

Hemp-Derived Cannabinoid Product Compliance

FACT SHEET

This fact sheet is intended as a resource for retailers and others to assess compliance with regulations for the sale of edible cannabinoid products, a.k.a., hemp-derived cannabinoid products (edibles, beverages, and topicals) as described in [Sec. 151.72 MN Statutes](#).

Products Allowed

- Only edibles and beverages that are derived from hemp, are labeled as such and contain no more than 0.3% THC (dry weight) are legal for sale in Minnesota.
- Edibles can contain up to 5 mg of hemp derived THC per serving and have maximum of 50 mg per package.
- Beverages can contain two servings and up to 5 mg of hemp-derived THC per serving for a total of 10 mg.
- Non-food products applied externally to the body that do not contain an intoxicating cannabinoid, such as a cream or ointment.

Products Not Allowed

- Products that are not an edible, contain non-intoxicating cannabinoids extracted from hemp, and are intended to be smoked, vaped, chewed, swallowed, drank, injected, or absorbed through a mucous membrane.
- Products that bear the likeness of a cartoon-like character, real or fictional person, animal, fruit, or similar items that appeal to children.
- Products that contain any synthetic cannabinoids.
- Products that contain artificially derived cannabinoids other than Delta-8 (▲8) and Delta-9 (▲9), including THC-P, THC-O, and HHC.
- Products that contain an ingredient not approved by the U.S. Food & Drug Administration.
- Products where extracted or concentrated hemp-derived cannabinoid has been applied or added to any commercially available product.
- Products that are or intended to be mixed with an alcoholic beverage.

Packaging

- With the exception of beverages, edibles must be prepackaged in a child-resistant, tamper-evident package. All products must be in an opaque package or container.
- Edibles, other than beverages, must have each serving scored, wrapped, or have another indicator that clearly identifies each serving on products.

Labeling

- Products packaged in a way that resembles trademarked, characteristic, or product-specializing packing of any commercially available food product are not allowed.
- Products packaged that include a statement, artwork, or design that could reasonably mislead any person to believe that the package contains anything other than an edible cannabinoid product are not allowed.
- Products must bear a label* that prominently and conspicuously displays the following:
 - The statement, “Keep this product out of the reach of children.”

- The name, location, phone number, and website of the manufacturer of the product*.
- The name of the accredited laboratory used by the manufacturer to test the product*.
- The amount or percentage of cannabinoids found in each serving size of the product.
- The list of ingredients in the product.
- The batch number of the product*.
- A statement that the product has not been approved by the U.S. Food & Drug Administration (unless such approval has been secured).
- A statement that the product does not claim to cure, mitigate, treat diagnose, or prevent a disease, or alter the structure or function of the body.

*If the label requirements cannot fit on the product, an outer package that contains the product or a scannable or matrix barcode that links to the manufacturer's website that lists the information is acceptable.

Sale and Placement of Product

- Product must only be sold to people 21 years of age or older.
- Edible products other than products intended to be consumed as a beverage must be displayed in a locked case or behind a checkout counter where the public is not permitted.
- State law does not prohibit delivery of hemp-derived cannabinoid products (edibles, beverages, and topicals). However, prior to providing a product, an employee of the retailer must verify that the person to whom the product is being provided is at least 21 years of age.

Edible or Beverage Destruction

- Non-compliant products must be removed from displays and destroyed or returned.
- Edibles may be finely chopped or ground and mixed with coffee grounds, soil, or garbage, making them inedible. Place the mixture into a container or box and seal it with tape, then throw away in the trash. Beverages may be poured down a plumbed drain. Do not pour beverages down storm drains. Empty containers should be recycled or thrown away in the trash.

Testing

- A manufacturer must submit samples of each batch of product to be tested by an independent, accredited laboratory to certify that the product meets the standards set by the Minnesota Department of Health.
- At a minimum testing must confirm that the product contains the amount of cannabinoids stated on the label, does not contain more than trace amounts of any mold, residual solvents or other catalysts, pesticides, fertilizers, or heavy metals, and does not contain more than 0.3 percent of any tetrahydrocannabinol.

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7/26/2023

To obtain this information in a different format, call: 651-201-5598