9810.1103 PRODUCT SAMPLES.

Subpart 1. **Samples.** A cannabis business must record in the statewide monitoring system any sample or regulated product, except lower-potency hemp edibles, that the business provides to an individual. A cannabis business must not provide a sample or regulated product to a person who is under 21 years of age.

Subp. 2. **Product samples to cannabis businesses.**

A. When providing a sample to a retailer or wholesaler, a cannabis business must:

(1) hold a valid license issued by the office;

(2) provide the sample to a retailer or wholesaler solely for the purpose of business-to-business marketing;

(3) ensure that the sample was tested according to part 9810.3100; and

(4) ensure that the sample is contained in product packaging in compliance with parts 9810.1400 to 9810.1403 and Minnesota Statutes, section 342.63.

B. A cannabis business must not sell a sample to another cannabis business, a customer, a patient, or a designated caregiver.

C. A sample must not be a cannabis seed or cannabis plant.

Subp. 3. **Product samples to cannabis workers.** A cannabis business must only provide a sample of a regulated product to a cannabis worker in accordance with this subpart and Minnesota Statutes, section 342.24. When providing a sample to a cannabis worker, a cannabis business must:

A. provide the sample to the worker solely for quality control and educational purposes;

B. ensure that the sample has been tested according to part 9810.3100; and

C. ensure that the sample is contained in product packaging in compliance with parts 9810.1400 to 9810.1403 and Minnesota Statutes, section 342.63.

Subp. 4. **Nonintoxicating samples.** If a cannabis business produces a sample that is designed to showcase the flavor or texture of an ingestible cannabis product but that does not contain THC, the cannabis business must indicate on the marketing layer that the product does not contain THC.

Statutory Authority: *MS s 342.02*

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