

9810.2501 ADULT-USE CANNABIS RETAIL.**Subpart 1. Retail area.**

A. A retailer must establish an area for conducting retail sales that is open to individuals who are 21 years or older or registered in the medical cannabis patient registry.

B. A retail area must include a point-of-sale system that is validated and integrated with the statewide monitoring system.

C. Each point of ingress to a retail area must have conspicuous signage with the following statement: "No persons under 21 allowed."

Subp. 2. Age verification.

A. A retailer must confirm that an individual in the retail area is 21 years of age or older, enrolled in the medical cannabis patient registry, or a registered caregiver for a patient enrolled in the medical cannabis patient registry.

B. A retailer must confirm an individual's age or enrollment in the medical cannabis patient registry when selling any regulated product.

C. Retailers must confirm an individual's age using a form of identification required by Minnesota Statutes, section 342.27, subdivision 4, paragraph (b).

Subp. 3. Restricted-access areas.

A. A retailer must control access to restricted-access areas. A retailer must ensure that only authorized personnel or members of the office have access to restricted-access areas.

B. A retailer must maintain an entry log that records the entry of an individual to a restricted-access area that includes:

- (1) the individual's name;
- (2) the date of the individual's entry;
- (3) the time of the individual's entry; and
- (4) the time of the individual's exit.

C. A retailer must mark all entries to restricted-access areas with conspicuous signage that states: "WARNING: RESTRICTED AREA, AUTHORIZED PERSONNEL ONLY."

Subp. 4. Display samples.

A. Displays may include up to one sample of each product that the retailer offers for sale.

B. A retailer must use methods to prevent theft and access to a display sample.

C. A retailer must treat a display sample as a contaminated product.

D. A retailer must destroy a display sample no later than 90 days after the product is designated as a display sample.

E. A retailer must use measures to prevent a sample from being consumed by a customer if the retailer offers the sample for the customer to smell.

Subp. 5. Preorders.

A. A cannabis business with a retail endorsement may accept orders and payment for regulated products on the Internet, using a mobile app, or by telephone.

B. A cannabis retailer that uses online and telephone sales must:

(1) require all submitted orders to include the customer's name, address, phone number, email address, and date of birth; and

(2) before providing the ordered product to the customer in a store, verify:

(a) the customer's name on the form of identification provided under Minnesota Statutes, section 342.27, subdivision 4, paragraph (b); and

(b) that the customer is 21 years of age or older using a form of identification required by Minnesota Statutes, section 342.27, subdivision 4, paragraph (b).

C. A retailer may accept payment from a customer using any legal method of payment, gift card prepayments, or prepayment accounts established with the retailer, except that a customer must not make a payment for a regulated product with an electronic benefits transfer services card.

D. A retailer must collect only the information necessary to complete a transaction. A retailer must only use collected information for the purpose of completing the transaction. A retailer must establish a standard operating procedure for data security and privacy that applies to the cannabis retailer and any third party with whom the cannabis retailer contracts for the purpose of offering online sales.

Subp. 6. Transaction limits. In a single transaction, a cannabis retailer must not sell more regulated products to a customer than the customer is able to legally transport.

Statutory Authority: *MS s 342.02*

History: *49 SR 1143*

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