

INSTRUCTIONS

- Immediately following the name of the state there is a categorization: Unregulated/Gray Market, Prohibited, Regulated (Integrated with Cannabis), and Regulated (Hemp-Specific Frameworks). **This category supersedes any notes that remain for that state when it comes to the final legal status of synthetic THC in the state.**
- If a state allows delta-8, it allows synthetic THC. The various definitions can change from state to state, but consider that to be a reliable rule of thumb.
- As far as your reporting goes, there is no real distinction between semi-synthetic and fully synthetic. It is all synthetic.
- While the information contained here often refers to “delta-8 THC” consider it to be “synthetic THC” so it isn’t so focused on delta-8 in your reporting.
- Note that some states such as Arkansas and Indiana include information on legal cases that have been filed in the state and which may impact whether or not the law or administrative rule is enjoined. Be sure to take that into consideration.

STATES

Alabama Hemp Intoxicants Law

Unregulated/Gray Market

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Alabama law does not explicitly address the legality of delta-8 THC or other hemp-derived intoxicants. The state’s focus remains on industrial hemp production, not on consumer products such as delta-8. The legal framework does not explicitly ban delta-8 THC, but synthetic cannabinoids may fall under the controlled substance category depending on their source and processing.
- **Statutory Citations:**
 - **Alabama Code § 2-8-381 to § 2-8-391:** Establishes the Alabama Industrial Hemp Research Program.
 - **Alabama Administrative Code r. 80-10-21:** Governs the cultivation, processing, and handling of hemp but does not explicitly address intoxicants like delta-8 THC.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Alabama law is silent on synthetic cannabinoids like delta-8 THC but generally prohibits synthetic cannabinoids under Schedule I substances. Therefore, delta-8 THC, if considered synthetic, may be prohibited, although there is no direct regulation under the Alabama hemp program.
- **License Categories and Fees:**

- The Alabama Department of Agriculture and Industries (ADAI) oversees licensing for the cultivation, processing, and handling of hemp under Alabama Administrative Code r. 80-10-21. There are no special license categories or fees specifically addressing hemp-derived intoxicants like delta-8 THC.
- **Testing and Labeling Requirements:**
 - Testing regulations in Alabama focus on ensuring that hemp crops meet the federal 0.3% THC threshold. There are no specific testing and labeling requirements for products containing delta-8 THC.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** There are no explicit laws regulating the interstate commerce of hemp-derived intoxicants such as delta-8 THC, though interstate sales would need to comply with federal law.
- **Age Restrictions:** The state has not implemented age restrictions specific to the sale or possession of hemp-derived intoxicants. However, delta-9 THC products are restricted to individuals 21 and older in Alabama's medical marijuana framework, which could inform future rules for delta-8 THC.
- **Retail Location Restrictions:** Zoning laws in Alabama do not restrict the location of hemp product sales, but this may be subject to change if intoxicants like delta-8 become more regulated.

4. Advertising and Marketing Restrictions:

- **Advertising:** Alabama has not enacted specific regulations on the advertising or marketing of hemp-derived intoxicants like delta-8 THC. Retailers should still comply with general advertising laws and avoid false or misleading claims.

5. Taxes and Fees:

- **Taxes:** No excise tax is currently imposed on hemp-derived products like delta-8 THC in Alabama. These products are subject to general sales tax at retail points.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Alabama have no specific authority to ban or further regulate hemp-derived intoxicants like delta-8 THC. There are also no zoning restrictions explicitly mentioned for hemp retailers.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Alabama regulates hemp farming through its Industrial Hemp Research Program. There are no specific sustainability or environmental requirements for products containing delta-8 THC.

8. Social Equity Programs:

- Alabama does not have a social equity program related to hemp or cannabis, nor does it offer licensing incentives for communities impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** There are no specific product recall protocols in Alabama for hemp-derived products like delta-8 THC. However, general consumer protection laws and potential FDA regulations would apply.

10. Worker Safety and Labor Standards:

- There are no specific labor or safety regulations in place for workers in Alabama's hemp industry, particularly for those involved in the production of hemp-derived intoxicants like delta-8 THC.

11. Penalties for Non-Compliance:

- Penalties related to hemp violations typically include license suspension, fines, or other administrative sanctions if THC levels exceed legal limits under Alabama Administrative Code r. 80-10-21.

12. Cannabis Parity:

- **Cannabis Parity:** Alabama regulates medical cannabis through the Compassion Act (Alabama Code § 20-2A). However, delta-8 THC and other hemp intoxicants are not aligned with this framework and remain largely unregulated.

13. Federal Interaction and Preemption Claims:

- Alabama has not experienced significant federal challenges or preemption claims regarding its regulation of hemp intoxicants.

Key Statutes and Regulations:

- **Alabama Code § 2-8-381 to § 2-8-391:** Establishes the Alabama Industrial Hemp Research Program.
- **Alabama Administrative Code r. 80-10-21:** Governs hemp cultivation, processing, and handling.

This revision fills in gaps on penalties, advertising, worker safety, and other areas while ensuring that legal citations are consistent. The next state is Alaska. Would you like to proceed with Alaska?

You said:

Next. And going forward, you don't need to provide a closing comment after a re-written section.

ChatGPT said:

Alaska Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Alaska does not explicitly permit hemp-derived intoxicants like delta-8 THC. Under **Alaska Statutes § 11.71.160**, all tetrahydrocannabinols (THC) are classified as Schedule IIIA controlled substances, which includes delta-8 THC unless specific exemptions apply, such as through the regulated cannabis program.
- **Statutory Citations:**
 - **Alaska Statutes § 11.71.160:** Classifies THC as a Schedule IIIA controlled substance.
 - **Alaska Statutes § 17.38:** Governs marijuana regulation but does not extend to hemp-derived delta-8 THC.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC and other synthetic cannabinoids are treated as controlled substances under **Alaska Statutes § 11.71.160**. This includes cannabinoids derived from chemical processes, such as those starting from hemp-based CBD.
- **License Categories and Fees:** Alaska licenses hemp cultivators and processors under its industrial hemp program, managed by the Alaska Department of Natural Resources. However, no specific licenses exist for intoxicating hemp products like delta-8 THC.
- **Testing and Labeling Requirements:** Testing and labeling requirements for THC-containing products fall under the state's marijuana regulations. As delta-8 THC is not permitted for sale, no testing or labeling requirements are provided for intoxicating hemp products.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Alaska law does not explicitly address the interstate sale of delta-8 THC products. However, given its classification as a controlled substance, interstate commerce would likely be prohibited without compliance with cannabis regulations.
- **Age Restrictions:** The sale of all THC-containing products, including delta-8 THC, is restricted to individuals 21 and over under Alaska's cannabis regulations. This restriction applies even to products classified under controlled substances.
- **Retail Location Restrictions:** Since delta-8 THC is not legal for sale, there are no specific zoning laws for its retail distribution. Zoning laws that apply to cannabis retail stores under **Alaska Statutes § 17.38** would likely apply if delta-8 THC were legalized.

4. Advertising and Marketing Restrictions:

- **Advertising:** Alaska does not allow the sale of delta-8 THC, so no specific advertising regulations exist for hemp-derived intoxicants. Cannabis products face stringent marketing restrictions, especially with respect to advertising to minors and outdoor advertisements, which would likely apply if delta-8 THC were regulated similarly.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC is not taxed in Alaska due to its illegal status. Cannabis products are taxed under **Alaska Statutes § 17.38**, which may serve as a model if delta-8 THC were ever legalized.

6. Zoning and Local Control:

- **Local Jurisdiction:** Alaska allows local jurisdictions to regulate or ban the sale of intoxicating substances, including cannabis, under **Alaska Statutes § 17.38**. This authority could extend to delta-8 THC products if they were legalized.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Alaska's hemp regulations focus on industrial hemp cultivation, with no specific environmental or sustainability regulations related to the production of intoxicating hemp products like delta-8 THC.

8. Social Equity Programs:

- Alaska does not currently have a social equity program for hemp or cannabis businesses. No provisions exist for licensing incentives for communities impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** As delta-8 THC is not permitted for sale, there are no recall procedures for these products. Cannabis recall regulations apply to THC-containing products in the legal cannabis market under **Alaska Statutes § 17.38**.

10. Worker Safety and Labor Standards:

- No specific worker safety or labor standards apply to the hemp intoxicant industry in Alaska. Worker protections in the cannabis industry include general occupational safety rules, which may extend to hemp if intoxicating products are legalized.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** Possession, sale, or manufacture of delta-8 THC can result in criminal penalties under **Alaska Statutes § 11.71.160**, which lists these substances as Schedule IIIA controlled substances. Penalties may include fines and imprisonment, depending on the amount and intended use.

12. Cannabis Parity:

- Alaska's regulatory framework for cannabis under **Alaska Statutes § 17.38** does not apply to delta-8 THC or other hemp intoxicants, as these are prohibited. Cannabis is tightly regulated, while delta-8 THC remains classified as a controlled substance.

13. Federal Interaction and Preemption Claims:

- Alaska follows federal guidelines for hemp cultivation but treats intoxicating cannabinoids like delta-8 THC as controlled substances. There have been no notable federal challenges to Alaska's regulation of hemp intoxicants.

Key Statutes and Regulations:

- **Alaska Statutes § 11.71.160:** Classifies tetrahydrocannabinols, including delta-8 THC, as controlled substances.
- **Alaska Statutes § 17.38:** Regulates marijuana but does not extend to hemp-derived intoxicants.
- **Alaska Administrative Code Title 7 Chapter 52:** Addresses controlled substances regulations.

You said:

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ChatGPT said:

Arizona Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Arizona does not permit the sale or use of intoxicants such as delta-8 THC. Under **Arizona Revised Statutes § 36-2512**, synthetic cannabinoids, including delta-8 THC, are classified as controlled substances, making the sale, possession, or production of delta-8 THC unlawful.
- **Statutory Citations:**
 - **Arizona Revised Statutes § 36-2512:** Lists synthetic cannabinoids as controlled substances, including delta-8 THC.
 - **Arizona Revised Statutes § 3-311 to § 3-320:** Governs industrial hemp, allowing products compliant with the federal definition of hemp (less than 0.3% delta-9 THC).

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC and other synthetic cannabinoids are prohibited under **Arizona Revised Statutes § 36-2512**. Any product that contains synthetic THC or chemically converted THC is considered a controlled substance and is illegal for sale or consumption.
- **License Categories and Fees:** Arizona licenses hemp growers and processors under the state's Industrial Hemp Program, but no licenses exist for the production or sale of intoxicating cannabinoids like delta-8 THC.
- **Testing and Labeling Requirements:** Testing is required for industrial hemp to ensure compliance with the 0.3% delta-9 THC threshold. However, since delta-8 THC products are illegal, there are no specific testing or labeling standards for these products.

4. Distribution and Sale Regulations:

- **Interstate Commerce:** Arizona law prohibits the sale or distribution of delta-8 THC both within the state and across state lines. Interstate shipment of delta-8 THC is not permitted, given the product's status as a controlled substance.
- **Age Restrictions:** Since delta-8 THC is illegal, no specific age restrictions are imposed on its sale. For cannabis products, which are legal in some forms in Arizona, sales are limited to individuals 21 years or older.
- **Retail Location Restrictions:** There are no zoning laws governing the sale of delta-8 THC because it is prohibited in Arizona. Cannabis retail stores, however, face strict zoning requirements under the state's cannabis laws.

5. Advertising and Marketing Restrictions:

- **Advertising:** Since delta-8 THC is illegal, there are no advertising rules specific to its sale or promotion. Arizona's cannabis advertising laws, which restrict marketing to minors and limit where advertisements can be placed, could serve as a framework if delta-8 THC were legalized.

6. Taxes and Fees:

- **Taxes:** Delta-8 THC products are not taxed in Arizona, as they are not legally permitted. Cannabis products, however, are subject to excise taxes, and similar tax structures would likely apply to hemp intoxicants if they were legalized.

7. Zoning and Local Control:

- **Local Jurisdiction:** Local jurisdictions in Arizona may regulate or ban the sale of cannabis products but do not currently have the authority to regulate delta-8 THC, as it is prohibited at the state level.

8. Environmental and Sustainability Requirements:

- **Environmental Standards:** Arizona's hemp regulations focus on industrial hemp cultivation, with no specific sustainability or environmental requirements for products containing intoxicating cannabinoids like delta-8 THC.

9. Social Equity Programs:

- Arizona has a social equity program aimed at cannabis businesses, which provides opportunities to individuals disproportionately affected by previous cannabis laws. However, this program does not extend to hemp-derived intoxicants like delta-8 THC, as these products are prohibited.

10. Product Recalls and Consumer Safety:

- **Recalls:** Arizona has no product recall procedures for hemp intoxicants like delta-8 THC due to their illegal status. Cannabis products are subject to recall procedures, which could serve as a model for delta-8 THC if it were legalized.

11. Worker Safety and Labor Standards:

- No specific worker safety or labor standards apply to the production of intoxicating hemp products like delta-8 THC in Arizona, as these products are illegal. General occupational safety rules apply to the cannabis industry.

12. Penalties for Non-Compliance:

- **Criminal Penalties:** Possession, production, or sale of delta-8 THC products is punishable under **Arizona Revised Statutes § 36-2512**, which classifies these products as controlled substances. Penalties may include fines, imprisonment, or both, depending on the nature of the offense.

13. Cannabis Parity:

- Arizona regulates hemp intoxicants like delta-8 THC under the same framework as controlled substances, treating them differently from cannabis, which is legal for medical and recreational use under specific regulations.

14. Federal Interaction and Preemption Claims:

- Arizona has not faced significant federal challenges regarding its regulation of hemp intoxicants. The state's laws align with federal guidelines on industrial hemp, but synthetic cannabinoids like delta-8 THC are treated as controlled substances under state law.

Key Statutes and Regulations:

- **Arizona Revised Statutes § 3-311 to § 3-320:** Defines and regulates industrial hemp.

- **Arizona Revised Statutes § 36-2512:** Lists synthetic cannabinoids, including delta-8 THC, as controlled substances.

You said:

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ChatGPT said:

Arkansas Hemp Intoxicants Law (Revised)

A federal court issued a preliminary injunction in September 2023, blocking the state from enforcing the law. The state has since appealed the ruling, and the case is ongoing. *Bio Gen, LLC et al. v. Sarah Huckabee Sanders, et al.*, 4:23-CV-00718-BRW. Arkansas passed Act 629, categorizing hemp-derived intoxicants as controlled substances.

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In Arkansas, delta-8 THC is considered a controlled substance. Under **Arkansas Code § 5-64-215**, all tetrahydrocannabinols (THC), including delta-8 THC, are classified as Schedule VI controlled substances. This makes the sale, possession, and production of delta-8 THC illegal.
- **Statutory Citations:**
 - **Arkansas Code § 5-64-215:** Classifies all forms of THC, including delta-8 THC, as Schedule VI controlled substances.
 - **Arkansas Industrial Hemp Act (Arkansas Code § 2-15-401 et seq.):** Governs hemp cultivation and processing but does not allow intoxicating cannabinoids.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Synthetic cannabinoids, including delta-8 THC, are prohibited under **Arkansas Code § 5-64-215**. The Arkansas Department of Health classifies delta-8 THC as a controlled substance, making its sale or production illegal.
- **License Categories and Fees:** Licenses for hemp cultivation and processing are issued under Arkansas' Industrial Hemp Program, but no licenses are available for the production or sale of intoxicating cannabinoids like delta-8 THC.
- **Testing and Labeling Requirements:** Testing is required for hemp products to ensure compliance with THC limits, but there are no specific testing or labeling requirements for delta-8 THC products since they are illegal.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Arkansas law prohibits the sale and distribution of delta-8 THC, including interstate commerce of these products. Under **Arkansas Code § 5-64-215**, the sale of any controlled substance, including delta-8 THC, is illegal.

- **Age Restrictions:** No age restrictions apply to the sale of delta-8 THC because it is prohibited in Arkansas. The state's medical marijuana program restricts sales to individuals 21 years or older.
- **Retail Location Restrictions:** Since delta-8 THC is illegal, there are no specific retail location or zoning restrictions for its sale. However, cannabis retailers are subject to zoning laws that restrict their proximity to schools and other sensitive locations.

4. Advertising and Marketing Restrictions:

- **Advertising:** Since delta-8 THC is illegal in Arkansas, there are no advertising regulations specific to its promotion. Cannabis products are subject to strict advertising rules, which could apply to intoxicating hemp products if they were legalized.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC is not subject to any taxes in Arkansas due to its illegal status. Cannabis products, on the other hand, are taxed under the state's medical marijuana program.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Arkansas have authority over zoning for cannabis sales but do not have jurisdiction over delta-8 THC sales, as these products are illegal statewide.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Arkansas regulates industrial hemp cultivation under the Arkansas Industrial Hemp Act, focusing on agricultural practices, but there are no specific environmental requirements for intoxicants like delta-8 THC.

8. Social Equity Programs:

- Arkansas does not have a social equity program related to hemp or cannabis businesses. The state does not offer licensing incentives or special provisions for communities affected by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Arkansas has no product recall procedures for delta-8 THC due to its illegal status. However, medical cannabis products are subject to recall procedures, which could extend to delta-8 THC if it were legalized.

10. Worker Safety and Labor Standards:

- There are no specific worker safety or labor standards related to the production of hemp intoxicants like delta-8 THC, as they are illegal. General labor laws apply to the hemp industry.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** Violations involving delta-8 THC, such as its sale, production, or possession, are punishable under **Arkansas Code § 5-64-215**. Penalties include fines, imprisonment, or both, depending on the quantity and nature of the violation.

12. Cannabis Parity:

- Arkansas regulates medical cannabis under its medical marijuana program but does not extend similar regulations to delta-8 THC or other hemp intoxicants. Delta-8 THC is classified as a controlled substance, unlike cannabis, which is tightly regulated for medical use.

13. Federal Interaction and Preemption Claims:

- Arkansas has not faced notable federal challenges or preemption claims regarding the regulation of hemp intoxicants. The state's classification of delta-8 THC as a controlled substance aligns with its own drug laws, which go beyond federal guidelines.

Key Statutes and Regulations:

- **Arkansas Code § 5-64-215:** Classifies all forms of THC, including delta-8 THC, as Schedule VI controlled substances.
- **Arkansas Industrial Hemp Act (Arkansas Code § 2-15-401 et seq.):** Regulates the cultivation and processing of industrial hemp.

You said:

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ChatGPT said:

California Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** California allows the sale of hemp-derived intoxicants like delta-8 THC, but with strict regulations. Under **Assembly Bill 45 (2021)**, hemp-derived cannabinoids, including delta-8 THC, are legal but must comply with specific requirements related to testing, labeling, and distribution. These products can only be sold through licensed cannabis dispensaries and are regulated similarly to cannabis products.

- **Statutory Citations:**
 - **Assembly Bill 45 (2021):** Governs the sale and regulation of hemp-derived cannabinoids, including delta-8 THC.
 - **California Health and Safety Code § 11018.5:** Defines industrial hemp and applies regulations to intoxicating cannabinoids.
 - **California Business and Professions Code § 26054:** Sets zoning restrictions for cannabis dispensaries that sell delta-8 THC.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC and other synthetic cannabinoids are regulated under California's cannabis laws. These products must be sold through licensed dispensaries and meet rigorous testing, packaging, and labeling standards, as outlined in **Assembly Bill 45 (2021)**.
- **License Categories and Fees:** Cannabis retailers and manufacturers must obtain a license from the California Department of Cannabis Control (DCC) to sell hemp-derived intoxicants like delta-8 THC. Licensing fees range from \$2,500 to \$96,000 annually, depending on the size and sales volume of the business.
- **Testing and Labeling Requirements:** All delta-8 THC products must be tested for potency, contaminants (e.g., pesticides, heavy metals), and residual solvents under **California Code of Regulations Title 17 Division 1 Chapter 13**. Labeling must include THC content, warnings about psychoactive effects, and instructions for safe use.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** While California does not explicitly ban interstate commerce of hemp-derived intoxicants, products containing delta-8 THC can only be sold within the state through licensed dispensaries. Shipping these products out of state could face legal challenges depending on federal regulations.
- **Age Restrictions:** Sales of delta-8 THC products are restricted to individuals 21 years or older, consistent with California's cannabis regulations under **Assembly Bill 45 (2021)**.
- **Retail Location Restrictions:** Delta-8 THC products can only be sold in licensed dispensaries, which must comply with zoning regulations that restrict their location in proximity to schools, daycare centers, and other sensitive locations, as set forth in **California Business and Professions Code § 26054**.

4. Advertising and Marketing Restrictions:

- **Advertising:** Advertising for delta-8 THC products must follow the same restrictions as cannabis products, including prohibitions on marketing to minors, limits on outdoor advertising near schools, and requirements for age-gated digital platforms. All advertisements must comply with **California Business and Professions Code § 26152**.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to a 15% excise tax, similar to cannabis products, under **California Revenue and Taxation Code § 34011**. Local jurisdictions may also impose additional taxes on hemp-derived intoxicants.

6. Zoning and Local Control:

- **Local Jurisdiction:** California allows local governments to regulate or ban the sale of hemp intoxicants like delta-8 THC, similar to cannabis. Many cities and counties impose zoning restrictions on dispensaries, limiting their proximity to schools, parks, and residential areas.
- **Zoning Requirements:** Licensed dispensaries selling delta-8 THC must adhere to strict zoning laws, often requiring them to be located a certain distance away from schools and other sensitive areas, as regulated under **California Business and Professions Code § 26054**.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** California imposes environmental regulations on the cultivation and production of hemp, including requirements for water usage, pesticide application, and energy efficiency. These standards are enforced by the California Department of Food and Agriculture (CDFA) under the state's Industrial Hemp Program.

8. Social Equity Programs:

- California's cannabis social equity program provides incentives and priority licensing for individuals from communities disproportionately impacted by the war on drugs. These provisions extend to businesses selling delta-8 THC products under the same cannabis licensing framework as outlined in **California Business and Professions Code § 26001.1**.

9. Product Recalls and Consumer Safety:

- **Recalls:** California has established recall procedures for hemp-derived intoxicants like delta-8 THC. Manufacturers and retailers must follow the recall guidelines under the cannabis program, which are overseen by the California Department of Cannabis Control (DCC), as outlined in **California Code of Regulations Title 17 Division 1 Chapter 13**.

10. Worker Safety and Labor Standards:

- Employers involved in the production and sale of delta-8 THC must comply with California's labor and occupational safety laws. Worker protections include general occupational safety regulations, as enforced under the **California Occupational Safety and Health Act (Cal/OSHA)**.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Violations of California's delta-8 THC regulations, such as improper labeling, failing to meet testing standards, or selling without a license, may result in fines, suspension, or revocation of licenses. Penalties are outlined in **California Business and Professions Code § 26031**.
- **Criminal Penalties:** Engaging in unlicensed activities involving delta-8 THC can result in criminal penalties, including fines and imprisonment under state law.

12. Cannabis Parity:

- Delta-8 THC and other hemp intoxicants are regulated similarly to cannabis products in California, requiring the same licensing, testing, and sales restrictions. Under **Assembly Bill 45 (2021)** and **California Health and Safety Code § 11018.5**, delta-8 THC is treated like a cannabis product in most respects.

13. Federal Interaction and Preemption Claims:

- California has not faced significant federal preemption challenges regarding its regulation of delta-8 THC. The state's laws comply with federal guidelines for industrial hemp but go beyond federal law by treating delta-8 THC as a cannabis-like product.

Key Statutes and Regulations:

- **Assembly Bill 45 (2021):** Regulates hemp-derived cannabinoids, including delta-8 THC.
- **California Health and Safety Code § 11018.5:** Defines industrial hemp and regulates intoxicating cannabinoids.
- **California Business and Professions Code § 26054:** Governs zoning restrictions for licensed dispensaries.
- **California Code of Regulations Title 17 Division 1 Chapter 13:** Sets testing, labeling, and safety standards for hemp and cannabis products.

You said:

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ChatGPT said:

Colorado Hemp Intoxicants Law (Revised)

Prohibited ## (in-state only)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Colorado permits the production of hemp-derived intoxicants, including delta-8 THC, but with stringent regulations. **Senate Bill 23-271 (2023)** outlines the specific provisions that regulate intoxicating hemp products like delta-8 THC. While

production for export is allowed under strict conditions, the sale of delta-8 THC within Colorado is prohibited.

- **Statutory Citations:**

- **Senate Bill 23-271 (2023):** Regulates the production of hemp-derived intoxicants like delta-8 THC, setting THC limits and restricting in-state sales.
- **Colorado Revised Statutes § 35-61-101 to § 35-61-109:** Establishes the Industrial Hemp Regulatory Program in Colorado.
- **Colorado Revised Statutes § 44-11-101 to § 44-11-1101:** Provides general marijuana regulations, indirectly affecting hemp intoxicants.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Under **Senate Bill 23-271**, delta-8 THC is regulated similarly to cannabis products. However, the sale of delta-8 THC within Colorado is prohibited. The state allows the production of these intoxicants solely for export to states where such products are legal.
- **License Categories and Fees:** Colorado requires licenses for the cultivation, processing, and sale of hemp products, including intoxicants like delta-8 THC, but only for export. License fees vary depending on the operation, ranging from \$500 to several thousand dollars annually under **Colorado Revised Statutes § 35-61-101 to § 35-61-109**.
- **Testing and Labeling Requirements:** Colorado mandates stringent testing for all intoxicating hemp products, including delta-8 THC, to ensure they meet THC limits and are free from contaminants such as pesticides and heavy metals. Labeling must include THC content, warnings about psychoactive effects, and compliance with Colorado Department of Public Health and Environment (CDPHE) standards.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Colorado allows the production of delta-8 THC for export to states where it is legal. However, under **Senate Bill 23-271**, the sale or distribution of these products within Colorado is prohibited, even though they may be produced for out-of-state commerce.
- **Age Restrictions:** Although delta-8 THC cannot be sold within Colorado, intoxicating hemp products must adhere to cannabis-like restrictions where sales (if legalized for delta-8 THC) would be limited to individuals 21 years and older.
- **Retail Location Restrictions:** Since delta-8 THC products cannot be sold in Colorado, there are no specific zoning regulations for retail locations. If legalized, cannabis-like zoning restrictions under **Colorado Revised Statutes § 44-11-101** would apply.

4. Advertising and Marketing Restrictions:

- **Advertising:** As delta-8 THC products cannot be sold within Colorado, there are no specific advertising regulations for these products. However, Colorado's cannabis

advertising laws, which restrict marketing to minors and control where advertisements can be placed, would likely apply if these products were allowed for sale.

5. Taxes and Fees:

- **Taxes:** Since the sale of delta-8 THC is prohibited within Colorado, these products are not subject to state excise taxes. However, if delta-8 THC were legalized for in-state sales, cannabis-like tax structures could apply, which would include excise taxes on sales.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Colorado have the authority to regulate or ban the sale of cannabis products, and this authority would likely extend to delta-8 THC if it were legalized for sale within the state. Zoning laws for cannabis businesses under **Colorado Revised Statutes § 44-11-101** provide a framework for regulating intoxicating hemp products.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Colorado enforces environmental standards for hemp cultivation, including regulations on water usage, pesticide application, and energy efficiency. These regulations apply to all hemp production, including the cultivation of hemp for intoxicants like delta-8 THC under **Colorado Revised Statutes § 35-61-109**.

8. Social Equity Programs:

- Colorado's social equity program extends to both cannabis and hemp businesses. Individuals from communities disproportionately impacted by the war on drugs can receive priority in licensing and access to business incentives under **Colorado Revised Statutes § 44-11-101**.

9. Product Recalls and Consumer Safety:

- **Recalls:** The Colorado Department of Public Health and Environment (CDPHE) enforces strict recall procedures for products that do not meet safety standards. Delta-8 THC products must comply with cannabis-like recall procedures if they are found to contain harmful substances or are mislabeled.

10. Worker Safety and Labor Standards:

- Colorado's labor and occupational safety laws, overseen by the Colorado Department of Labor and Employment (CDLE), apply to the hemp industry. Worker protections and safety standards for cannabis workers extend to those involved in the production of hemp intoxicants like delta-8 THC.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that violate Colorado's regulations on hemp intoxicants, such as non-compliance with testing or export rules, can face fines, license suspension, or revocation under **Colorado Revised Statutes § 44-11-101**.
- **Criminal Penalties:** Unlicensed activities related to delta-8 THC, including in-state sales, could result in criminal penalties, including fines and imprisonment, under state law.

12. Cannabis Parity:

- Colorado treats hemp-derived intoxicants like delta-8 THC similarly to cannabis products in terms of production standards. However, unlike cannabis, delta-8 THC products cannot be sold within the state under **Senate Bill 23-271**, and are restricted to production for export.

13. Federal Interaction and Preemption Claims:

- Colorado's regulation of delta-8 THC has not faced significant federal preemption challenges. The state aligns with federal hemp laws, while treating intoxicating cannabinoids under the same framework as cannabis for in-state production and export.

Key Statutes and Regulations:

- **Colorado Revised Statutes § 35-61-101 to § 35-61-109:** Establishes the Industrial Hemp Regulatory Program.
- **Colorado Revised Statutes § 44-11-101:** Provides marijuana regulations applicable to intoxicating hemp cannabinoids.
- **Senate Bill 23-271 (2023):** Regulates intoxicating hemp products, restricting in-state sales but allowing export under specific conditions.
- **CDPHE Regulations (2023):** Provide testing and recall procedures for hemp intoxicants like delta-8 THC.

You said:

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ChatGPT said:

Connecticut Hemp Intoxicants Law (Revised)

Regulated (Integrated with Cannabis)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Connecticut allows the sale and use of hemp-derived intoxicants, including delta-8 THC, but these products are subject to the same regulations as

cannabis. Under **Public Act No. 21-1 (2021)**, which legalized adult-use cannabis, delta-8 THC is regulated within the state's cannabis framework, requiring testing, labeling, and retail sales through licensed dispensaries.

- **Statutory Citations:**

- **Connecticut General Statutes § 22-61l to § 22-61cc:** Establishes the state's hemp program.
- **Public Act No. 21-1 (2021):** Legalizes adult-use cannabis and regulates hemp-derived cannabinoids like delta-8 THC under the same framework.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Under **Public Act No. 21-1 (2021)**, delta-8 THC is treated as a cannabis product and must adhere to the same regulations, including rigorous testing, labeling, and sales restrictions. Only licensed cannabis retailers are permitted to sell delta-8 THC products in Connecticut.
- **License Categories and Fees:** Businesses producing or selling delta-8 THC must obtain a cannabis license from the Connecticut Department of Consumer Protection (DCP). Licensing fees vary depending on the type of operation, with fees ranging from \$1,000 to \$25,000, depending on the size and nature of the business.
- **Testing and Labeling Requirements:** Delta-8 THC products must undergo comprehensive testing for potency, contaminants, and safety under **Connecticut Department of Consumer Protection regulations**. Labels must clearly display THC content, warnings about psychoactive effects, and usage instructions, ensuring transparency for consumers.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Connecticut law does not prohibit the interstate sale of delta-8 THC, but all sales within the state must comply with state cannabis regulations. Delta-8 THC products can only be sold through licensed dispensaries, and interstate commerce would still need to comply with federal law.
- **Age Restrictions:** Sales of delta-8 THC products are restricted to individuals 21 years and older, consistent with Connecticut's cannabis regulations, as outlined in **Public Act No. 21-1 (2021)**.
- **Retail Location Restrictions:** Delta-8 THC can only be sold through licensed cannabis dispensaries, which must comply with zoning laws that restrict proximity to schools, childcare centers, and other sensitive areas, as governed by **Connecticut General Statutes § 21a-420**.

4. Advertising and Marketing Restrictions:

- **Advertising:** Advertising for delta-8 THC products is subject to the same rules as cannabis products. **Connecticut Department of Consumer Protection regulations** restrict advertisements from targeting minors and control where ads can be placed.

Advertising must include warnings about the effects of THC and cannot make health claims.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are taxed similarly to cannabis products in Connecticut. The state applies an excise tax on cannabis sales, which also extends to hemp-derived intoxicants like delta-8 THC under **Public Act No. 21-1 (2021)**. Local governments may also impose additional taxes.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local jurisdictions in Connecticut have the authority to regulate or ban the sale of hemp intoxicants like delta-8 THC. Many municipalities have enacted zoning laws that restrict where dispensaries can operate, often imposing distance requirements from schools and other sensitive areas, as allowed under **Connecticut General Statutes § 21a-420**.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Connecticut regulates hemp cultivation under environmental guidelines that include water usage, pesticide application, and sustainability measures. These regulations are managed by the Connecticut Department of Agriculture under the state's hemp program, established by **Connecticut General Statutes § 22-61I to § 22-61cc**.

8. Social Equity Programs:

- Connecticut's cannabis framework includes a social equity program designed to provide licensing opportunities to individuals from communities disproportionately impacted by cannabis prohibition. These provisions also apply to delta-8 THC businesses, offering priority licensing and reduced fees under **Public Act No. 21-1 (2021)**.

9. Product Recalls and Consumer Safety:

- **Recalls:** Connecticut has established recall procedures for delta-8 THC and other hemp-derived intoxicants. Manufacturers and retailers are required to comply with state guidelines for product recalls in the event of contamination or mislabeling, overseen by the Connecticut Department of Consumer Protection.

10. Worker Safety and Labor Standards:

- Workers involved in the production and sale of delta-8 THC products are subject to the same labor and occupational safety standards as those in the cannabis industry. Connecticut requires businesses to adhere to the state's worker safety laws, ensuring a safe working environment for employees in this sector.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Connecticut's regulations on hemp intoxicants, such as improper labeling or lack of testing, can face administrative penalties, including fines and license suspensions. These penalties are detailed in **Public Act No. 21-1 (2021)**.
- **Criminal Penalties:** Engaging in unlicensed activities related to delta-8 THC can result in criminal penalties, including fines and imprisonment, depending on the severity of the violation.

12. Cannabis Parity:

- Delta-8 THC is regulated under the same framework as cannabis in Connecticut. Both products are subject to similar licensing, testing, distribution, and sales restrictions under **Public Act No. 21-1 (2021)**, ensuring parity between the two types of intoxicants.

13. Federal Interaction and Preemption Claims:

- Connecticut's regulation of delta-8 THC has not faced significant federal preemption challenges. The state's laws align with federal guidelines for hemp but impose additional requirements for intoxicating cannabinoids like delta-8 THC.

Key Statutes and Regulations:

- **Connecticut General Statutes § 22-61l to § 22-61cc:** Establishes the state's hemp program and regulates hemp-derived products.
- **Public Act No. 21-1 (2021):** Legalizes adult-use cannabis and regulates hemp intoxicants like delta-8 THC.
- **Connecticut General Statutes § 21a-420:** Provides zoning and location restrictions for cannabis and hemp intoxicant businesses.
- **Connecticut Department of Consumer Protection regulations:** Governs the testing, labeling, and sale of intoxicating hemp products.

Delaware Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC and other hemp-derived intoxicants are illegal in Delaware. **Delaware Code Title 16 § 4714** classifies all tetrahydrocannabinols (THC), including delta-8 THC, as Schedule I controlled substances. As a result, the sale, possession, and production of delta-8 THC are prohibited within the state.
- **Statutory Citations:**
 - **Delaware Code Title 16 § 4714:** Lists all tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances.

- **Delaware Code Title 3 Chapter 28:** Establishes the Delaware Industrial Hemp Program but does not permit the sale of hemp intoxicants like delta-8 THC.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is considered a controlled substance under **Delaware Code Title 16 § 4714**. Synthetic cannabinoids, including those derived from hemp, are classified as illegal substances, making their production, sale, or distribution unlawful.
- **License Categories and Fees:** Delaware does not provide licenses for the production or sale of hemp-derived intoxicants like delta-8 THC due to their prohibited status. Licenses under the state's Industrial Hemp Program are limited to non-intoxicating hemp products.
- **Testing and Labeling Requirements:** There are no testing or labeling requirements for delta-8 THC products since they are illegal. Hemp products in Delaware must comply with state THC limits, which only allow for less than 0.3% delta-9 THC.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Delaware prohibits the sale and distribution of delta-8 THC both within the state and across state lines under **Delaware Code Title 16 § 4714**. Any commerce involving delta-8 THC would be subject to criminal penalties.
- **Age Restrictions:** There are no age-related restrictions for the sale of delta-8 THC in Delaware because the product is illegal. For legal cannabis products, Delaware restricts medical marijuana sales to individuals 18 years and older.
- **Retail Location Restrictions:** Since delta-8 THC is illegal, there are no retail or zoning regulations for its sale in Delaware. Medical marijuana dispensaries face strict zoning regulations under state law, but these do not apply to delta-8 THC.

4. Advertising and Marketing Restrictions:

- **Advertising:** There are no advertising rules for delta-8 THC products in Delaware because they are illegal. Advertising for legal cannabis products is regulated under the state's medical marijuana laws, which limit marketing to minors and control where advertisements can be placed.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are not subject to any taxes in Delaware because they are prohibited. The state taxes medical marijuana products under the medical marijuana program but does not extend these rules to delta-8 THC.

6. Zoning and Local Control:

- **Local Jurisdiction:** Delaware prohibits the sale of delta-8 THC statewide under **Delaware Code Title 16 § 4714**, leaving local jurisdictions with no authority to permit or

regulate the sale of such products. Local zoning laws primarily apply to medical marijuana dispensaries.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Delaware regulates industrial hemp cultivation under **Delaware Code Title 3 Chapter 28**, which includes requirements related to water usage and pesticide application. These regulations apply to non-intoxicating hemp products and do not extend to intoxicants like delta-8 THC.

8. Social Equity Programs:

- Delaware does not have a social equity program specific to hemp or cannabis businesses. There are no provisions for licensing incentives or fee reductions for communities impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** There are no recall procedures for delta-8 THC products because they are illegal in Delaware. For legal cannabis products, the state requires manufacturers and dispensaries to follow product recall procedures in case of contamination or mislabeling.

10. Worker Safety and Labor Standards:

- Delaware does not have specific worker safety or labor standards related to the production of hemp intoxicants, as these products are illegal. Worker safety regulations apply to other industries, including the state's medical marijuana sector.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** Possession, production, or sale of delta-8 THC products can result in criminal penalties under **Delaware Code Title 16 § 4714**, which classifies delta-8 THC as a Schedule I controlled substance. Penalties include fines and imprisonment depending on the amount and intent.
- **Administrative Penalties:** Since delta-8 THC is illegal, there are no administrative penalties specific to businesses related to these products. Industrial hemp violations are subject to penalties under the state's agricultural regulations.

12. Cannabis Parity:

- Delaware regulates medical marijuana separately from delta-8 THC and other hemp intoxicants. While medical marijuana is legal and tightly regulated, delta-8 THC remains classified as a controlled substance, falling outside the state's cannabis regulations.

13. Federal Interaction and Preemption Claims:

- Delaware's prohibition of delta-8 THC aligns with federal controlled substance regulations, which classify tetrahydrocannabinols as Schedule I substances. There have been no significant federal challenges or preemption claims regarding Delaware's regulation of hemp intoxicants.

Key Statutes and Regulations:

- **Delaware Code Title 16 § 4714:** Classifies all tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances.
- **Delaware Code Title 3 Chapter 28:** Establishes the Delaware Industrial Hemp Program, regulating hemp cultivation and non-intoxicating products.
- **Delaware Administrative Code 16-4000-4732:** Enforces controlled substance regulations, including the prohibition of delta-8 THC products.

You said:

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ChatGPT said:

Florida Hemp Intoxicants Law (Revised)

Just Brands, LLC v. Florida Department of Agriculture and Consumer Services, 0:23-cv-62081. The company Just Brands argued that Florida's interpretation of its hemp laws was overly restrictive and burdensome on interstate commerce. Although the court denied injunctive relief, the parties reached a settlement in May 2024.

Regulated (Hemp-Specific Frameworks)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Florida allows the sale of hemp-derived intoxicants such as delta-8 THC, but with specific regulations. Under **Florida Statutes § 581.217**, hemp-derived products containing less than 0.3% delta-9 THC are legal. Delta-8 THC is not explicitly banned, but products must comply with the state's testing and labeling standards for hemp-derived cannabinoids.
- **Statutory Citations:**
 - **Florida Statutes § 581.217:** Establishes the state's hemp program, allowing hemp-derived cannabinoids like delta-8 THC.
 - **Florida Statutes § 893.02:** Defines controlled substances but exempts compliant hemp-derived cannabinoids that meet THC limits.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC, if derived from hemp, is legal under **Florida Statutes § 581.217**. However, synthetic cannabinoids or artificially derived delta-8 THC may be

treated as controlled substances under **Florida Statutes § 893.02**, depending on their origin and processing method.

- **License Categories and Fees:** Florida issues licenses for the cultivation, processing, and retail sale of hemp products under the Florida Department of Agriculture and Consumer Services (FDACS). License fees for hemp businesses range from \$650 to \$7,500, depending on the size and type of operation.
- **Testing and Labeling Requirements:** Florida mandates testing for all hemp-derived products, including delta-8 THC, to ensure they meet the 0.3% delta-9 THC threshold and are free of harmful contaminants. Labeling must include the product's cannabinoid content, batch number, and a QR code linking to test results, as required by **Florida Administrative Code Rule 5B-57.013**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Florida does not explicitly prohibit the interstate sale of delta-8 THC products, but products sold within the state must comply with the state's testing and labeling requirements. Interstate commerce would also need to comply with federal law.
- **Age Restrictions:** Retail sales of delta-8 THC products are restricted to individuals 21 years and older under **Florida Administrative Code Rule 5B-57.013**. Retailers are required to verify the age of consumers purchasing intoxicating hemp products.
- **Retail Location Restrictions:** There are no specific zoning laws for delta-8 THC products, but retailers selling hemp products must comply with general business location requirements under Florida law. Cities and counties may impose their own zoning regulations on retail businesses.

4. Advertising and Marketing Restrictions:

- **Advertising:** Florida restricts advertising for delta-8 THC products similarly to cannabis. Advertising that targets minors or makes unverified health claims is prohibited. Products must be marketed truthfully and cannot be advertised as having therapeutic benefits unless supported by scientific evidence.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Florida's general sales tax, but no specific excise tax applies to hemp-derived intoxicants. Cannabis products, under Florida's medical marijuana program, are subject to a different tax structure, but these taxes do not extend to delta-8 THC.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local jurisdictions in Florida have the authority to regulate or ban the sale of delta-8 THC and other hemp-derived products. Some cities and counties may impose additional restrictions or zoning laws on businesses selling intoxicating hemp products, though this varies by locality.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Hemp cultivation in Florida is subject to environmental regulations concerning pesticide use, water management, and land use. These regulations apply to all hemp farming operations, including those producing hemp for intoxicating cannabinoids like delta-8 THC.

8. Social Equity Programs:

- Florida does not have a specific social equity program for hemp or cannabis businesses. The state has not established licensing incentives or special provisions for communities disproportionately impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Florida requires manufacturers and retailers to comply with recall procedures if a product is found to be unsafe or mislabeled. Recalls are managed by the Florida Department of Agriculture and Consumer Services (FDACS) under **Florida Administrative Code Rule 5B-57.013**, which mandates prompt action to remove unsafe products from the market.

10. Worker Safety and Labor Standards:

- Worker safety laws in Florida apply generally to the hemp industry, including businesses producing or selling delta-8 THC products. There are no specific labor regulations for the hemp intoxicant industry, but employers must comply with state and federal occupational safety standards.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Florida's hemp regulations, including testing and labeling requirements for delta-8 THC, can face administrative penalties such as fines, suspension of licenses, or product recalls under **Florida Administrative Code Rule 5B-57.013**.
- **Criminal Penalties:** While delta-8 THC is legal under certain conditions, failure to comply with state regulations may result in criminal penalties, including fines and imprisonment, particularly if products exceed legal THC limits or are misrepresented.

12. Cannabis Parity:

- Delta-8 THC is regulated differently from cannabis in Florida. Cannabis is legal only for medical use and subject to strict regulations, while delta-8 THC is available for recreational use but is still regulated under the state's hemp laws. The two product types are not treated identically in terms of taxes or distribution channels.

13. Federal Interaction and Preemption Claims:

- Florida follows federal guidelines for hemp-derived products, allowing delta-8 THC so long as it meets federal and state THC limits. There have been no notable federal challenges or preemption claims related to Florida's regulation of hemp intoxicants.

Key Statutes and Regulations:

- **Florida Statutes § 581.217:** Establishes the state's hemp program and governs hemp-derived cannabinoids like delta-8 THC.
- **Florida Statutes § 893.02:** Defines controlled substances but exempts compliant hemp-derived cannabinoids.
- **Florida Administrative Code Rule 5B-57.013:** Governs the labeling, testing, and sale of hemp products, including delta-8 THC.

You said:

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ChatGPT said:

Georgia Hemp Intoxicants Law (Revised)

Regulated (Hemp-Specific Frameworks)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Georgia if derived from hemp and contains less than 0.3% delta-9 THC, as specified under the **Georgia Hemp Farming Act (Official Code of Georgia Annotated (O.C.G.A.) § 2-23-1 to § 2-23-12)**. However, the sale and distribution of delta-8 THC products must comply with state hemp regulations, including testing and labeling requirements.
- **Statutory Citations:**
 - **O.C.G.A. § 2-23-1 to § 2-23-12:** Governs hemp cultivation and processing under the Georgia Hemp Farming Act.
 - **O.C.G.A. § 16-13-25:** Lists controlled substances, excluding compliant hemp-derived cannabinoids like delta-8 THC.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Hemp-derived cannabinoids, including delta-8 THC, are legal under Georgia law as long as the final product contains less than 0.3% delta-9 THC. Synthetic THC or chemically converted cannabinoids, however, may be treated as controlled substances under **O.C.G.A. § 16-13-25**.
- **License Categories and Fees:** Georgia requires licenses for hemp cultivation and processing. The Georgia Department of Agriculture issues these licenses, with application fees set at \$50, and annual license fees ranging from \$1,000 to \$25,000 depending on the size and scope of the operation.

- **Testing and Labeling Requirements:** Delta-8 THC products must be tested to ensure they comply with Georgia's THC limits. Labeling requirements include clear statements of THC content, batch identification, and links to third-party lab results. These regulations are enforced by the Georgia Department of Agriculture under **Georgia Hemp Growers and Processors Rules**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Georgia law does not prohibit the interstate sale of delta-8 THC, but products sold within the state must meet Georgia's testing and labeling requirements. Interstate commerce would need to comply with federal law, particularly in states where delta-8 THC is illegal.
- **Age Restrictions:** Georgia does not explicitly define an age limit for the sale of delta-8 THC, but many retailers restrict sales to individuals 21 years or older. The state's cannabis laws set age restrictions for medical marijuana patients, which may inform delta-8 THC sales.
- **Retail Location Restrictions:** There are no specific state-level zoning laws for retail locations selling delta-8 THC products. However, local jurisdictions may impose additional zoning requirements or restrictions on where these products can be sold, similar to local regulations on CBD products.

4. Advertising and Marketing Restrictions:

- **Advertising:** There are no explicit advertising regulations for delta-8 THC products in Georgia. General advertising laws prohibit false or misleading claims, and it is advisable for retailers to avoid making health or therapeutic claims without scientific support.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Georgia's general sales tax, but there is no specific excise tax applied to hemp-derived intoxicants. Cannabis, under Georgia's medical marijuana framework, is taxed differently, but these tax laws do not apply to delta-8 THC.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Georgia have the authority to regulate or restrict the sale of hemp-derived products like delta-8 THC. Some municipalities may impose additional restrictions, such as limiting sales near schools or residential areas, but there is no statewide zoning law for delta-8 THC sales.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Georgia regulates hemp cultivation through its Industrial Hemp Program. Environmental standards include pesticide regulations, water use

policies, and land management practices. These regulations apply to all hemp production, including the production of delta-8 THC.

8. Social Equity Programs:

- Georgia does not have a social equity program specifically for hemp or cannabis businesses. There are no provisions for licensing incentives or fee reductions for individuals from communities impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Georgia mandates product recalls for any unsafe or mislabeled delta-8 THC products under the state's hemp regulations. The Georgia Department of Agriculture oversees recall processes, ensuring that unsafe products are removed from the market in a timely manner.

10. Worker Safety and Labor Standards:

- Georgia does not have specific worker safety or labor standards for the hemp industry, but general labor laws apply to businesses involved in the production or sale of delta-8 THC. Employers must comply with state and federal occupational safety regulations.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Georgia's testing, labeling, or licensing requirements for delta-8 THC may face administrative penalties, including fines or the suspension or revocation of licenses, as detailed in **O.C.G.A. § 2-23-12**.
- **Criminal Penalties:** Selling delta-8 THC products that exceed the state's THC limits or misrepresenting products as compliant can result in criminal penalties under Georgia's controlled substance laws.

12. Cannabis Parity:

- Delta-8 THC is treated differently from cannabis in Georgia. Cannabis is only legal for medical purposes and is tightly regulated under the state's medical marijuana program. Delta-8 THC, being a hemp-derived cannabinoid, is regulated under the state's hemp laws and is available for recreational use, subject to testing and labeling requirements.

13. Federal Interaction and Preemption Claims:

- Georgia's regulation of delta-8 THC aligns with federal guidelines under the 2018 Farm Bill, which legalized hemp-derived cannabinoids that contain less than 0.3% delta-9 THC. There have been no significant federal preemption challenges related to Georgia's regulation of delta-8 THC.

Key Statutes and Regulations:

- **O.C.G.A. § 2-23-1 to § 2-23-12:** Governs hemp cultivation and processing under the Georgia Hemp Farming Act.
- **O.C.G.A. § 16-13-25:** Lists controlled substances but exempts compliant hemp-derived cannabinoids.
- **Georgia Hemp Growers and Processors Rules:** Provides guidelines for testing, labeling, and compliance of hemp products.

You said:

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ChatGPT said:

Hawaii Hemp Intoxicants Law (Revised)

Regulated (Hemp-Specific Frameworks)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Hawaii permits the sale of hemp-derived products, including delta-8 THC, under strict regulations. However, delta-8 THC must be derived from hemp and meet the federal definition of hemp, containing less than 0.3% delta-9 THC, as outlined in **Hawaii Revised Statutes § 141-31 to § 141-42**. Delta-8 THC is not explicitly banned, but it is regulated under the state's general hemp laws.
- **Statutory Citations:**
 - **Hawaii Revised Statutes § 141-31 to § 141-42:** Establishes the state's hemp program.
 - **Hawaii Revised Statutes § 329-1:** Lists controlled substances but exempts compliant hemp-derived cannabinoids, including delta-8 THC.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC derived from hemp is legal under Hawaii law, provided it meets the federal threshold of less than 0.3% delta-9 THC. Synthetic THC that is artificially created or chemically altered from CBD may fall under Hawaii's controlled substance laws as outlined in **Hawaii Revised Statutes § 329-1**.
- **License Categories and Fees:** Hawaii requires licenses for the cultivation and processing of hemp, but there are no specific licenses for the sale of hemp-derived intoxicants like delta-8 THC. License fees vary depending on the type and scale of operation.
- **Testing and Labeling Requirements:** Delta-8 THC products must undergo testing to ensure they comply with the state's THC limits. Hawaii also requires clear labeling that displays the product's cannabinoid content, batch number, and a QR code linking to lab

results. These regulations are enforced under **Hawaii Administrative Rules Title 11 Chapter 37**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Hawaii does not explicitly prohibit the interstate sale of delta-8 THC, but products sold within the state must meet the state's testing and labeling requirements. Shipping delta-8 THC products out of state must comply with both federal and receiving state laws.
- **Age Restrictions:** Hawaii does not specify age restrictions for the sale of delta-8 THC products, but many retailers voluntarily restrict sales to individuals 21 years or older. Hawaii's medical marijuana laws restrict sales of THC-containing products to individuals 18 years or older.
- **Retail Location Restrictions:** There are no specific statewide zoning restrictions for delta-8 THC sales, but local governments may impose additional zoning or retail location restrictions. Hawaii regulates cannabis dispensaries, which could provide a framework for regulating intoxicating hemp product sales in the future.

4. Advertising and Marketing Restrictions:

- **Advertising:** Hawaii does not have explicit advertising regulations for delta-8 THC products, but general advertising laws prohibit false or misleading claims. Advertisements must not target minors, and health claims must be scientifically supported to avoid consumer deception.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Hawaii's general excise tax, but there is no specific excise tax for hemp-derived intoxicants. Cannabis products, regulated under the state's medical marijuana program, are subject to separate tax structures that do not apply to delta-8 THC.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Hawaii have the authority to regulate or restrict the sale of delta-8 THC products. Zoning laws applicable to cannabis dispensaries may serve as a model for future regulation of delta-8 THC sales, but there is currently no statewide zoning framework.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Hawaii's hemp cultivation regulations include environmental standards, such as pesticide use, water conservation, and sustainable farming practices. These regulations apply to all hemp production, including the cultivation of hemp used to create delta-8 THC products.

8. Social Equity Programs:

- Hawaii does not currently have a social equity program specifically for hemp or cannabis businesses. There are no licensing incentives or special provisions for communities impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Hawaii mandates recall procedures for delta-8 THC products if they are found to be unsafe or mislabeled. The Hawaii Department of Health enforces recall protocols, ensuring that unsafe products are promptly removed from the market under **Hawaii Administrative Rules Title 11 Chapter 37**.

10. Worker Safety and Labor Standards:

- There are no specific worker safety or labor standards for the hemp intoxicant industry in Hawaii, but general labor laws apply to businesses involved in the production or sale of delta-8 THC. Employers must comply with Hawaii's occupational safety regulations.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Hawaii's hemp regulations, including testing and labeling requirements for delta-8 THC, may face administrative penalties such as fines, license suspensions, or product recalls under **Hawaii Administrative Rules Title 11 Chapter 37**.
- **Criminal Penalties:** Violations of Hawaii's controlled substance laws, including the sale of delta-8 THC products that do not meet state standards, may result in criminal penalties, including fines and imprisonment.

12. Cannabis Parity:

- Delta-8 THC is treated differently from cannabis in Hawaii. While cannabis is regulated under a separate medical marijuana framework, delta-8 THC falls under the state's hemp laws. The two products are not treated the same in terms of taxes, distribution, or licensing requirements.

13. Federal Interaction and Preemption Claims:

- Hawaii's regulation of delta-8 THC aligns with federal hemp laws, but the state has not experienced significant federal preemption challenges. Hawaii follows the 2018 Farm Bill's guidelines for hemp-derived cannabinoids, including delta-8 THC.

Key Statutes and Regulations:

- **Hawaii Revised Statutes § 141-31 to § 141-42:** Governs hemp cultivation and the sale of hemp-derived products like delta-8 THC.

- **Hawaii Revised Statutes § 329-1:** Defines controlled substances, exempting compliant hemp-derived cannabinoids.
- **Hawaii Administrative Rules Title 11 Chapter 37:** Provides regulations for the testing, labeling, and sale of hemp products, including intoxicating cannabinoids like delta-8 THC.

You said:

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ChatGPT said:

Idaho Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is illegal in Idaho. The state has one of the strictest hemp laws in the country and does not allow any form of THC, including delta-8 THC, even if derived from hemp. Under **Idaho Code § 37-2705**, all tetrahydrocannabinols (THC), including delta-8 THC, are classified as Schedule I controlled substances. Idaho only allows the sale of hemp-derived products that contain no detectable THC, including delta-9 THC.
- **Statutory Citations:**
 - **Idaho Code § 37-2705:** Lists tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances.
 - **Idaho Statutes Title 22 Chapter 17:** Defines and regulates industrial hemp in Idaho with strict THC requirements (no detectable THC).

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC, even if derived from hemp, is considered a controlled substance in Idaho. Any product containing delta-8 THC or other synthetic cannabinoids is prohibited under **Idaho Code § 37-2705**.
- **License Categories and Fees:** Idaho's Industrial Hemp Program does not allow the cultivation, processing, or sale of hemp-derived intoxicants like delta-8 THC. Licenses are issued for hemp production, but only for products that contain no detectable THC.
- **Testing and Labeling Requirements:** All hemp products in Idaho must contain no detectable THC, and testing must verify this. There are no specific labeling requirements for delta-8 THC products because they are illegal under Idaho law.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** The sale or distribution of delta-8 THC is prohibited within Idaho, including interstate commerce. Products containing any form of THC, including delta-8 THC, cannot be legally shipped into or out of the state under **Idaho Code § 37-2705**.

- **Age Restrictions:** There are no age restrictions for the sale of delta-8 THC in Idaho because it is illegal. Legal hemp products, which must contain no detectable THC, are not age-restricted by state law.
- **Retail Location Restrictions:** Since delta-8 THC is illegal in Idaho, there are no specific retail location restrictions for its sale. Hemp products that contain no detectable THC can be sold, but the state does not impose zoning restrictions on their sale.

4. Advertising and Marketing Restrictions:

- **Advertising:** There are no advertising rules for delta-8 THC products in Idaho because they are illegal. Legal hemp products, which must contain no detectable THC, can be advertised but must comply with general advertising laws that prohibit misleading or deceptive claims.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are not subject to taxes in Idaho because they are illegal. Hemp products containing no detectable THC are subject to the state's general sales tax.

6. Zoning and Local Control:

- **Local Jurisdiction:** Idaho prohibits delta-8 THC statewide, leaving no room for local jurisdictions to regulate or permit the sale of these products. Local governments may regulate the sale of legal hemp products, but these must comply with the state's strict THC requirements.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Idaho's Industrial Hemp Program, outlined in **Idaho Statutes Title 22 Chapter 17**, regulates hemp farming, including environmental controls such as pesticide use and water conservation. These regulations apply only to hemp that contains no detectable THC.

8. Social Equity Programs:

- Idaho does not have a social equity program for hemp or cannabis businesses. There are no provisions for licensing incentives or fee reductions for communities impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** There are no specific recall procedures for delta-8 THC products in Idaho because they are illegal. The state enforces recall procedures for legal hemp products if they are found to be mislabeled or contain detectable THC.

10. Worker Safety and Labor Standards:

- Idaho does not have specific worker safety or labor standards for the hemp industry. General labor laws apply to businesses involved in hemp production, but these businesses must ensure compliance with federal and state occupational safety regulations.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** Possession, production, or sale of delta-8 THC products is a criminal offense under **Idaho Code § 37-2705**. Penalties include fines and imprisonment depending on the severity of the violation.
- **Administrative Penalties:** Businesses involved in hemp production that fail to comply with Idaho's strict THC limits (no detectable THC) may face administrative penalties, including fines or the suspension or revocation of licenses.

12. Cannabis Parity:

- Idaho treats delta-8 THC the same as delta-9 THC and other cannabis products, classifying them all as controlled substances. The state does not differentiate between hemp-derived intoxicants and cannabis in terms of regulation, and cannabis remains illegal in Idaho for both medical and recreational use.

13. Federal Interaction and Preemption Claims:

- Idaho has stricter regulations than the federal 2018 Farm Bill, prohibiting the sale of hemp-derived products that contain any detectable THC, including delta-8 THC. There have been no significant federal preemption challenges regarding Idaho's stringent stance on hemp intoxicants.

Key Statutes and Regulations:

- **Idaho Code § 37-2705:** Classifies tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances.
- **Idaho Statutes Title 22 Chapter 17:** Regulates the production of industrial hemp, requiring no detectable THC in hemp products.
- **Idaho Administrative Procedures Act (IDAPA) 02.06.33:** Provides rules for the production and handling of industrial hemp in the state.

You said:

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ChatGPT said:

Illinois Hemp Intoxicants Law (Revised)

Unregulated/Gray Market

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is currently legal in Illinois, but its regulation is in flux. Illinois allows the sale of hemp-derived products that contain less than 0.3% delta-9 THC, in line with the federal definition of hemp. However, there have been legislative efforts to impose stricter regulations on delta-8 THC, including a proposed bill (**Senate Bill 3926, 2024**) that would require delta-8 THC products to be sold through licensed cannabis dispensaries. Although the bill has stalled, it indicates that further restrictions may be imposed in the future.
- **Statutory Citations:**
 - **Illinois Compiled Statutes (ILCS) 805 ILCS 25:** Establishes the Industrial Hemp Act, which aligns state law with federal definitions of hemp and permits the sale of compliant hemp products.
 - **410 ILCS 705:** The Cannabis Regulation and Tax Act, which impacts the sale of hemp-derived intoxicants.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC, if derived from hemp, is currently legal in Illinois, but synthetic cannabinoids are treated as controlled substances. If delta-8 THC is chemically altered from CBD or other cannabinoids, it may fall under synthetic cannabinoid regulations, which are governed by **410 ILCS 705**.
- **License Categories and Fees:** Illinois does not currently require specific licenses for the sale of delta-8 THC products, but if **Senate Bill 3926** passes, delta-8 THC could be regulated like cannabis, meaning retailers would need to obtain a cannabis dispensary license. The Illinois Department of Agriculture licenses hemp growers and processors under the state's Industrial Hemp Act.
- **Testing and Labeling Requirements:** Hemp-derived products, including delta-8 THC, must be tested to ensure compliance with state THC limits. Products must be clearly labeled with the cannabinoid content, batch number, and lab results. Labeling and testing are enforced under **Illinois Administrative Code Title 8 Part 1200**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Illinois law does not prohibit the interstate sale of delta-8 THC, but products must comply with state testing and labeling regulations. Interstate commerce must also comply with federal law, which may vary depending on the destination state's stance on delta-8 THC.
- **Age Restrictions:** Currently, Illinois has no specific age restriction for the sale of delta-8 THC, but many retailers impose a voluntary restriction of 21 years or older, similar to cannabis sales. If **Senate Bill 3926** passes, these restrictions would become mandatory.
- **Retail Location Restrictions:** Delta-8 THC products are currently sold without specific zoning restrictions. However, if further regulations are enacted, delta-8 THC could be

subject to the same zoning laws as cannabis, which restrict sales near schools, parks, and residential areas.

4. Advertising and Marketing Restrictions:

- **Advertising:** Delta-8 THC products are subject to Illinois' general advertising laws, which prohibit false or misleading claims. Health-related claims must be supported by scientific evidence. Cannabis advertising laws, which include restrictions on marketing to minors, could apply to delta-8 THC if it is regulated similarly to cannabis.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are currently subject to Illinois' general sales tax, but they are not taxed at the same rate as cannabis. Cannabis products in Illinois are subject to an excise tax of up to 25% depending on THC content. If delta-8 THC is regulated similarly to cannabis, these excise taxes could apply.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local jurisdictions in Illinois have the authority to regulate or ban the sale of hemp intoxicants like delta-8 THC. Many municipalities have already enacted zoning regulations for cannabis dispensaries, and similar restrictions could be applied to delta-8 THC if further regulations are enacted.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Illinois regulates hemp cultivation through its Industrial Hemp Act. Environmental controls include the use of pesticides and sustainable farming practices, but these apply only to hemp cultivation and not specifically to delta-8 THC production.

8. Social Equity Programs:

- Illinois has a robust social equity program for cannabis businesses, providing licensing incentives to individuals from communities disproportionately impacted by cannabis prohibition. This program does not currently extend to hemp or delta-8 THC businesses but could apply if delta-8 THC becomes regulated like cannabis under **Senate Bill 3926**.

9. Product Recalls and Consumer Safety:

- **Recalls:** Illinois mandates recall procedures for any hemp-derived product found to be unsafe or mislabeled. The Illinois Department of Agriculture oversees the recall process for hemp products, ensuring that unsafe products are removed from the market.

10. Worker Safety and Labor Standards:

- Illinois does not have specific labor standards for the hemp industry, but general state labor laws apply to businesses involved in the production or sale of delta-8 THC. If delta-8 THC is regulated like cannabis, cannabis worker safety standards could also apply.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Illinois' hemp regulations, including those related to delta-8 THC, may face fines, license suspensions, or product recalls under **Illinois Administrative Code Title 8 Part 1200**.
- **Criminal Penalties:** If delta-8 THC products are found to violate state THC limits or if they are sold without proper labeling or testing, sellers could face criminal penalties, including fines and imprisonment.

12. Cannabis Parity:

- Delta-8 THC is regulated differently from cannabis in Illinois. While cannabis is subject to strict licensing, sales, and tax regulations, delta-8 THC is currently sold with fewer restrictions. However, this could change if **Senate Bill 3926** or similar legislation is passed, which would bring delta-8 THC under the same regulatory framework as cannabis.

13. Federal Interaction and Preemption Claims:

- Illinois has not faced significant federal challenges to its regulation of hemp intoxicants. The state's regulations align with the federal 2018 Farm Bill, which allows for the sale of hemp-derived cannabinoids like delta-8 THC, provided they meet THC limits.

Key Statutes and Regulations:

- **Illinois Compiled Statutes (ILCS) 805 ILCS 25:** Establishes the state's Industrial Hemp Act, aligning state law with federal definitions of hemp.
- **410 ILCS 705:** Governs cannabis regulation, impacting the sale of hemp-derived intoxicants.
- **Illinois Administrative Code Title 8 Part 1200:** Provides rules for hemp cultivation, processing, testing, and labeling.

You said:

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ChatGPT said:

Indiana Hemp Intoxicants Law (Revised)

Prohibited

Indiana Attorney General Todd Rokita issued an Official Opinion stating that hemp intoxicants are controlled substances. The hemp manufacturer 3Chi sued, claiming federal preemption under the 2018 Farm Bill. The case is ongoing, but an injunction is being sought to prevent the state from enforcing the Official Opinion. *3C, LLC d/b/a 3Chi, et al. v. Attorney General Todd Rokita, et al.*, 1:23-CV-1115-JRS-MKK

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Indiana as long as it is derived from hemp and contains less than 0.3% delta-9 THC, in accordance with federal hemp laws. However, under **Indiana Code § 35-48-4-10.1**, the state prohibits the sale and distribution of smokable hemp products, which may include some forms of delta-8 THC.
- **Statutory Citations:**
 - **Indiana Code § 15-15-13:** Establishes the state's Industrial Hemp Act, aligning state law with federal definitions of hemp.
 - **Indiana Code § 35-48-4-10.1:** Prohibits the manufacture, finance, delivery, or possession of smokable hemp, including certain hemp-derived products like delta-8 THC in smokable form.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC derived from hemp is allowed in Indiana if it complies with the federal 0.3% delta-9 THC threshold. However, synthetic cannabinoids, or chemically altered forms of cannabinoids, are considered controlled substances and are prohibited under **Indiana Code § 35-48-4**.
- **License Categories and Fees:** Indiana requires licenses for the cultivation and processing of hemp, but no specific license is required for the sale of delta-8 THC products. The Indiana State Chemist's office oversees hemp licensing, with fees ranging from \$750 to \$1,500 depending on the operation's size and type.
- **Testing and Labeling Requirements:** Hemp products, including delta-8 THC, must undergo testing to ensure they comply with state and federal THC limits. Products must be clearly labeled with THC content, batch number, and testing information. These requirements are governed under the state's hemp regulations enforced by the Indiana State Chemist.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Indiana law does not prohibit the interstate sale of delta-8 THC products, but products sold within the state must meet Indiana's testing and labeling standards. Interstate commerce must also comply with federal laws, especially in states where delta-8 THC is restricted or banned.

- **Age Restrictions:** There are currently no state-specific age restrictions for the sale of delta-8 THC products in Indiana. However, many retailers voluntarily impose a minimum purchase age of 21, similar to restrictions on tobacco and cannabis products.
- **Retail Location Restrictions:** Indiana has not implemented specific zoning restrictions for the sale of delta-8 THC products. However, local governments may impose their own zoning requirements or restrictions on where these products can be sold, particularly if delta-8 THC is sold in smokable form.

4. Advertising and Marketing Restrictions:

- **Advertising:** Indiana does not have specific advertising regulations for delta-8 THC products, but general advertising laws prohibit misleading or false claims. Health-related claims must be substantiated by scientific evidence to avoid misleading consumers.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Indiana's general sales tax. There are no specific excise taxes on hemp-derived intoxicants like delta-8 THC. Cannabis, on the other hand, is tightly regulated for medical purposes, but hemp intoxicants are not taxed under the same structure.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Indiana may have the authority to regulate or restrict the sale of hemp-derived products like delta-8 THC. Although there are no statewide zoning laws for the sale of delta-8 THC products, municipalities may enact zoning restrictions, particularly for smokable products.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Hemp cultivation in Indiana is regulated under the Indiana Industrial Hemp Act. Environmental standards include the use of approved pesticides, land management, and sustainable farming practices. These standards apply to all hemp cultivation, including hemp used to produce delta-8 THC.

8. Social Equity Programs:

- Indiana does not have a social equity program for hemp or cannabis businesses. There are no provisions for licensing incentives or reduced fees for communities disproportionately impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Indiana requires hemp products, including delta-8 THC, to undergo product recalls if they are found to be unsafe or mislabeled. The Indiana State Chemist oversees

recall procedures, ensuring that any unsafe products are promptly removed from the market.

10. Worker Safety and Labor Standards:

- Indiana does not have specific labor or worker safety standards for the hemp industry. General state labor laws apply to all businesses involved in the production and sale of delta-8 THC. Businesses must comply with state and federal occupational safety standards.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Indiana's hemp regulations, such as THC testing and labeling requirements for delta-8 THC, may face administrative penalties, including fines or license suspensions, under **Indiana Code § 15-15-13**.
- **Criminal Penalties:** Violations of Indiana's controlled substance laws, including selling delta-8 THC in smokable forms, may result in criminal penalties, including fines and imprisonment, as outlined in **Indiana Code § 35-48-4-10.1**.

12. Cannabis Parity:

- Delta-8 THC is regulated differently from cannabis in Indiana. While cannabis is only legal for medical use in limited circumstances, delta-8 THC can be sold more broadly, provided it complies with the state's hemp laws. Smokable hemp, however, is prohibited under the same laws that regulate smokable cannabis.

13. Federal Interaction and Preemption Claims:

- Indiana's regulation of delta-8 THC aligns with federal guidelines established in the 2018 Farm Bill, which legalized hemp-derived cannabinoids that contain less than 0.3% delta-9 THC. There have been no significant federal preemption claims or challenges to Indiana's regulations of hemp intoxicants.

Key Statutes and Regulations:

- **Indiana Code § 15-15-13:** Establishes the Industrial Hemp Act, governing the cultivation, processing, and sale of hemp in the state.
- **Indiana Code § 35-48-4-10.1:** Prohibits the manufacture, financing, delivery, or possession of smokable hemp products, including certain hemp-derived intoxicants like delta-8 THC.
- **Indiana Administrative Code Title 360:** Provides rules for hemp growers and handlers, including testing and compliance requirements.

You said:

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ChatGPT said:

Iowa Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is illegal in Iowa. Under **Iowa Code § 124.204**, all tetrahydrocannabinols (THC), including delta-8 THC, are classified as Schedule I controlled substances. Even though hemp is legal in Iowa under the **Iowa Hemp Act (Iowa Code Chapter 204)**, the sale, possession, or distribution of any product containing delta-8 THC is prohibited.
- **Statutory Citations:**
 - **Iowa Code Chapter 204:** Establishes the Iowa Hemp Act, allowing the cultivation of hemp with less than 0.3% delta-9 THC but does not legalize hemp-derived intoxicants like delta-8 THC.
 - **Iowa Code § 124.204:** Classifies tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC and other synthetic cannabinoids are prohibited under **Iowa Code § 124.204**, even if they are derived from hemp. The state treats delta-8 THC as a controlled substance regardless of its origin.
- **License Categories and Fees:** Iowa's Industrial Hemp Program issues licenses for hemp cultivation, but there are no licenses available for the production or sale of delta-8 THC products, as they are considered illegal under state law. License fees for hemp cultivation range from \$500 to \$1,000 depending on the size of the operation.
- **Testing and Labeling Requirements:** Iowa requires testing for hemp products to ensure they contain less than 0.3% delta-9 THC, but there are no specific testing or labeling requirements for delta-8 THC since it is prohibited. All hemp products sold in the state must comply with the THC threshold set by the federal and state guidelines under the Iowa Hemp Act.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** The sale or distribution of delta-8 THC is prohibited in Iowa, including interstate commerce, under **Iowa Code § 124.204**. Hemp products that comply with state and federal THC limits can be sold, but delta-8 THC products are not permitted.
- **Age Restrictions:** There are no specific age-related restrictions for delta-8 THC sales because the substance is illegal in Iowa. Legal hemp products that meet THC limits are not subject to any age restrictions under state law.

- **Retail Location Restrictions:** Since delta-8 THC is illegal in Iowa, there are no zoning or retail location restrictions for its sale. Legal hemp products, which contain less than 0.3% delta-9 THC, may be sold in compliance with local and state business regulations.

4. Advertising and Marketing Restrictions:

- **Advertising:** There are no specific advertising rules for delta-8 THC products in Iowa because they are illegal. Legal hemp products must comply with general state advertising laws, which prohibit misleading or false claims.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are not subject to taxation in Iowa because they are illegal. Hemp products that meet the state's THC threshold are subject to the state's general sales tax.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Iowa have no authority to permit the sale of delta-8 THC products, as they are prohibited statewide. Zoning regulations for hemp products that comply with state law are left to local authorities, but there are no specific statewide zoning restrictions for hemp-derived products.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Iowa's hemp cultivation program, governed under the **Iowa Hemp Act**, includes environmental controls such as pesticide use, land management, and water conservation. These regulations apply to all legal hemp production but do not extend to illegal substances like delta-8 THC.

8. Social Equity Programs:

- Iowa does not have a social equity program for hemp or cannabis businesses. There are no licensing incentives or programs aimed at communities disproportionately impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Iowa does not have recall procedures for delta-8 THC products because they are illegal. For legal hemp products, the Iowa Department of Agriculture and Land Stewardship oversees product safety and may issue recalls if products exceed the state's THC limit.

10. Worker Safety and Labor Standards:

- Iowa does not have specific worker safety or labor standards for the hemp industry. General labor laws apply to businesses involved in the production and sale of legal

hemp products, but there are no additional regulations for illegal substances like delta-8 THC.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** The possession, sale, or production of delta-8 THC is punishable under **Iowa Code § 124.204**, which classifies tetrahydrocannabinols as Schedule I controlled substances. Violations may result in fines, imprisonment, or both, depending on the severity of the offense.
- **Administrative Penalties:** Hemp producers and retailers that fail to comply with Iowa's testing and THC limits may face administrative penalties, including fines or license suspensions, under the **Iowa Hemp Act**.

12. Cannabis Parity:

- Delta-8 THC is treated similarly to cannabis in Iowa, as both are classified as Schedule I controlled substances. The state's hemp laws allow for the sale of hemp-derived products with less than 0.3% delta-9 THC, but delta-8 THC is explicitly prohibited and regulated in the same manner as cannabis.

13. Federal Interaction and Preemption Claims:

- Iowa's regulation of delta-8 THC aligns with the state's interpretation of federal controlled substances law, which treats tetrahydrocannabinols as Schedule I substances. While the 2018 Farm Bill legalized hemp-derived products, Iowa does not permit delta-8 THC, citing its classification as a controlled substance under state law.

Key Statutes and Regulations:

- **Iowa Code Chapter 204:** Establishes the state's Industrial Hemp Program and governs the cultivation and sale of legal hemp products.
- **Iowa Code § 124.204:** Lists tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances, prohibiting their sale and distribution in the state.
- **Iowa Administrative Code 21—96:** Outlines regulations for hemp cultivation, processing, and testing.

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You said:

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ChatGPT said:

Kansas Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is illegal in Kansas. Under **Kansas Statutes Annotated (K.S.A.) § 65-4105(d)(23)**, all tetrahydrocannabinols (THC), including delta-8 THC, are classified as Schedule I controlled substances. While hemp is legal in Kansas under the **Kansas Industrial Hemp Research Program (K.S.A. § 2-3901 to § 2-3908)**, the sale, possession, and distribution of delta-8 THC are prohibited.
- **Statutory Citations:**
 - **K.S.A. § 2-3901 to § 2-3908:** Establishes the Kansas Industrial Hemp Research Program, regulating hemp cultivation and processing but excluding intoxicants like delta-8 THC.
 - **K.S.A. § 65-4105(d)(23):** Classifies tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC, regardless of whether it is derived from hemp or synthesized from CBD, is considered a controlled substance in Kansas under **K.S.A. § 65-4105(d)(23)**. As a Schedule I controlled substance, its production and sale are prohibited.
- **License Categories and Fees:** Kansas licenses hemp growers and processors under the Industrial Hemp Research Program. However, no licenses are issued for the production or sale of intoxicants like delta-8 THC. License fees for hemp cultivation and processing are determined by the Kansas Department of Agriculture.
- **Testing and Labeling Requirements:** Kansas requires hemp products to undergo testing to ensure they meet the 0.3% delta-9 THC limit. However, delta-8 THC products are illegal, and there are no specific testing or labeling requirements for them. Legal hemp products must comply with the state's THC testing thresholds under **K.S.A. § 2-3908**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** The sale or distribution of delta-8 THC is prohibited in Kansas under **K.S.A. § 65-4105(d)(23)**. Interstate commerce of delta-8 THC is illegal, and any products containing delta-8 THC cannot be legally sold, transported, or possessed within the state.
- **Age Restrictions:** There are no age restrictions for delta-8 THC in Kansas, as the substance is illegal. Legal hemp products that meet the state's THC thresholds are not subject to any specific age restrictions.
- **Retail Location Restrictions:** Since delta-8 THC is illegal, there are no zoning or location restrictions for its sale. Legal hemp products may be sold in compliance with local business regulations, but there are no specific zoning laws related to their sale.

4. Advertising and Marketing Restrictions:

- **Advertising:** There are no advertising rules for delta-8 THC in Kansas because it is illegal. Advertising legal hemp products is subject to general state advertising laws, which prohibit false or misleading claims.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are not subject to taxation in Kansas because they are illegal. Legal hemp products that comply with the state's THC limits are subject to the state's general sales tax.

6. Zoning and Local Control:

- **Local Jurisdiction:** Kansas prohibits delta-8 THC statewide, so local jurisdictions do not have the authority to permit or regulate its sale. Zoning regulations for legal hemp products are governed by local authorities, but there are no specific statewide zoning restrictions for hemp-derived products.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Kansas regulates hemp cultivation through the Kansas Industrial Hemp Research Program. Environmental standards include rules on pesticide use, water management, and land conservation, but these standards apply only to hemp cultivation and not to illegal products like delta-8 THC.

8. Social Equity Programs:

- Kansas does not have a social equity program for hemp or cannabis businesses. There are no licensing incentives or special programs for communities impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Kansas does not have recall procedures for delta-8 THC products because they are illegal. For legal hemp products, the Kansas Department of Agriculture oversees product safety and may issue recalls if products exceed the state's THC limit.

10. Worker Safety and Labor Standards:

- Kansas does not have specific worker safety or labor standards for the hemp industry. General labor laws apply to businesses involved in the production and sale of legal hemp products. Illegal activities involving delta-8 THC are subject to criminal penalties.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** The possession, sale, or production of delta-8 THC is a criminal offense under **K.S.A. § 65-4105(d)(23)**, which classifies tetrahydrocannabinols as

Schedule I controlled substances. Violators may face fines, imprisonment, or both, depending on the nature and severity of the offense.

- **Administrative Penalties:** Hemp businesses that fail to comply with Kansas's THC testing limits may face administrative penalties, including fines or suspension of their licenses under **K.S.A. § 2-3908**.

12. Cannabis Parity:

- Delta-8 THC is treated similarly to cannabis in Kansas. Both are classified as Schedule I controlled substances, and the sale, possession, or production of either is illegal. The state's hemp laws allow for the sale of hemp-derived products with less than 0.3% delta-9 THC, but delta-8 THC is explicitly prohibited.

13. Federal Interaction and Preemption Claims:

- Kansas aligns with federal hemp laws under the 2018 Farm Bill for the cultivation of hemp, but the state's classification of delta-8 THC as a Schedule I controlled substance goes beyond federal hemp guidelines. There have been no significant federal challenges or preemption claims regarding Kansas's regulation of hemp intoxicants.

Key Statutes and Regulations:

- **K.S.A. § 2-3901 to § 2-3908:** Establishes the Kansas Industrial Hemp Research Program and regulates hemp cultivation and processing.
- **K.S.A. § 65-4105(d)(23):** Lists tetrahydrocannabinols, including delta-8 THC, as Schedule I controlled substances, prohibiting their sale, possession, and distribution.
- **Kansas Administrative Regulations (K.A.R.) 4-34-24:** Provides rules for the testing and destruction of hemp that exceeds THC limits.

You said:

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ChatGPT said:

Kentucky Hemp Intoxicants Law (Revised)

Regulated (Hemp-Specific Framework)

1. Legality of Hemp Intoxicants:

- Delta-8 THC Legality: Delta-8 THC is permitted in Kentucky but regulated under House Bill 544, enacted in 2023. This bill allows for the sale of intoxicating hemp products, including Delta-8 THC, provided they meet state-imposed safety standards, labeling requirements, and age restrictions.
- Statutory Citations:
 - KRS § 260.850 to § 260.869: Establishes Kentucky's Industrial Hemp Program, permitting the cultivation and processing of hemp and allowing intoxicating hemp products under House Bill 544 with specific safety and regulatory requirements.
 - House Bill 544 (2023): Sets forth regulations for the sale and distribution of Delta-8 THC, requiring compliance with safety, testing, and labeling standards.

2. Regulatory Framework for Hemp Intoxicants:

- Synthetic THC: Under House Bill 544, Delta-8 THC and other intoxicating cannabinoids derived from hemp are permitted but must meet defined regulatory standards, including product testing, labeling, and age restrictions.
- License Categories and Fees: Kentucky issues licenses for hemp cultivation and processing, and House Bill 544 requires businesses selling intoxicating hemp products to adhere to Kentucky's new safety standards. License fees for cultivation and processing are managed by the Kentucky Department of Agriculture.
- Testing and Labeling Requirements: House Bill 544 mandates testing for safety and potency of intoxicating hemp products and requires clear labeling indicating THC content and safety warnings.

3. Distribution and Sale Regulations:

- Interstate Commerce: House Bill 544 allows Delta-8 THC products to be sold in Kentucky but under strict state guidelines. Legal hemp products, including intoxicants, must meet Kentucky's safety standards and comply with testing and labeling requirements.
- Age Restrictions: Delta-8 THC products are restricted to consumers aged 21 and over under House Bill 544, enforcing responsible access.

- Retail Location Restrictions: Intoxicating hemp products must be sold by businesses compliant with state law, and general business regulations apply to retail locations.
4. Advertising and Marketing Restrictions:
- Advertising: Under House Bill 544, intoxicating hemp products, including Delta-8 THC, must follow advertising guidelines that prevent misleading claims and restrict marketing toward minors.
5. Taxes and Fees:
- Taxes: Delta-8 THC products are subject to state sales tax. Additional excise taxes have not been implemented under House Bill 544.
6. Zoning and Local Control:
- Local Jurisdiction: Local governments in Kentucky cannot override state laws permitting the sale of intoxicating hemp products under House Bill 544. General zoning regulations apply to legal retail sales.
7. Environmental and Sustainability Requirements:
- Environmental Standards: Kentucky regulates hemp cultivation through the Industrial Hemp Program, which includes environmental requirements such as pesticide use and land management standards, but these regulations primarily apply to cultivation rather than retail sales.
8. Social Equity Programs:
- Kentucky does not currently offer a social equity program for hemp or cannabis businesses. No licensing benefits are offered to communities affected by past cannabis laws.
9. Product Recalls and Consumer Safety:
- Recalls: House Bill 544 enables the Kentucky Department of Agriculture to conduct recalls of unsafe or non-compliant intoxicating hemp products to maintain consumer safety standards.
10. Worker Safety and Labor Standards:
- Kentucky does not have specific labor standards for the hemp industry. General labor laws apply to businesses involved in intoxicating hemp product sales under House Bill 544.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** Unauthorized production or sale of intoxicating hemp products is subject to penalties under Kentucky law, with House Bill 544 providing a framework for lawful compliance.
- **Administrative Penalties:** Non-compliance with House Bill 544's requirements, including safety testing and labeling, may result in administrative actions, such as fines or license suspension.

12. Cannabis Parity:

- Delta-8 THC and similar intoxicating hemp products are regulated separately from cannabis under Kentucky law. House Bill 544 allows for regulated sale of these products, distinct from the state's prohibition on recreational cannabis.

13. Federal Interaction and Preemption Claims:

- Kentucky's approach under House Bill 544 aligns with federal regulations permitting hemp-derived products, provided they meet state-imposed safety and labeling standards. Kentucky has not faced significant federal preemption challenges regarding Delta-8 THC regulation.

Key Statutes and Regulations:

- KRS § 260.850 to § 260.869: Governs the Kentucky Industrial Hemp Program, establishing regulatory standards for hemp cultivation and processing.
- House Bill 544 (2023): Regulates the sale of Delta-8 THC and other intoxicating cannabinoids in Kentucky, implementing safety, testing, and labeling requirements.

Louisiana Hemp Intoxicants Law (Revised)

Regulated (Hemp-Specific Frameworks)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Louisiana but is subject to strict regulations. Louisiana permits the sale of hemp-derived cannabinoids, including delta-8 THC, as long as they comply with state laws governing THC limits and product safety. These products must contain less than 0.3% delta-9 THC on a dry weight basis, in line with the federal definition of hemp, as outlined in **Louisiana Revised Statutes (LRS) § 3:1461 et seq.** Delta-8 THC products must also be registered with the Louisiana Department of Health (LDH).
- **Statutory Citations:**

- **LRS § 3:1461 et seq.:** Governs the Louisiana Industrial Hemp Law, which allows hemp-derived cannabinoids like delta-8 THC if they meet THC limits.
- **LRS § 40:1046:** Governs the Louisiana Medical Marijuana Program but does not apply to hemp-derived cannabinoids like delta-8 THC.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC derived from hemp is legal in Louisiana as long as it meets the 0.3% delta-9 THC limit. However, synthetic cannabinoids or chemically converted THC from non-hemp sources are prohibited under **LRS § 40:964**, which regulates controlled substances.
- **License Categories and Fees:** Louisiana requires retailers, manufacturers, and distributors of hemp-derived products, including delta-8 THC, to obtain a permit from the Louisiana Department of Agriculture and Forestry (LDAF). License fees for hemp businesses range from \$500 to \$2,000 annually depending on the type of operation.
- **Testing and Labeling Requirements:** Delta-8 THC products must undergo rigorous testing for potency, contaminants, and residual solvents. Labels must clearly state the product's cannabinoid content, batch number, and include a QR code linking to test results. These requirements are enforced under **LRS § 3:1465** and **Louisiana Administrative Code Title 7, Part XLIX**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Louisiana permits the sale of delta-8 THC products within the state, but products sold must comply with state testing and labeling regulations. While interstate commerce is not explicitly restricted, products being transported out of state must comply with federal law and the laws of the receiving state.
- **Age Restrictions:** Delta-8 THC products can only be sold to individuals aged 21 and older, similar to cannabis regulations, as mandated by **LRS § 3:1461 et seq.** Retailers must verify the age of consumers before sale.
- **Retail Location Restrictions:** Delta-8 THC products can be sold through licensed retailers, but retail locations must comply with zoning laws that restrict the proximity of businesses selling hemp-derived intoxicants to schools, daycares, and other sensitive locations. These restrictions are enforced by local governments in Louisiana.

4. Advertising and Marketing Restrictions:

- **Advertising:** Louisiana restricts the advertising of hemp-derived cannabinoids, including delta-8 THC. Advertisements must not target minors, and health claims must be scientifically substantiated. Misleading or false advertising is prohibited under **LRS § 3:1461 et seq.** and enforced by the Louisiana Department of Health.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Louisiana's general sales tax. There is no specific excise tax on hemp-derived intoxicants like delta-8 THC, unlike cannabis, which is taxed differently under the state's medical marijuana program.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Louisiana have the authority to regulate or restrict the sale of delta-8 THC products. Many municipalities have imposed zoning restrictions that limit the sale of these products near schools, parks, and other sensitive areas. These local restrictions supplement state-level regulations.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Louisiana's hemp cultivation program includes environmental controls, such as pesticide use, water management, and sustainable farming practices. These regulations apply to hemp cultivation and the production of hemp-derived products like delta-8 THC.

8. Social Equity Programs:

- Louisiana does not currently have a social equity program specifically for hemp or cannabis businesses. The state has not established licensing incentives for individuals from communities disproportionately impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** Louisiana mandates that delta-8 THC products undergo recall procedures if they are found to be unsafe or mislabeled. The Louisiana Department of Health oversees recalls and enforces safety regulations under **LRS § 3:1465** and the Louisiana Administrative Code.

10. Worker Safety and Labor Standards:

- Louisiana does not have specific worker safety regulations for the hemp industry. General labor laws apply to businesses involved in the production and sale of delta-8 THC products, and employers must comply with state and federal occupational safety regulations.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Louisiana's hemp regulations, including testing and labeling requirements for delta-8 THC, may face administrative penalties, including fines or license suspension, under **LRS § 3:1465**.
- **Criminal Penalties:** Selling or distributing unregistered or improperly labeled delta-8 THC products can result in criminal penalties. Violations may include fines and imprisonment under Louisiana's controlled substances laws.

12. Cannabis Parity:

- Delta-8 THC is regulated differently from cannabis in Louisiana. While medical cannabis is tightly controlled under the state's Medical Marijuana Program, delta-8 THC is available for recreational use under the hemp laws. However, delta-8 THC is subject to strict testing, labeling, and sales restrictions, similar to cannabis in many respects.

13. Federal Interaction and Preemption Claims:

- Louisiana's regulation of delta-8 THC aligns with federal guidelines established under the 2018 Farm Bill, which legalized hemp-derived cannabinoids that contain less than 0.3% delta-9 THC. There have been no significant federal preemption challenges related to Louisiana's regulation of hemp intoxicants.

Key Statutes and Regulations:

- **LRS § 3:1461 et seq.:** Governs the Louisiana Industrial Hemp Law and regulates the production, sale, and testing of hemp-derived cannabinoids, including delta-8 THC.
- **LRS § 40:964:** Regulates controlled substances, with exceptions for compliant hemp-derived products.
- **Louisiana Administrative Code Title 7, Part XLIX:** Provides detailed rules for the testing, labeling, and distribution of hemp products, including delta-8 THC.

You said:

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ChatGPT said:

Maine Hemp Intoxicants Law (Revised)

Regulated (Integrated with Cannabis)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Maine under the state's hemp laws, but it is regulated similarly to cannabis. Hemp-derived products, including delta-8 THC, are allowed as long as they meet the federal definition of hemp, containing less than 0.3% delta-9 THC. Under **Maine Revised Statutes (M.R.S.) Title 7, Chapter 406-A**, delta-8 THC must comply with testing, labeling, and sales regulations, and sales must occur through licensed cannabis dispensaries.
- **Statutory Citations:**
 - **M.R.S. Title 7, Chapter 406-A:** Establishes Maine's hemp law, regulating the production, sale, and testing of hemp-derived cannabinoids like delta-8 THC.

- **M.R.S. Title 22, Chapter 558-C:** Governs the regulation of marijuana and extends to the regulation of hemp-derived products like delta-8 THC when sold in the state's licensed cannabis market.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is legal if derived from hemp and meets the THC limit of less than 0.3% delta-9 THC. Synthetic or artificially derived THC, however, is prohibited unless sold under Maine's cannabis laws. Under **M.R.S. Title 22, Chapter 558-C**, synthetic THC products are subject to the same strict regulations as cannabis.
- **License Categories and Fees:** Hemp-derived intoxicants like delta-8 THC must be sold through licensed cannabis dispensaries. Dispensaries must be licensed by the Maine Office of Cannabis Policy. License fees for dispensaries range from \$250 to \$15,000, depending on the size and type of operation.
- **Testing and Labeling Requirements:** Delta-8 THC products must be tested for potency, contaminants, and residual solvents to ensure consumer safety. Labels must include THC content, batch identification, and a QR code linking to third-party lab results. These requirements are enforced under **Maine's Office of Cannabis Policy regulations**, specifically for hemp-derived products sold through dispensaries.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** While delta-8 THC can be sold within Maine, interstate commerce of delta-8 THC products must comply with both federal and state laws of receiving states. Delta-8 THC products sold in Maine must meet the state's testing and labeling standards, as mandated by the Maine Office of Cannabis Policy.
- **Age Restrictions:** Sales of delta-8 THC products are restricted to individuals 21 years and older, consistent with Maine's cannabis laws. Retailers are required to verify the age of consumers before selling intoxicating hemp products, as outlined in **M.R.S. Title 22, Chapter 558-C**.
- **Retail Location Restrictions:** Delta-8 THC products must be sold through licensed dispensaries, and these businesses must comply with local zoning laws, which often restrict proximity to schools, childcare centers, and other sensitive locations. Zoning restrictions are enforced at the local level.

4. Advertising and Marketing Restrictions:

- **Advertising:** Maine restricts the advertising of delta-8 THC products under the same guidelines that apply to cannabis. Advertisements must not target minors and must be truthful, avoiding any misleading health claims. Advertising must comply with **Maine's Office of Cannabis Policy regulations**.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products sold in licensed dispensaries are subject to Maine's cannabis excise tax, similar to cannabis products. This tax is separate from the state's

general sales tax. Maine imposes an excise tax of 10% on cannabis products, which extends to delta-8 THC products sold in licensed dispensaries.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Maine have the authority to regulate or ban the sale of delta-8 THC and other hemp-derived products. Many municipalities have enacted zoning restrictions that limit the location of cannabis dispensaries, which would apply to businesses selling delta-8 THC.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Maine regulates hemp cultivation with environmental protections related to pesticide use, water management, and sustainable farming practices. These regulations are enforced by the Maine Department of Agriculture, Conservation, and Forestry and apply to the cultivation of hemp used to produce delta-8 THC.

8. Social Equity Programs:

- Maine has a social equity program for cannabis businesses that includes licensing incentives and fee reductions for individuals from communities disproportionately impacted by cannabis prohibition. These social equity provisions may extend to businesses selling delta-8 THC, as they are regulated similarly to cannabis under state law.

9. Product Recalls and Consumer Safety:

- **Recalls:** The Maine Office of Cannabis Policy mandates recall procedures for delta-8 THC products sold through licensed dispensaries if they are found to be unsafe or mislabeled. Manufacturers and retailers must follow these guidelines to ensure consumer safety.

10. Worker Safety and Labor Standards:

- Maine's worker safety regulations for the cannabis industry apply to the production and sale of delta-8 THC products. Businesses must comply with state occupational safety laws, ensuring a safe working environment for employees involved in the hemp industry.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Maine's delta-8 THC regulations, including testing, labeling, or sales restrictions, may face administrative penalties such as fines or license suspensions, enforced by the Maine Office of Cannabis Policy.

- **Criminal Penalties:** Unlicensed sales or distribution of delta-8 THC products can result in criminal penalties, including fines and imprisonment, under Maine's cannabis and controlled substances laws.

12. Cannabis Parity:

- Delta-8 THC is regulated similarly to cannabis in Maine, with sales restricted to licensed dispensaries and subject to similar testing, labeling, and tax requirements. While delta-8 THC is derived from hemp, it is treated under state law as an intoxicating product, much like cannabis.

13. Federal Interaction and Preemption Claims:

- Maine's regulation of delta-8 THC aligns with federal hemp laws under the 2018 Farm Bill, but the state imposes stricter controls on the sale and distribution of intoxicating hemp products. There have been no significant federal preemption challenges related to Maine's regulation of hemp intoxicants like delta-8 THC.

Key Statutes and Regulations:

- **M.R.S. Title 7, Chapter 406-A:** Establishes Maine's hemp law, governing the production and sale of hemp-derived cannabinoids, including delta-8 THC.
- **M.R.S. Title 22, Chapter 558-C:** Governs the regulation of marijuana, extending to the sale of hemp-derived cannabinoids like delta-8 THC.
- **Maine Office of Cannabis Policy regulations:** Provides detailed rules for the testing, labeling, and sale of cannabis and hemp-derived products.

You said:

next please. This is all super helpful.

ChatGPT said:

Maryland Hemp Intoxicants Law (Revised)

Unregulated/Gray Market

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Maryland as long as it is derived from hemp and contains less than 0.3% delta-9 THC on a dry weight basis, in accordance with federal hemp law and **Maryland Agriculture Code § 14-101 et seq.** Maryland has not yet established specific regulations for delta-8 THC, but it is allowed under the general hemp program. However, regulatory efforts are underway to address safety and labeling concerns for intoxicating hemp products.
- **Statutory Citations:**

- **Maryland Agriculture Code § 14-101 et seq.:** Governs Maryland's hemp program, including the sale of hemp-derived cannabinoids like delta-8 THC.
- **Maryland Health General Code § 13-3301 et seq.:** Regulates medical cannabis, which has some implications for hemp-derived cannabinoids.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC derived from hemp is legal in Maryland, provided it complies with the 0.3% delta-9 THC threshold. Synthetic or artificially derived THC from non-hemp sources is prohibited under Maryland's controlled substances laws, and chemically converted delta-8 THC may be subject to additional scrutiny by state authorities.
- **License Categories and Fees:** Maryland requires licenses for hemp growers and processors under its Industrial Hemp Program. However, no specific licenses are required for retailers selling hemp-derived intoxicants like delta-8 THC. License fees for hemp growers range from \$250 to \$1,000 annually, depending on the operation.
- **Testing and Labeling Requirements:** While Maryland does not yet have specific testing and labeling regulations for delta-8 THC, products sold in the state must comply with general safety standards under the Maryland Department of Agriculture (MDA). Testing for potency and contaminants is required, and products must clearly label THC content and include safety information.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Delta-8 THC products can be sold in Maryland, but interstate commerce of these products must comply with federal laws and the laws of receiving states. Products sold within Maryland must adhere to state testing and labeling regulations, as required by the Maryland Department of Agriculture.
- **Age Restrictions:** Although Maryland has not set a statewide age restriction for the sale of delta-8 THC, most retailers impose an age limit of 21 years or older, mirroring the restrictions for cannabis products under **Maryland Health General Code § 13-3301 et seq.**
- **Retail Location Restrictions:** There are no specific statewide zoning regulations for delta-8 THC products, but local jurisdictions may impose restrictions on where hemp-derived products can be sold. Cannabis dispensaries are subject to zoning laws, and similar rules may apply to intoxicating hemp products in the future.

4. Advertising and Marketing Restrictions:

- **Advertising:** Maryland currently has no specific advertising regulations for delta-8 THC products, but general advertising laws apply, prohibiting misleading claims. Advertising targeting minors or making unverified health claims could face regulatory action under Maryland consumer protection laws.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Maryland's general sales tax. There is no specific excise tax on hemp-derived intoxicants, unlike cannabis products, which are taxed differently under the state's medical cannabis program.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Maryland have the authority to regulate or ban the sale of hemp-derived intoxicants, including delta-8 THC. While there are no statewide zoning restrictions, municipalities may impose additional regulations on businesses selling these products, similar to local control over cannabis dispensaries.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Maryland's hemp cultivation program includes environmental controls related to pesticide use, water conservation, and sustainable agricultural practices. These standards apply to hemp cultivation and the production of intoxicating hemp products like delta-8 THC.

8. Social Equity Programs:

- Maryland has a social equity program under its medical cannabis law, which aims to provide opportunities to communities disproportionately impacted by cannabis prohibition. However, these social equity provisions do not currently extend to hemp businesses or those selling delta-8 THC products.

9. Product Recalls and Consumer Safety:

- **Recalls:** The Maryland Department of Agriculture has the authority to mandate recalls of hemp products, including delta-8 THC, if they are found to be unsafe or mislabeled. Recalls are managed similarly to other consumer products under state law.

10. Worker Safety and Labor Standards:

- Maryland does not have specific worker safety regulations for the hemp industry. General labor laws apply to businesses involved in the production and sale of delta-8 THC products. Compliance with federal and state occupational safety standards is required.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Maryland's hemp regulations, including testing, labeling, and sales restrictions for delta-8 THC, may face administrative penalties, including fines or the suspension of licenses, under **Maryland Agriculture Code § 14-101 et seq.**

- **Criminal Penalties:** Unlawful sales or distribution of hemp-derived products, including unregistered delta-8 THC products, can result in criminal penalties. Violations may include fines and imprisonment, depending on the severity of the offense.

12. Cannabis Parity:

- Delta-8 THC is regulated separately from cannabis in Maryland. While cannabis is tightly controlled under the state's medical cannabis program, delta-8 THC falls under hemp regulations. There is no parity in terms of taxes or licensing between the two products, although delta-8 THC is subject to general hemp laws.

13. Federal Interaction and Preemption Claims:

- Maryland's regulation of delta-8 THC aligns with federal guidelines under the 2018 Farm Bill, allowing for the sale of hemp-derived cannabinoids that contain less than 0.3% delta-9 THC. There have been no significant federal preemption challenges to Maryland's regulation of delta-8 THC products.

Key Statutes and Regulations:

- **Maryland Agriculture Code § 14-101 et seq.:** Governs the state's hemp program, regulating the production and sale of hemp-derived products, including delta-8 THC.
- **Maryland Health General Code § 13-3301 et seq.:** Regulates the state's medical cannabis program, indirectly impacting the regulation of hemp-derived intoxicants.
- **Maryland Department of Agriculture regulations:** Provide guidance on testing, labeling, and compliance for hemp products sold in the state.

You said:

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ChatGPT said:

Massachusetts Hemp Intoxicants Law (Revised)

Regulated (Integrated with Cannabis)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Massachusetts, but its sale is heavily regulated. The Massachusetts Cannabis Control Commission (CCC) has issued guidance stating that intoxicating cannabinoids derived from hemp, such as delta-8 THC, must be regulated within the state's cannabis framework. Under **Massachusetts General Laws Chapter 94G**, delta-8 THC products must be sold through licensed cannabis dispensaries and are subject to the same testing and labeling requirements as cannabis.

- **Statutory Citations:**
 - **Massachusetts General Laws Chapter 94G:** Governs the regulation of cannabis and extends to intoxicating hemp-derived cannabinoids like delta-8 THC.
 - **Massachusetts General Laws Chapter 128, Section 116-123:** Establishes the state's Industrial Hemp Program, which regulates hemp production but excludes intoxicants like delta-8 THC from being sold outside the cannabis market.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC derived from hemp must comply with state regulations under the Massachusetts Cannabis Control Commission. Synthetic cannabinoids and artificially created THC are regulated as controlled substances under **Massachusetts General Laws Chapter 94C** and can only be sold through licensed cannabis establishments.
- **License Categories and Fees:** Businesses that sell delta-8 THC products must be licensed as cannabis retailers under the CCC. The fees for cannabis retail licenses range from \$5,000 to \$15,000 annually, depending on the size and scope of the operation.
- **Testing and Labeling Requirements:** Delta-8 THC products must undergo the same testing for potency, contaminants, and residual solvents as cannabis products. Labels must clearly state the THC content, batch number, and include a QR code linking to third-party test results. These requirements are enforced by the CCC under **Massachusetts General Laws Chapter 94G**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** While delta-8 THC products are permitted within Massachusetts, interstate commerce involving delta-8 THC is complicated by varying federal and state laws. Delta-8 THC products sold in Massachusetts must meet the CCC's strict testing and labeling standards, and any interstate shipment must comply with federal law and the laws of receiving states.
- **Age Restrictions:** Sales of delta-8 THC products are restricted to individuals 21 years and older, similar to cannabis products. Retailers must verify the age of consumers before selling delta-8 THC, as mandated by **Massachusetts General Laws Chapter 94G**.
- **Retail Location Restrictions:** Delta-8 THC products must be sold through licensed cannabis dispensaries, which are subject to local zoning regulations. These regulations often restrict cannabis businesses from operating near schools, childcare centers, and other sensitive areas.

4. Advertising and Marketing Restrictions:

- **Advertising:** Massachusetts imposes strict advertising regulations for delta-8 THC products under the same rules that apply to cannabis. Advertisements cannot target

minors, make unverified health claims, or be misleading. All marketing must comply with **Massachusetts General Laws Chapter 94G** and CCC guidelines.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products sold in cannabis dispensaries are subject to Massachusetts' cannabis excise tax, which is 10.75%, in addition to the state's general sales tax. These tax rates apply to all intoxicating cannabinoids sold under the cannabis regulations.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Massachusetts have the authority to regulate or ban the sale of delta-8 THC products. Many municipalities have enacted zoning restrictions on where cannabis businesses, including those selling delta-8 THC, can operate, typically restricting their proximity to schools and residential areas.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Massachusetts regulates hemp cultivation under its Industrial Hemp Program, which includes environmental protections related to pesticide use, water conservation, and sustainable farming practices. These standards apply to hemp cultivation but do not extend to the production of intoxicating cannabinoids like delta-8 THC, which is regulated under the CCC.

8. Social Equity Programs:

- Massachusetts has a robust social equity program aimed at promoting cannabis businesses owned by individuals from communities disproportionately impacted by cannabis prohibition. This program extends to delta-8 THC businesses, provided they are licensed under the CCC as cannabis retailers.

9. Product Recalls and Consumer Safety:

- **Recalls:** The CCC mandates that all delta-8 THC products sold through licensed dispensaries undergo recall procedures if they are found to be unsafe or mislabeled. The CCC oversees these recalls to ensure consumer safety under **Massachusetts General Laws Chapter 94G**.

10. Worker Safety and Labor Standards:

- Worker safety standards for the cannabis industry in Massachusetts apply to businesses involved in the production and sale of delta-8 THC products. These businesses must comply with state occupational safety laws, ensuring safe working conditions for employees.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Non-compliance with Massachusetts' delta-8 THC regulations, such as improper testing, labeling, or sales to underage consumers, may result in administrative penalties, including fines or the suspension of licenses, under **Massachusetts General Laws Chapter 94G**.
- **Criminal Penalties:** Unauthorized sales or distribution of delta-8 THC products outside of the licensed cannabis system can lead to criminal penalties, including fines and imprisonment, under the state's controlled substances laws.

12. Cannabis Parity:

- Delta-8 THC is regulated in the same way as cannabis in Massachusetts. Both products must be sold through licensed dispensaries and are subject to the same testing, labeling, and taxation requirements. This ensures that delta-8 THC products are treated with the same level of oversight as traditional cannabis products.

13. Federal Interaction and Preemption Claims:

- Massachusetts' regulation of delta-8 THC is consistent with federal hemp laws established by the 2018 Farm Bill. However, the state imposes stricter controls on the sale of intoxicating cannabinoids by requiring them to be sold within the cannabis market. There have been no significant federal preemption challenges to Massachusetts' hemp intoxicant regulations.

Key Statutes and Regulations:

- **Massachusetts General Laws Chapter 94G:** Regulates cannabis and extends to intoxicating cannabinoids like delta-8 THC.
- **Massachusetts General Laws Chapter 128, Section 116-123:** Governs the state's Industrial Hemp Program but excludes intoxicants like delta-8 THC from being sold outside the regulated cannabis market.
- **Massachusetts Cannabis Control Commission regulations:** Provide detailed rules for testing, labeling, advertising, and sales of delta-8 THC within licensed dispensaries.

You said:

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ChatGPT said:

Michigan Hemp Intoxicants Law (Revised)

Regulated (Integrated with Cannabis)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Michigan but is regulated under the state's cannabis laws. In 2021, the Michigan Marijuana Regulatory Agency (MRA) ruled that all intoxicating cannabinoids, including delta-8 THC, must be regulated like cannabis products. Under **Michigan Compiled Laws (MCL) § 333.27951 et seq.**, delta-8 THC products can only be sold through licensed cannabis establishments and must meet the same testing and labeling standards as other cannabis products.
- **Statutory Citations:**
 - **MCL § 333.27951 et seq.:** Michigan Regulation and Taxation of Marihuana Act, which governs cannabis regulation, including intoxicating hemp-derived cannabinoids like delta-8 THC.
 - **MCL § 333.27953:** Defines the scope of the state's cannabis regulations and applies them to hemp intoxicants.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC, if derived from hemp, is regulated under Michigan's cannabis framework. Synthetic THC or chemically converted cannabinoids from non-hemp sources are treated as controlled substances under **MCL § 333.7212** and can only be sold through licensed cannabis establishments.
- **License Categories and Fees:** Delta-8 THC products must be sold through licensed cannabis retailers. Cannabis licenses are issued by the Michigan Cannabis Regulatory Agency (CRA), with fees for retail licenses ranging from \$6,000 to \$25,000 depending on the size and type of the business.
- **Testing and Labeling Requirements:** Delta-8 THC products must undergo testing for potency, contaminants, and residual solvents. The products must also comply with labeling requirements, including THC content, batch number, and a QR code linking to third-party lab results. These regulations are enforced by the CRA under **MCL § 333.27957**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Michigan allows the sale of delta-8 THC products within the state, but interstate commerce of these products is subject to federal and state laws of the receiving state. Delta-8 THC products sold in Michigan must comply with the state's strict testing and labeling regulations.
- **Age Restrictions:** Sales of delta-8 THC products are restricted to individuals 21 years and older, consistent with Michigan's cannabis regulations under **MCL § 333.27955**. Retailers must verify the age of customers before selling intoxicating hemp products.
- **Retail Location Restrictions:** Delta-8 THC products must be sold through licensed cannabis establishments, which are subject to local zoning laws. Cannabis retailers cannot be located within a certain distance of schools, parks, or other sensitive areas, as defined by local regulations.

4. Advertising and Marketing Restrictions:

- **Advertising:** Michigan imposes strict advertising regulations for delta-8 THC products, which must comply with cannabis marketing rules. Advertisements cannot target minors or make unverified health claims, and they must be clear, accurate, and not misleading. All advertising must adhere to the state's cannabis laws under **MCL § 333.27954**.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Michigan's 10% excise tax on cannabis products, in addition to the state's 6% sales tax. These taxes apply to all intoxicating hemp products sold under the state's cannabis regulations, as outlined in **MCL § 333.27953**.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Michigan have the authority to regulate or ban the sale of delta-8 THC products. Many municipalities have enacted zoning laws that limit the operation of cannabis businesses, including those selling delta-8 THC, within certain distances from schools, residential areas, and other sensitive locations.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Michigan's hemp cultivation program includes environmental controls such as pesticide use, water conservation, and sustainable farming practices. These regulations apply to the production of hemp used for delta-8 THC but are regulated separately from cannabis under **MCL § 333.27955**.

8. Social Equity Programs:

- Michigan has a robust social equity program for cannabis businesses, offering licensing incentives and fee reductions for individuals from communities disproportionately impacted by cannabis prohibition. This program extends to businesses that sell delta-8 THC, provided they are licensed as cannabis retailers.

9. Product Recalls and Consumer Safety:

- **Recalls:** The Michigan Cannabis Regulatory Agency mandates recall procedures for delta-8 THC products sold through licensed cannabis establishments if they are found to be unsafe or mislabeled. The CRA enforces these recalls under the same guidelines that apply to cannabis products.

10. Worker Safety and Labor Standards:

- Michigan's cannabis industry regulations, which include worker safety standards, apply to businesses involved in the production and sale of delta-8 THC products. Employers must comply with state and federal occupational safety laws to ensure a safe working environment.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Non-compliance with Michigan's delta-8 THC regulations, including improper testing, labeling, or unlicensed sales, may result in administrative penalties such as fines or suspension of licenses, as outlined in **MCL § 333.27957**.
- **Criminal Penalties:** Selling or distributing delta-8 THC products outside of the regulated cannabis system can result in criminal penalties, including fines and imprisonment, under Michigan's controlled substances laws.

12. Cannabis Parity:

- Delta-8 THC is regulated in the same manner as cannabis in Michigan. Both products must be sold through licensed establishments and are subject to the same testing, labeling, and taxation requirements. This regulatory parity ensures that delta-8 THC products receive the same level of oversight as traditional cannabis products.

13. Federal Interaction and Preemption Claims:

- Michigan's regulation of delta-8 THC aligns with federal hemp guidelines under the 2018 Farm Bill. However, the state imposes stricter controls on the sale of delta-8 THC by requiring it to be regulated within the cannabis market. There have been no significant federal preemption challenges related to Michigan's regulation of delta-8 THC.

Key Statutes and Regulations:

- **MCL § 333.27951 et seq.:** Governs the regulation and taxation of cannabis and extends to intoxicating cannabinoids like delta-8 THC.
- **MCL § 333.7212:** Defines synthetic THC and regulates it as a controlled substance.
- **Michigan Cannabis Regulatory Agency regulations:** Provide detailed rules for testing, labeling, advertising, and the sale of delta-8 THC products within the regulated cannabis market.

You said:

next please

ChatGPT said:

Minnesota Hemp Intoxicants Law (Revised)

Regulated (Integrated with Cannabis)

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is legal in Minnesota but is subject to regulation. Minnesota allows the sale of hemp-derived cannabinoids like delta-8 THC, provided they meet the federal definition of hemp (less than 0.3% delta-9 THC) and comply with state

laws governing testing, labeling, and sales. Under **Minnesota Statutes Chapter 18K**, which governs the state's Industrial Hemp Development Act, delta-8 THC must adhere to specific guidelines, including a limit on the amount of THC per serving in edible products.

- **Statutory Citations:**

- **Minnesota Statutes Chapter 18K:** Governs the regulation of hemp production and products, including hemp-derived cannabinoids like delta-8 THC.
- **Minnesota Statutes § 151.72:** Regulates the sale of cannabinoid products, including limits on THC content per serving for edible products.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC derived from hemp is legal in Minnesota, but synthetic cannabinoids or chemically converted THC are regulated as controlled substances under **Minnesota Statutes Chapter 152**. The sale of synthetic THC products is prohibited unless sold under the state's medical cannabis program.
- **License Categories and Fees:** Minnesota requires hemp growers and processors to obtain licenses under the state's Industrial Hemp Program. However, there are no specific licensing requirements for retailers selling delta-8 THC, except that edible cannabinoid products must comply with the state's food safety laws. License fees for hemp producers vary based on the size and scope of the operation.
- **Testing and Labeling Requirements:** All hemp-derived products, including delta-8 THC, must undergo testing for potency, contaminants, and residual solvents. Products must be clearly labeled with THC content, serving size, and include a QR code linking to third-party lab results. These requirements are enforced under **Minnesota Statutes § 151.72**, which outlines the state's cannabinoid product regulations.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** Minnesota allows the sale of delta-8 THC products within the state, but products sold must comply with Minnesota's testing and labeling regulations. Interstate commerce of these products must adhere to federal laws and the laws of receiving states.
- **Age Restrictions:** Sales of delta-8 THC products are restricted to individuals 21 years or older. Retailers are required to verify the age of consumers before completing a sale, as outlined in **Minnesota Statutes § 151.72**.
- **Retail Location Restrictions:** Minnesota does not have specific statewide zoning regulations for the sale of delta-8 THC, but retailers must comply with general business and zoning laws. Local jurisdictions may impose additional restrictions on where cannabinoid products can be sold.

4. Advertising and Marketing Restrictions:

- **Advertising:** Minnesota prohibits the false advertising of delta-8 THC products and any claims that suggest the products can diagnose, cure, or treat medical conditions without

proper evidence. Advertisements must comply with general state advertising laws under **Minnesota Statutes § 151.72**.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are subject to Minnesota's general sales tax. There is no specific excise tax on hemp-derived intoxicants like delta-8 THC. Cannabis products, regulated under Minnesota's medical cannabis program, are taxed differently but these taxes do not extend to delta-8 THC.

6. Zoning and Local Control:

- **Local Jurisdiction:** Local governments in Minnesota have the authority to regulate or ban the sale of hemp-derived intoxicants like delta-8 THC. Many municipalities may enact zoning restrictions or limit where cannabinoid products can be sold, similar to local control over tobacco and alcohol sales.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Minnesota's Industrial Hemp Program includes environmental protections, such as regulations on pesticide use, water conservation, and sustainable farming practices. These standards apply to hemp cultivation, including hemp grown for delta-8 THC production, under **Minnesota Statutes Chapter 18K**.

8. Social Equity Programs:

- Minnesota does not currently have a social equity program specific to hemp or cannabis businesses. There are no state-level licensing incentives for communities disproportionately impacted by cannabis prohibition, though legislative efforts are ongoing to address these concerns within the medical cannabis framework.

9. Product Recalls and Consumer Safety:

- **Recalls:** The Minnesota Department of Agriculture has the authority to issue recalls for unsafe or mislabeled delta-8 THC products under **Minnesota Statutes § 151.72**. Manufacturers and retailers are required to comply with state recall procedures to protect consumer safety.

10. Worker Safety and Labor Standards:

- Minnesota does not have specific worker safety standards for the hemp industry, but general state labor laws apply to businesses involved in the production and sale of delta-8 THC products. Employers must comply with federal and state occupational safety regulations.

11. Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that fail to comply with Minnesota's delta-8 THC regulations, including testing, labeling, or age verification requirements, may face administrative penalties, including fines and the suspension of business licenses, under **Minnesota Statutes Chapter 18K and § 151.72**.
- **Criminal Penalties:** Selling or distributing untested or improperly labeled delta-8 THC products can result in criminal penalties, including fines and imprisonment, under Minnesota's consumer protection and controlled substances laws.

12. Cannabis Parity:

- Delta-8 THC is regulated separately from cannabis in Minnesota. While cannabis is subject to the state's medical marijuana program and taxed at a different rate, delta-8 THC falls under the hemp laws and is subject to less stringent regulation. However, both products are tested and labeled to ensure consumer safety.

13. Federal Interaction and Preemption Claims:

- Minnesota's regulation of delta-8 THC aligns with federal hemp guidelines established under the 2018 Farm Bill. However, the state imposes additional controls on the sale of intoxicating cannabinoids, particularly for edible products, which must meet state-imposed THC limits per serving. There have been no significant federal preemption challenges to Minnesota's regulation of hemp intoxicants.

Key Statutes and Regulations:

- **Minnesota Statutes Chapter 18K:** Governs the Industrial Hemp Development Act, regulating the production and sale of hemp-derived products, including delta-8 THC.
- **Minnesota Statutes § 151.72:** Regulates cannabinoid products and establishes rules for the testing, labeling, and sale of delta-8 THC and other hemp-derived cannabinoids.
- **Minnesota Department of Agriculture regulations:** Provide detailed guidelines for hemp growers and processors, including environmental and safety standards.

Mississippi Hemp Intoxicants Law (Revised)

Prohibited

1. Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Delta-8 THC is illegal in Mississippi. The state classifies all forms of THC, including delta-8 THC, as Schedule I controlled substances under **Mississippi Code § 41-29-113**. While hemp is legal under the federal 2018 Farm Bill, Mississippi prohibits the sale, possession, and distribution of delta-8 THC and other hemp-derived intoxicants. Only hemp products containing no detectable THC are allowed for sale in the state.
- **Statutory Citations:**

- **Mississippi Code § 41-29-113:** Lists all forms of THC, including delta-8 THC, as Schedule I controlled substances.
- **Mississippi Code Title 69, Chapter 77:** Establishes the state's Industrial Hemp Program but excludes hemp-derived intoxicants from its regulations.

2. Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC and other synthetic cannabinoids are considered controlled substances under **Mississippi Code § 41-29-113**, regardless of whether they are derived from hemp or produced synthetically. The sale and distribution of delta-8 THC are prohibited in Mississippi.
- **License Categories and Fees:** Mississippi's Industrial Hemp Program issues licenses for the cultivation and processing of hemp, but no licenses are available for the sale of hemp-derived intoxicants like delta-8 THC. License fees for hemp production range from \$500 to \$1,500, depending on the size and type of operation.
- **Testing and Labeling Requirements:** Mississippi requires testing for hemp products to ensure they contain no detectable THC. There are no specific testing or labeling requirements for delta-8 THC since it is prohibited. Legal hemp products must comply with the state's testing guidelines under **Mississippi Code Title 69, Chapter 77**.

3. Distribution and Sale Regulations:

- **Interstate Commerce:** The sale and distribution of delta-8 THC products are illegal in Mississippi, including interstate commerce. Any products containing delta-8 THC cannot be legally sold, transported, or possessed within the state under **Mississippi Code § 41-29-113**.
- **Age Restrictions:** There are no age-related restrictions for delta-8 THC in Mississippi because the substance is illegal. Legal hemp products that contain no detectable THC are not subject to any specific age restrictions.
- **Retail Location Restrictions:** Since delta-8 THC is illegal in Mississippi, there are no zoning or retail location restrictions for its sale. Legal hemp products may be sold in compliance with general business regulations.

4. Advertising and Marketing Restrictions:

- **Advertising:** There are no advertising rules for delta-8 THC products in Mississippi because they are illegal. Legal hemp products must comply with general state advertising laws, which prohibit misleading or false claims.

5. Taxes and Fees:

- **Taxes:** Delta-8 THC products are not taxed in Mississippi because they are illegal. Hemp products that comply with the state's THC threshold are subject to the state's general sales tax.

6. Zoning and Local Control:

- **Local Jurisdiction:** Mississippi prohibits delta-8 THC statewide, leaving local jurisdictions with no authority to permit or regulate its sale. Zoning regulations for legal hemp products are governed by local authorities, but there are no specific statewide zoning laws related to hemp-derived products.

7. Environmental and Sustainability Requirements:

- **Environmental Standards:** Mississippi regulates hemp cultivation through the state's Industrial Hemp Program, which includes environmental protections related to pesticide use, water management, and land conservation. These regulations apply only to hemp cultivation that produces non-intoxicating hemp products.

8. Social Equity Programs:

- Mississippi does not have a social equity program for hemp or cannabis businesses. There are no licensing incentives or programs aimed at communities disproportionately impacted by cannabis prohibition.

9. Product Recalls and Consumer Safety:

- **Recalls:** There are no recall procedures for delta-8 THC products in Mississippi because they are illegal. For legal hemp products, the Mississippi Department of Agriculture and Commerce oversees product safety and may issue recalls if products exceed the state's THC limit.

10. Worker Safety and Labor Standards:

- Mississippi does not have specific worker safety or labor standards for the hemp industry. General labor laws apply to businesses involved in the production and sale of legal hemp products, but no additional regulations exist for illegal substances like delta-8 THC.

11. Penalties for Non-Compliance:

- **Criminal Penalties:** The possession, sale, or production of delta-8 THC is punishable under **Mississippi Code § 41-29-113**, which classifies delta-8 THC as a Schedule I controlled substance. Violations may result in fines, imprisonment, or both, depending on the severity of the offense.
- **Administrative Penalties:** Hemp businesses that fail to comply with Mississippi's THC testing limits may face administrative penalties, including fines or suspension of their licenses under **Mississippi Code Title 69, Chapter 77**.

12. Cannabis Parity:

- Delta-8 THC is treated similarly to cannabis in Mississippi, as both are classified as Schedule I controlled substances. While the state's hemp laws allow for the sale of

hemp-derived products with no detectable THC, delta-8 THC is explicitly prohibited and regulated under the same framework as cannabis.

13. Federal Interaction and Preemption Claims:

- Mississippi's regulation of delta-8 THC aligns with state law, which prohibits all forms of THC. This prohibition extends beyond the federal 2018 Farm Bill, which allows for the sale of hemp-derived cannabinoids. There have been no significant federal challenges or preemption claims regarding Mississippi's regulation of hemp intoxicants.

Key Statutes and Regulations:

- **Mississippi Code § 41-29-113:** Classifies all forms of THC, including delta-8 THC, as Schedule I controlled substances.
- **Mississippi Code Title 69, Chapter 77:** Establishes the state's Industrial Hemp Program, regulating hemp cultivation and processing while excluding intoxicating products like delta-8 THC.
- **Mississippi Department of Agriculture and Commerce regulations:** Provide guidelines for the production and testing of legal hemp products.

Missouri Hemp Intoxicants Law (Updated)

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** As of **September 1, 2024**, Missouri banned the sale of unregulated psychoactive hemp products, including **delta-8 THC**, **delta-10 THC**, and other intoxicants. This action was formalized under **Executive Order 24-10**, issued by Governor Mike Parson. The order cites concerns regarding public health and safety, particularly regarding children, and places restrictions on the sale of these products. Currently, these products are prohibited unless they originate from an "approved source," though no such sources have been officially identified under federal or state law.
- **Prohibited Substances:** The executive order specifically targets delta-8 THC, delta-10 THC, and other intoxicating cannabinoids commonly found in hemp-derived edibles, drinks, and other consumables. Violations of this order, particularly by retailers, can result in penalties. The order also emphasizes enforcement for businesses with liquor licenses that are found selling these products.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Missouri's hemp program regulates industrial hemp and prohibits synthetic cannabinoids like delta-8 THC if not explicitly approved. Under **Missouri**

Revised Statutes (RSMo) §§ 195.010 to 195.773, delta-8 THC remains unregulated for manufacturing or sale outside the existing cannabis program, effectively making most products illegal for sale unless sourced from licensed cannabis operations.

- **License Categories and Fees:** Missouri requires licenses for the cultivation and processing of hemp through its **Industrial Hemp Program**, governed by **Missouri Code of State Regulations (CSR) Title 2 Division 70 Chapter 17**. However, there are no specific licenses for producing or selling intoxicating hemp products like delta-8 THC.
- **Testing and Labeling Requirements:** All products containing intoxicating cannabinoids, including delta-8 THC, must comply with stringent testing requirements. The **Missouri Department of Health and Senior Services** enforces testing for THC levels and contaminants to ensure product safety, similar to the state's cannabis regulations.

Distribution and Sale Regulations:

- **Interstate Commerce:** Missouri's executive order does not explicitly address the interstate sale of hemp-derived intoxicants, but the state's prohibition on unregulated psychoactive products likely restricts their sale across state lines, especially without proper regulation.
- **Age Restrictions:** Sales of hemp-derived intoxicants like delta-8 THC are now restricted under **Executive Order 24-10**. Products that previously were available are now subject to age restrictions (21+), in line with Missouri's cannabis program regulations.
- **Retail Location Restrictions:** Missouri does not provide specific zoning laws for intoxicating hemp products, but restrictions are implied through the prohibition of unregulated sales under the executive order. Retailers violating these restrictions may face penalties, especially those with liquor licenses.

Advertising and Marketing Restrictions:

- **Advertising:** There are currently no specific advertising restrictions on delta-8 THC products within Missouri's state law, but the recent executive order banning unregulated products will likely influence future advertising guidelines, especially in protecting minors from exposure to intoxicating products.

Taxes and Fees:

- **Taxes:** There is no specific excise tax structure for intoxicating hemp products like delta-8 THC. However, cannabis products in Missouri are taxed, and if delta-8 THC products were to be regulated similarly in the future, a comparable tax structure could be implemented.

Zoning and Local Control:

- **Local Jurisdiction:** Missouri law allows for local jurisdictions to regulate or ban the sale of cannabis products. This authority likely extends to intoxicating hemp products in light

of the executive order, giving local governments the option to impose additional restrictions on sales.

Product Recalls and Consumer Safety:

- **Recalls:** Missouri's cannabis program includes provisions for product recalls in the event of contamination or mislabeling. It is likely that similar procedures would apply to intoxicating hemp products like delta-8 THC, especially under the executive order's enhanced enforcement focus.

Worker Safety and Labor Standards:

- **Worker Safety:** Missouri does not have specific worker safety or labor standards for the production of intoxicating hemp products, but the state's general occupational safety laws would apply. Employers involved in hemp or cannabis production must comply with state labor laws.

Penalties for Non-Compliance:

- **Administrative Penalties:** Violations of Missouri's regulations regarding intoxicating hemp products can result in administrative penalties. Under **Executive Order 24-10**, retailers selling unapproved delta-8 THC products could face fines, and businesses with liquor licenses are particularly targeted for compliance checks.
- **Criminal Penalties:** Selling unregulated psychoactive products in violation of state law could result in criminal penalties, particularly if the products are found to contain more than the legal limit of delta-9 THC, classifying them as controlled substances under **RSMo § 579.065**.

Cannabis Parity:

- Missouri regulates hemp-derived intoxicants like delta-8 THC separately from cannabis, with delta-8 THC products falling under stricter control as a result of the recent executive order. Cannabis products in Missouri are regulated through the state's **medical cannabis program**, which imposes tighter restrictions on THC content, testing, and sales compared to hemp intoxicants.

Key Statutes and Regulations:

- **Missouri Revised Statutes (RSMo) §§ 195.010 to 195.773:** Establishes the Missouri Industrial Hemp Program.
- **RSMo § 579.065:** Governs controlled substance possession and exempts compliant hemp-derived products.
- **Missouri Code of State Regulations (CSR) Title 2 Division 70 Chapter 17:** Provides detailed rules for hemp cultivation and product standards.
- **Executive Order 24-10:** Restricts the sale of unregulated hemp intoxicants, including delta-8 and delta-10 THC, and imposes penalties for non-compliance.

Montana Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Montana has explicitly prohibited the sale and possession of synthetic cannabinoids, including **delta-8 THC**, under **House Bill 948 (2023)**. The bill revises the state's definition of marijuana to include synthetic cannabinoids, effectively outlawing intoxicating products like delta-8 THC. The Montana hemp program, governed by **Montana Code Annotated § 80-18-101 to § 80-18-111**, specifically excludes delta-8 THC from the legal definition of hemp, making it illegal to sell, possess, or manufacture delta-8 THC in the state.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Prohibited. **House Bill 948** bans synthetic cannabinoids like delta-8 THC, making their production and sale illegal in Montana.
- **THC Concentration Limits:** Montana's hemp program only permits the production of hemp products that contain less than 0.3% delta-9 THC, as per federal guidelines. Intoxicating cannabinoids, such as delta-8 THC, are not allowed.

Distribution and Sale Regulations:

- **Sale Prohibition:** The sale of delta-8 THC and other synthetic cannabinoids is prohibited in Montana, classified under the same restrictions as marijuana products.
- **Age Restrictions:** Since delta-8 THC is treated similarly to marijuana, the standard marijuana age restriction of **21+** applies, although intoxicating hemp products are generally illegal.

Advertising and Marketing Restrictions:

- **No Specific Provisions:** Because delta-8 THC and other synthetic cannabinoids are prohibited, there are no specific advertising or marketing regulations for these products in Montana.

Taxes and Fees:

- **No Taxes:** There are no taxes imposed on intoxicating hemp products like delta-8 THC, as they are illegal in Montana.

Zoning and Local Control:

- **Local Jurisdiction Control:** Local jurisdictions are not required to impose additional zoning restrictions, as state law comprehensively bans synthetic cannabinoids.

Environmental and Sustainability Requirements:

- **No Specific Regulations for Intoxicants:** Montana's environmental regulations focus on agricultural hemp, with no specific provisions for synthetic cannabinoids like delta-8 THC.

Social Equity Programs:

- **No Specific Social Equity Program:** Montana does not include hemp intoxicants like delta-8 THC in any social equity initiatives due to their prohibition.

Product Recalls and Consumer Safety:

- **No Provisions for Recalls:** As synthetic cannabinoids are illegal, there are no recall mechanisms for delta-8 THC products in Montana.

Worker Safety and Labor Standards:

- **No Specific Regulations:** There are no specific labor or safety regulations for the production of intoxicating hemp products like delta-8 THC, since they are banned in the state.

Penalties for Non-Compliance:

- **Criminal Penalties:** Violations related to synthetic cannabinoids, including delta-8 THC, are treated under Montana's marijuana laws. Penalties include fines and imprisonment, similar to those for marijuana offenses. These penalties are governed by **Montana Code Annotated § 16-12-102**.

Cannabis Parity:

- **Synthetic THC Treated as Marijuana:** Montana regulates synthetic cannabinoids like delta-8 THC in the same manner as marijuana, with prohibitions on production and sale under **Montana Code Annotated § 16-12-102**.

Federal Interaction and Preemption Claims:

- **No Known Federal Challenges:** There are no notable federal challenges or preemption claims against Montana's ban on synthetic cannabinoids.

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Nebraska Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Nebraska has explicitly classified **delta-8 THC** as a **Schedule I controlled substance** under **Nebraska Revised Statutes § 28-405**. This means that the sale, possession, and manufacture of delta-8 THC are illegal in the state. This classification was reinforced by **Attorney General Opinion 21-017 (2021)**, which confirmed that delta-8 THC is illegal under Nebraska law.
- **Prohibited Products:** The state does not allow any intoxicating cannabinoids, including delta-8 THC, under the Nebraska Hemp Farming Act, which focuses only on the cultivation and production of hemp containing less than 0.3% delta-9 THC.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Nebraska prohibits all synthetic THC, including delta-8 THC. The state's hemp program, governed by **Nebraska Revised Statutes § 2-5701 to § 2-5713**, focuses solely on non-intoxicating industrial hemp.
- **THC Concentration Limits:** Nebraska enforces the federal THC threshold for hemp products, which must contain less than 0.3% delta-9 THC. However, synthetic cannabinoids like delta-8 THC are classified as illegal substances.

Distribution and Sale Regulations:

- **Sale and Distribution Prohibition:** The sale and distribution of delta-8 THC are illegal in Nebraska as the substance is classified as a controlled substance under **Nebraska Revised Statutes § 28-405**.
- **Interstate Commerce:** Given that delta-8 THC is a controlled substance in Nebraska, its interstate sale is also prohibited.

Advertising and Marketing Restrictions:

- **No Specific Provisions:** Since delta-8 THC is illegal, Nebraska does not have advertising or marketing regulations for intoxicating hemp products. Any attempt to advertise such products would violate state law.

Taxes and Fees:

- **No Taxes:** As delta-8 THC products are illegal, there are no specific taxes or fees imposed on these products in Nebraska.

Zoning and Local Control:

- **Statewide Ban:** Delta-8 THC is prohibited at the state level, so local jurisdictions do not need to implement additional bans or restrictions.

Environmental and Sustainability Requirements:

- **No Specific Regulations for Intoxicants:** Nebraska's regulations primarily target industrial hemp and do not include any environmental or sustainability standards for hemp-derived intoxicants.

Social Equity Programs:

- **No Social Equity Program:** Nebraska does not have a social equity program related to intoxicating hemp products, as these products are prohibited.

Product Recalls and Consumer Safety:

- **No Recall Mechanism for Intoxicants:** Since delta-8 THC is illegal in Nebraska, there are no recall procedures for intoxicating hemp products.

Worker Safety and Labor Standards:

- **No Specific Regulations:** There are no specific worker safety or labor standards for the production of hemp intoxicants, as these products are illegal.

Penalties for Non-Compliance:

- **Criminal Penalties:** Violations involving delta-8 THC are subject to Nebraska's controlled substance laws, with penalties ranging from fines to imprisonment. These penalties are outlined in **Nebraska Revised Statutes § 28-405**.

Cannabis Parity:

- **No Parity with Cannabis:** Nebraska does not have a legal framework for recreational cannabis, and intoxicating cannabinoids like delta-8 THC are treated as controlled substances, distinct from industrial hemp.

Federal Interaction and Preemption Claims:

- **Attorney General Opinion:** Nebraska's Attorney General issued **Opinion 21-017** in 2021, affirming that delta-8 THC is illegal under state law, and there have been no significant federal preemption claims related to this interpretation.

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ChatGPT said:

Nevada Hemp Intoxicants Law

Regulated (Integrated with Cannabis)

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In Nevada, **delta-8 THC** and other synthetic cannabinoids are regulated under the state's cannabis framework. Synthetic cannabinoids, including delta-8 THC, are classified as controlled substances unless they are produced and sold through Nevada's regulated cannabis system. **Nevada Revised Statutes (NRS) Chapter 453** classifies tetrahydrocannabinols like delta-8 THC as controlled substances unless they are sold through licensed dispensaries .
- **Prohibited Products:** The sale of delta-8 THC products outside of licensed cannabis dispensaries is prohibited. Products that do not meet Nevada's strict cannabis regulations are illegal .

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC, along with other synthetic cannabinoids, must be regulated and sold through the state's licensed cannabis system. These products are subject to the same rules as cannabis products .
- **THC Concentration Limits:** Nevada's cannabis regulations apply strict THC limits, similar to delta-9 THC rules for cannabis. Hemp products may contain less than 0.3% delta-9 THC, but synthetic cannabinoids like delta-8 THC cannot be sold outside the regulated system .

Distribution and Sale Regulations:

- **Interstate Commerce:** Nevada permits the export of delta-8 THC if it is sold through licensed cannabis dispensaries, but unlicensed sale and distribution are strictly prohibited .
- **Retail Sales Restrictions:** Sales of intoxicating cannabinoids, such as delta-8 THC, are restricted to licensed dispensaries. Customers must be **21+** to purchase these products .

Advertising and Marketing Restrictions:

- **Licensed Dispensary Advertising:** Delta-8 THC products are subject to the same advertising restrictions as cannabis, which includes prohibitions on targeting minors and advertising near schools .

Taxes and Fees:

- **Cannabis-Like Tax Structure:** Delta-8 THC products sold through licensed cannabis dispensaries are subject to the same taxes as other cannabis products, including excise and sales taxes .

Zoning and Local Control:

- **Local Jurisdiction Control:** Local jurisdictions in Nevada may regulate or prohibit the location of dispensaries selling delta-8 THC. Dispensaries are generally restricted from being located near schools or other sensitive areas .

Environmental and Sustainability Requirements:

- **Cannabis Regulations Apply:** Environmental regulations applicable to cannabis cultivation, such as water usage and energy efficiency, also apply to facilities producing delta-8 THC .

Social Equity Programs:

- **Social Equity in Cannabis:** Nevada has social equity provisions for cannabis, but there are no specific social equity programs for hemp intoxicants like delta-8 THC .

Product Recalls and Consumer Safety:

- **Recall Procedures:** Delta-8 THC products sold through dispensaries must comply with Nevada's cannabis recall procedures, which ensure testing for contaminants and correct labeling .

Worker Safety and Labor Standards:

- **Cannabis Standards Apply:** Worker safety standards for handling chemicals and machinery in the cannabis industry also apply to delta-8 THC production .

Penalties for Non-Compliance:

- **Criminal Penalties:** The unlicensed production or sale of delta-8 THC is subject to criminal penalties under Nevada's controlled substance laws, which may include fines and imprisonment .
- **Administrative Penalties:** Licensed dispensaries may face fines, license suspension, or revocation for violating Nevada's cannabis regulations .

Cannabis Parity:

- **Delta-8 THC Treated Like Cannabis:** Nevada regulates delta-8 THC in the same manner as cannabis, requiring that it be produced and sold through the state's licensed cannabis system .

Key Statutes and Regulations:

- **Nevada Revised Statutes (NRS) Chapter 453:** Governs the classification and control of synthetic cannabinoids like delta-8 THC.
- **Nevada Revised Statutes (NRS) Chapter 557:** Governs hemp regulation, but excludes synthetic cannabinoids from its scope.

- **Nevada Cannabis Compliance Board Regulations:** Provide rules for the production, sale, and testing of delta-8 THC .

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New Hampshire Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** New Hampshire prohibits synthetic cannabinoids, including **delta-8 THC**, classifying them as controlled substances under **New Hampshire Revised Statutes Annotated (RSA) 318-B:1**. Intoxicating cannabinoids like delta-8 THC are not allowed under the state's hemp program, which is focused on non-intoxicating hemp cultivation .

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is treated as a controlled substance in New Hampshire. The state prohibits its sale and use outside of the regulated medical cannabis framework .
- **THC Concentration Limits:** While New Hampshire's hemp program allows the production of hemp with less than 0.3% delta-9 THC, the program explicitly excludes intoxicating cannabinoids such as delta-8 THC .

Distribution and Sale Regulations:

- **Sale Prohibition:** Delta-8 THC and other synthetic cannabinoids are prohibited from being sold in New Hampshire under the state's controlled substances law .
- **Interstate Commerce:** Given that delta-8 THC is illegal in New Hampshire, the interstate commerce of intoxicating hemp products is not permitted .

Advertising and Marketing Restrictions:

- **No Specific Advertising Provisions:** Since delta-8 THC is illegal, New Hampshire does not have specific advertising regulations for intoxicating hemp products .

Taxes and Fees:

- **No Taxes:** As intoxicating hemp products like delta-8 THC are prohibited, there are no taxes or fees applied to these products in New Hampshire .

Zoning and Local Control:

- **No Local Control Needed:** The statewide prohibition on delta-8 THC eliminates the need for local jurisdictions to impose additional restrictions .

Environmental and Sustainability Requirements:

- **No Specific Regulations for Intoxicants:** New Hampshire's environmental regulations focus on the cultivation of non-intoxicating hemp, without specific sustainability standards for intoxicating cannabinoids .

Social Equity Programs:

- **No Social Equity Program:** New Hampshire does not have social equity initiatives for hemp or intoxicating cannabinoids .

Product Recalls and Consumer Safety:

- **No Recall Mechanisms for Intoxicants:** Since delta-8 THC and similar products are prohibited, there are no product recall mechanisms in place for these intoxicants .

Worker Safety and Labor Standards:

- **No Specific Worker Safety Regulations:** New Hampshire does not regulate worker safety specific to the production of intoxicating hemp products .

Penalties for Non-Compliance:

- **Criminal Penalties:** The possession, production, or sale of delta-8 THC in New Hampshire is subject to criminal penalties under the state's controlled substances laws, as outlined in **RSA 318-B:1** .

Cannabis Parity:

- **Regulated as a Controlled Substance:** Delta-8 THC is treated similarly to marijuana under New Hampshire law and is prohibited outside of the state's medical cannabis framework .

Federal Interaction and Preemption Claims:

- **No Known Federal Challenges:** New Hampshire enforces its own controlled substances laws independently, and there are no significant federal challenges to the state's prohibition of delta-8 THC .

New Jersey Hemp Intoxicants Law Update (October 2024)

Unregulated/Gray Market

Recent Developments:

- **Court Ruling (October 2024):** A court ruling has temporarily blocked key provisions of Senate Bill 3235, specifically those requiring that intoxicating hemp products be made and manufactured within New Jersey. This ruling has caused the state to pause enforcement of much of the law, except for the prohibition on sales to individuals under 21.
- **The New Jersey Cannabis Regulatory Commission (CRC)** announced it cannot enforce provisions set to take effect on October 12, 2024, until further guidance is provided. However, the sale of products with detectable THC to minors remains prohibited.
- This legal status and enforcement effort supersedes all legal status and regulatory provisions that are outlined in this state section in this document.

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** New Jersey passed a law with strict regulations on delta-8 THC and other intoxicating hemp products, however a court case has paused enforcement. As of September 12, 2024, Senate Bill 3235 mandates that all businesses selling delta-8 THC must have a cannabis retail license. This law extends the same regulatory oversight to delta-8 THC as is applied to marijuana, with all products subject to testing, labeling, and distribution requirements overseen by the New Jersey Cannabis Regulatory Commission. Any unlicensed sales of delta-8 THC products are prohibited, and non-compliant products were required to be removed from shelves by October 12, 2024.
- **Age Restrictions:** The sale of delta-8 THC is restricted to individuals 21 years and older.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is treated as a cannabis product under New Jersey law, meaning it must be produced, sold, and regulated through the state's cannabis licensing system.
- **THC Concentration Limits:** New Jersey applies the same THC concentration limits to delta-8 THC as it does to marijuana products. This includes specific limits on serving size and total THC content per package.

Distribution and Sale Regulations:

- **Sale Restrictions:** Delta-8 THC can only be sold through licensed cannabis retailers and must comply with the state's cannabis laws. There are no specific provisions regarding the interstate sale of delta-8 THC products.

Advertising and Marketing Restrictions:

- **Advertising Restrictions:** Advertising for delta-8 THC products must follow the same rules as for cannabis, which includes prohibitions on marketing near schools, targeting minors, and making unverified health claims.

Taxes and Fees:

- **Tax Structure:** Delta-8 THC products are subject to the same taxes as cannabis, including excise taxes, sales taxes, and other cannabis-related fees.

Zoning and Local Control:

- **Local Control:** Local jurisdictions may impose additional zoning restrictions on the location of cannabis retailers that sell delta-8 THC products. Distance restrictions generally apply to schools, parks, and other sensitive areas.

Environmental and Sustainability Requirements:

- **Cannabis Standards Apply:** Delta-8 THC production must adhere to New Jersey's cannabis environmental standards, which include regulations on energy efficiency and waste disposal for licensed production facilities.

Social Equity Programs:

- **Social Equity in Cannabis:** New Jersey includes social equity provisions in its cannabis laws, which may extend to delta-8 THC products as part of the broader cannabis licensing framework.

Product Recalls and Consumer Safety:

- **Recall Procedures:** Delta-8 THC products sold through licensed dispensaries are subject to recall regulations under New Jersey's cannabis laws, which include mandatory testing for contaminants and accurate labeling.

Worker Safety and Labor Standards:

- **Cannabis Worker Standards Apply:** Worker safety regulations for delta-8 THC follow the same standards set for cannabis production in New Jersey.

Penalties for Non-Compliance:

- **Criminal Penalties:** Unlicensed sale of delta-8 THC or failure to comply with testing and labeling requirements can result in criminal penalties, including fines and imprisonment.
- **Administrative Penalties:** Licensed cannabis retailers may face fines or suspension of licenses for non-compliance with state regulations.

Cannabis Parity:

- **Regulation Parity:** New Jersey treats delta-8 THC under the same regulatory framework as cannabis, with similar oversight for licensing, testing, sales, and penalties.

Federal Interaction and Preemption Claims:

- **Legal Challenge Pending:** Some aspects of New Jersey's regulation of delta-8 THC are currently facing legal challenges, particularly regarding federal preemption claims under the 2018 Farm Bill. Enforcement of certain provisions has been paused due to these challenges, although the ban on sales to individuals under 21 remains in effect.

You said:

next

ChatGPT said:

New Mexico Hemp Intoxicants Law

Regulated (Hemp-Specific Frameworks)

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** New Mexico permits the sale and manufacture of intoxicating hemp products, including delta-8 THC, as long as they are derived from hemp and contain less than 0.3% delta-9 THC by dry weight. This is outlined in the New Mexico Hemp Manufacturing Act under NMSA 1978 §§ 76-24-1 to 76-24-10. Hemp-derived products that comply with this definition are excluded from the state's Controlled Substances Act, as per NMSA 1978 § 30-31-2.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** New Mexico does not specifically prohibit synthetic cannabinoids like delta-8 THC if derived from hemp, provided they meet the federal threshold of less than 0.3% delta-9 THC.
- **THC Concentration Limits:** The state adheres to the federal THC limit, allowing hemp products with less than 0.3% delta-9 THC. However, no specific concentration limits or serving size restrictions for delta-8 THC are currently in place.

Distribution and Sale Regulations:

- **Retail Sales:** Intoxicating hemp products like delta-8 THC can be sold at retail. There are no statewide restrictions on shipping or interstate commerce for these products, and the minimum age for purchasing delta-8 THC products is 21+.

Advertising and Marketing Restrictions:

- **No Specific Restrictions:** New Mexico does not impose explicit advertising restrictions for intoxicating hemp products like delta-8 THC, but businesses must comply with general advertising standards to avoid false or misleading claims.

Taxes and Fees:

- **General Sales Tax:** Delta-8 THC products are subject to New Mexico's general sales tax. There are no special taxes or fees specifically targeting intoxicating hemp products.

Zoning and Local Control:

- **Local Jurisdiction Control:** New Mexico does not have state-level zoning restrictions for intoxicating hemp products, though local jurisdictions may have authority to impose additional controls.

Environmental and Sustainability Requirements:

- **General Environmental Compliance:** The state does not impose specific environmental or sustainability requirements for hemp intoxicants like delta-8 THC. Businesses must comply with general environmental laws.

Social Equity Programs:

- **No Social Equity Program:** New Mexico does not provide social equity initiatives specifically for hemp intoxicants, though social equity programs exist within the cannabis industry.

Product Recalls and Consumer Safety:

- **No Specific Recall Procedures:** There are no specific recall mechanisms for intoxicating hemp products like delta-8 THC, although general consumer protection laws may apply.

Worker Safety and Labor Standards:

- **General Labor Laws:** New Mexico does not provide specific worker safety regulations for the hemp intoxicant industry. General labor and workplace safety laws apply.

Penalties for Non-Compliance:

- **Administrative Penalties:** Violations related to the manufacture or sale of non-compliant hemp products, such as exceeding THC limits, can lead to penalties under the New Mexico Hemp Manufacturing Act.

Cannabis Parity:

- **Regulated Separately:** Delta-8 THC and other hemp-derived intoxicants are regulated separately from the state's cannabis program, although both industries must meet similar THC thresholds and safety standards.

Key Statutes and Regulations:

- **NMSA 1978 §§ 76-24-1 to 76-24-10:** New Mexico Hemp Manufacturing Act.
- **NMSA 1978 § 30-31-2:** Controlled Substances Act, excluding compliant hemp products.

You said:

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ChatGPT said:

New York Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** New York has explicitly banned the production and sale of delta-8 THC and other intoxicating hemp-derived products under its hemp and cannabis regulations. The state's Cannabinoid Hemp Program, governed by Cannabis Law §§ 1-136 and NYCRR Title 10 Part 1005, prohibits the manufacture, distribution, and sale of delta-8 THC products. This makes any sale of delta-8 THC outside the state's regulated cannabis program illegal .

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Synthetic cannabinoids like delta-8 THC are not permitted in New York. The law clearly defines delta-8 THC as an intoxicant, and it is prohibited outside of the state's regulated cannabis program.
- **THC Concentration Limits:** No specific limits are provided for delta-8 THC products, as their sale and distribution are illegal in New York.

Distribution and Sale Regulations:

- **Sale Prohibition:** Delta-8 THC products are prohibited from being sold in New York, both in retail and via interstate commerce. Retailers are not allowed to sell delta-8 THC unless they comply with the state's stringent cannabis regulations .

- **Age Restrictions:** Although delta-8 THC is banned, New York's cannabis law sets an age limit of 21+ for purchasing cannabis products, which would apply if delta-8 THC were permitted .

Advertising and Marketing Restrictions:

- **No Specific Provisions:** Since delta-8 THC products are banned in New York, there are no specific advertising regulations for these products. Cannabis products, however, are subject to strict advertising controls, including prohibitions on targeting minors and false health claims .

Taxes and Fees:

- **No Specific Taxes:** Since delta-8 THC is illegal, no taxes are imposed on these products. New York imposes excise taxes only on legal cannabis products .

Zoning and Local Control:

- **Local Jurisdiction:** Local governments in New York have the authority to impose additional restrictions on cannabis businesses, but these do not apply to delta-8 THC since its sale is prohibited. Zoning regulations for cannabis dispensaries, such as distances from schools, do not extend to hemp intoxicants .

Environmental and Sustainability Requirements:

- **No Specific Requirements:** New York's environmental regulations focus on the cannabis industry, with no specific sustainability requirements for hemp intoxicants like delta-8 THC due to their prohibition .

Social Equity Programs:

- **Cannabis-Only:** While New York has a strong social equity program in its cannabis laws, aimed at promoting licensing for individuals impacted by cannabis prohibition, these initiatives do not apply to hemp intoxicants .

Product Recalls and Consumer Safety:

- **Recalls:** The Cannabinoid Hemp Program mandates strict testing and labeling requirements for hemp products, but delta-8 THC is excluded due to its illegality. Thus, no specific recall procedures exist for intoxicating hemp products .

Worker Safety and Labor Standards:

- **No Specific Standards:** Since delta-8 THC is illegal, no worker safety or labor standards have been developed for its production .

Penalties for Non-Compliance:

- **Criminal Penalties:** Violations of New York's prohibition on delta-8 THC can result in criminal penalties, including fines and imprisonment, under NYCRR Title 10 Part 1005 .

Cannabis Parity:

- **Regulated Separately:** Delta-8 THC is banned, and thus there is no regulatory parity between it and legal cannabis products, which are highly regulated under New York's cannabis framework .

Key Statutes and Regulations:

- New York Cannabis Law §§ 1-136
- NYCRR Title 10 Part 1005: Prohibits delta-8 THC products in New York .

You said:

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ChatGPT said:

North Carolina Hemp Intoxicants Law

Regulated (Hemp-Specific Frameworks)

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** North Carolina allows the sale of intoxicating hemp products, such as delta-8 THC, provided they meet the federal definition of hemp, which requires less than 0.3% delta-9 THC. The state has not explicitly banned delta-8 THC. North Carolina General Statutes (NCGS) §§ 106-568.50 to 106-568.57 govern the Industrial Hemp Pilot Program, aligning state law with federal hemp definitions. NCGS § 90-94 lists controlled substances but excludes compliant hemp-derived tetrahydrocannabinols under legal limits.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** North Carolina does not impose specific regulations on synthetic cannabinoids like delta-8 THC. The state follows federal guidelines, allowing delta-8 THC derived from hemp with less than 0.3% delta-9 THC.
- **THC Concentration Limits:** The state does not impose specific THC concentration limits beyond the federal threshold of 0.3% delta-9 THC for hemp-derived products.

Distribution and Sale Regulations:

- **Retail Sales:** Intoxicating hemp products like delta-8 THC can be sold in retail settings, provided they meet the 0.3% delta-9 THC limit. There are no state-imposed restrictions on shipping or interstate commerce.
- **Age Restrictions:** There is no explicit state law requiring a minimum age for purchasing intoxicating hemp products, though many retailers voluntarily impose an age limit of 21+.

Advertising and Marketing Restrictions:

- **General Restrictions:** North Carolina does not have specific advertising restrictions for hemp intoxicants. However, general consumer protection laws against false claims and marketing to minors apply.

Taxes and Fees:

- **General Sales Tax:** Hemp intoxicants are subject to the state's general sales tax. Local jurisdictions are not explicitly granted the power to impose additional taxes on hemp-derived products.

Zoning and Local Control:

- **Local Authority:** Local jurisdictions in North Carolina have the authority to regulate hemp sales, though no specific zoning restrictions for intoxicating hemp products, such as distance from schools, are outlined in state law.

Environmental and Sustainability Requirements:

- **No Specific Regulations:** North Carolina does not impose environmental or sustainability regulations for the production of hemp intoxicants. Hemp production must comply with general agricultural and environmental laws.

Social Equity Programs:

- **No Social Equity Program:** North Carolina does not have a social equity program for hemp or cannabis businesses.

Product Recalls and Consumer Safety:

- **No Specific Recall Procedures:** The state has not established specific recall procedures for hemp intoxicants. General consumer safety laws apply.

Worker Safety and Labor Standards:

- **General Labor Standards:** North Carolina does not impose specific labor or safety standards for workers in the hemp intoxicant industry. General worker protection laws apply.

Penalties for Non-Compliance:

- **Federal THC Limit Violations:** Violations of the federal THC limit of 0.3% delta-9 THC may result in penalties, including fines or product seizures.

Cannabis Parity:

- **Separate Regulation for Hemp and Cannabis:** North Carolina regulates hemp and cannabis separately. Cannabis remains illegal for recreational use, while hemp-derived products like delta-8 THC are allowed under the state's hemp program.

Key Statutes and Regulations:

- **NCGS §§ 106-568.50 to 106-568.57:** Governs the Industrial Hemp Pilot Program.
- **NCGS § 90-94:** Lists controlled substances, excluding compliant hemp-derived cannabinoids.

You said:

next

ChatGPT said:

North Dakota Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In North Dakota, delta-8 THC and other intoxicating cannabinoids are illegal. Delta-8 THC is classified as a Schedule I controlled substance under North Dakota Century Code (NDCC) § 19-03.1-05, which lists all tetrahydrocannabinols as prohibited substances. The state's industrial hemp program, established under NDCC Chapter 4.1-18.1, is aligned with federal law but excludes intoxicating cannabinoids like delta-8 THC from legal production or sale.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** North Dakota strictly prohibits synthetic cannabinoids like delta-8 THC, treating them as controlled substances under NDCC § 19-03.1-05.
- **THC Concentration Limits:** The state does not impose specific THC concentration limits for hemp products beyond the federal 0.3% delta-9 THC limit, as intoxicating cannabinoids like delta-8 THC are banned.

Distribution and Sale Regulations:

- **Sale Prohibition:** The sale and distribution of delta-8 THC products are illegal in North Dakota. Retailers are not permitted to sell these products, and there are no exceptions for interstate commerce.
- **Retail Location Restrictions:** There are no specific zoning laws for the sale of hemp intoxicants like delta-8 THC, as their sale is prohibited statewide.

Advertising and Marketing Restrictions:

- **No Advertising Allowed:** Since delta-8 THC is illegal in North Dakota, there are no specific advertising regulations. Any promotion of delta-8 THC would violate state law.

Taxes and Fees:

- **No Taxes:** As delta-8 THC is prohibited, there are no taxes or fees applied to these products. Only compliant hemp products containing less than 0.3% delta-9 THC are subject to taxes.

Zoning and Local Control:

- **No Local Control for Prohibited Products:** Local jurisdictions cannot permit the sale of delta-8 THC products, as these are banned under state law.

Environmental and Sustainability Requirements:

- **No Specific Regulations:** Since intoxicating cannabinoids are prohibited, there are no environmental or sustainability regulations for the production of delta-8 THC in North Dakota.

Social Equity Programs:

- **No Social Equity Program:** North Dakota does not have social equity initiatives for hemp or cannabis businesses, and there are no licensing incentives related to intoxicating hemp products.

Product Recalls and Consumer Safety:

- **No Recall Mechanisms:** There are no recall procedures in place for delta-8 THC, as the product is illegal in North Dakota.

Worker Safety and Labor Standards:

- **No Specific Worker Safety Regulations:** The state does not provide specific labor standards for workers involved in the production of intoxicating hemp products, as these products are illegal.

Penalties for Non-Compliance:

- **Criminal Penalties:** Violations involving delta-8 THC, such as possession or sale, are subject to North Dakota's controlled substance laws. These violations can result in criminal penalties, including fines and imprisonment, under NDCC § 19-03.1-05.

Cannabis Parity:

- **No Parity with Cannabis:** North Dakota regulates delta-8 THC more strictly than cannabis, as delta-8 is banned while the state allows for tightly regulated medical cannabis.

Key Statutes and Regulations:

- **NDCC Chapter 4.1-18.1:** Governs the Industrial Hemp Program in North Dakota.
- **NDCC § 19-03.1-05:** Lists delta-8 THC as a Schedule I controlled substance.

You said:

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ChatGPT said:

Ohio Hemp Intoxicants Law

Unregulated/Gray Market

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Ohio permits the sale of hemp-derived intoxicants like delta-8 THC, as long as these products comply with the federal definition of hemp, which requires a THC content of less than 0.3% delta-9 THC. The Ohio Revised Code (ORC) §§ 928.01 to 928.99 govern hemp cultivation and product standards. Importantly, ORC § 3719.01(O) excludes hemp and its derivatives from the state's definition of marijuana, making intoxicating cannabinoids like delta-8 THC legal if they meet the state's hemp criteria.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Ohio permits the sale of delta-8 THC and other hemp-derived cannabinoids under its hemp laws. Ohio Administrative Code (OAC) Chapter 901:14-1 regulates the cultivation, processing, and sale of hemp products, but does not impose specific regulations for delta-8 THC.
- **THC Concentration Limits:** Ohio adheres to federal standards for THC content, requiring that hemp-derived products contain less than 0.3% delta-9 THC on a dry weight basis.

Distribution and Sale Regulations:

- **Retail Sales:** Delta-8 THC products can be sold at retail in Ohio, and there are no state-imposed restrictions on shipping these products out of state. Retailers typically impose a minimum age limit of 21 for sales.
- **Interstate Commerce:** Ohio does not prohibit the interstate commerce of hemp-derived intoxicants like delta-8 THC, provided that products comply with federal THC thresholds.

Advertising and Marketing Restrictions:

- **No Specific Provisions:** Ohio does not have special advertising restrictions for intoxicating hemp products. However, businesses must adhere to general consumer protection laws, ensuring that advertisements are truthful and avoid false claims.

Taxes and Fees:

- **General Sales Tax:** Hemp-derived intoxicants, including delta-8 THC, are subject to Ohio's general sales tax, but there are no specific excise taxes for these products.

Zoning and Local Control:

- **No Specific Zoning Rules:** Ohio has no state-imposed zoning restrictions for the sale of intoxicating hemp products like delta-8 THC. Local jurisdictions may impose their own zoning rules but there is no statewide framework in place.

Environmental and Sustainability Requirements:

- **No Specific Regulations:** Ohio does not have specific environmental or sustainability requirements for the production of hemp intoxicants. General agricultural regulations apply to hemp cultivation.

Social Equity Programs:

- **No Social Equity Program:** Ohio does not have a social equity program specific to hemp intoxicants. The state's cannabis laws do have social equity components, but these do not extend to the hemp industry.

Product Recalls and Consumer Safety:

- **No Specific Recall Procedures:** Ohio has not established specific recall procedures for hemp-derived intoxicants like delta-8 THC. General consumer protection laws apply in case of unsafe or mislabeled products.

Worker Safety and Labor Standards:

- **General Labor Laws:** There are no special labor standards in Ohio specific to the hemp intoxicant industry. General state and federal labor laws apply.

Penalties for Non-Compliance:

- **Administrative Penalties:** Failure to comply with Ohio's hemp regulations could result in penalties such as fines or suspension of licenses under OAC Chapter 901:14-1.
- **Criminal Penalties:** Violations related to exceeding THC limits may result in product seizures or additional penalties under federal law.

Cannabis Parity:

- **Separate Regulation:** Ohio regulates hemp-derived intoxicants like delta-8 THC separately from cannabis, which is subject to stricter oversight through the state's medical cannabis program.

Key Statutes and Regulations:

- **Ohio Revised Code (ORC) §§ 928.01 to 928.99:** Establishes the hemp program.

- Ohio Administrative Code (OAC) Chapter 901:14-1: Regulates hemp cultivation and processing.

You said:

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ChatGPT said:

Oklahoma Hemp Intoxicants Law

Unregulated/Gray Market

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Oklahoma allows the sale of intoxicating hemp products like delta-8 THC, provided they are derived from hemp with less than 0.3% delta-9 THC. This aligns with the federal guidelines under the 2018 Farm Bill. Oklahoma Statutes Title 2 §§ 3-401 to 3-414 govern the state's hemp program, which regulates the cultivation and processing of hemp products. Additionally, Title 63 § 2-101 excludes compliant hemp-derived cannabinoids from the state's definition of controlled substances, effectively allowing delta-8 THC products.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Synthetic cannabinoids like delta-8 THC are legal in Oklahoma, provided they meet the federal hemp definition and contain less than 0.3% delta-9 THC. Oklahoma has not implemented specific state limits for delta-8 THC.
- **THC Concentration Limits:** The federal threshold of 0.3% delta-9 THC applies, and there are no additional state-imposed limits for delta-8 THC concentrations.

Distribution and Sale Regulations:

- **Retail Sales:** Delta-8 THC products can be legally sold in retail stores across Oklahoma. There are no specific state restrictions on shipping delta-8 THC products out of state, provided they comply with federal THC limits.
- **Age Restrictions:** Retailers typically enforce an age restriction of 21 years and older for the sale of delta-8 THC products, though this is not mandated at the state level.
- **Location Restrictions:** Oklahoma does not impose specific zoning laws for the sale of intoxicating hemp products like delta-8 THC, although local jurisdictions may adopt their own rules.

Advertising and Marketing Restrictions:

- **General Advertising Laws:** Oklahoma does not have specific restrictions on advertising hemp intoxicants like delta-8 THC. However, businesses must comply with general advertising laws, including prohibitions on misleading claims and targeting minors.

Taxes and Fees:

- **Sales Tax:** Intoxicating hemp products like delta-8 THC are subject to the standard sales tax in Oklahoma. There are no special excise taxes or additional fees specifically targeting these products.

Zoning and Local Control:

- **Local Jurisdictions:** Local governments in Oklahoma may impose their own zoning restrictions, but there is no statewide framework specifically regulating the location of delta-8 THC retailers.

Environmental and Sustainability Requirements:

- **No Specific Regulations:** Oklahoma does not have specific environmental regulations for hemp intoxicants. General agricultural and environmental laws apply to hemp cultivation.

Social Equity Programs:

- **No Social Equity Program:** Oklahoma does not have a social equity program for hemp businesses or intoxicating hemp products. Social equity provisions exist within the state's medical cannabis program but do not extend to hemp businesses.

Product Recalls and Consumer Safety:

- **No Specific Recall Procedures:** Oklahoma has not established detailed recall procedures for delta-8 THC products. General consumer protection laws apply in cases of contamination or mislabeled products.

Worker Safety and Labor Standards:

- **General Labor Laws:** Oklahoma does not have specific labor or safety standards for workers in the hemp intoxicant industry. General worker protection laws apply.

Penalties for Non-Compliance:

- **Administrative Penalties:** Non-compliance with Oklahoma's hemp regulations may result in penalties such as fines or suspension of licenses. Products exceeding the 0.3% delta-9 THC limit are subject to seizure under both state and federal law.

Cannabis Parity:

- **Separate from Cannabis:** Oklahoma regulates intoxicating hemp products like delta-8 THC separately from its medical cannabis program. There is no regulatory parity between these hemp products and cannabis, which is subject to stricter licensing and oversight.

Key Statutes and Regulations:

- **Oklahoma Statutes Title 2 §§ 3-401 to 3-414:** Governs the Oklahoma Industrial Hemp Program.
- **Oklahoma Statutes Title 63 § 2-101:** Excludes compliant hemp-derived cannabinoids from the definition of controlled substances.

You said:

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ChatGPT said:

Oregon Hemp Intoxicants Law

Regulated (Integrated with Cannabis)

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Oregon regulates delta-8 THC and other intoxicating cannabinoids under its cannabis laws. House Bill 3000 (2021) established regulations for "artificially derived cannabinoids,"

which includes delta-8 THC. These products are treated like marijuana and must comply with Oregon's cannabis regulations. All artificially derived cannabinoids, such as delta-8 THC, must be produced, tested, and sold through licensed cannabis retailers, overseen by the Oregon Liquor and Cannabis Commission (OLCC).

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Oregon regulates delta-8 THC as a cannabis product under House Bill 3000. These products are classified as artificially derived cannabinoids and are subject to the same rules as marijuana under Oregon Revised Statutes (ORS) § 475B.015 to 475B.545 and Oregon Administrative Rules (OAR) Chapter 845, Division 25. This includes mandatory testing, labeling, and sales restrictions.
- **THC Concentration Limits:** Delta-8 THC products must meet the same testing and labeling standards as other cannabis products, including stringent limits on THC concentration and serving sizes.

Distribution and Sale Regulations:

- **Licensed Retailers:** Delta-8 THC products can only be sold through OLCC-licensed cannabis dispensaries. These products cannot be sold in general retail or hemp-specific outlets.
- **Minimum Age Requirements:** The sale of delta-8 THC is restricted to individuals 21 years and older, in line with Oregon's cannabis regulations.

Advertising and Marketing Restrictions:

- **Marketing Controls:** Advertising for delta-8 THC products is heavily regulated under OAR Chapter 845, Division 25. Advertisements cannot target minors, make unverified health claims, or be displayed near schools or locations frequented by children.

Taxes and Fees:

- **Taxation:** Delta-8 THC products are taxed similarly to marijuana in Oregon. A 17% state tax is applied to all cannabis sales, and local jurisdictions can impose an additional tax of up to 3%.

Zoning and Local Control:

- **Zoning Restrictions:** Local jurisdictions in Oregon have the authority to impose zoning regulations on where cannabis retailers, including those selling delta-8 THC, can operate. State law mandates that cannabis retailers cannot be located near schools or other sensitive locations.

Environmental and Sustainability Requirements:

- **Environmental Standards:** Oregon applies environmental regulations, including those related to water usage and pesticide control, to the cultivation and production of cannabis and hemp-derived intoxicants. These regulations are enforced by the Oregon Department of Environmental Quality (DEQ).

Social Equity Programs:

- **Social Equity:** Oregon's cannabis laws include social equity provisions aimed at supporting communities disproportionately impacted by cannabis prohibition. However, it is unclear if these provisions extend specifically to businesses involved in the production or sale of delta-8 THC.

Product Recalls and Consumer Safety:

- **Recall Mechanisms:** The OLCC enforces strict recall procedures for delta-8 THC products. If products fail to meet safety or testing standards, they must be recalled in accordance with OLCC rules.

Worker Safety and Labor Standards:

- **Worker Safety:** Oregon requires compliance with worker safety standards for employees involved in the production of intoxicating cannabinoids, including those related to chemical handling in extraction processes.

Penalties for Non-Compliance:

- **Administrative Penalties:** Businesses that violate Oregon's cannabis regulations, including those related to delta-8 THC, can face fines, license suspension, or license revocation.

Cannabis Parity:

- **Regulatory Parity:** Delta-8 THC is treated identically to delta-9 THC under Oregon law. The OLCC enforces similar regulations for both substances, including production, testing, labeling, and sale.

Key Statutes and Regulations:

- **House Bill 3000 (2021):** Regulates artificially derived cannabinoids, including delta-8 THC.
- **Oregon Revised Statutes (ORS) §§ 475B.015 to 475B.545:** Governs cannabis and hemp products, including delta-8 THC.
- **Oregon Administrative Rules (OAR) Chapter 845, Division 25:** Sets testing, labeling, and sale requirements for delta-8 THC.

You said:

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ChatGPT said:

Pennsylvania Hemp Intoxicants Law

Unregulated/Gray Market

Smooth Vape, LLC v. Lancaster County, Civil Case No. 23-3000. The plaintiff sued after a raid and seizure of hemp products, claiming Fourth Amendment violations. The court dismissed claims against Lancaster County but allowed claims related to illegal search and seizure against individual defendants to proceed. The case is ongoing.

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In Pennsylvania, delta-8 THC and other intoxicating hemp-derived cannabinoids are permitted as long as they comply with federal hemp definitions, which limit delta-9 THC content to 0.3% or less. Under Pennsylvania Consolidated Statutes Title 3 §§ 701 to 710, the state's hemp program aligns with federal law and allows the sale of hemp-derived products like delta-8 THC. The Controlled Substances Act in Pennsylvania also excludes hemp-derived cannabinoids that meet the federal definition.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is regulated under Pennsylvania's hemp laws, provided it is derived from hemp containing less than 0.3% delta-9 THC. There are no additional state-imposed limits on synthetic cannabinoids like delta-8 THC.
- **THC Concentration Limits:** Pennsylvania follows the federal standard for THC concentration, requiring that products contain less than 0.3% delta-9 THC by dry weight. No state-specific concentration or serving size limits exist for delta-8 THC.

Distribution and Sale Regulations:

- **Retail Sales:** Delta-8 THC can be sold in retail settings in Pennsylvania if compliant with the federal definition of hemp. The state has no additional age or location-based restrictions, though retailers often impose voluntary age limits of 21+ for these products.
- **Interstate Commerce:** Pennsylvania does not restrict the interstate commerce of delta-8 THC products. Businesses can legally ship hemp-derived products out of state, provided they meet federal compliance standards.

Advertising and Marketing Restrictions:

- **General Advertising Laws:** There are no specific advertising or marketing restrictions for delta-8 THC products in Pennsylvania. However, businesses must comply with general consumer protection laws, avoiding false or misleading claims.

Taxes and Fees:

- **Sales Tax:** Hemp-derived intoxicants like delta-8 THC are subject to Pennsylvania's general sales tax. The state does not impose additional taxes or excise fees on these products.

Zoning and Local Control:

- **No Statewide Zoning Rules:** Pennsylvania does not impose statewide zoning restrictions on the sale of delta-8 THC products. Local jurisdictions may choose to regulate retail locations, but there are no state mandates in place.

Environmental and Sustainability Requirements:

- **General Agricultural Regulations:** Pennsylvania does not impose specific environmental or sustainability standards for the production of delta-8 THC. The state's hemp program focuses on agricultural compliance and general environmental regulations.

Social Equity Programs:

- **No Social Equity Provisions:** Pennsylvania does not have a social equity program for hemp or cannabis businesses. The state's hemp program does not offer special licensing or incentives for communities impacted by cannabis prohibition.

Product Recalls and Consumer Safety:

- **No Specific Recall Mechanisms:** There are no specific recall mechanisms for delta-8 THC in Pennsylvania. However, general consumer safety regulations apply, ensuring that mislabeled or unsafe products can be recalled under state law.

Worker Safety and Labor Standards:

- **General Worker Safety:** Pennsylvania does not have specific worker safety standards for the hemp intoxicant industry. General labor and workplace safety laws apply to businesses producing or selling delta-8 THC.

Penalties for Non-Compliance:

- **Administrative Penalties:** Non-compliance with Pennsylvania's hemp regulations, such as failure to meet labeling or testing standards, may result in administrative penalties, including fines and product seizures.

Cannabis Parity:

- **Separate from Cannabis:** Pennsylvania regulates delta-8 THC and other hemp-derived intoxicants separately from cannabis. While recreational cannabis remains illegal, the state allows delta-8 THC under more lenient hemp laws.

Key Statutes and Regulations:

- **Pennsylvania Consolidated Statutes Title 3 §§ 701 to 710:** Governs the state's Industrial Hemp Program.
- **Title 35 P.S. § 780-102:** Excludes hemp from the definition of "marihuana".

You said:

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ChatGPT said:

Rhode Island Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Rhode Island prohibits the sale and production of delta-8 THC and other intoxicating hemp products. Under Rhode Island General Laws (RIGL) § 21-28-2.08, delta-8 THC is classified as a Schedule I controlled substance, making it illegal in the state. While the Hemp Growth Act (RIGL § 2-26-1 to 2-26-9) aligns with federal hemp definitions, it does not exempt delta-8 THC from the controlled substances list.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC and other synthetic cannabinoids are not permitted in Rhode Island under both the Hemp Growth Act and the state's controlled substances law.
- **THC Concentration Limits:** There are no state regulations for THC concentration limits for delta-8 THC, as these products are prohibited.

Distribution and Sale Regulations:

- **Sale and Distribution Prohibition:** The sale, possession, and distribution of delta-8 THC products are illegal due to its classification as a controlled substance under RIGL § 21-28-2.08. There are no provisions allowing for the interstate commerce of these products.

Advertising and Marketing Restrictions:

- **No Specific Rules:** Since delta-8 THC is illegal, there are no specific advertising or marketing regulations for these products. Any promotion would be unlawful under Rhode Island law.

Taxes and Fees:

- **No Taxes:** Since delta-8 THC products are prohibited, there are no taxes or fees specific to these products in Rhode Island. Legal hemp products that comply with federal law are subject to general sales tax.

Zoning and Local Control:

- **Statewide Ban:** Local jurisdictions cannot permit the sale of delta-8 THC products, as they are prohibited statewide under Rhode Island's controlled substances laws.

Environmental and Sustainability Requirements:

- **No Specific Environmental Regulations:** There are no environmental regulations targeting the production of hemp intoxicants like delta-8 THC, as these products are illegal. General environmental laws apply to hemp cultivation.

Social Equity Programs:

- **No Social Equity Program:** Rhode Island does not have a social equity program specific to hemp or intoxicating hemp products. The state's cannabis social equity initiatives do not extend to hemp intoxicants.

Product Recalls and Consumer Safety:

- **No Recall Mechanisms:** Since delta-8 THC is banned, there are no recall procedures specific to these products. General consumer protection laws apply to legal hemp products, ensuring they meet safety standards.

Worker Safety and Labor Standards:

- **No Specific Worker Safety Regulations:** Rhode Island does not provide specific labor standards for the hemp intoxicant industry, as these products are illegal.

Penalties for Non-Compliance:

- **Criminal Penalties:** Penalties for the sale, possession, or distribution of delta-8 THC and other controlled substances include fines and imprisonment under RIGL § 21-28-2.08.

Cannabis Parity:

- **No Parity with Cannabis:** Delta-8 THC is prohibited, while the state has legalized and regulates cannabis for both medical and adult recreational use. There is no regulatory parity between the two.

Federal Interaction and Preemption Claims:

- **No Federal Challenges:** Rhode Island has not faced significant federal preemption challenges regarding its prohibition of delta-8 THC. The state's strict regulation aligns with its controlled substances laws.

You said:

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ChatGPT said:

South Carolina Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** The legality of delta-8 THC in South Carolina remains uncertain. Although delta-8 THC is not explicitly banned under the state's Hemp Farming Act (SC Code § 46-55-10), a 2021 opinion by the South Carolina Attorney General suggests that delta-8 THC should be treated as a Schedule I controlled substance under SC Code § 44-53-190, which classifies tetrahydrocannabinols (THC) as controlled substances. This creates a legal gray area where delta-8 THC, even if derived from hemp, is potentially illegal.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is treated as a controlled substance under the state's interpretation, following the Attorney General's opinion. Thus, its legality remains in doubt despite the state's broader hemp program.
- **THC Concentration Limits:** No specific regulations regarding THC concentration or serving size limits exist for delta-8 THC, as its legal status is unclear.

Distribution and Sale Regulations:

- **Mixed Enforcement:** Delta-8 THC is sold in South Carolina, but the 2021 Attorney General's opinion raises legal risks. Local authorities, such as those in Charleston, have imposed bans on delta-8 THC sales, leading to inconsistent enforcement across the state.
- **Interstate Commerce:** There is no statewide ban on the interstate commerce of intoxicating hemp products like delta-8 THC, but businesses face potential enforcement risks due to the legal ambiguity.

Advertising and Marketing Restrictions:

- **No Specific Rules:** There are no specific advertising regulations for delta-8 THC, but businesses should comply with general marketing laws and avoid making misleading claims or targeting minors.

Taxes and Fees:

- **Sales Tax:** Hemp products, including delta-8 THC, are subject to general sales tax. However, local jurisdictions may not impose special taxes on delta-8 THC due to its uncertain status.

Zoning and Local Control:

- **Local Jurisdiction Control:** Local jurisdictions, such as Charleston, have implemented bans on delta-8 THC products, leading to varying enforcement across the state.

Environmental and Sustainability Requirements:

- **General Regulations:** There are no specific environmental or sustainability standards for hemp intoxicants like delta-8 THC in South Carolina.

Social Equity Programs:

- **No Social Equity Program:** South Carolina does not offer a social equity program related to hemp or intoxicating cannabinoids.

Product Recalls and Consumer Safety:

- **No Specific Recall Procedures:** Since the legality of delta-8 THC remains ambiguous, there are no formal recall mechanisms for these products. General consumer safety laws may apply.

Worker Safety and Labor Standards:

- **General Labor Laws Apply:** There are no specific labor standards for the production of hemp intoxicants like delta-8 THC in South Carolina.

Penalties for Non-Compliance:

- **Criminal Penalties:** Selling or distributing delta-8 THC may result in criminal penalties, including fines or imprisonment, under SC Code § 44-53-190, depending on the state's interpretation of the law .

Cannabis Parity:

- **No Regulatory Parity:** There is no regulatory parity between delta-8 THC and cannabis in South Carolina. Delta-8 THC operates in a legal gray area, while cannabis remains illegal for recreational use, with limited medical use.

Key Statutes and Regulations:

- **SC Code § 44-53-190:** Classifies tetrahydrocannabinols, including delta-8 THC, as controlled substances.
- **SC Code § 46-55-10:** Governs hemp production without exempting delta-8 THC from controlled substances.

You said:

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ChatGPT said:

South Dakota Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** South Dakota has classified delta-8 THC and other intoxicating hemp cannabinoids as Schedule I controlled substances under SDCL § 34-20B-14. This makes the sale, possession, and manufacture of delta-8 THC illegal in the state. The state's Industrial Hemp Program, governed by SDCL §§ 38-35-1 to 38-35-22, aligns with federal definitions but does not allow for intoxicating cannabinoids like delta-8 THC.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC, along with other synthetic cannabinoids, is explicitly illegal in South Dakota. It is regulated as a Schedule I substance under SDCL § 34-20B-14, covering all tetrahydrocannabinols and their isomers.
- **THC Concentration Limits:** There are no specific regulations for THC concentration limits on delta-8 THC because it is entirely prohibited in South Dakota.

Distribution and Sale Regulations:

- **Prohibited Sale and Distribution:** The sale, possession, and distribution of delta-8 THC are illegal. Retailers cannot sell or ship delta-8 THC products within or outside South Dakota.
- **No Age or Location Restrictions:** Since delta-8 THC is banned, there are no state-imposed age restrictions or specific location requirements for its sale.

Advertising and Marketing Restrictions:

- **No Advertising Allowed:** Since delta-8 THC is illegal, there are no advertising regulations for these products in South Dakota. Any attempt to promote delta-8 THC would violate state law.

Taxes and Fees:

- **No Taxes:** Because delta-8 THC products are prohibited, there are no state taxes or fees applied to their sale. Legal hemp products, which comply with federal guidelines, are subject to the general sales tax.

Zoning and Local Control:

- **Statewide Ban:** Local jurisdictions in South Dakota do not have the authority to permit the sale of delta-8 THC since it is prohibited under state law. There are no zoning laws specific to delta-8 THC.

Environmental and Sustainability Requirements:

- **No Specific Environmental Standards:** South Dakota does not have specific environmental or sustainability regulations related to the production of hemp intoxicants like delta-8 THC due to the product's illegal status.

Social Equity Programs:

- **No Social Equity Program:** South Dakota does not offer a social equity program for hemp or cannabis businesses.

Product Recalls and Consumer Safety:

- **No Recall Procedures:** There are no specific recall procedures for delta-8 THC or similar intoxicating hemp products because they are banned.

Worker Safety and Labor Standards:

- **No Specific Worker Safety Standards:** South Dakota does not have specific worker safety regulations for the production of intoxicating hemp products due to their prohibited status. General worker safety laws apply.

Penalties for Non-Compliance:

- **Criminal Penalties:** Violations related to delta-8 THC, such as possession or sale, are subject to criminal penalties under SDCL § 34-20B-14, which can include fines and imprisonment.

Cannabis Parity:

- **No Parity with Cannabis:** Delta-8 THC is banned, while South Dakota has legalized medical cannabis, which operates under a separate regulatory framework. Recreational cannabis remains illegal.

Key Statutes and Regulations:

- **SDCL § 34-20B-14:** Lists delta-8 THC as a Schedule I controlled substance.
- **SDCL §§ 38-35-1 to 38-35-22:** Governs the South Dakota Industrial Hemp Program.

You said:

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ChatGPT said:

Tennessee Hemp Intoxicants Law

Regulated (Hemp-Specific Frameworks)

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Tennessee permits the sale of delta-8 THC and other hemp-derived products as long as they contain less than 0.3% delta-9 THC by dry weight, as required by federal law. The Tennessee Industrial Hemp Act, governed by Tennessee Code Annotated (TCA) §§ 43-27-101 to 43-27-103, allows for the legal sale and production of hemp-derived intoxicants, including delta-8 THC, provided they meet the federal THC threshold. TCA § 39-17-402 excludes compliant hemp from the state's definition of controlled substances. State regulators adopted regulations that limit the sale of THCA products (in particular, THCA flower) flower products by defining hemp as .3% total THC and not just delta-9 THC.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC and other synthetic cannabinoids are permitted under Tennessee law as long as they are derived from hemp and contain less than 0.3% delta-9 THC. There are no specific state-level concentration or serving size limits for delta-8 THC.
- **THC Concentration Limits:** Tennessee follows the federal standard, which mandates that hemp-derived products, including delta-8 THC, must contain less than 0.3% delta-9 THC.

Distribution and Sale Regulations:

- **Retail Sales:** Delta-8 THC can be legally sold in Tennessee. While the state does not have a specific minimum age requirement for purchasing delta-8 THC products, retailers typically enforce a minimum age of 21+, although this is not mandated by law.
- **Interstate Commerce:** There are no state-imposed restrictions on the interstate shipment of delta-8 THC products, provided they meet federal THC content regulations.

Advertising and Marketing Restrictions:

- **General Advertising Regulations:** Tennessee does not have specific advertising regulations for delta-8 THC products. Businesses are required to follow general consumer protection laws, ensuring that advertising is truthful and does not target minors.

Taxes and Fees:

- **General Sales Tax:** Hemp-derived intoxicants, such as delta-8 THC, are subject to Tennessee's general sales tax. There are no additional excise taxes or fees specifically for delta-8 THC.

Zoning and Local Control:

- **No Statewide Zoning Regulations:** Tennessee does not impose specific zoning laws for delta-8 THC. Local jurisdictions may regulate the placement of hemp retailers, but the state has not issued any specific zoning mandates.

Environmental and Sustainability Requirements:

- **General Agricultural Regulations:** Tennessee does not impose specific environmental or sustainability standards for hemp-derived intoxicants like delta-8 THC. General agricultural and environmental laws apply to hemp production.

Social Equity Programs:

- **No Social Equity Program:** Tennessee does not offer a social equity program for hemp or cannabis-related businesses.

Product Recalls and Consumer Safety:

- **No Specific Recall Requirements:** The state does not mandate specific recall procedures for hemp-derived intoxicants like delta-8 THC. General consumer protection laws apply, requiring products to meet federal safety and labeling standards.

Worker Safety and Labor Standards:

- **No Specific Regulations:** There are no specific worker safety regulations for the delta-8 THC industry in Tennessee, although general state labor laws apply.

Penalties for Non-Compliance:

- **Administrative Penalties:** Violations of the state's hemp regulations, such as exceeding the THC limit, can result in fines or product seizures. There are no specific penalties outlined for delta-8 THC violations.

Cannabis Parity:

- **Separate Regulation:** Delta-8 THC is regulated separately from cannabis in Tennessee. While hemp-derived products are legal under the Industrial Hemp Act, recreational cannabis remains illegal, and medical cannabis is highly restricted.

Key Statutes and Regulations:

- Tennessee Code Annotated (TCA) §§ 43-27-101 to 43-27-103: Tennessee Industrial Hemp Act.
- TCA § 39-17-402: Exclusion of hemp from controlled substances.
- TCA § 43-27-103(6): Definition of hemp, including derivatives and cannabinoids.

You said:

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ChatGPT said:

Texas Hemp Intoxicants Law

Unregulated/Gray Market

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In Texas, the sale of hemp-derived products like delta-8 THC is in a legal gray area. While hemp products containing less than 0.3% delta-9 THC are generally allowed under the Texas Agriculture Code §§ 121.001 - 122.404, the Texas Department of State Health Services (DSHS) attempted to classify delta-8 THC as an illegal controlled substance under Texas Health and Safety Code § 481.002. However, a temporary injunction issued by a district court in October 2021 allows the continued sale of delta-8 THC pending further litigation.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is not explicitly listed as a controlled substance in Texas Health and Safety Code § 481.103, creating legal ambiguity.
- **THC Concentration Limits:** No specific state-level regulations exist regarding delta-8 THC concentration limits beyond the federal threshold of 0.3% delta-9 THC.

Distribution and Sale Regulations:

- **Retail Sales:** Retailers are allowed to sell delta-8 THC products in Texas due to the court-issued injunction. However, the legal status of these products may change depending on the outcome of ongoing litigation.
- **Age Restrictions:** There are no specific age restrictions mandated by state law for the sale of delta-8 THC, though most retailers voluntarily impose a 21+ age limit.

Advertising and Marketing Restrictions:

- **No Specific Restrictions:** Texas does not impose specific advertising restrictions for delta-8 THC. However, businesses must comply with general consumer protection laws, ensuring that advertising is truthful and does not target minors.

Taxes and Fees:

- **General Sales Tax:** Delta-8 THC products are subject to the state's general sales tax, with no additional excise taxes imposed specifically for hemp-derived intoxicants.

Zoning and Local Control:

- **Local Jurisdiction:** Texas does not impose specific zoning laws for the sale of delta-8 THC, although local governments may regulate the placement of businesses selling hemp intoxicants.

Environmental and Sustainability Requirements:

- **General Agricultural Laws:** Texas does not have specific environmental regulations targeting the production of hemp intoxicants like delta-8 THC.

Social Equity Programs:

- **No Social Equity Program:** Texas does not have a social equity program specifically for hemp or cannabis-related businesses.

Product Recalls and Consumer Safety:

- **No Specific Recall Procedures:** There are no mandated recall procedures specific to delta-8 THC in Texas. General consumer protection laws ensure that products meet safety and labeling standards.

Worker Safety and Labor Standards:

- **General Labor Laws:** Texas does not impose specific worker safety regulations for delta-8 THC production, though general labor protections apply.

Penalties for Non-Compliance:

- **Potential Penalties:** If delta-8 THC is ultimately classified as illegal, businesses could face penalties under the state's controlled substances laws, including fines and possible criminal charges.

Cannabis Parity:

- **No Regulatory Parity:** Texas treats delta-8 THC differently from cannabis. Recreational cannabis is illegal, and medical cannabis is strictly regulated under the state's Compassionate Use Program. Delta-8 THC, however, operates under the hemp laws in a legal gray area.

Key Statutes and Regulations:

- **Texas Agriculture Code §§ 121.001 - 122.404:** Governs the Texas Hemp Program.
- **Texas Health and Safety Code §§ 481.002, 481.103:** Defines controlled substances but creates ambiguity regarding delta-8 THC.

Utah Hemp Intoxicants Law

Regulated (Integrated with Cannabis)

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In Utah, **delta-8 THC** is prohibited unless it is dispensed through the state's **medical cannabis program**. Outside of this program, delta-8 THC is considered a **Schedule I controlled substance** under **Utah Code Annotated (UCA) § 58-37-4**, making it illegal for general consumer use. The **Utah Industrial Hemp Program** regulated under **UCA §§ 4-41-101 to 4-41-403** permits the production and sale of hemp products in line with federal law, but this does not extend to intoxicating cannabinoids like delta-8 THC.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is treated as a controlled substance in Utah unless sold through the medical cannabis framework. It must comply with medical cannabis laws under the **Utah Medical Cannabis Act (UCA § 26-61a)**.
- **THC Concentration Limits:** Utah does not provide specific concentration or serving size limits for delta-8 THC, as its sale is restricted to medical cannabis and prohibited for general consumers.

Distribution and Sale Regulations:

- **Retail Sales:** Delta-8 THC cannot be sold in general retail outlets in Utah. It is only available in licensed **medical cannabis dispensaries** for qualified patients.
- **Age Restrictions:** Patients must be **21 or older** to purchase delta-8 THC products through Utah's medical cannabis program, except in specific medical circumstances.

Advertising and Marketing Restrictions:

- **Advertising Regulations:** Marketing of delta-8 THC is not allowed outside of the medical cannabis program. Dispensaries must comply with strict advertising rules that prevent targeting minors or making unsubstantiated health claims.

Taxes and Fees:

- **Medical Cannabis Taxes:** Delta-8 THC sold through Utah's medical cannabis program is subject to the same taxes as other medical cannabis products. There are no excise taxes for hemp intoxicants sold outside of the medical framework because such sales are illegal.

Zoning and Local Control:

- **Strict Zoning for Dispensaries:** Dispensaries that sell delta-8 THC as part of the medical cannabis program must adhere to strict zoning requirements, including maintaining a certain distance from schools and other sensitive areas.

Environmental and Sustainability Requirements:

- **General Agricultural Rules:** There are no specific environmental or sustainability regulations for delta-8 THC production since it is restricted to medical use. General environmental laws apply to hemp production.

Social Equity Programs:

- **No Social Equity Program:** Utah does not offer any social equity programs for businesses involved in the hemp or cannabis industries, including delta-8 THC.

Product Recalls and Consumer Safety:

- **Medical Cannabis Recalls:** Delta-8 THC products within the medical cannabis framework are subject to rigorous safety testing and recall procedures under the state's cannabis laws.

Worker Safety and Labor Standards:

- **General Worker Safety:** Utah does not have specific labor standards for the production of delta-8 THC outside the medical cannabis program. General workplace safety laws apply.

Penalties for Non-Compliance:

- **Criminal Penalties:** The sale or possession of delta-8 THC outside the medical cannabis system is a criminal offense under **UCA § 58-37-4**, with penalties ranging from fines to imprisonment depending on the severity of the violation.

Cannabis Parity:

- **No Parity with Cannabis:** Delta-8 THC is regulated separately from recreational cannabis and only within the medical cannabis system. It is not permitted under Utah's industrial hemp laws.

Key Statutes and Regulations:

- **Utah Code Annotated (UCA) § 58-37-4:** Classifies delta-8 THC as a Schedule I controlled substance.
- **UCA §§ 4-41-101 to 4-41-403:** Governs the Utah Industrial Hemp Program.
- **Utah Medical Cannabis Act (UCA § 26-61a):** Regulates medical cannabis, including delta-8 THC under strict conditions.

You said:

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ChatGPT said:

Vermont Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Vermont prohibits the use and sale of **delta-8 THC** in hemp products. The **Vermont Agency of Agriculture, Food & Markets** classifies delta-8 THC as a **synthetically derived cannabinoid** and an **adulterant**, making it illegal to include in any hemp product. This is enforced through the **Vermont Hemp Rules**, specifically **Section 3.1**, which bans synthetic cannabinoids, including delta-8 THC, and **Section 8.2**, which prohibits any product considered an adulterant.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is classified as an adulterant under Vermont law and is prohibited in hemp products. This is regulated by the **Vermont Hemp Rules**, effective May 21, 2020.
- **THC Concentration Limits:** Vermont allows only compliant hemp products with less than **0.3% delta-9 THC**. Any product containing delta-8 THC is considered illegal due to its classification as a synthetic cannabinoid.

Distribution and Sale Regulations:

- **Illegal Sale:** The sale of delta-8 THC is prohibited. Any product containing delta-8 THC is classified as adulterated and illegal for sale under Vermont's hemp regulations. There are no allowances for interstate commerce.

Advertising and Marketing Restrictions:

- **No Advertising:** Since delta-8 THC is prohibited in Vermont, advertising such products is also illegal. Any marketing or promotion of delta-8 THC would violate state laws.

Taxes and Fees:

- **No Taxes:** There are no taxes for delta-8 THC products in Vermont as they are banned. Legal hemp products are subject to the general sales tax.

Zoning and Local Control:

- **Local Jurisdictions:** Local governments in Vermont cannot permit the sale of delta-8 THC products, as these are banned statewide under the state's hemp regulations.

Environmental and Sustainability Requirements:

- **No Specific Environmental Regulations:** Vermont's environmental standards apply only to legal hemp products. Since delta-8 THC is illegal, there are no specific environmental or sustainability regulations for its production.

Social Equity Programs:

- **No Social Equity Program:** Vermont does not have a social equity program for hemp businesses, including those that might seek to sell delta-8 THC.

Product Recalls and Consumer Safety:

- **Recall Procedures:** Delta-8 THC products are subject to recall and removal if found in violation of state rules. Vermont's hemp regulations ensure that all products comply with safety standards, and products containing delta-8 THC must be recalled as they are considered adulterants.

Worker Safety and Labor Standards:

- **General Labor Laws:** Vermont does not impose specific worker safety regulations related to the production of delta-8 THC, as these products are illegal.

Penalties for Non-Compliance:

- **Administrative Penalties:** Non-compliance with Vermont's hemp rules, including selling delta-8 THC, can result in penalties such as fines and enforcement actions by the **Vermont Agency of Agriculture, Food & Markets**. Violations may also lead to product seizure.

Cannabis Parity:

- **Different Regulation:** Delta-8 THC is regulated separately from cannabis in Vermont. While delta-8 THC is banned, cannabis is legal for recreational use under Vermont's cannabis program. The two substances are not treated equally.

Key Statutes and Regulations:

- **Vermont Statutes Annotated (V.S.A.) Title 6 §§ 561-570:** Governs the state's hemp program.
- **V.S.A. Title 18 Chapter 84:** Lists controlled substances but excludes compliant hemp.
- **Vermont Hemp Rules (Effective May 21, 2020):** Prohibits delta-8 THC in hemp products.

You said:

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ChatGPT said:

Virginia Hemp Intoxicants Law

Regulated (Integrated with Cannabis)

Northern Virginia Hemp And Agriculture LLC v. Virginia, 1:23-cv-01177-LMB-IDD. Virginia passed a law (SB 903) defining hemp intoxicants as controlled substances. A lower court refused to grant an injunction to the plaintiffs in October 2023, upholding the state's regulation. However, the decision is under appeal.

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In 2023, Virginia enacted strict regulations regarding **delta-8 THC** and other intoxicating cannabinoids. These products can now only be sold through **licensed cannabis dispensaries** under the state's cannabis laws. The sale of delta-8 THC products outside this regulated system is prohibited. **Virginia House Bill 958**

(2022) amended state laws to specifically address the sale of synthetic cannabinoids like delta-8 THC, limiting them to the cannabis framework regulated by the **Virginia Cannabis Control Authority (CCA)**.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is treated as a synthetic cannabinoid in Virginia, subject to the same regulations as marijuana. The **Code of Virginia § 3.2-4112 to § 3.2-4120** governs the state's hemp program, but excludes delta-8 THC from legal hemp products. Instead, delta-8 THC must comply with the state's cannabis regulatory system.
- **THC Concentration Limits:** Delta-8 THC sold through licensed cannabis retailers must adhere to the same testing and labeling standards as other cannabis products, with no specific state-level concentration limits outside of those established for cannabis.

Distribution and Sale Regulations:

- **Licensed Retailers Only:** Delta-8 THC products can only be sold through licensed cannabis dispensaries in Virginia. The minimum age for purchasing delta-8 THC and other cannabis products is **21 years**.

Advertising and Marketing Restrictions:

- **Advertising Restrictions:** Virginia restricts the advertising of cannabis products, including delta-8 THC, under **Virginia Code § 4.1-600 et seq.**. Advertisements must not target minors and are prohibited near schools or areas frequented by minors. Unverified health claims are also forbidden.

Taxes and Fees:

- **Excise Taxes:** Delta-8 THC products sold through dispensaries are subject to the same taxes as other cannabis products, including a **21% state excise tax**. Local jurisdictions can impose an additional **3% tax**.

Zoning and Local Control:

- **Zoning Restrictions:** Cannabis dispensaries, which include those selling delta-8 THC, are subject to strict zoning requirements in Virginia. Dispensaries must be located a certain distance from schools and other sensitive areas.

Environmental and Sustainability Requirements:

- **Environmental Standards:** Virginia's environmental regulations for cannabis production apply to delta-8 THC, including water usage, pesticide controls, and sustainability practices. The same environmental standards required for cannabis cultivation also govern the production of delta-8 THC.

Social Equity Programs:

- **Social Equity:** Virginia has a social equity program aimed at addressing the impact of cannabis prohibition on marginalized communities. This program applies to businesses involved in selling delta-8 THC through licensed dispensaries, offering incentives for minority-owned businesses.

Product Recalls and Consumer Safety:

- **Recall Requirements:** Virginia has strict recall procedures for cannabis products, including delta-8 THC. Any products failing to meet state testing or labeling standards must be recalled.

Worker Safety and Labor Standards:

- **Worker Safety Standards:** Worker safety regulations for delta-8 THC production follow the same guidelines as for cannabis, ensuring safe handling of chemicals and extraction processes.

Penalties for Non-Compliance:

- **Fines and Penalties:** Selling delta-8 THC outside of licensed dispensaries, or failing to comply with state testing and labeling standards, can result in fines, suspension of licenses, and product seizures.

Cannabis Parity:

- **Regulatory Parity:** Delta-8 THC is regulated identically to cannabis in Virginia, with the same licensing, testing, and sales restrictions.

Key Statutes and Regulations:

- **Virginia Code § 3.2-4112 to § 3.2-4120:** Governs the state's industrial hemp program.
- **Virginia Code § 4.1-600 et seq.:** Regulates cannabis and delta-8 THC products.
- **Virginia House Bill 958 (2022):** Restricts the sale of delta-8 THC to licensed dispensaries.

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ChatGPT said:

Washington Hemp Intoxicants Law

Regulated (Integrated with Cannabis)

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** In Washington, **delta-8 THC** and other intoxicating cannabinoids are banned outside of the regulated cannabis system. The **Washington State Liquor and Cannabis Board (WSLCB)** issued a policy statement in **April 2021** (PS21-01) prohibiting the conversion of CBD or hemp into delta-8 THC. The **Revised Code of Washington (RCW) § 69.50**, which governs controlled substances, includes synthetic cannabinoids like delta-8 THC under its cannabis regulations.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is classified as a synthetic cannabinoid and can only be produced and sold within the regulated cannabis system. This is enforced under **Washington Administrative Code (WAC) Title 314-55**, which governs cannabis production and sales.
- **THC Concentration Limits:** Delta-8 THC products are subject to the same limits as cannabis products under WAC Title 314-55. Specific THC concentration limits follow the state's cannabis laws.

Distribution and Sale Regulations:

- **Retail Sales:** Delta-8 THC can only be sold through **licensed cannabis retailers** in Washington. Selling or distributing delta-8 THC outside this system is prohibited. The minimum purchasing age is **21 years**.
- **Location Restrictions:** Cannabis retailers, including those selling delta-8 THC, must comply with location restrictions, such as being a certain distance from schools and other sensitive areas.

Advertising and Marketing Restrictions:

- **Advertising Rules:** Strict advertising rules apply to delta-8 THC, similar to other cannabis products. **WAC Title 314-55** prohibits false health claims, marketing to minors, and advertisements near schools or areas frequented by children.

Taxes and Fees:

- **Excise Taxes:** Delta-8 THC products sold through licensed retailers are subject to Washington's **37% cannabis excise tax**. Local jurisdictions may impose additional taxes.

Zoning and Local Control:

- **Zoning Restrictions:** Local jurisdictions can impose additional zoning restrictions on cannabis businesses, including those selling delta-8 THC. State law mandates specific distances from sensitive locations such as schools.

Environmental and Sustainability Requirements:

- **Environmental Standards:** Washington's environmental regulations for cannabis also apply to the production of delta-8 THC. These include rules on **water usage**, **waste management**, and **pesticide control**, overseen by the **Washington Department of Ecology**.

Social Equity Programs:

- **Social Equity:** Washington's cannabis program includes a social equity component, which also applies to businesses involved in the sale of delta-8 THC through licensed retailers.

Product Recalls and Consumer Safety:

- **Recall Procedures:** Delta-8 THC products must meet state testing standards for THC content, contaminants, and purity. Non-compliant products are subject to recall under **WSLCB regulations**.

Worker Safety and Labor Standards:

- **Worker Safety:** Workers involved in delta-8 THC production must follow safety standards similar to those in the cannabis industry. This includes protections for handling chemicals used in extraction processes.

Penalties for Non-Compliance:

- **Fines and Penalties:** Violations of Washington's delta-8 THC regulations, such as selling outside the regulated system or improper labeling, can result in fines, suspension of licenses, and product seizures.

Cannabis Parity:

- **Regulatory Parity:** Delta-8 THC is regulated under the same framework as cannabis in Washington, with full parity in terms of licensing, testing, and sales restrictions.

Key Statutes and Regulations:

- **Revised Code of Washington (RCW) § 69.50:** Washington's Uniform Controlled Substances Act.
- **WAC Title 314-55:** Governs cannabis production, processing, and retail, including delta-8 THC.
- **WSLCB Policy Statement PS21-01:** Bans the production and sale of delta-8 THC outside the regulated cannabis system.

West Virginia Hemp Intoxicants Law

Regulated (Hemp Specific Frameworks)

1. Legal Status

- **Cannabis:** *In West Virginia, marijuana is illegal for recreational use, and the state only allows limited use of medical cannabis under specific conditions.*
 - **Hemp-Derived Products:** *West Virginia permits hemp-derived products containing less than 0.3% delta-9 THC, in alignment with federal law.*
 - *Delta-8 THC is also legal if derived from hemp, as long as it complies with both state and federal regulations. However, Delta-8 products must meet specific testing and labeling standards to ensure consumer safety.*
 - **Key Statutory Citations:**
 - *West Virginia Code § 19-12E-1 to § 19-12E-9: These sections establish the West Virginia Industrial Hemp Development Act, aligning the state's hemp regulations with federal definitions and legal frameworks.*
 - *West Virginia Code § 60A-1-101: This defines controlled substances but explicitly excludes hemp as defined by the Industrial Hemp Development Act.*
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2. Hemp Regulations and Licensing

- **Licensing Program:**
 - *West Virginia's hemp licensing program is administered by the West Virginia Department of Agriculture, which oversees the cultivation, processing, and compliance aspects of hemp products.*
 - **Application Requirements:**
 - *Applicants must submit detailed cultivation or processing plans,*
 - *Pass background checks, and*
 - *Ensure that their operations comply with zoning and other regulatory requirements set forth by the Department of Agriculture.*
 - **License Types:**
 - *Cultivation License: This license allows businesses to legally grow hemp plants containing less than 0.3% delta-9 THC under the Industrial Hemp Development Act.*
 - *Processing License: Necessary for businesses that wish to process hemp into consumable products like oils, tinctures, and other derivatives.*
 - *Retail Sales: Retailers selling hemp-derived products, including Delta-8 THC products, must comply with state-mandated testing, labeling, and packaging regulations.*
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3. Testing and Compliance

- **Mandatory Testing Requirements:**
 - *All hemp-derived products must be tested to confirm they contain less than 0.3% delta-9 THC, and meet specific safety standards regarding contaminants, including pesticides and heavy metals.*
 - *Delta-8 THC products must also be tested for purity and potency under state regulations to ensure they meet safety standards.*
 - **Product Labeling and Packaging:**
 - *Hemp products, including those containing Delta-8 THC, must follow strict labeling rules. Labels must display:*
 - *The THC content,*
 - *Serving size,*
 - *Ingredients, and*
 - *A warning that the product should be kept out of reach of children.*
 - *Products must be sold in child-resistant packaging and cannot be marketed in ways that appeal to minors.*
 - **Key Statutory Citations:**
 - *West Virginia Department of Agriculture Hemp Program: Provides detailed guidelines for testing, labeling, and compliance with state law.*
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4. Enforcement and Penalties

- **Regulatory Oversight:**
 - *The West Virginia Department of Agriculture oversees the regulation, compliance, and enforcement of hemp cultivation and product standards. The department is responsible for conducting inspections, audits, and product testing to ensure that hemp products meet state regulations.*
 - *Penalties for non-compliance include:*
 - *Fines,*
 - *License suspension or revocation, and*
 - *Mandatory recalls for products that fail to meet THC content or contaminant testing standards.*
- **Key Statutory Citations:**

- *West Virginia Code § 19-12E: Governs the state's enforcement of the Industrial Hemp Development Act and empowers the Department of Agriculture to take regulatory actions, including issuing fines and recalling products that fail to meet state guidelines.*
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5. Local and Federal Compliance

- **Federal Alignment:**
 - *West Virginia's hemp regulations are aligned with the 2018 Federal Farm Bill, which legalized hemp and allowed its production under strict regulatory oversight. The West Virginia Industrial Hemp Development Act incorporates federal standards, ensuring consistent regulation between state and federal laws.*
 - **Key Statutory Citations:**
 - *West Virginia Code § 19-12E: Aligns state law with the federal definition of hemp, ensuring compliance with the 2018 Farm Bill and national standards regarding hemp production and sale.*
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6. Criminal Penalties for Non-Hemp Cannabis

- *Marijuana: Non-hemp cannabis (marijuana) remains illegal for recreational use in West Virginia. Possession or sale of marijuana that does not meet the state's hemp definition is punishable by criminal penalties, including fines, imprisonment, and permanent criminal records.*
 - **Statutory Citations:**
 - *West Virginia Code § 60A-1-101: Defines controlled substances, including marijuana, and outlines penalties for illegal possession or sale.*
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7. Hemp Industry Development and Support

- **Industrial Hemp Development:**
 - *West Virginia encourages the development of industrial hemp as an agricultural commodity. The state supports hemp cultivation through various research and development programs aimed at boosting the agricultural economy.*
 - *West Virginia Department of Agriculture: Actively promotes hemp farming by providing guidance, financial resources, and technical support to licensed farmers and processors.*
 - **Key Statutory Citations:**
 - *West Virginia Code § 19-12E-1 to § 19-12E-9: Establishes the Industrial Hemp Development Act, outlining the state's commitment to developing hemp as a legal crop.*
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8. THC and Cannabinoid Limits

- **THC Limits:**
 - *West Virginia adheres to the federal standard of 0.3% delta-9 THC for all hemp products. Any product that exceeds this limit is treated as illegal marijuana under state law.*
 - *Delta-8 THC products are legal but must also comply with the state's testing and labeling requirements.*

Wisconsin Cannabis and Hemp Regulatory Report

Regulated (Hemp-Specific Frameworks)

1. Legal Status

- **Cannabis:** *In Wisconsin, recreational and medical marijuana remain illegal. However, hemp-derived products containing less than 0.3% delta-9 THC are legal, aligning with the federal definition of hemp.*
- **Delta-8 THC:** *Delta-8 THC is also legal in Wisconsin if derived from hemp, though the state has no specific ban on delta-8 THC products. Such products must meet testing, labeling, and safety standards to be considered compliant with state regulations.*
- **Key Statutory Citations:**
 - *Wisconsin Statutes § 94.55: Establishes Wisconsin's hemp program, defining hemp in alignment with federal law under the 2018 Farm Bill.*
 - *Wisconsin Statutes § 961.14(4)(t): Tetrahydrocannabinols (THC) are classified as Schedule I controlled substances but specifically excludes hemp-derived THC, as defined in § 94.55.*

2. Hemp Regulations and Licensing

- **Licensing Program:**
 - *Wisconsin operates a hemp licensing program under the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), which regulates the cultivation, processing, and sale of hemp-derived products.*
 - **Application Requirements:**
 - *Individuals or businesses seeking to cultivate or process hemp must apply through DATCP,*
 - *Must pass background checks, and*
 - *Submit detailed plans outlining cultivation practices and compliance with the state's zoning laws.*
- **License Types:**
 - *Cultivation License: Required to legally grow hemp plants containing less than 0.3% delta-9 THC.*

- *Processing License: Required for businesses that extract or convert hemp into products like CBD oils, tinctures, edibles, or delta-8 THC.*
 - *Retail License: Not explicitly required at the state level, but retailers selling hemp-derived products must ensure that products meet Wisconsin's testing and labeling standards.*
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3. Testing and Compliance

- **Mandatory Testing Requirements:**
 - *All hemp-derived products, including Delta-8 THC, must undergo testing to confirm that they contain less than 0.3% delta-9 THC and are free from harmful contaminants such as pesticides, heavy metals, and residual solvents.*
 - *Testing must be done by state-approved laboratories to ensure product safety and compliance.*
 - **Product Labeling and Packaging:**
 - *Hemp products must be labeled clearly with:*
 - *THC and CBD content,*
 - *Serving size,*
 - *A list of ingredients, and*
 - *Consumer warnings such as "Keep out of reach of children".*
 - *Products must be sold in child-resistant packaging and cannot be marketed in ways that appeal to minors, such as using cartoon characters or bright colors.*
 - **Key Statutory Citations:**
 - *Wisconsin Statutes § 94.55: Establishes testing and compliance requirements for hemp-derived products, including Delta-8 THC.*
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4. Enforcement and Penalties

- **Regulatory Oversight:**
 - *The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is responsible for enforcing hemp regulations, conducting inspections, and ensuring that products sold within the state meet compliance standards.*
 - *Penalties for Non-Compliance include:*
 - *Fines,*
 - *License suspension or revocation, and*
 - *Mandatory product recalls for items that fail testing or labeling requirements.*

- **Key Statutory Citations:**
 - *Wisconsin Statutes § 94.55: Grants DATCP authority to enforce hemp regulations and impose penalties for non-compliance.*
-

5. Local and Federal Compliance

- **Federal Alignment:**
 - *Wisconsin's hemp laws are aligned with the 2018 Federal Farm Bill, which legalizes hemp under federal law. The state's hemp program mirrors federal definitions and regulations, ensuring consistency between state and federal oversight.*
 - **Key Statutory Citations:**
 - *Wisconsin Statutes § 94.55: Aligns Wisconsin's hemp regulations with federal law, ensuring hemp is defined in compliance with the 2018 Farm Bill.*
-

6. Criminal Penalties for Non-Hemp Cannabis

- *Marijuana: Marijuana (non-hemp cannabis) remains illegal for recreational and medical use in Wisconsin. Any product that exceeds the 0.3% delta-9 THC limit is classified as marijuana and is subject to criminal penalties.*
 - *Penalties for possession or sale of illegal cannabis include fines, imprisonment, and a permanent criminal record.*
 - **Key Statutory Citations:**
 - *Wisconsin Statutes § 961.14(4)(t): Classifies marijuana as a Schedule I controlled substance, outlining penalties for possession and sale.*
-

7. Industrial Hemp and Agricultural Development

- **Industrial Hemp Development:**
 - *Wisconsin encourages the development of industrial hemp as a legal agricultural commodity. The Department of Agriculture, Trade and Consumer Protection (DATCP) supports farmers through technical guidance and financial resources.*
 - *Wisconsin's hemp research and pilot programs help develop hemp as a viable crop for the state's agricultural economy, focusing on the economic benefits of hemp production for farmers and processors.*
 - **Key Statutory Citations:**
 - *Wisconsin Statutes § 94.55: Establishes the state's hemp program, supporting the growth and processing of hemp under strict regulatory guidelines.*
-

8. THC and Cannabinoid Limits

- **THC Limits:**
 - *Wisconsin enforces the federal standard, allowing hemp-derived products to contain no more than 0.3% delta-9 THC.*
 - *Delta-8 THC products must also comply with the state's testing and labeling requirements, ensuring they meet all safety and compliance standards.*

Wyoming Hemp Intoxicants Law

Prohibited

Legality of Hemp Intoxicants:

- **Delta-8 THC Legality:** Wyoming has classified **delta-8 THC** as a **Schedule I controlled substance**, making it illegal under **Wyoming Statutes § 35-7-1001 to § 35-7-1024**, which govern controlled substances in the state. **Senate File 32 (2024)** explicitly codified the prohibition on the sale, manufacture, and distribution of delta-8 THC and similar hemp-derived intoxicants.

Regulatory Framework for Hemp Intoxicants:

- **Synthetic THC:** Delta-8 THC is considered a synthetic cannabinoid and is treated as a Schedule I substance under Wyoming law. The **Wyoming Hemp Program** allows for the cultivation of hemp, but only for non-intoxicating products with less than **0.3% delta-9 THC**, excluding intoxicating cannabinoids like delta-8 THC.
- **THC Concentration Limits:** There are no state regulations on delta-8 THC concentrations or serving sizes, as its sale and production are completely prohibited.

Distribution and Sale Regulations:

- **Illegal Sale and Distribution:** The sale, possession, and distribution of delta-8 THC products are illegal in Wyoming. Retailers and individuals cannot sell or distribute these products, and there are no exceptions for interstate commerce.
- **No Age or Location Restrictions:** Since delta-8 THC is banned, there are no specific age or location restrictions for its sale. It is fully prohibited across the state.

Advertising and Marketing Restrictions:

- **Prohibited Advertising:** Advertising delta-8 THC products is illegal, as Wyoming prohibits the sale and production of these intoxicants.

Taxes and Fees:

- **No Taxes or Fees:** Since delta-8 THC is banned, there are no taxes or fees applicable to its sale or distribution. Legal hemp products that meet federal standards are subject to the state's general sales tax.

Zoning and Local Control:

- **Statewide Ban:** Local jurisdictions cannot permit the sale of delta-8 THC, as it is banned across Wyoming. There are no zoning laws specific to these products due to their illegal status.

Environmental and Sustainability Requirements:

- **No Specific Environmental Regulations:** Since intoxicating hemp products like delta-8 THC are illegal, there are no environmental or sustainability standards for their production. General agricultural regulations apply to the legal cultivation of non-intoxicating hemp.

Social Equity Programs:

- **No Social Equity Program:** Wyoming does not offer any social equity programs related to hemp or cannabis businesses.

Product Recalls and Consumer Safety:

- **No Recall Procedures:** As delta-8 THC is banned, there are no recall procedures specific to these products. General consumer safety laws apply to legal hemp products that meet state and federal standards.

Worker Safety and Labor Standards:

- **No Specific Standards:** Wyoming does not have specific labor standards for the production of intoxicating hemp products, as they are banned. General labor laws apply to other legal industries.

Penalties for Non-Compliance:

- **Criminal Penalties:** Violating Wyoming's controlled substances laws by manufacturing, selling, or possessing delta-8 THC can result in significant criminal penalties, including fines and imprisonment, as outlined under **Wyoming Statutes § 35-7-1001 to § 35-7-1024**.

Cannabis Parity:

- **No Parity with Cannabis:** There is no regulatory parity between delta-8 THC and cannabis in Wyoming. Both recreational and medical cannabis are illegal, and delta-8 THC is treated as a controlled substance.

Key Statutes and Regulations:

- **Wyoming Statutes § 35-7-1001 to § 35-7-1024:** Governs controlled substances, including delta-8 THC.
- **Senate File 32 (2024):** Codifies the ban on delta-8 THC and other synthetic cannabinoids.