# Cannabinoid-Infused Product Regulation and Legislation in the United States

**Examples of state statutory and regulatory provisions.**

As the rise in popularity of cannabinoid-infused (CBD) products continues to rise, states are determining how to regulate them. This document provides a table outlining recent statutes and rules proposed and passed by states related to CBD products.

<table>
<thead>
<tr>
<th>State</th>
<th>Statute, Rule, or Guidance</th>
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<tbody>
<tr>
<td>Florida</td>
<td>Department of Agriculture and Consumer Services (<a href="#">proposed rules</a>)&lt;br&gt;• Hemp abstract is adulterated if it contains contaminants (i.e. solvents, biologicals, pesticides) or THC levels greater than those listed.&lt;br&gt;• Food containing hemp extract must adhere to testing and labelling requirements (e.g., those found in statute [F.S. 581.217(7)], and not claim to be intended for diagnosis, cure, treatment of disease.&lt;br&gt;• Prohibits hemp extract from being used in foods produced and sold under state’s cottage food laws.</td>
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<td>Louisiana</td>
<td>Louisiana statute (<a href="#">HB 491</a>)&lt;br&gt;• Requires any CBD product made or sold in Louisiana is registered with the state health agency and adheres to testing and labeling requirements.&lt;br&gt;• Prohibits the production and sale of food or beverages containing CBD.&lt;br&gt;• Allows for production and sale of “industrial hemp-derived CBD products” within definition.&lt;br&gt;• Products are to be registered with the state health agency.&lt;br&gt;• CBD retailers must obtain a permit from the state’s office of alcohol and tobacco control.&lt;br&gt;• Prohibits the use of CBD in the production of low-risk foods (i.e. cottage foods).&lt;br&gt;Louisiana Department of Health (<a href="#">emergency rules</a>)&lt;br&gt;• Will provide a list of registered products to the state’s alcohol and tobacco control office, law enforcement, and other appropriate entities.&lt;br&gt;• Issued emergency rules for registration, labelling, and laboratory analysis of CBD products.&lt;br&gt;• Developed an informational webpage for Industrial-Hemp-Derived CBD Products.&lt;br&gt;Louisiana Office of Alcohol and Tobacco Control (<a href="#">emergency rules</a>)&lt;br&gt;• Issued emergency rules for permitting CBD retailers in September 2019.</td>
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<td>Maine</td>
<td>Maine statute (<a href="#">LD 1749</a>)&lt;br&gt;• Allows production and sale of food containing hemp or CBD derived from hemp, if it meets certain labelling or signage requirements.&lt;br&gt;State agencies conducting food inspections (<a href="#">guidance</a>)&lt;br&gt;• Guidelines for enforcing the new requirements were developed for state agency inspectors.</td>
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<td>New Mexico</td>
<td>New Mexico Environment Department (<a href="#">emergency rules</a>)&lt;br&gt;• Issued emergency rules for hemp extraction, production, transportation, warehousing, and testing.&lt;br&gt;• Rules include permit requirements for hemp product manufacturers and testing and labelling requirements for “hemp finished products”.&lt;br&gt;• Defines “hemp finished products” and includes CBD in “hemp extracts”.</td>
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| Nevada         | Nevada statute ([AB533](#) and [SB209](#))<br>• Allow the sale of properly tested and labeled hemp and CBD-containing products intended for
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<th>Agency/Department</th>
<th>Proposed/Rules</th>
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| Ohio        | Ohio Department of Agriculture (proposed rules) | Defines “hemp product”.  
              |                                           | Establish processing license requirements for hemp products.  
              |                                           | Requires processors comply with food safety regulations.  
              |                                           | Allow the use of out-of-state hemp and extracted cannabinoids.  
              |                                           | Sets out laboratory testing and labelling requirements.  
| Oregon      | Oregon Department of Agriculture (final rules) | Adopted final rules for growing, handling, retail sales, and testing of industrial hemp products.  
              |                                           | Sets out requirements for retail sale of industrial hemp products intended for human consumption and testing.  
| Texas       | Texas statute (HB 1325) | Sets out allowances and restrictions for consumable “hemp products” as defined in the bill.  
              |                                           | Manufacturers of consumable hemp products must be licensed by the state health agency.  
              |                                           | Sets out laboratory testing, packaging, and labelling, and registration requirements.  
              |                                           | Allows for retail sale of out-of-state products if laws under which products are tested are in accordance with or similar to Texas requirements.  
| Texas       | Texas Health and Human Services | Is currently gathering public comment on future rules.  
| Utah        | Utah Department of Agriculture and Food (proposed rules) | Requires that cannabinoid products intended for human consumption must be registered with and determined safe by state’s agriculture agency.  
| Vermont     | Vermont Agency of Agriculture (proposed rules) | Submitted proposed rules for “hemp-infused products” including cosmetics, personal care products, food intended for human or animal consumption, and other products containing hemp-derived CBD.  
              |                                           | Sets out processor registration, testing, and labelling requirements.  
| West Virginia | West Virginia Department of Agriculture (proposed rules) | Submitted proposed rules for hemp products, including edibles and drinks intended for human consumption.  
              |                                           | Requires annual registration of all hemp products and extracts with a registration fee of $200 for each product; exclusive of fiber and paper products.  
              |                                           | Additionally, requires retailers to register with the agency and submit a registration fee.  
              |                                           | Sets out testing and labelling requirements as well as enforcement provisions.  