

Selling Hemp Products In Marijuana Channels

States That Permit the Sale of Finished Hemp Products in Cannabis Dispensaries: Unique Requirements

Our Selling Hemp Products In Marijuana Channels guide provides insights to the sale of hemp products within a state's cannabis (marijuana) regulatory scheme. The information contained in this spreadsheet summarizes state laws and regulations applicable to the sale of hemp products at cannabis retailers. This guide discusses the permissibility of sales, testing requirements, packaging and labeling requirements, track-and-trace requirements, and other regulatory requirements applicable to sell hemp products in a licensed marijuana dispensary.

IMPORTANT INFORMATION AND DISCLAIMER

The analysis and answers below are limited to those hemp-derived product requirements which are unique to the sale of these products within a state's cannabis (marijuana) regulatory scheme. A response of "none" indicates no additional or unique requirements beyond those required for the sale of CBD products generally within the state. Specifically, for the categories entitled "testing," "packaging/labeling," and "license/registration," the responses below indicate the requirements mandated by state cannabis laws and do not address packaging/labeling, testing, or registration requirements pursuant to (1) state hemp laws or (2) state and federal food and drug laws.

The information contained in this spreadsheet summarizes state laws and regulations applicable to the sale of hemp products at cannabis retailers and is only current as of October 14, 2022. All laws and regulations addressed herein are subject to change and are subject to varying interpretation, policy, and enforcement by applicable state regulatory and governmental agencies. Vicente LLP is not able to foresee any interpretation by a state regulator or government agency that is inconsistent with the plain meaning of applicable state law and does not make any representations, warranties, or guarantees with regard to the accuracy of this information. Federal and state laws regulating cannabis, marijuana, and hemp are rapidly evolving and the passage of new laws, regulations, and agency policy may impact the accuracy of this spreadsheet. To be lawfully marketed and sold in interstate commerce, all hemp food, beverages, cosmetics, drugs, dietary supplements, and devices must comply with the Federal Food Drug & Cosmetic Act, in addition, respective state laws applicable to the particular product type. This spreadsheet does not incorporate federal laws and regulations, and is not a comprehensive survey of all potentially applicable state laws. A product-specific legal analysis should be conducted by legal counsel before making a determination as to whether a particular product is lawful to sell in a particular jurisdiction. This spreadsheet is solely for reference and educational purposes. Compliance with this spreadsheet does not guarantee compliance with state or federal law and does not insulate the recipient or any of its affiliates from enforcement actions by any governmental entity or third party against it. Investing, participating in, or operating a business related to cannabis may subject a person to criminal and civil legal penalties.

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STATE	TRANSPORT / DISTRIBUTION	FINISHED PRODUCT TESTING	PACKAGING / LABELING	LICENSE / REGISTRATION	TRACK / TRACE	LOCATION RESTRICTION	OTHER RETAIL REQUIREMENTS	APPLICABLE AGENCY	CITATION/SOURCE
COLORADO	When transferring Industrial Hemp Product to a Medical or Retail Marijuana Store, Medical or Retail Marijuana Products Manufacturer, and/or Medical or Retail Marijuana Testing Facility, a copy of the Colorado Department of Public Health and Environment ("CDPHE") Registration must always be provided. A CDPHE Registrant that is transferring Industrial Hemp Product to Medical or Retail Store, Medical or Retail Products Manufacturer, or Medical or Retail Testing Facility does not need to obtain a license or registration from the MED	A Medical or Retail Marijuana Store may only sell Industrial Hemp Products that have passed all required testing. Required testing for Industrial Hemp Products includes potency, microbial contaminant, residual solvent contaminant (if a solvent was used during manufacturing), and metals contaminant testing	NONE	A Medical or Retail Marijuana Store may only sell Industrial Hemp Products received from a CDPHE Registrant	The testing laboratory must enter the hemp product being tested into the METRC system, but there is no requirement that Marijuana Products Manufacturers (or Medical/ Retail Marijuana Stores) use the METRC inventory tracking system to track Industrial Hemp Products received from a CDPHE Registrant. There is no mechanism, allowance, or requirement for a CDPHE Registrant to establish a Metrc account to track Industrial Hemp Product	NONE	NONE	Colorado Department of Revenue, Marijuana Enforcement Division ("MED")	Colo. Code Regs. §§ 212-4-110(E), -5-105(H), -5-305(C), -5-405(C), -5-410, -6-105(G), -6-305(C), -6-405