

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 4871

(SENATE AUTHORS: PHA)

DATE
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OFFICIAL STATUS
Introduction and first reading
Referred to Commerce and Consumer Protection

1.1 A bill for an act
1.2 relating to cannabis; defining remediated cannabis product; requiring cannabis
1.3 business to disclose information related to remediated cannabis products; proposing
1.4 coding for new law in Minnesota Statutes, chapter 342.

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

1.6 Section 1. **342.631] DISCLOSURE OF REMEDIATION.**

1.7 Subdivision 1. **Definition.** For purposes of this section, "remediated cannabis product"
1.8 means any flower, concentrate, extract, or product, including but not limited to dried cannabis
1.9 flower, rosin, edibles, and tinctures derived from cannabis that, at any point during
1.10 cultivation, processing, or manufacturing, required and underwent a process to reduce or
1.11 remove any contaminant, including but not limited to mold, mildew, pesticides, or heavy
1.12 metals, to comply with the safety and testing requirements established by the office.

1.13 Subd. 2. **Labeling requirement; mandatory disclosure.** (a) A remediated cannabis
1.14 product must comply with the labeling requirements under section 342.63.

1.15 (b) A licensed cannabis business must not sell, distribute, or otherwise transfer a
1.16 remediated cannabis product to a consumer unless the product's primary package and
1.17 marketing layer label conspicuously displays the statement required under subdivision 3.

1.18 Subd. 3. **Required statement.** A label of a remediated cannabis product must include
1.19 the following statement, in a font size no smaller than the required warning statement under
1.20 section 342.63, subdivision 2, clause (8), and in contrasting color to the background: "This
1.21 product, or its constituent cannabis, was produced using REMEDIATED CANNABIS
1.22 MATERIAL to meet state safety standards."

2.1 Subd. 4. **Mandatory disclosure in advertising and marketing.** (a) All marketing,
2.2 advertising, and promotional materials for a specific remediated cannabis product must
2.3 include the statement required under subdivision 3.

2.4 (b) The requirement under paragraph (a) applies but is not limited to digital
2.5 advertisements, point-of-sale displays, product menus, and online product descriptions.

2.6 Subd. 5. **Penalties; license suspension or revocation.** (a) The office has the authority
2.7 to issue civil penalties for each violation of this section.

2.8 (b) The office must adopt rules establishing a schedule of civil fines for violations of
2.9 this section. Fines must be no less than \$1,000 for a first offense and no less than \$5,000
2.10 for a second offense within a three-year period. The schedule must be based on and reflect
2.11 the culpability, frequency, and severity of the violator's actions.

2.12 (c) If a licensed cannabis business has three or more separate and confirmed violations
2.13 of this section within a five-year period, the office must suspend or revoke the cultivator or
2.14 retailer license held by the business pursuant to section 342.21. The office may also initiate
2.15 license revocation or suspension upon a single instance of intentional and knowing
2.16 misrepresentation of a product's remediation status.