



Hemp Beverages and Edibles Retail Sales Requirements

This chart includes limitations on hemp-derived cannabinoid beverages and edible cannabinoid products, labeling and packaging requirements, finished product or ingredient testing requirements, age restrictions, and registration or endorsement requirements for retail or specific products. It also includes any unique state requirements.

STATE	FOOD / BEVERAGE	STATE HAS A PRODUCT LABELING OR PACKAGING REQUIREMENT FOR FOOD/BEVERAGES	STATE REQUIRES FINISHED PRODUCT OR INGREDIENT TESTING	STATE REQUIRES A REGISTRATION/ ENDORSEMENT: RETAIL OR PRODUCT SPECIFIC	AGE RESTRICTION	CANNABINOID MILLIGRAM OR RATIO LIMITATION	UNIQUE REQUIREMENTS	APPLICABLE LEGISLATIVE / RULEMAKING ACTIVITY RECENT ENFORCEMENT ACTIONS / LITIGATION	STATE REGULATED MARIJUANA MARKET TYPE: ADULT-USE / MED / BOTH
NEW YORK	YES	YES (Cannabinoid Hemp Regulations Guidance for Licensees: https://cannabis.ny.gov/system/files/documents/2024/01/cannabinoid-hemp-regulations-guidance-for-licensees.pdf)	YES (N.Y. Comp. Codes R. & Regs. tit. 9, § 114.10)	YES (N.Y. Comp. Codes R. & Regs. tit. 9, § 114.1.1 to .21, https://cannabis.ny.gov/system/files/documents/2021/11/part_114_cannabinoi_d_hemp_regulation_11-10-21.pdf) (https://cannabis.ny.gov/reg-tailers-distributors)	YES In addition to hemp flowers and leaves and products intended for vaporization, any form of cannabinoid product intended for inhalation or vaporization, and any product containing more than 0.5 mgs of total THC per serving, may only be sold to those 21+. (N.Y. Comp. Codes, R. & Regs. tit. 9, § 114.11(b) (2021); Regulations, https://cannabis.ny.gov/system/files/documents/2023/11/part-114-cannabinoid-hemp-regulations_1.pdf)	YES Beverages: 1) Minimum CBD:THC ratio is 15:1. [IF CBD is not the primary marketed cannabinoid, sum of cannabinoids, excluding THC, must contain a minimum ratio of 15:1 THC.] AND 2) 10mg total THC/package AND 1mg total THC per serving. (Note, beverages cannot have more than 1 serving. Multiple packages of beverages can be sold together) Edibles: Same ratios as above: 1) Minimum CBD:THC ratio is 15:1. [IF CBD is not the primary marketed cannabinoid, sum of cannabinoids, excluding THC, must contain a minimum ratio of 15:1 THC.] AND 2) 10mg total THC/package AND 1mg total THC/serving.	If the cannabinoid hemp product contains multiple servings which are not individually wrapped, premeasured, separated or delineated, it must include a measuring device such as a measuring cap, cup or dropper with the product packaging. Hash marks on the package do not qualify as a measuring device.	The legislative session adjourned with no movement on hemp products. Following a flurry of lobbying effort to raise the current hemp product THC limit to 5MG, S9487 died in Committee.	BOTH

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