

Hemp Cannabinoid Legality Guide

This guide provides a color-coded 50-state overview and detailed explanation of the legality of hemp-derived cannabinoids (Delta-8 THC, Delta-9 THC, CBN, HHC) including cannabinoid limits (such as ratio or limits per serving or per container), product type restrictions (e.g food, dietary supplements, etc.) and age restrictions. Each guide comes with a monthly cover email noting relevant updates regarding legislation, rulemaking, and enforcement.

Overview Chart

STATE	Delta-8 THC Permitted	Delta-9 THC Permitted (Naturally occurring)  *Asterisk denotes states that have not defined a THC standard for a "hemp product." Therefore the defacto maximum permissible THC content is Total Delta-9 THC, which mirrors the "acceptable hemp THC level" definition under federal law. See 7 U.S. Code § 1639o(1) (2018); 7 C.F.R. § 990.1 (2021).	CBD Permitted	CBN Permitted	HHC Permitted	Cannabinoid Limitations  Key: "Yes" means the state has expressly stated a cannabinoid limitation applicable to the sale of hemp products, intoxicating hemp products, or synthetic products. "No" means no expressly stated a cannabinoid limitation applicable to the sale of hemp products, intoxicating hemp products, or synthetic products. (See Product Type Cannabinoid Limits for further detail)	Product Type Restrictions (e.g., food, dietary supplements, inhalables)  "Yes" means the state prohibits certain types of cannabinoid products. "No" means the state has no product type restrictions. "Silent" means the state does not expressly permit or prohibit particular product types; however, "Silent" does not mean a product type is lawful.	Age Restriction Key: "Yes" means the state has expressly stated an age limitations for the sale of hemp products. "No" means there is no express age limitations for the sale of hemp products. (See Detail tab for further information)
ALABAMA	YES  (2023 Alabama Laws Act 2023-169)	YES  (2023 Alabama Laws Act 2023-169)	YES  (Ala. Admin Code 80-10-21-.13)	SILENT  (2023 Alabama Laws Act 2023-169)	SILENT  (2023 Alabama Laws Act 2023-169)	NO	YES	YES

Detail Chart

STATE	Cannabinoid Legality Summary	Age Restriction Key: "Yes" means the state has expressly stated an age limitations for the sale of hemp products, intoxicating hemp products, or synthetic products. "No" means there is no express age limitations for the sale of hemp products, intoxicating hemp products, or synthetic products.
ALABAMA	Alabama does not have a THC standard for hemp products but allows the sale of hemp-derived "psychoactive cannabinoids" to individuals 21 years and older.  "Psychoactive cannabinoids" means "cannabinoids derived from hemp," "including but not limited to," Delta-8 and Delta-10 THC. "Psychoactive cannabinoids" includes all hemp-derived cannabinoids, not just those that are generally understood to be impairing.  (Act No. 2023-169 (S.B.66), 2023 Alabama Laws Act 2023-169) (Ala. Admin. Code r. 80-10-21-.02(21) (2022))	YES - 21+  Anyone who sells, distributes, or markets psychoactive cannabinoids to individuals under 21 years of age is guilty of a Class B misdemeanor.  (2023 Alabama Laws Act 2023-169; Ala. Code § 13A-NEW)

Product Type Cannabinoid Limit Chart

STATE	Applicable to all product types permitted for sale in the state	Edible	Beverage	Topical/Cosmetics	Tincture	Concentrate Extract	Dietary Supplements	Smokeable Hemp Flower	Notes	Citation
Alaska	0mg THC for all product types except topicals.	0mg THC	0mg THC	—	0mg THC	0mg THC	0mg THC	0mg THC	Limitations apply to products intended for human or animal consumption, including any method of ingestion of or application to the body (i.e. eating, drinking, inhaling, absorbing, or injecting)	11 AAC 40.400(d)