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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1254

02/20/2025

Authored by West

The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act

1.2 relating to cannabis; providing for the manufacture of certain products for sale

1.3 outside of Minnesota; designating tetrahydrocannabivarin as a nonintoxicating

1.4 cannabinoid; modifying potency limits for certain products; lowering social equity

1.5 ownership requirements to 51 percent; establishing manufacturing limits for certain

1.6 manufacturers; clarifying cannabis cultivator license authorizations; amending

1.7 Minnesota Statutes 2024, sections 151.72, subdivision 6; 342.01, subdivisions 50,

1.8 56; 342.02, subdivision 2; 342.06, subdivision 1; 342.17; 342.28, subdivision 2;

1.9 342.29, subdivision 2; 342.30, subdivision 1; 342.45, by adding a subdivision;

1.10 342.46, subdivision 6; 342.63, subdivision 5; 342.65; 342.66, subdivisions 3, 6.

1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.12 Section 1. Minnesota Statutes 2024, section 151.72, subdivision 6, is amended to read:

1.13 Subd. 6. **Noncompliant products; enforcement.** (a) A product regulated under this

1.14 section, including an edible cannabinoid product, shall be considered a noncompliant product

1.15 if the product is offered for sale in this state or if the product is manufactured, imported,

1.16 distributed, or stored with the intent to be offered for sale in this state in violation of any

1.17 provision of this section, including but not limited to if:

1.18 (1) it consists, in whole or in part, of any filthy, putrid, or decomposed substance;

1.19 (2) it has been produced, prepared, packed, or held under unsanitary conditions where

1.20 it may have been rendered injurious to health, or where it may have been contaminated with

1.21 filth;

1.22 (3) its container is composed, in whole or in part, of any poisonous or deleterious

1.23 substance that may render the contents injurious to health;

1.24 (4) it contains any food additives, color additives, or excipients that have been found by

1.25 the FDA to be unsafe for human or animal consumption;

2.1 (5) it contains an amount or percentage of nonintoxicating cannabinoids that is different
2.2 than the amount or percentage stated on the label;

2.3 (6) it contains more than 0.3 percent of any tetrahydrocannabinol or, if the product is
2.4 an edible cannabinoid product, an amount of tetrahydrocannabinol that exceeds the limits
2.5 established in subdivision 5a, paragraph (f); or

2.6 (7) it contains more than trace amounts of mold, residual solvents, pesticides, fertilizers,
2.7 or heavy metals.

2.8 (b) A product regulated under this section shall be considered a noncompliant product
2.9 if the product's labeling is false or misleading in any manner or in violation of the
2.10 requirements of this section.

2.11 (c) The office may assume that any product regulated under this section that is present
2.12 in the state, other than a product lawfully possessed for personal use, has been manufactured,
2.13 imported, distributed, or stored with the intent to be offered for sale in this state if:

2.14 (1) a product of the same type and brand was sold in the state on or after July 1, 2023;
2.15 or ~~if~~

2.16 (2) the product is in the possession of a person who has sold any product in violation of
2.17 this section and the product's packaging does not clearly state that it is not for sale in
2.18 Minnesota.

2.19 (d) The office may enforce this section, including enforcement against a manufacturer
2.20 or distributor of a product regulated under this section, under section 342.19.

2.21 (e) The office may enter into an interagency agreement with the commissioner of
2.22 agriculture to perform inspections and take other enforcement actions on behalf of the office.

2.23 Sec. 2. Minnesota Statutes 2024, section 342.01, subdivision 50, is amended to read:

2.24 Subd. 50. **Lower-potency hemp edible.** (a) "Lower-potency hemp edible" means any
2.25 product that:

2.26 (1) is intended to be eaten or consumed as a beverage by humans;

2.27 (2) contains hemp concentrate or an artificially derived cannabinoid, in combination
2.28 with food ingredients;

2.29 (3) is not a drug;

2.30 (4) does not contain a cannabinoid derived from cannabis plants or cannabis flower;

3.1 (5) is a type of product approved for sale by the office or is substantially similar to a
 3.2 product approved by the office, including but not limited to products that resemble
 3.3 nonalcoholic beverages, candy, and baked goods; and

3.4 (6) meets either of the requirements in paragraph (b).

3.5 (b) A lower-potency hemp edible includes:

3.6 (1) a product that:

3.7 (i) consists of servings that contain no more than five milligrams of delta-9
 3.8 tetrahydrocannabinol; no more than ~~25~~ 50 milligrams of cannabidiol, cannabigerol,
 3.9 cannabinol, ~~or~~ cannabichromene, or tetrahydrocannabivarin; any other cannabinoid authorized
 3.10 by the office; or any combination of those cannabinoids that does not exceed the identified
 3.11 amounts;

3.12 (ii) does not contain more than a combined total of 0.5 milligrams of all other
 3.13 cannabinoids per serving; and

3.14 (iii) does not contain an artificially derived cannabinoid other than delta-9
 3.15 tetrahydrocannabinol, except that a product may include artificially derived cannabinoids
 3.16 created during the process of creating the delta-9 tetrahydrocannabinol that is added to the
 3.17 product, if no artificially derived cannabinoid is added to the ingredient containing delta-9
 3.18 tetrahydrocannabinol and the ratio of delta-9 tetrahydrocannabinol to all other artificially
 3.19 derived cannabinoids is no less than 20 to one; or

3.20 (2) a product that:

3.21 (i) contains hemp concentrate processed or refined without increasing the percentage of
 3.22 targeted cannabinoids or altering the ratio of cannabinoids in the extracts or resins of a hemp
 3.23 plant or hemp plant parts beyond the variability generally recognized for the method used
 3.24 for processing or refining or by an amount needed to reduce the total THC in the hemp
 3.25 concentrate; and

3.26 (ii) consists of servings that contain no more than five milligrams of total THC.

3.27 Sec. 3. Minnesota Statutes 2024, section 342.01, subdivision 56, is amended to read:

3.28 Subd. 56. **Nonintoxicating cannabinoid.** "Nonintoxicating cannabinoid" means a
 3.29 cannabinoid that when introduced into the human body does not impair the central nervous
 3.30 system and does not impair the human audio, visual, or mental processes. Nonintoxicating
 3.31 cannabinoid includes but is not limited to cannabidiol ~~and~~, cannabigerol, and
 3.32 tetrahydrocannabivarin, but does not include any artificially derived cannabinoid.

4.1 Sec. 4. Minnesota Statutes 2024, section 342.02, subdivision 2, is amended to read:

4.2 Subd. 2. **Powers and duties.** (a) The office has the following powers and duties:

4.3 (1) to develop, maintain, and enforce an organized system of regulation for the cannabis
4.4 industry and hemp consumer industry;

4.5 (2) to establish programming, services, and notification to protect, maintain, and improve
4.6 the health of citizens;

4.7 (3) to prevent unauthorized access to cannabis flower, cannabis products, lower-potency
4.8 hemp edibles, and hemp-derived consumer products by individuals under 21 years of age;

4.9 (4) to establish and regularly update standards for product manufacturing, testing,
4.10 packaging, and labeling, including requirements for an expiration, sell-by, or best-used-by
4.11 date;

4.12 (5) to promote economic growth with an emphasis on growth in areas that experienced
4.13 a disproportionate, negative impact from cannabis prohibition;

4.14 (6) to issue and renew licenses;

4.15 (7) to require fingerprints from individuals determined to be subject to fingerprinting,
4.16 including the submission of fingerprints to the Federal Bureau of Investigation where
4.17 required by law and to obtain criminal conviction data for individuals seeking a license
4.18 from the office on the individual's behalf or as a cooperative member or director, manager,
4.19 or general partner of a business entity;

4.20 (8) to receive reports required by this chapter and inspect the premises, records, books,
4.21 and other documents of license holders to ensure compliance with all applicable laws and
4.22 rules;

4.23 (9) to authorize the use of unmarked motor vehicles to conduct seizures or investigations
4.24 pursuant to the office's authority;

4.25 (10) to impose and collect civil and administrative penalties as provided in this chapter;

4.26 (11) to publish such information as may be deemed necessary for the welfare of cannabis
4.27 businesses, cannabis workers, hemp businesses, and hemp workers and the health and safety
4.28 of citizens;

4.29 (12) to make loans and grants in aid to the extent that appropriations are made available
4.30 for that purpose;

5.1 (13) to authorize research and studies on cannabis flower, cannabis products, artificially
5.2 derived cannabinoids, lower-potency hemp edibles, hemp-derived consumer products, the
5.3 cannabis industry, and the hemp consumer industry;

5.4 (14) to provide reports as required by law;

5.5 (15) to develop a warning label regarding the effects of the use of cannabis flower and
5.6 cannabis products by persons 25 years of age or younger;

5.7 (16) to determine, based on a review of medical and scientific literature, whether it is
5.8 appropriate to require additional health and safety warnings containing information that is
5.9 both supported by credible science and helpful to consumers in considering potential health
5.10 risks from the use of cannabis flower, cannabis products, lower-potency hemp edibles, and
5.11 hemp-derived consumer products, including but not limited to warnings regarding any risks
5.12 associated with use by pregnant or breastfeeding individuals, or by individuals planning to
5.13 become pregnant, and the effects that use has on brain development for individuals under
5.14 the age of 25;

5.15 (17) to establish limits on the potency of cannabis flower and cannabis products that can
5.16 be sold to customers by licensed cannabis retailers, licensed cannabis microbusinesses, and
5.17 licensed cannabis mezzobusinesses with an endorsement to sell cannabis flower and cannabis
5.18 products to customers. Any limit on a cannabis product consisting of cannabis concentrate
5.19 intended to be consumed by combustion or vaporization of the product and inhalation of
5.20 smoke, aerosol, or vapor from the product must not be lower than 90 percent potency;

5.21 (18) to establish rules authorizing an increase in plant canopy limits and outdoor
5.22 cultivation limits to meet market demand and limiting cannabis manufacturing consistent
5.23 with the goals identified in subdivision 1;

5.24 (19) to order a person or business that cultivates cannabis flower or manufactures or
5.25 produces cannabis products, medical cannabinoid products, artificially derived cannabinoids,
5.26 lower-potency hemp edibles, hemp-derived consumer products, or hemp-derived topical
5.27 products to recall any cannabis flower, product, or ingredient containing cannabinoids that
5.28 is used in a product if the office determines that the flower, product, or ingredient represents
5.29 a risk of causing a serious adverse incident; and

5.30 (20) to exercise other powers and authority and perform other duties required by law.

5.31 (b) In addition to the powers and duties in paragraph (a), the office has the following
5.32 powers and duties until January 1, 2027:

6.1 (1) to establish limits on the potency of adult-use cannabis flower and adult-use cannabis
6.2 products that can be sold to customers by licensed cannabis retailers, licensed cannabis
6.3 microbusinesses, and licensed cannabis mezzobusinesses with an endorsement to sell
6.4 adult-use cannabis flower and adult-use cannabis products to customers; and

6.5 (2) to permit, upon application to the office in the form prescribed by the director of the
6.6 office, a licensee under this chapter to perform any activity if such permission is substantially
6.7 necessary for the licensee to perform any other activity permitted by the applicant's license
6.8 and is not otherwise prohibited by law.

6.9 Sec. 5. Minnesota Statutes 2024, section 342.06, subdivision 1, is amended to read:

6.10 Subdivision 1. **Approval of cannabis flower and products.** (a) For the purposes of
6.11 this section, "product category" means a type of product that may be sold in different sizes,
6.12 distinct packaging, or at various prices but is still created using the same manufacturing or
6.13 agricultural processes. A new or additional stock keeping unit (SKU) or Universal Product
6.14 Code (UPC) shall not prevent a product from being considered the same type as another
6.15 unit. All other terms have the meanings provided in section 342.01.

6.16 (b) The office shall approve product categories of cannabis flower, cannabis products,
6.17 lower-potency hemp edibles, and hemp-derived consumer products for retail sale.

6.18 (c) The office may establish limits on the total THC of cannabis flower, cannabis products,
6.19 and hemp-derived consumer products. Any limit on a cannabis product consisting of cannabis
6.20 concentrate intended to be consumed by combustion or vaporization of the product and
6.21 inhalation of smoke, aerosol, or vapor from the product must not be lower than 90 percent
6.22 potency. As used in this paragraph, "total THC" means the sum of the percentage by weight
6.23 of tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of all
6.24 tetrahydrocannabinols.

6.25 (d) The office shall not approve any cannabis product, lower-potency hemp edible, or
6.26 hemp-derived consumer product that:

6.27 (1) is or appears to be a lollipop or ice cream;

6.28 (2) bears the likeness or contains characteristics of a real or fictional person, animal, or
6.29 fruit;

6.30 (3) is modeled after a type or brand of products primarily consumed by or marketed to
6.31 children;

7.1 (4) is substantively similar to a meat food product; poultry food product as defined in
7.2 section 31A.02, subdivision 10; or a dairy product as defined in section 32D.01, subdivision
7.3 7;

7.4 (5) contains a synthetic cannabinoid;

7.5 (6) is made by applying a cannabinoid, including but not limited to an artificially derived
7.6 cannabinoid, to a finished food product that does not contain cannabinoids and is sold to
7.7 consumers, including but not limited to a candy or snack food; or

7.8 (7) if the product is an edible cannabis product or lower-potency hemp edible, contains
7.9 an ingredient, other than a cannabinoid, that is not approved by the United States Food and
7.10 Drug Administration for use in food.

7.11 Sec. 6. Minnesota Statutes 2024, section 342.17, is amended to read:

7.12 **342.17 SOCIAL EQUITY APPLICANTS.**

7.13 (a) An applicant qualifies as a social equity applicant if the applicant:

7.14 (1) was convicted of an offense involving the possession or sale of cannabis or marijuana
7.15 prior to May 1, 2023;

7.16 (2) had a parent, guardian, child, spouse, or dependent who was convicted of an offense
7.17 involving the possession or sale of cannabis or marijuana prior to May 1, 2023;

7.18 (3) was a dependent of an individual who was convicted of an offense involving the
7.19 possession or sale of cannabis or marijuana prior to May 1, 2023;

7.20 (4) is a military veteran, including a service-disabled veteran, current or former member
7.21 of the national guard;

7.22 (5) is a military veteran or current or former member of the national guard who lost
7.23 honorable status due to an offense involving the possession or sale of cannabis or marijuana;

7.24 (6) has been a resident for the last five years of one or more subareas, such as census
7.25 tracts or neighborhoods:

7.26 (i) that experienced a disproportionately large amount of cannabis enforcement as
7.27 determined by the study conducted by the office pursuant to section 342.04, paragraph (b),
7.28 or another report based on federal or state data on arrests or convictions;

7.29 (ii) where the poverty rate was 20 percent or more;

7.30 (iii) where the median family income did not exceed 80 percent of the statewide median
7.31 family income or, if in a metropolitan area, did not exceed the greater of 80 percent of the

8.1 statewide median family income or 80 percent of the median family income for that
8.2 metropolitan area;

8.3 (iv) where at least 20 percent of the households receive assistance through the
8.4 Supplemental Nutrition Assistance Program; or

8.5 (v) where the population has a high level of vulnerability according to the Centers for
8.6 Disease Control and Prevention and Agency for Toxic Substances and Disease Registry
8.7 (CDC/ATSDR) Social Vulnerability Index; or

8.8 (7) has participated in the business operation of a farm for at least three years and
8.9 currently provides the majority of the day-to-day physical labor and management of a farm
8.10 that had gross farm sales of at least \$5,000 but not more than \$100,000 in the previous year.

8.11 (b) The qualifications described in paragraph (a) apply to each individual applicant or,
8.12 in the case of a business entity, apply to at least ~~65~~ 51 percent of the controlling ownership
8.13 of the business entity.

8.14 Sec. 7. Minnesota Statutes 2024, section 342.28, subdivision 2, is amended to read:

8.15 Subd. 2. **Size limitations.** (a) A cannabis microbusiness that cultivates cannabis at an
8.16 indoor facility may cultivate up to 5,000 square feet of plant canopy. The office may adjust
8.17 plant canopy limits for licensed businesses upward to meet market demand consistent with
8.18 the goals identified in section 342.02, subdivision 1. In each licensing period, the office
8.19 may adjust plant canopy limits upward or downward for licenses that will be issued in that
8.20 period to meet market demand consistent with the goals identified in section 342.02,
8.21 subdivision 1, except that the office must not impose a limit of less than 5,000 square feet
8.22 of plant canopy.

8.23 (b) A cannabis microbusiness that cultivates cannabis at an outdoor location may cultivate
8.24 up to one-half acre of mature, flowering plants. The office may increase the limit for licensed
8.25 businesses to meet market demand consistent with the goals identified in section 342.02,
8.26 subdivision 1. In each licensing period, the office may adjust the limit upward or downward
8.27 for licenses that will be issued in that period to meet market demand consistent with the
8.28 goals identified in section 342.02, subdivision 1, except that the office must not impose a
8.29 limit of less than one-half acre of mature, flowering plants.

8.30 (c) The office shall establish a limit on the manufacturing of cannabis products,
8.31 lower-potency hemp edibles, or hemp-derived consumer products a cannabis microbusiness
8.32 that manufactures such products may perform. The limit must be equivalent to the amount
8.33 of cannabis flower that can be harvested from a facility with a plant canopy of 5,000 square

9.1 feet in a year, but must not be lower than 20,000 pounds and may be increased if the office
 9.2 expands the allowable area of cultivation under paragraph (a).

9.3 (d) A cannabis microbusiness with the appropriate endorsement may operate one retail
 9.4 location.

9.5 Sec. 8. Minnesota Statutes 2024, section 342.29, subdivision 2, is amended to read:

9.6 Subd. 2. **Size limitations.** (a) A cannabis mezzobusiness that cultivates cannabis at an
 9.7 indoor facility may cultivate up to 15,000 square feet of plant canopy. The office may adjust
 9.8 plant canopy limits upward to meet market demand consistent with the goals identified in
 9.9 section 342.02, subdivision 1.

9.10 (b) A cannabis mezzobusiness that cultivates cannabis at an outdoor location may
 9.11 cultivate up to one acre of mature, flowering plants unless the office increases that limit.
 9.12 The office may increase the limit to no more than three acres if the office determines that
 9.13 expansion is consistent with the goals identified in section 342.02, subdivision 1.

9.14 (c) The office shall establish a limit on the manufacturing of cannabis products,
 9.15 lower-potency hemp edibles, or hemp-derived consumer products a cannabis mezzobusiness
 9.16 that manufactures such products may perform. The limit must be equivalent to the amount
 9.17 of cannabis flower that can be harvested from a facility with a plant canopy of 15,000 square
 9.18 feet in a year but must not be lower than 60,000 pounds and may be increased if the office
 9.19 expands the allowable area of cultivation under paragraph (a).

9.20 (d) A cannabis mezzobusiness with the appropriate endorsement may operate up to three
 9.21 retail locations.

9.22 Sec. 9. Minnesota Statutes 2024, section 342.30, subdivision 1, is amended to read:

9.23 Subdivision 1. **Authorized actions.** A cannabis cultivator license entitles the license
 9.24 holder to:

9.25 (1) grow cannabis plants within the approved amount of space from seed or immature
 9.26 plant to mature plant;

9.27 (2) harvest cannabis flower from a mature plant;

9.28 (3) package and label immature cannabis plants and seedlings and cannabis flower for
 9.29 sale to other cannabis businesses;

9.30 (4) sell immature cannabis plants and seedlings and cannabis flower to other cannabis
 9.31 businesses;

- 10.1 (5) transport cannabis flower to a cannabis manufacturer located on the same premises;
 10.2 and
 10.3 (6) perform other actions approved by the office.

10.4 Sec. 10. Minnesota Statutes 2024, section 342.45, is amended by adding a subdivision to
 10.5 read:

10.6 Subd. 6. **Manufacture of products for sale in other jurisdictions.** (a) Nothing in this
 10.7 chapter prohibits a lower-potency hemp edible manufacturer from manufacturing, packaging,
 10.8 labeling, and distributing edible products containing cannabinoids derived from hemp that
 10.9 do not qualify as lower-potency hemp edibles if:

10.10 (1) the products are intended, distributed, and offered for sale only in jurisdictions other
 10.11 than Minnesota;

10.12 (2) the products are physically separated from all lower-potency hemp edibles during
 10.13 the manufacturing, packaging, and labeling process; and

10.14 (3) the products' packaging clearly states that they are not for sale in Minnesota.

10.15 (b) The office may take enforcement action as provided in sections 342.19 and 342.21
 10.16 if the office determines that the lower-potency hemp edible manufacturer:

10.17 (1) sold or offered for sale in Minnesota any edible product containing cannabinoids
 10.18 derived from hemp that does not qualify as a lower-potency hemp edible; or

10.19 (2) manufactured, distributed, or stored any edible product containing cannabinoids
 10.20 derived from hemp that does not qualify as a lower-potency hemp edible with the intent
 10.21 that the product be offered for sale in Minnesota.

10.22 Sec. 11. Minnesota Statutes 2024, section 342.46, subdivision 6, is amended to read:

10.23 **Subd. 6. Compliant products.** (a) A lower-potency hemp edible retailer shall ensure
 10.24 that all lower-potency hemp edibles offered for sale comply with the limits on the amount
 10.25 and types of cannabinoids that a lower-potency hemp edible can contain, including but not
 10.26 limited to the requirement that lower-potency hemp edibles:

10.27 (1) consist of servings that contain no more than five milligrams of delta-9
 10.28 tetrahydrocannabinol, no more than ~~25~~ 50 milligrams of cannabidiol, no more than ~~25~~ 50
 10.29 milligrams of cannabigerol, no more than 50 milligrams of tetrahydrocannabivarin, or any
 10.30 combination of those cannabinoids that does not exceed the identified amounts;

11.1 (2) do not contain more than a combined total of 0.5 milligrams of all other cannabinoids
11.2 per serving; and

11.3 (3) do not contain an artificially derived cannabinoid other than delta-9
11.4 tetrahydrocannabinol.

11.5 (b) If a lower-potency hemp edible is packaged in a manner that includes more than a
11.6 single serving, the lower-potency hemp edible must indicate each serving by scoring,
11.7 wrapping, or other indicators that appear on the lower-potency hemp edible designating the
11.8 individual serving size. If it is not possible to indicate a single serving by scoring or use of
11.9 another indicator that appears on the product, the lower-potency hemp edible may not be
11.10 packaged in a manner that includes more than a single serving in each container, except
11.11 that a calibrated dropper, measuring spoon, or similar device for measuring a single serving
11.12 may be used for any edible cannabinoid products that are intended to be combined with
11.13 food or beverage products prior to consumption. If the lower-potency hemp edible is meant
11.14 to be consumed as a beverage, the beverage container may not contain more than two
11.15 servings per container.

11.16 (c) A single package containing multiple servings of a lower-potency hemp edible must
11.17 contain no more than 50 milligrams of delta-9 tetrahydrocannabinol, ~~250~~ 500 milligrams
11.18 of cannabidiol, ~~250~~ 500 milligrams of cannabigerol, 500 milligrams of
11.19 tetrahydrocannabivarin, or any combination of those cannabinoids that does not exceed the
11.20 identified amounts.

11.21 Sec. 12. Minnesota Statutes 2024, section 342.63, subdivision 5, is amended to read:

11.22 Subd. 5. **Content of label; hemp-derived topical products.** (a) All hemp-derived topical
11.23 products sold to customers must have affixed to the packaging or container of the product
11.24 a label that contains at least the following information:

11.25 (1) the manufacturer name, location, phone number, and website;

11.26 (2) the name and address of the independent, accredited laboratory used by the
11.27 manufacturer to test the product;

11.28 (3) the net weight or volume of the product in the package or container;

11.29 (4) the type of topical product;

11.30 (5) the amount or percentage of cannabidiol, cannabigerol, tetrahydrocannabivarin, or
11.31 any other cannabinoid, derivative, or extract of hemp, per serving and in total;

11.32 (6) a list of ingredients;

12.1 (7) a statement that the product does not claim to diagnose, treat, cure, or prevent any
 12.2 disease and that the product has not been evaluated or approved by the United States Food
 12.3 and Drug Administration, unless the product has been so approved; and

12.4 (8) any other statements or information required by the office.

12.5 (b) The information required in paragraph (a), clauses (1), (2), and (5), may be provided
 12.6 through the use of a scannable barcode or matrix barcode that links to a page on a website
 12.7 maintained by the manufacturer or distributor if that page contains all of the information
 12.8 required by this subdivision.

12.9 Sec. 13. Minnesota Statutes 2024, section 342.65, is amended to read:

12.10 **342.65 INDUSTRIAL HEMP; PRODUCTS FOR SALE IN OTHER**
 12.11 **JURISDICTIONS.**

12.12 (a) Nothing in this chapter shall limit the ability of a person licensed under chapter 18K
 12.13 to grow industrial hemp for commercial or research purposes, process industrial hemp for
 12.14 commercial purposes, sell hemp fiber products and hemp grain, manufacture hemp-derived
 12.15 topical products, or perform any other actions authorized by the commissioner of agriculture.
 12.16 For purposes of this section, "processing" has the meaning given in section 18K.02,
 12.17 subdivision 5, and does not include the process of creating artificially derived cannabinoids.

12.18 (b) Nothing in this chapter prohibits a person who does not hold a license issued by the
 12.19 office from manufacturing, packaging, labeling, and distributing products containing
 12.20 cannabinoids derived from hemp that are not identified in paragraph (a) if:

12.21 (1) the products are intended, distributed, and offered for sale only in jurisdictions other
 12.22 than Minnesota; and

12.23 (2) the products' packaging clearly states that they are not for sale in Minnesota.

12.24 (c) The office may take enforcement action as provided in section 342.19, subdivision
 12.25 6, if the office determines that the person:

12.26 (1) sold or offered for sale in Minnesota any product containing cannabinoids that is not
 12.27 identified in paragraph (a); or

12.28 (2) manufactured, distributed, or stored any product containing cannabinoids derived
 12.29 from hemp that is not identified in paragraph (a) with the intent that the product be offered
 12.30 for sale in Minnesota.

13.1 Sec. 14. Minnesota Statutes 2024, section 342.66, subdivision 3, is amended to read:

13.2 Subd. 3. **Approved cannabinoids.** (a) Products manufactured, marketed, distributed,
13.3 and sold under this section may contain cannabidiol ~~or~~, cannabigerol, or
13.4 tetrahydrocannabivarin. Except as provided in paragraph (c), products may not contain any
13.5 other cannabinoid unless approved by the office.

13.6 (b) The office may approve any cannabinoid, other than any tetrahydrocannabinol, and
13.7 authorize its use in manufacturing, marketing, distribution, and sales under this section if
13.8 the office determines that the cannabinoid is a nonintoxicating cannabinoid.

13.9 (c) A product manufactured, marketed, distributed, and sold under this section may
13.10 contain cannabinoids other than cannabidiol, cannabigerol, tetrahydrocannabivarin, or any
13.11 other cannabinoid approved by the office provided that the cannabinoids are naturally
13.12 occurring in hemp plants or hemp plant parts and the total of all other cannabinoids present
13.13 in a product does not exceed one milligram per package.

13.14 Sec. 15. Minnesota Statutes 2024, section 342.66, subdivision 6, is amended to read:

13.15 Subd. 6. **Prohibitions.** (a) A product sold to consumers under this section must not be
13.16 manufactured, marketed, distributed, or intended:

13.17 (1) for external or internal use in the diagnosis, cure, mitigation, treatment, or prevention
13.18 of disease in humans or other animals;

13.19 (2) to affect the structure or any function of the bodies of humans or other animals;

13.20 (3) to be consumed by combustion or vaporization of the product and inhalation of
13.21 smoke, aerosol, or vapor from the product;

13.22 (4) to be consumed through chewing; or

13.23 (5) to be consumed through injection or application to a mucous membrane or nonintact
13.24 skin.

13.25 (b) A product manufactured, marketed, distributed, or sold to consumers under this
13.26 section must not:

13.27 (1) consist, in whole or in part, of any filthy, putrid, or decomposed substance;

13.28 (2) have been produced, prepared, packed, or held under unsanitary conditions where
13.29 the product may have been rendered injurious to health, or where the product may have
13.30 been contaminated with filth;

- 14.1 (3) be packaged in a container that is composed, in whole or in part, of any poisonous
14.2 or deleterious substance that may render the contents injurious to health;
- 14.3 (4) contain any additives or excipients that have been found by the United States Food
14.4 and Drug Administration to be unsafe for human or animal consumption;
- 14.5 (5) contain a cannabinoid or an amount or percentage of cannabinoids that is different
14.6 than the information stated on the label;
- 14.7 (6) contain a cannabinoid, other than cannabidiol, cannabigerol, tetrahydrocannabivarin,
14.8 or a cannabinoid approved by the office, in an amount that exceeds the standard established
14.9 in subdivision 2, paragraph (c); or
- 14.10 (7) contain any contaminants for which testing is required by the office in amounts that
14.11 exceed the acceptable minimum standards established by the office.
- 14.12 (c) No product containing any cannabinoid may be sold to any individual who is under
14.13 21 years of age.