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CABINET FOR HEALTH AND FAMILY SERVICES

DEPARTMENT FOR PUBLIC HEALTH

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To: Hemp-derived products industry

From: Food Safety Branch
Division of Public Health Protection and Safety
Department for Public Health
Cabinet for Health and Family Services

Date: August 1, 2023

Re: Emergency regulation on hemp-derived cannabinoid products

Greetings,

On March 23, 2023, an act relating to the regulation of hemp-derived products, House Bill 544 (HB544) was signed directing the Cabinet for Health and Family Services (Cabinet) to draft emergency administrative regulation for hemp-derived cannabinoid products such as Delta-8 tetrahydrocannabinol. The bill required the Cabinet to establish requirements to, at minimum:

- prohibit sales of intoxicating products to anyone under twenty-one (21) years of age,
- set laboratory testing requirements,
- and require products be labeled in accordance with the act and KRS 217.037.

Pursuant to HB544, the emergency regulation will be filed by August 1, 2023, and will be available on the Legislative Research Commission website at <https://apps.legislature.ky.gov/law/kar/titles/902/> in the coming weeks.

A public hearing on the emergency administrative regulation shall, if requested, be held on September 25, 2023, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. You may also submit written comments on the proposed emergency administrative regulation until September 30, 2023. For more information on the public hearing process visit [Department for Public Health - Cabinet for Health and Family Services \(ky.gov\)](https://www.ky.gov/department-for-public-health-cabinet-for-health-and-family-services).

IMPORTANT: If you are a retailer, processor or manufacturer of hemp-derived cannabinoid products or are interested in opening a hemp-derived cannabinoid business, **please register with the Cabinet by completing a quick survey at:** <https://redcap.link/hemp-derived-cannabinoid-registry> or by **scanning the QR code.** Completing the survey will help us stay in contact and keep you updated on the most current information.

