



CANNABIDIOL (CBD) Gummies

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Prior to July 1st – These products already being sold.



2018 Farm Bill

- 2018 Farm Bill – Legalized Hemp production and there was nothing in the Bill that prohibited deriving Delta 8 from Hemp and creating products.
- Delta 8 is federally legal and can be shipped across State lines;
 - Not regulated by the FDA
- Delta 10 also federally legal.

Differences – Is the molecular structure

- Delta 9 is considerably more potent.
- Delta 8 is harder to extract – most Delta 8 comes from Hemp
 - Contains under 0.3% Delta 9 THC – the threshold for Federal legality.

The law passed by the Legislature:

- Clarified:
 - Must be 21 to purchase – no guidance before;
 - That no more than 5 mg per package...not just Delta 9 but inclusive of Delta 8 and Delta 10 as well;
 - Can't market to kids.

Revisions to Minn. Stat. Sec. 151.72

- Legislation presented as clarification/fix to what was vague/already happening.
 - Legislation clarified what could be sold (5mg svg. /50 mg pkg.) and restricted under 21 years. (sale and purchase of edibles and beverages that contain up to 5 milligrams of tetrahydrocannabinol (THC) derived from hemp per serving and 50 milligrams per package.)
 - A 5-milligram THC edible can cause a high feeling for first-time users, while people who are used to cannabis may require 10 to 15 milligrams to feel the same effect.
 - Five milligrams is about half the standard dose found in recreational marijuana products in other states.
 - Violations are selling as misbranded or adulterated, and selling to under 21 (all misdemeanors).



IT'S HERE

The law places no limit on how much can be purchased and does not regulate who can sell CBD and THC products. It also allows the cannabis components to be infused into food and drinks.

Steven Brown, CEO of Nothing But Hemp, immediately after this was passed, stated he will immediately begin selling a dozen new THC products at his six Minnesota retail stores with a few dozen more rolling out over the next month.

Brown is already working with breweries to create nonalcoholic THC beers and seltzers that he will sell in his stores. He said he wants to "promote cannabis over alcohol" to Minnesotans.

"In some ways, we legalized cannabis," Brown said.

Options

- Legislation silent on local regulation (open question; future legislation could clarify).
- Ordinances regulating sales (similar to tobacco) or land use restrictions (planning/zoning; where activities occur) or nothing.
 - Unclear what interest/activities are being contemplated by new or existing businesses in County (if anything).
 - Many jurisdictions leaning towards planning and zoning approach, and due to uncertainties and wanting to sort it out, are using moratoriums to give time.
- Ordinance would only apply to County (no special jurisdiction provision in statutes).
- County can enact a moratorium (interim zoning ordinance) pursuant to Minn. Stat. Sec. 394.34.
 - Up to one year
 - Have to be studying issue in good faith
 - If enact we should have a public hearing to do it.

OPTIONS

- **394.34 INTERIM ZONING.**
- If a county is conducting or in good faith intends to conduct studies within a reasonable time, or has held or is holding a hearing for the purpose of considering a comprehensive plan or official controls or an amendment, extension, or addition to either, or in the event new territory for which no zoning may have been adopted, may be annexed to a municipality, the board in order to protect the public health, safety, and general welfare may adopt as an emergency measure a temporary interim zoning map or temporary interim zoning ordinance, the purpose of which shall be to classify and regulate uses and related matters as constitutes the emergency. Such interim resolution shall be limited to one year from the date it becomes effective and to one year to renewal thereafter.