General Assembly

Substitute Bill No. 970

January Session, 2025

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AN ACT CONCERNING CANNABINOIDS, HEMP AND HEMP PRODUCTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subdivisions (29) to (62), inclusive, of section 21a-240 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(29) "Marijuana" means all parts of any plant, or species of the genus cannabis or any infra specific taxon thereof, whether growing or not; the resin extracted from any part of the plant; every compound, manufacture, salt, derivative, mixture or preparation of such plant, or its resin. **[**; any high-THC hemp product; manufactured cannabinoids; or cannabinon, cannabinol or cannabidiol and chemical compounds which are similar to cannabinon, cannabinol or cannabidiol in chemical structure or which are similar thereto in physiological effect, which are controlled substances under this chapter, except cannabidiol derived from hemp, as defined in section 22-61*l*, that is not a high-THC hemp product.**]** "Marijuana" does not include: (A) The mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, except the resin extracted from such mature stalks or fiber, oil or cake; (B) the seed of such plant; (C) hemp **[**, as**]** and manufacturer hemp products, as such terms are defined in section 22-61*l*, as amended by this act, **[**(i)with a total THC

concentration of not more than three-tenths per cent on a dry-weight basis**]** and naturally manufactured hemp cannabinoids, including (i) moderate-THC hemp products, as defined in section 21a-426, and (ii) **[**that is not a**]** high-THC hemp **[**product**]** products grown or manufactured by a licensee, as defined in section 22-61*l*, as amended by this act; (D) any substance approved by the federal Food and Drug Administration or successor agency as a drug and reclassified in any schedule of controlled substances or unscheduled by the federal Drug Enforcement Administration or successor agency which is included in the same schedule designated by the federal Drug Enforcement Administration or successor agency; or (E) infused beverages, as defined in section 21a-425.

(30) "Narcotic substance" means any of the following, whether produced directly or indirectly by extraction from a substance of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis: (A) Morphine-type: (i) Opium or opiate, or any salt, compound, derivative, or preparation of opium or opiate which is similar to any such substance in chemical structure or which is similar to any such substance in physiological effect and which shows a like potential for abuse, which is a controlled substance under this chapter unless modified; (ii) any salt, compound, isomer, derivative, or preparation of any such substance which is chemically equivalent or identical to any substance referred to in clause (i) of this subparagraph, but not including the isoquinoline alkaloids of opium; (iii) opium poppy or poppy straw; or (iv) (I) fentanyl or any salt, compound, derivative or preparation of fentanyl which is similar to any such substance in chemical structure or which is similar to any such substance in physiological effect and which shows a like potential for abuse, which is a controlled substance under this chapter unless modified, or (II) any salt, compound, isomer, derivative or preparation of any such substance which is chemically equivalent or identical to any substance referred to in subclause (I) of this clause; or (B) cocaine-type; coca leaves or any salt, compound, derivative or preparation of coca leaves, or any salt, compound, isomer,

derivatives or preparation of any such substance which is chemically equivalent or identical to any such substance or which is similar to any such substance in physiological effect and which shows a like potential for abuse, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(31) "Nurse" means a person performing nursing as defined in section 20-87a.

(32) "Official written order" means an order for controlled substances written on a form provided by the bureau for that purpose under the federal Controlled Substances Act.

(33) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability; it does not include, unless specifically designated as controlled under this chapter, the dextrorotatory isomer of 3-methoxy-n-methylmorthinan and its salts (dextro-methorphan) but shall include its racemic and levorotatory forms.

(34) "Opium poppy" means the plant of the species papaver somniferum l., except its seed.

(35) Repealed by P.A. 99-102, S. 51.

(36) "Other stimulant and depressant drugs" means controlled substances other than amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenics and morphine-type which are found to exert a stimulant and depressant effect upon the higher functions of the central nervous system and which are found to have a potential for abuse and are controlled substances under this chapter.

(37) "Person" includes any corporation, limited liability company, association or partnership, or one or more individuals, government or governmental subdivisions or agency, business trust, estate, trust, or any other legal entity. Words importing the plural number may include

the singular; words importing the masculine gender may be applied to females.

(38) "Pharmacist" means a person authorized by law to practice pharmacy pursuant to section 20-590, 20-591, 20-592 or 20-593.

(39) "Pharmacy" means an establishment licensed pursuant to section 20-594.

(40) "Physician" means a person authorized by law to practice medicine in this state pursuant to section 20-9.

(41) "Podiatrist" means a person authorized by law to practice podiatry in this state.

(42) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(43) "Practitioner" means: (A) A physician, dentist, veterinarian, podiatrist, scientific investigator or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state; and (B) a pharmacy, hospital or other institution licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(44) "Prescribe" means order or designate a remedy or any preparation containing controlled substances.

(45) "Prescription" means a written, oral or electronic order for any controlled substance or preparation from a licensed practitioner to a pharmacist for a patient.

(46) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(47) "Registrant" means any person licensed by this state and assigned a current federal Bureau of Narcotics and Dangerous Drug Registry Number as provided under the federal Controlled Substances Act.

(48) "Registry number" means the alphabetical or numerical designation of identification assigned to a person by the federal Drug Enforcement Administration, or other federal agency, which is commonly known as the federal registry number.

(49) "Restricted drugs or substances" are the following substances without limitation and for all purposes: Datura stramonium; hyoscyamus niger; atropa belladonna, or the alkaloids atropine; hyoscyamine; belladonnine; apatropine; or any mixture of these alkaloids such as daturine, or the synthetic homatropine or any salts of these alkaloids, except that any drug or preparation containing any of the above-mentioned substances which is permitted by federal food and drug laws to be sold or dispensed without a prescription or written order shall not be a controlled substance; amyl nitrite; the following volatile substances to the extent that said chemical substances or compounds containing said chemical substances are sold, prescribed, dispensed, compounded, possessed or controlled or delivered or administered to another person with the purpose that said chemical substances shall be breathed, inhaled, sniffed or drunk to induce a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system: Acetone; benzene; butyl alcohol; butyl nitrate and its salts, isomers, esters, ethers or their salts; cyclohexanone; dichlorodifluoromethane; ether; ethyl acetate; formaldehyde; hexane; isopropanol; methanol; methyl cellosolve acetate; methyl ethyl ketone; methyl isobutyl ketone; nitrous oxide; pentochlorophenol; toluene; toluol; trichloroethane; trichloroethylene; 1,4 butanediol.

(50) "Sale" is any form of delivery which includes barter, exchange or gift, or offer therefor, and each such transaction made by any person whether as principal, proprietor, agent, servant or employee.

(51) "State", when applied to a part of the United States, includes any state, district, commonwealth, territory or insular possession thereof, and any area subject to the legal authority of the United States of America.

(52) "State food, drug and cosmetic laws" means the Uniform Food, Drug and Cosmetic Act, section 21a-91 et seq.

(53) "Ultimate user" means a person who lawfully possesses a controlled substance for the person's own use or for the use of a member of such person's household or for administering to an animal owned by such person or by a member of such person's household.

(54) "Veterinarian" means a person authorized by law to practice veterinary medicine in this state.

(55) "Wholesaler" means a distributor or a person who supplies controlled substances that the person personally has not produced or prepared to registrants.

(56) "Reasonable times" means the time or times any office, care-giving institution, pharmacy, clinic, wholesaler, manufacturer, laboratory, warehouse, establishment, store or place of business, vehicle or other place is open for the normal affairs or business or the practice activities usually conducted by the registrant.

(57) "Unit dose drug distribution system" means a drug distribution system used in a hospital or chronic and convalescent nursing home in which drugs are supplied in individually labeled unit of use packages, each patient's supply of drugs is exchanged between the hospital pharmacy and the drug administration area or, in the case of a chronic and convalescent nursing home between a pharmacy and the drug administration area, at least once each twenty-four hours and each patient's medication supply for this period is stored within a patient-specific container, all of which is conducted under the direction of a pharmacist licensed in Connecticut and, in the case of a hospital, directly involved in the provision and supervision of pharmaceutical services at

such hospital at least thirty-five hours each week.

(58) "Cocaine in a free-base form" means any substance which contains cocaine, or any compound, isomer, derivative or preparation thereof, in a nonsalt form.

(59) "THC" means tetrahydrocannabinol, including, but not limited to, delta-7, delta-8-tetrahydrocannabinol, delta-9-tetrahydrocannabinol and delta-10-tetrahydrocannabinol, and any material, compound, mixture or preparation which contain their salts, isomers and salts of isomers, whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation, regardless of the source, except: (A) Dronabinol substituted in sesame oil and encapsulated in a soft gelatin capsule in a federal Food and Drug Administration or successor agency approved product; or (B) any tetrahydrocannabinol product that has been approved by the federal Food and Drug Administration or successor agency to have a medical use and reclassified in any schedule of controlled substances or unscheduled by the federal Drug Enforcement Administration or successor agency.

(60) "Total THC" means the sum of the percentage by weight of tetrahydrocannabinolic acid, multiplied by eight hundred seventy-seven-thousandths, plus the percentage of weight of THC.

(61) **[**"Manufactured cannabinoid" means cannabinoids created by directly converting one cannabinoid to a different cannabinoid through: (A) Application of light or heat; (B) decarboxylation of naturally occurring acidic forms of cannabinoids; or (C) an alternate extraction or conversion process approved by the Department of Consumer Protection and published on the department's Internet web site**]** <u>"Naturally manufactured hemp cannabinoid" means naturally occurring cannabinoids derived from hemp, including, but not limited to, cannabidiol (CBD), cannabigerol (CBG), cannabigerovarin (CBGV), cannabinol (CBN), cannabichromene (CBC), cannabimovone (CBM), cannabicyclol (CBL), cannabidivarin (CBDV), THC,</u>

tetrahydrocannabivarin (THCV) and such cannabinoids' acidic forms, manufactured by (A) decarboxylation of naturally occurring acidic forms of cannabinoids using heat, (B) solvent-based extraction methods, including ethanol and carbon dioxide supercritical extraction, (C) solventless extraction methods, including use of ice water, rosin pressing, dry sifting and steam distillation, or (D) lipid infusion extraction using carrier oils to extract cannabinoids through heat and infusion, whether in the form of an extract or a manufacturer hemp product manufactured by an individual or entity that has a license to manufacture hemp in this state under chapter 424.

(62) "Synthetic cannabinoid" (A) means **[**any substance converted, by a chemical process, to create a cannabinoid or cannabinoid-like substance that (i) has structural features which allow interaction with at least one of the known cannabinoid-specific receptors, or (ii) has any physiological or psychotropic response on at least one cannabinoid-specific receptor, (B) includes, but is not limited to, hexahydrocannabinol (HHC and HXC) and hydrox4phc (PHC), and (C) does not include any manufactured cannabinoid**]** any cannabinoid produced through chemical synthesis, conversion or isomerization of another cannabinoid or created without direct extraction, including, but not limited to, delta-8-THC, THC-O-acetate and hexahydrocannabinol (HHC) when produced by chemical conversion of cannabidiol (CBD) or other cannabinoid and fully synthetic compounds that do not exist naturally in the hemp plant, and (B) does not include any naturally manufactured hemp cannabinoid, any producer hemp product, as defined in section 22-61*l*, as amended by this act, or any manufacturer hemp product manufactured by an individual or entity that has a license to manufacture hemp in this state under chapter 424.

Sec. 2. Subsection (a) of section 22-61*l* of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(a) For the purpose of this section and section 22-61m, as amended by this act, the following terms have the same meaning as provided in 7

CFR 990.1, as amended from time to time: "Acceptable hemp THC level", "Agricultural marketing service", "Audit", "Cannabis", "Conviction", "Corrective action plan", "Culpable mental state greater than negligence", "Decarboxylated", "Decarboxylation", "Disposal", "Dry weight basis", "Gas chromatography", "Geospatial location", "Handle", "Liquid chromatography", "Immature plants", "Information sharing system", "Measurement of uncertainty", "Negligence", "Phytocannabinoid", "Postdecarboxylation", "Remediation", "Reverse distributor" and "Total THC". In addition, for the purpose of this section and section 22-61m, as amended by this act:

(1) "Cannabidiol" or "CBD" means the nonpsychotropic compound by the same name;

(2) "Certificate of analysis" means a certificate from a laboratory describing the results of the laboratory's testing of a sample;

(3) "Commissioner" means the Commissioner of Agriculture, or the commissioner's designated agent;

(4) "Cultivate" means to plant, grow, harvest, handle and store a plant or crop;

(5) "Federal act" means the United States Agricultural Marketing Act of 1946, 7 USC 1639o et seq., as amended from time to time;

(6) "Department" means the Department of Agriculture;

(7) "Hemp" has the same meaning as provided in the federal act;

(8) "Hemp products" means all manufacturer hemp products and producer hemp products;

(9) "Independent testing laboratory" means a facility:

(A) For which no person who has any direct or indirect financial or managerial interest in the laboratory and also has any direct or indirect interest in a facility that:

(i) Produces, distributes, manufactures or sells hemp or hemp products, or marijuana in any state or territory of the United States; or

(ii) Cultivates, processes, distributes, dispenses or sells marijuana; and

(B) That is **[**accredited as**]** a laboratory; **[**in compliance with section 21a-408-59 of the regulations of Connecticut state agencies;**]**

(10) "Laboratory" means a laboratory that meets the requirements of 7 CFR 990.3 and that is accredited as a testing laboratory to International Organization for Standardization (ISO) 17025 by a third-party accrediting body such as the American Association for Laboratory Accreditation or the Assured Calibration and Laboratory Accreditation Select Services;

(11) "Law enforcement agency" means the Connecticut State Police, the United States Drug Enforcement Administration, the Department of Agriculture, the Department of Consumer Protection Drug Control Division or any other federal, state or local law enforcement agency or drug suppression unit;

(12) "Licensee" means an individual or entity that possesses a license to produce or manufacture hemp or hemp products in this state;

(13) "Manufacture" means the conversion of the hemp plant into a by-product or an extract by means of **[**adding heat, solvents or any method of extraction that modifies the original composition of the plant**]** (A) decarboxylation of naturally occurring acidic forms of cannabinoids using heat, (B) solvent-based extraction methods, including ethanol and carbon dioxide supercritical extraction, (C) solventless extraction methods, including use of ice water, rosin pressing, dry sifting and steam distillation, or (D) lipid infusion extraction using carrier oils to extract cannabinoids through heat and infusion (i) for the purpose of creating a manufacturer hemp product for **[**commercial or**]** research purposes, or (ii) for purposes of selling naturally manufactured hemp cannabinoids to any dispensary facility in this state licensed pursuant to

chapter 420f, or to any producer, cultivator, micro-cultivator or product manufacturer, as such terms are defined in section 21a-420;

(14) "Manufacturer" means a person in the state licensed by the Commissioner of Consumer Protection to manufacture, handle, store and market manufacturer hemp products pursuant to the provisions of section 22-61m, as amended by this act, and any regulation adopted pursuant to section 22-61m, as amended by this act;

(15) "Marijuana" has the same meaning as provided in section 21a-240, as amended by this act;

(16) "Market" or "marketing" means promoting, distributing or selling a hemp product within the state, in another state or outside of the United States and includes efforts to advertise and gather information about the needs or preferences of potential consumers or suppliers;

(17) "Naturally manufactured hemp cannabinoid" has the same meaning as provided in section 21a-240, as amended by this act;

[(17)**]** (18) "On-site manager" means the individual designated by the producer license applicant or producer responsible for on-site management and operations of a licensed producer;

[(18)**]** (19) "Pesticide" has the same meaning as "pesticide chemical" as provided in section 21a-92;

[(19)**]** (20) "Lot" means a contiguous area in a field, greenhouse or indoor growing structure containing the same variety or strain of hemp throughout the area;

[(20)**]** (21) "Post-harvest sample" means a representative sample of the form of hemp taken from the harvested hemp from a particular lot's harvest that is collected in accordance with the procedures established by the commissioner;

[(21)**]** (22) "Pre-harvest sample" means a composite, representative

portion from plants in a hemp lot, that is collected in accordance with the procedures established by the commissioner;

[(22)**]** (23) "Produce" means to cultivate hemp or create any producer hemp product;

[(23)**]** (24) "State plan" means a state plan, as described in the federal act and as authorized pursuant to this section;

[(24)**]** (25) "THC" means delta-9-tetrahydrocannabinol;

[(25)**]** (26) "Controlled Substances Act" or "CSA" means the Controlled Substances Act as codified in 21 USC 801 et seq.;

[(26)**]** (27) "Criminal history report" means the fingerprint-based state and national criminal history record information obtained in accordance with section 29-17a;

[(27)**]** (28) "Drug Enforcement Administration" or "DEA" means the United States Drug Enforcement Administration;

[(28)**]** (29) "Farm service agency" or "FSA" means an agency of the United States Department of Agriculture;

[(29)**]** (30) "Key participant" means a sole proprietor, a partner in partnership or a person with executive managerial control in an entity, including persons such as a chief executive officer, chief operating officer and chief financial officer;

[(30)**]** (31) "Manufacturer hemp product" (A) means a commodity manufactured from the hemp plant **[**, for commercial or research purposes,**]** that is intended for retail sale to consumers for human ingestion, inhalation, absorption or other internal consumption, **[**that**]** is made with naturally manufactured hemp cannabinoids, has a full safety test from an independent testing laboratory and contains a THC concentration of not more than 0.3 per cent on a dry weight basis, **[**or per volume or weight of such manufacturer hemp product,**]** and (B) does not include an infused beverage, as defined in section 21a-425;

[(31)**]** (32) "Producer" means an individual or entity licensed by the commissioner to produce and market producer hemp products pursuant to the federal act, the state plan, the provisions of this section and the regulations adopted pursuant to this section;

[(32)**]** (33) "Producer hemp product" means any of the following produced in this state: Raw hemp product, fiber-based hemp product or animal hemp food product, and each of which contains a THC concentration of not more than 0.3 per cent on a dry weight basis or per volume or weight of such producer hemp product;

[(33)**]** (34) "USDA" means the United States Department of Agriculture;

[(34)**]** (35) "Entity" means a corporation, joint stock company, association, limited partnership, limited liability partnership, limited liability company, irrevocable trust, estate, charitable organization or other similar organization, including any such organization participating in the hemp production as a partner in a general partnership, a participant in a joint venture or a participant in a similar organization; **[**and**]**

[(35)**]** (36) "Homogenize" means to blend hemp into a mixture that has a uniform quality and content throughout such mixture; and

(37) "Low-THC hemp product" means a manufacturer hemp product that has total THC, as defined in section 21a-240, as amended by this act, of not more than one-half of one milligram on a per-container basis.

Sec. 3. Subsections (i) to (aa), inclusive, of section 22-61m of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(i) (1) Each manufacturer shall follow the protocol in this subsection for disposing of cannabis in the event that any **[**hemp or**]** manufacturer hemp product is deemed to exceed the prescribed THC concentration, as determined by the Commissioner of Consumer Protection, or a

manufacturer licensee in possession of hemp or hemp products who desires to dispose of obsolete, misbranded, excess or otherwise undesired product. Each manufacturer licensee shall be responsible for all costs of disposal of hemp samples and any hemp produced by such licensee that violates the provisions of this section or any regulation adopted pursuant to this section. Any cannabis or manufacturer hemp product that exceeds the prescribed THC concentration allowable **[**in hemp or hemp products**]** shall be immediately embargoed by such manufacturer and clearly labeled as adulterated by such licensee and such licensee shall immediately notify both the Department of Consumer Protection and the Department of Agriculture, in writing, of such adulterated product. Such adulterated product shall be destroyed and disposed of by the following method, as determined by the Commissioner of Consumer Protection:

(A) Surrender, without compensation, of such **[**hemp or**]** manufacturer hemp product to the Commissioner of Consumer Protection who shall be responsible for the destruction and disposal of such adulterated product; or

(B) By disposal in a manner prescribed by the Commissioner of Consumer Protection.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, upon written request of a manufacturer, the Commissioner of Consumer Protection may permit such manufacturer to combine different batches of raw hemp plant material to achieve a THC concentration of 0.3 per cent on a dry weight basis, in lieu of embargo or destruction.

(3) High-THC hemp products may be sold outside of the state by a licensee if such products contain a THC concentration of less than 0.3 per cent on a dry-weight basis in compliance with the federal Agricultural Improvement Act of 2018. High-THC hemp products and naturally manufactured hemp cannabinoids may be sold at wholesale by hemp manufacturers located in this state directly to dispensaries,

producers, cultivators, micro-cultivators and product manufacturers that are licensed in this state.

(j) The manufacturer or manufacturer's authorized designee disposing of the hemp or hemp products shall maintain and make available to the Commissioner of Consumer Protection a record of each such disposal or destruction of product indicating:

(1) The date, time and location of disposal or destruction;

(2) The manner of disposal or destruction;

(3) The batch or lot information and quantity of hemp or hemp product disposed of or destroyed; and

(4) The signatures of the persons disposing of the hemp or hemp products, the authorized representative of the Commissioner of Consumer Protection and any other persons present during the disposal.

(k) Any hemp intended to be manufactured by a manufacturer into a manufacturer hemp product shall **[**be tested by an independent testing laboratory located in this state. A manufacturer licensee shall make available samples, in an amount and type determined by the Commissioner of Consumer Protection, of hemp for an independent testing laboratory employee to select random samples. The independent testing laboratory shall test each sample in accordance with the laboratory testing standards established in policies, procedures and regulations adopted by the commissioner pursuant to section 21a-421j**]** have passed (1) a preharvest compliance test performed by the Connecticut Agricultural Experiment Station, (2) an equivalent preharvest compliance test performed by a licensed hemp grower in another state, or (3) a full panel test performed by an independent testing laboratory.

(l) Once a **[**batch of hemp, intended to be sold as a**]** manufacturer hemp product **[**,**]** has been homogenized for sample testing and eventual

packaging and sale, until such time as the Connecticut Agricultural Experiment Station, licensed hemp grower or independent testing laboratory provides the results from its tests and analysis, the manufacturer shall segregate and withhold from **[**use**]** sale the entire batch **[**of hemp that is intended for use as a manufacturer hemp product**]** of such manufacturer hemp product, except the samples that have been removed by the Connecticut Agricultural Experiment Station, licensed hemp grower or independent testing laboratory for testing. During this period of segregation, the manufacturer licensee shall maintain the **[**hemp**]** batch in a secure, cool and dry location, as prescribed by the Commissioner of Consumer Protection, so as to prevent the manufacturer hemp product from becoming adulterated. Such manufacturer shall not **[**manufacture or**]** sell a manufacturer hemp product prior to the time that the Connecticut Agricultural Experiment Station, licensed hemp grower or independent testing laboratory completes testing and analysis and provides such results, in writing, to the manufacturer licensee who initiated such testing.

(m) **[**An**]** The Connecticut Agricultural Experiment Station, licensed hemp grower or independent testing laboratory shall immediately return or dispose of any hemp or manufacturer hemp product upon the completion of any testing, use or research. If **[**an**]** the Connecticut Agricultural Experiment Station or independent testing laboratory disposes of hemp or manufacturer hemp products, the station or laboratory shall dispose of such hemp in the following manner, as determined by the Commissioner of Consumer Protection:

(1) By surrender, without compensation, of such hemp or manufacturer hemp product to the Commissioner of Consumer Protection who shall be responsible for the destruction and disposal of such hemp or hemp product; or

(2) By disposal in a manner prescribed by the Commissioner of Consumer Protection.

(n) If a sample does not pass the microbiological, mycotoxin, heavy

metal or pesticide chemical residue test, based on the laboratory testing standards established in policies, procedures and regulations adopted by the Commissioner of Consumer Protection pursuant to section 21a-421j, the manufacturer licensee who sent such batch for testing shall:

(1) Retest and reanalyze the manufacturer hemp product from which the sample was taken by having an employee from the same laboratory randomly select another sample from the same manufacturer hemp product batch. If the sample used to retest or reanalyze such manufacturer hemp product yields satisfactory results for all testing required under this section, an employee from a different laboratory shall randomly select a different sample from the same manufacturer hemp product batch for testing. If both samples yield satisfactory results for all testing required under this section, the **[**hemp**]** batch from which the samples were taken shall be released for **[**manufacturing, processing and**]** sale;

(2) If a remediation plan sufficient to ensure public health and safety is submitted to and approved by the commissioner, remediate the manufacturer hemp product batch from which the sample was taken and have a laboratory employee randomly select a sample from such remediated manufacturer hemp product batch for testing. If such randomly selected sample yields satisfactory results for any testing required under this section, an employee from a different laboratory shall randomly select a different sample from the same manufacturer hemp product batch for testing. If both samples yield satisfactory results for all testing required under this section, the **[**hemp**]** batch from which the samples were taken may be released for **[**manufacturing, processing or**]** sale; or

(3) If the manufacturer does not retest or remediate, or if any subsequent laboratory testing does not yield satisfactory results for any testing required under this section, dispose of the entire batch from which the sample was taken in accordance with procedures established by the Commissioner of Consumer Protection pursuant to subdivision (1) of subsection (i) of this section.

(o) If a sample passes the microbiological, mycotoxin, heavy metal and pesticide chemical residue test, the Connecticut Agricultural Experiment Station, licensed hemp grower or independent testing laboratory shall release the entire batch for **[**manufacturing, processing or**]** sale.

(p) The Connecticut Agricultural Experiment Station or independent testing laboratory shall file with the Department of Consumer Protection an electronic copy of each laboratory test result for any batch that does not pass the microbiological, mycotoxin, heavy metal or pesticide chemical residue test, at the same time that it transmits such results to the manufacturer licensee who requested such testing. **[**Each**]** The Connecticut Agricultural Experiment Station and each independent testing laboratory shall maintain the test results of each tested batch for a period of three years and shall make such results available to the Department of Consumer Protection upon request.

(q) Manufacturers shall maintain records required by the federal act, this section, any regulation adopted pursuant to this section and the policies, procedures and regulations adopted by the Commissioner of Consumer Protection pursuant to section 21a-421j. Each manufacturer shall make such records available to the Department of Consumer Protection immediately upon request and in electronic format, if available.

(r) The Commissioner of Consumer Protection may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section including, but not limited to, establishing sampling and testing procedures to ensure compliance with this section, prescribing storage and disposal procedures for **[**hemp, marijuana and**]** manufacturer hemp products that fail to pass Department of Consumer Protection prescribed independent testing laboratory testing standards and establishing advertising and labeling requirements for manufacturer hemp products.

(s) Any claim of health impacts, medical effects or physical or mental

benefits shall be prohibited on any advertising for, labeling of or marketing of manufacturer hemp products regardless of whether such manufacturer hemp products were manufactured in this state or another jurisdiction. Any violation of this subsection shall be deemed an unfair or deceptive trade practice under subsection (a) of section 42-110b.

(t) Not later than February 1, 2020, the Commissioners of Agriculture and Consumer Protection shall submit a report, in accordance with the provisions of section 11-4a, to the joint standing committee of the **[**general assembly**]** General Assembly having cognizance of matters relating to the environment on the status of the pilot program, the development of the state plan and any regulations for such pilot program or state plan. Such report shall also include any legislative recommendations, including, but not limited to, any recommendations for requiring the registration of any manufacturer hemp product offered for sale in this state.

(u) (1) Any person who sells manufacturer hemp products shall not be required to be licensed, provided such person only engages in: (A) The retail or wholesale sale of low-THC manufacturer hemp products in which no further manufacturing of hemp occurs, provided such low-THC manufacturer hemp products are acquired from a person authorized to manufacture the manufacturer hemp products under the laws of this state or another state, territory or possession of the United States or another sovereign entity; (B) the acquisition of manufacturer hemp products for the sole purpose of product distribution for resale; and (C) the retail sale of manufacturer hemp products that is authorized under federal or state law.

(2) The Commissioner of Consumer Protection or Commissioner of Revenue Services may, pursuant to section 4-182, summarily suspend any credential the Department of Consumer Protection or Department of Revenue Services, respectively, issued to any person who violates any provision of this section or chapter 214c, 228d, 420f or 420h.

(v) No manufacturer hemp product offered for sale in this state, or to a consumer in this state, shall contain any synthetic cannabinoid, as defined in section 21a-240, as amended by this act.

(w) No manufacturer hemp product offered for sale in this state, or to a consumer in this state, shall be packaged, presented or advertised in a manner that is likely to mislead a consumer by incorporating any statement, brand, design, representation, picture, illustration or other depiction that: (1) Bears a reasonable resemblance to trademarked or characteristic packaging of (A) cannabis offered for sale (i) in this state by a cannabis establishment licensed in this state, or (ii) on tribal land by a tribal-credentialed cannabis entity, or (B) a commercially available product other than a cannabis product, as defined in section 21a-420; or (2) implies that the manufacturer hemp product **[**(A)**]** is a cannabis product, as defined in section 21a-420. **[,** (B) contains a total THC concentration greater than three-tenths per cent on a dry-weight basis, or (C) is a high-THC hemp product, as defined in section 21a-240.**]**

(x) No manufacturer hemp product that is a food, beverage, oil or other product intended for human ingestion shall be distributed or sold in this state unless such product is contained within a package, or a label is affixed to such package, that includes:

(1) A scannable barcode, Internet web site address or quick response code that is linked to the certificate of analysis of the final form product batch by an independent testing laboratory and discloses:

(A) The name of such product;

(B) The name, address and telephone number of such product's manufacturer, packer and distributor, as applicable;

(C) The batch number, which shall match the batch number on such package or label; and

(D) The concentration of cannabinoids present in such product, including, but not limited to, total THC and any cannabinoids or active

ingredients comprising at least one per cent of such product;

(2) The expiration or best by date for such product, if applicable;

(3) A clear and conspicuous statement disclosing that:

(A) **[**Children, or those**]** Those who are pregnant or breastfeeding **[**,**]** should avoid using such product prior to consulting with a health care professional concerning such product's safety;

(B) Products containing cannabinoids should be kept out of reach of children; and

(C) The federal Food and Drug Administration has not evaluated such product for safety or efficacy; and

(4) If such product is intended to be inhaled, a clear and conspicuous warning statement disclosing that smoking or vaporizing is hazardous to human health.

(y) No manufacturer hemp product that is a topical, soap or cosmetic, as defined in section 21a-92, shall be distributed or sold in this state unless such product is contained within a package, or a label is affixed to such package, that includes:

(1) A scannable barcode, Internet web site address or quick response code that is linked to the certificate of analysis of the final form extract or final form product batch by an independent testing laboratory and discloses:

(A) The name of such product;

(B) The name, address and telephone number of such product's manufacturer, packer and distributor, as applicable;

(C) The batch number, which shall match the batch number on such package or label; and

(D) The concentration of cannabinoids present in such batch,

including, but not limited to, total THC and any marketed cannabinoids;

(2) The expiration or best by date for such product, if applicable; and

(3) A clear and conspicuous statement disclosing the following:

"THE FDA HAS NOT EVALUATED THIS PRODUCT FOR SAFETY OR EFFICACY.".

(z) Not later than October 31, 2023, and annually thereafter, the Department of Emergency Services and Public Protection shall, in consultation with the Department of Consumer Protection, publish a training bulletin to inform local law enforcement agencies and officers regarding the investigation and enforcement standards concerning cannabis and high-THC hemp products.

(aa) Notwithstanding any provision of the general statutes: (1) **[**CBD**]** THC that is found in manufacturer hemp products shall not be considered a controlled substance, as defined in section 21a-240, as amended by this act, or legend drug, as defined in section 20-571; and (2) **[**CBD**]** THC derived from hemp and contained in naturally manufactured hemp cannabinoids or manufacturer hemp products shall not be considered a controlled substance or adulterant.

Sec. 4. Subsections (b) and (c) of section 22-61n of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(b) Any dispensary, producer, cultivator, micro-cultivator and product manufacturer may **[**manufacture,**]** market **[**, cultivate**]** or store hemp and high-THC hemp products, and naturally manufactured hemp cannabinoids, as defined in section 21a-240, as amended by this act, regardless of total THC content, from licensees in accordance with the provisions of this chapter and any regulations adopted pursuant to said chapter. A producer, cultivator, micro-cultivator and product manufacturer that obtains hemp and hemp products shall only obtain such hemp and hemp products from a person authorized under the laws

of this state **[**or another state, territory or possession of the United States or another sovereign entity**]** to possess and sell such hemp and hemp products.

(c) Hemp, **[**or**]** manufacturer hemp products and naturally manufactured hemp cannabinoids, as defined in section 21a-240, as amended by this act, purchased by a dispensary, producer, cultivator, micro-cultivator, product manufacturer or food and beverage manufacturer from a third party shall be tracked as a separate batch throughout the manufacturing process in order to document the disposition of such hemp, **[**or**]** manufacturer hemp products or cannabinoids. Once hemp or hemp products are received by a producer, cultivator, micro-cultivator, product manufacturer or food and beverage manufacturer, such hemp or hemp products shall be deemed cannabis and shall comply with the requirements for cannabis contained in the applicable provisions of the general statutes and any regulations adopted pursuant to such provisions. A dispensary, producer, cultivator, micro-cultivator, product manufacturer and food and beverage manufacturer shall retain a copy of the certificate of analysis for purchased hemp, **[**or**]** manufacturer hemp products and naturally manufactured hemp cannabinoids, as defined in section 21a-240, as amended by this act, and invoice and transport documents that evidence the quantity purchased and date received.

Sec. 5. Subdivision (120) of section 12-412 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

(120) (A) Sales of the following nonprescription drugs or medicines available for purchase for use in or on the body: Vitamin or mineral concentrates; dietary supplements; natural or herbal drugs or medicines; products intended to be taken for coughs, cold, asthma or allergies, or antihistamines; laxatives; antidiarrheal medicines; analgesics; antibiotic, antibacterial, antiviral and antifungal medicines; antiseptics; astringents; anesthetics; steroidal medicines; anthelmintics; emetics and antiemetics; antacids; any medication prepared to be used

in the eyes, ears or nose; cannabis sold for palliative use under the provisions of chapter 420f; and opioid antagonists, as defined in section 17a-673a.

(B) Nonprescription drugs or medicines do not include cosmetics, dentifrices, mouthwash, shaving and hair care products, soaps, deodorants or products containing cannabis or cannabinoids. As used in this subparagraph, "cannabis" has the same meaning as provided in section 21a-420 and "cannabinoids" means naturally manufactured hemp cannabinoids or synthetic cannabinoids, as such terms are defined in section 21a-240, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2025*	21a-240(29) to (62)
Sec. 2	*July 1, 2025*	22-61l(a)
Sec. 3	*July 1, 2025*	22-61m(i) to (aa)
Sec. 4	*July 1, 2025*	22-61n(b) and (c)
Sec. 5	*July 1, 2025*	12-412(120)

Statement of Legislative Commissioners:
In Section 3(t), "the provisions of" was added before "section 11-4a" for consistency with standard drafting conventions.

GL *Joint Favorable Subst. -LCO*