

**204.7 Regulations — exemption for certain criminal offenses.**

1. Except as provided in subsection 6, a consumable hemp product shall not be manufactured, sold, or consumed in this state unless all of the following conditions are met:

a. The consumable hemp product is manufactured in this state in compliance with [this chapter](#).

b. The hemp contained in the consumable hemp product was produced exclusively in this state in compliance with [this chapter](#).

c. The consumable hemp product complies with packaging and labeling requirements, which shall be established by rules adopted by the department of health and human services. Each container storing a consumable hemp product shall be affixed with a notice advising consumers regarding the risks associated with its use. The department of health and human services shall adopt rules regarding the language of the notice and its display on the container.

d. The consumable hemp product complies with restrictions upon the sale or other distribution of a consumable hemp product established by rules adopted by the department of health and human services.

2. a. A person is engaged in the retail sale of a consumable hemp product, if any of the following apply:

(1) The person offers to distribute a consumable hemp product to a consumer in exchange for consideration.

(2) The person is an owner of a business that distributes consumable hemp products to consumers in exchange for consideration.

(3) The person is a business that distributes consumable hemp products to consumers in exchange for consideration and presents a consumable hemp product to a consumer in the form of a gift.

b. A person, including a business, is engaged in the sale of a consumable hemp product regardless of whether the person is registered with the department of health and human services as provided in [this section](#).

3. A person manufacturing a consumable hemp product in this state shall register with the department of health and human services on a form prescribed by the department of health and human services by rule. The department of health and human services may impose a fee, established by the department of health and human services by rule, on a registrant not to exceed the cost of processing the registration. The department of health and human services shall adopt rules for the revocation of a registration issued to a manufacturer who manufactures a consumable hemp product not in compliance with [this chapter](#).

4. A person selling a consumable hemp product in this state shall register with the department of health and human services on a form prescribed by the department of health and human services by rule and shall keep on the premises of the person's business a copy of the certificate of analysis issued pursuant to [section 204.8](#) for the hemp contained in the consumable hemp products sold by the person. The department of health and human services may impose a fee, established by the department of health and human services by rule, on a registrant not to exceed the cost of processing the registration. The department of health and human services shall adopt rules for the revocation of a registration issued to a person who sells a consumable hemp product not in compliance with [this section](#).

5. Except as otherwise provided in [this section](#), a political subdivision of the state shall not adopt any ordinance, rule, or regulation regarding the manufacture, sale, or consumption of a consumable hemp product.

6. A consumable hemp product manufactured in another jurisdiction pursuant to a state or tribal plan approved by the United States department of agriculture pursuant to the federal hemp law may be imported for use by a consumer or sale by a retailer to a consumer if the state has substantially similar testing requirements as those provided in [section 204.8](#).

7. A consumable hemp product manufactured, sold, or consumed in compliance with [this section](#) is not a controlled substance under [chapter 124](#) or [453B](#) regardless of whether

the consumable hemp product has been approved by the United States food and drug administration.

2019 Acts, ch 130, §7, 18, 19; 2020 Acts, ch 1065, §5 – 11, 19; 2020 Acts, ch 1121, §107 – 109; 2023 Acts, ch 19, §281, 282; 2024 Acts, ch 1154, §14; 2024 Acts, ch 1176, §4 – 6; 2024 Acts, ch 1177, §31, 55

Referred to in §204.2, 204.14A, 204.14B, 204.14C, 204.15A, 204.17

See Code editor's note on simple harmonization at the beginning of this Code volume

2024 strike of former subsections 1 – 7 effective December 31, 2024; 2024 Acts, ch 1177, §55

Section amended and editorially internally renumbered and redesignated