCR 1010-24.7(E))</p>
PACKAGING REQUIREMENTS	<p>Product packaging must be food-grade or generally recognized as safe.</p> <p>(6 CCR 1010-217; new citation effective June 1, 2024 (6 CCR 1010-24.7(E)))</p>
ADVERTISING Hemp Cannabinoid-Related Advertising and Marketing Laws	<p>Labeling rules are applicable to promotional materials, including digital communications.</p> <p>Health claims for hemp products must follow Federal Trade Commission (FTC) and FDA regulations and guidance, including marketing materials and electronic communications.</p> <p>Advertisement shall not contain claims indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease.</p> <p>No cartoon characters; marketing designed to appeal to children.</p> <p>6 Colo. Code Regs. § 1010-24.7</p>
OTHER NOTES	<p>Safe harbor product labels and packaging shall include a notice that identifies that the product is approved for sale outside of Colorado.</p> <p>All information appearing on the principal display panel or the information panel must appear prominently and conspicuously, but in no case may the letters and numbers be less than one-sixteenth inch (1/16") in height unless the regulated hemp facility product is a small product. In that case, the product must be accompanied by labeling attached to the package that appears predominantly and conspicuously.</p> <p>(6 CCR 1010-24.7(F)) - Effective June 1, 2024)</p>