

342.45 LOWER-POTENCY HEMP EDIBLE MANUFACTURER.

Subdivision 1. **Authorized actions.** A lower-potency hemp edible manufacturer license, consistent with the specific license endorsement or endorsements, entitles the license holder to:

- (1) purchase hemp plant parts, hemp concentrate, and artificially derived cannabinoids from cannabis microbusinesses, cannabis mezzobusinesses, cannabis manufacturers, cannabis wholesalers, and lower-potency hemp edible manufacturers;
- (2) purchase hemp plant parts and propagules from industrial hemp growers licensed under chapter 18K;
- (3) purchase hemp concentrate from an industrial hemp processor licensed under chapter 18K;
- (4) make hemp concentrate;
- (5) manufacture artificially derived cannabinoids;
- (6) manufacture lower-potency hemp edibles for public consumption;
- (7) package and label lower-potency hemp edibles for sale to customers;
- (8) sell hemp concentrate, artificially derived cannabinoids, and lower-potency hemp edibles to other cannabis businesses and hemp businesses;
- (9) manufacture, package, and label products containing cannabinoids that are intended for sale outside of the state;
- (10) store products containing cannabinoids that are intended for sale outside of the state;
- (11) sell products containing cannabinoids that do not qualify as lower-potency hemp edibles but are compliant with the importing state's requirements to customers outside of the state; and
- (12) perform other actions approved by the office.

Subd. 2. **All manufacturer operations.** (a) All hemp manufacturing must take place in a facility and on equipment that meets the applicable health and safety requirements established by the office, including requirements for cleaning and testing machinery between production of different products.

(b) A lower-potency hemp edible manufacturer must comply with all applicable packaging, labeling, and testing requirements.

Subd. 3. **Extraction and concentration.** (a) A lower-potency hemp edible manufacturer seeking to create hemp concentrate must apply for and obtain a lower-potency hemp extraction and concentration endorsement. A lower-potency hemp edible manufacturer seeking to create artificially derived cannabinoids must apply for and obtain a lower-potency hemp creation of artificially derived cannabinoid endorsement from the office.

(b) A lower-potency hemp edible manufacturer with a lower-potency hemp extraction and concentration endorsement must inform the office of all methods of extraction and concentration that the manufacturer intends to use and identify the volatile chemicals, if any, that will be involved in the creation of hemp concentrate. A lower-potency hemp edible manufacturer may not use a method of extraction and concentration or a volatile chemical without approval by the office.

(c) A lower-potency hemp edible manufacturer with a lower-potency hemp creation of artificially derived cannabinoid endorsement must inform the office of all methods of conversion that the manufacturer will

use, including any specific catalysts that the manufacturer will employ, to create artificially derived cannabinoids and the molecular nomenclature of all cannabinoids or other chemical compounds that the manufacturer will create. A lower-potency hemp edible manufacturer may not use a method of conversion or a catalyst without approval by the office.

(d) A lower-potency hemp edible manufacturer with a lower-potency hemp extraction and concentration endorsement or a lower-potency hemp creation of artificially derived cannabinoid endorsement must obtain a certification from an independent third-party industrial hygienist or professional engineer approving:

(1) all electrical, gas, fire suppression, and exhaust systems; and

(2) the plan for safe storage and disposal of hazardous substances, including but not limited to any volatile chemicals.

(e) Upon the sale of hemp concentrate or artificially derived cannabinoids to any person, cooperative, or business, a lower-potency hemp edible manufacturer must provide a statement to the buyer that discloses the method of extraction and concentration or conversion used and any solvents, gases, or catalysts, including but not limited to any volatile chemicals involved in that method.

Subd. 4. Production of consumer products. (a) A lower-potency hemp edible manufacturer that produces lower-potency hemp edibles must obtain an edible cannabinoid product handler endorsement from the office.

(b) All areas within the premises of a lower-potency hemp edible manufacturer used for producing lower-potency hemp edibles must meet the sanitary standards specified in rules adopted by the office.

(c) A lower-potency hemp edible manufacturer may only add chemicals or compounds approved by the office to hemp concentrate or artificially derived cannabinoids.

(d) Upon the sale of any lower-potency hemp edible to a cannabis business or hemp business, a lower-potency hemp edible manufacturer must provide a statement to the buyer that discloses the product's ingredients, including but not limited to any chemicals or compounds and any major food allergens declared by name.

(e) A lower-potency hemp edible manufacturer shall not add any artificially derived cannabinoid, hemp plant part, or hemp concentrate to a product if the manufacturer of the product holds a trademark to the product's name, except that a lower-potency hemp edible manufacturer may use a trademarked food product if the manufacturer uses the product as a component or as part of a recipe and if the lower-potency hemp edible manufacturer does not state or advertise to the customer that the final retail lower-potency hemp edible contains a trademarked food product.

(f) A lower-potency hemp edible manufacturer shall not add any cannabis flower, cannabis concentrate, or cannabinoid derived from cannabis flower or cannabis concentrate to a product.

Subd. 4a. Products intended for sale in other jurisdictions. (a) A lower-potency hemp edible manufacturer that produces products containing cannabinoids that do not qualify as lower-potency hemp edibles and are intended for sale only in jurisdictions other than Minnesota must obtain a hemp product exporter endorsement from the office.

(b) All areas within the premises of a lower-potency hemp edible manufacturer used for producing products containing cannabinoids that do not qualify as lower-potency hemp edibles must meet the sanitary standards specified in rules adopted by the office.

(c) A lower-potency hemp edible manufacturer must not add any cannabis flower, cannabis concentrate, or cannabinoid derived from cannabis flower or cannabis concentrate to products containing cannabinoids that do not qualify as lower-potency hemp edibles.

(d) All products containing cannabinoids that do not qualify as lower-potency hemp edibles and are intended, distributed, and offered for sale only in jurisdictions other than Minnesota must be physically separated from all lower-potency hemp edibles during the manufacturing, packaging, and labeling process.

(e) All products containing cannabinoids that do not qualify as lower-potency hemp edibles and are intended, distributed, and offered for sale only in jurisdictions other than Minnesota must be tested as provided in section 342.61 and must meet all standards established by the office except for any limits on the amount of any cannabinoid a product may contain. The packaging of such products must contain verification that the product was tested according to section 342.61 and that the product complies with applicable standards except for any limits on the amount of any cannabinoid a product may contain. The packaging must also include the product's batch number and the cannabinoid profile per serving and in total.

(f) The packaging of all products containing cannabinoids that do not qualify as lower-potency hemp edibles and are intended, distributed, and offered for sale only in jurisdictions other than Minnesota must clearly state that the products are not for sale in Minnesota.

(g) A lower-potency hemp edible manufacturer may only sell or offer for sale products containing cannabinoids to customers outside of the state if the products are compliant with the importing state's requirements.

(h) A lower-potency hemp edible manufacturer must not sell or offer for sale products containing cannabinoids that do not qualify as lower-potency hemp edibles in Minnesota and must not manufacture, distribute, or store such products knowing or having reason to know that the products will be sold in Minnesota. A lower-potency hemp edible manufacturer selling such products must ensure that the products are not sold in Minnesota by notifying the distributor, wholesaler, retail business, or other person purchasing a product that sale of the products in Minnesota could result in the imposition of civil or criminal penalties and in the termination of any contract between the lower-potency hemp edible manufacturer and the distributor, wholesaler, retail business, or other person purchasing the product.

(i) The office may suspend, revoke, or cancel the license or endorsement of a lower-potency hemp edible manufacturer who is prohibited from distributing products containing cannabinoids in any other jurisdiction, convicted of an offense involving the distribution of products containing cannabinoids in any other jurisdiction, or found liable for distributing any product that injured customers in any other jurisdiction. A lower-potency hemp edible manufacturer shall disclose all relevant information related to actions in another jurisdiction. Failure to disclose relevant information may result in disciplinary action by the office, including the suspension, revocation, or cancellation of an endorsement or license.

Subd. 5. Transportation of hemp concentrate, artificially derived cannabinoids, and lower-potency hemp edibles. (a) A lower-potency hemp edible manufacturer may transport hemp concentrate, artificially derived cannabinoids, and lower-potency hemp edibles on public roadways provided:

(1) the artificially derived cannabinoids, hemp concentrate, or lower-potency hemp edibles are in a locked, safe, and secure storage compartment that is part of the motor vehicle or in a locked storage container that has a separate key or combination pad;

(2) the artificially derived cannabinoids, hemp concentrate, or lower-potency hemp edibles are packaged in tamper-evident containers that are not visible or recognizable from outside the transporting vehicle;

(3) the lower-potency hemp edible manufacturer has a shipping manifest in the lower-potency hemp edible manufacturer's possession that describes the contents of all tamper-evident containers;

(4) all departures, arrivals, and stops are appropriately documented;

(5) no person other than a designated employee enters a vehicle at any time that the vehicle is transporting artificially derived cannabinoids, hemp concentrate, or lower-potency hemp edibles; and

(6) the lower-potency hemp edible manufacturer complies with any other rules adopted by the office.

(b) Any vehicle assigned for the purposes of transporting artificially derived cannabinoids, hemp concentrate, or lower-potency hemp edibles is subject to inspection at any time.

Subd. 6. **Building conditions.** (a) A lower-potency hemp edible manufacturer must comply with state and local building, fire, and zoning codes, requirements, and regulations.

(b) A lower-potency hemp edible manufacturer must ensure that licensed premises are maintained in a clean and sanitary condition and are free from infestation by insects, rodents, or other pests.

History: 2023 c 63 art 1 s 45; 2025 c 31 s 73-75; 2026 c 123 s 93