



## CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION

---

MICHELLE H. SEAGULL | COMMISSIONER

### Hemp Manufacturing in Connecticut: Frequently Asked Questions

---

The Department of Consumer Protection (“DCP”) regulates the manufacturing of hemp products for human consumption, and licenses those who participate in such activities. The Department of Agriculture (“DoAG”) licenses growers and processors of hemp. More information about DoAG’s portions of this program can be found by visiting [DoAG’s website here](#).

This document provides information in response to basic questions about the manufacturing or selling of hemp, hemp-derived cannabidiol (“CBD”), or other hemp products. Answers to questions about a specific circumstance may not be answered by this document in whole, and may require further consultation. Each licensee, business, or individual is solely responsible for ensuring their compliance with state law.

*Please note that [Public Act 19-3](#) does not eliminate any requirements for individuals or business entities under the Food, Drug and Cosmetic Act or any other federal or state laws.*

#### Licensing

##### 1. Can I grow hemp legally in Connecticut?

Yes, you may grow hemp as long as you have a grower’s license from the Department of Agriculture. Visit their website by [clicking here](#).

##### 2. Can I convert hemp into another product and then sell my product?

The production of hemp products in Connecticut is regulated by both the DoAG and the DCP depending on the product that is being developed. To determine which license type you need, see the following:

**Manufacturer License:** If you plan to make hemp products intended for human ingestion, inhalation, absorption or other internal consumption (collectively “consumables”), you must apply for and receive a manufacturer of hemp consumables license through DCP. Such license is required to engage in the conversion of the hemp plant into a byproduct by means of adding heat, solvents, or any method of extraction to modify the original composition of the plant into a consumable. A manufacturer license is not required for the grinding or chopping of hemp for sale as a raw consumable product.



## CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION

---

MICHELLE H. SEAGULL | COMMISSIONER

**Example – License Required:** Purchasing of the raw hemp plant and cooking it into a food product, e.g. fried hemp chips or CBD granola bars.

**Example – No License Required:** Purchasing hemp extract or CBD extract from a lawfully authorized manufacturer and incorporating the extract into a food product. Such lawfully authorized manufacturer does not need to be located in Connecticut.

**Processor License:** If you plan to use or convert hemp to make a product that is not a consumable, you must obtain a license from the DoAG. The processor license will be required to produce all animal food, and non-consumables, such as textiles and building products. For more information, [click here](#).

*Please note that there is no prohibition on maintaining a grower, processor and manufacturer license.*

### 3. What forms of hemp derived products are allowed in food?

A licensed hemp manufacturer may produce foods for human consumption containing hemp products and CBD oil. For more information on including hemp in alcoholic beverages, see the [guidance set forth by the Alcohol & Tobacco Tax and Trade Bureau](#).

*Please note that [Public Act 19-3](#) does not eliminate any requirements for food retailers, wholesalers or manufacturers under the Food, Drug and Cosmetic Act or any other federal or state law.*

### 4. Are any hemp derived products allowed to be manufactured into food without a manufacturer license?

Products that have been [Generally Recognized As Safe \(“GRAS”\)](#) by the U.S. Food and Drug Administration (“FDA”) do not require a manufacturer of hemp consumables license as they have been approved for use in food by the FDA and are not subject to premarket review and approval by the FDA. Thus, as long as they are marketed for the uses described in the FDA GRAS notices, manufactured in a way that is consistent with the notices, and meet the listed specifications in the notices, the following products can be added to food without the need for a manufacturer of hemp consumables license:

- Hulled Hemp Seeds
- Hemp Seed Protein Powder
- Hemp Seed Oil



## CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION

---

MICHELLE H. SEAGULL | COMMISSIONER

### **5. Can I manufacture dietary supplements?**

Yes, with a manufacturer license. Importantly, [Public Act 19-3](#) does not eliminate any requirements for manufacturers under the Food, Drug and Cosmetic Act or any other federal or state laws related to supplement composition or labeling.

### **6. Can I sell hemp and CBD products without a license?**

Yes, as long as you are not processing or manufacturing the hemp. Legally obtained hemp and CBD products may be sold at retail without a license. Please note that DCP does not verify that hemp and CBD products manufactured in other states will undergo similar safety testing. Products manufactured outside of Connecticut may not have been subject to any testing protocols, nor contain the labeled ingredients.

### **7. Can I purchase hemp or CBD from outside of Connecticut?**

Yes, legally obtained hemp and CBD products may be obtained from outside of Connecticut. However, if a person is converting hemp into a consumable in the State of Connecticut, they are required to hold a manufacturer of hemp consumables license, regardless of where the hemp was grown.

### **8. Can I add hemp extracts or CBD extracts acquired from outside the state into a food product manufactured in Connecticut?**

Yes, as long as the product is lawfully acquired and federal and state food manufacturing laws are followed.

## **Definitions**

### **9. What is CBD?**

Cannabinoids, such as CBD, are a group of chemicals concentrated in the female flower of the cannabis plant. While they are chemically similar to delta-9-tetrahydrocannabinol (“THC”), cannabinoids do not have the same psychoactive effects of THC. In the State of Connecticut, CBD products sold outside of a medical marijuana dispensary facility may only be manufactured from hemp with THC concentrations below 0.3% on a dry weight basis.



## CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION

---

MICHELLE H. SEAGULL | COMMISSIONER

### 10. What is hemp?

Hemp refers to varieties of the cannabis plant that have less than 0.3% THC and no known psychotropic effects. Specifically, hemp is federally defined as “the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis”.<sup>1</sup> The 2018 Farm Bill removes hemp from the Federal Controlled Substances Act (“CSA”) and recognized hemp as an agricultural crop by the federal government.

### CBD Products

#### 11. What is the difference between hemp and marijuana derived CBD?

CBD can be derived from both hemp plants and marijuana plants. CBD derived from hemp is not a controlled substance and may be manufactured and sold in the state of Connecticut. CBD derived from marijuana, with a THC concentration of over 0.3% on a dry weight basis, is considered a schedule II controlled substance under Connecticut law.<sup>2</sup>

#### 12. Who can legally produce, manufacture, and sell a product derived from cannabis containing more than 0.3% THC?

Only licensees in the medical marijuana program may produce, manufacture, or sell cannabis products with a THC concentration of over 0.3%.

#### 13. Will manufacturers of hemp consumables be subject to federal oversight?

Yes. The 2018 Farm Bill did not change the Federal Food, Drug, and Cosmetic Act or limit the [FDA's regulatory authority](#). The FDA will continue to regulate those products, including CBD. The FDA prohibits introduction or delivery of any food (including any animal food or feed) to which THC or CBD, not derived from hemp, has been added. For more information, [click here](#).

---

<sup>1</sup> Conn. Gen. Stat. §21a-240(29).

<sup>2</sup> Conn. Gen. Stat. §21a-240(29); Conn. Gen. Stat. §21a-243-8.



## CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION

---

MICHELLE H. SEAGULL | COMMISSIONER

### Additional Requirements

#### 14. What are the testing standards for hemp products in Connecticut?

Testing standards for hemp manufacturers can be found on [DCP's website here](#).

The state only conducts and verifies testing performed on products grown and manufactured in Connecticut. The products grown in the state are tested for THC potency to ensure the plant is in compliance with federal and state law. The products manufactured in the state for human ingestion, inhalation, absorption or other internal consumption are required to undergo additional testing to ensure product safety.

*Products manufactured outside of Connecticut may not have been subject to any testing protocols, nor contain the labeled ingredients.*

#### 15. What happens if a batch of hemp received by a manufacturer of hemp consumables tests above the 0.3% THC threshold after delivery?

The manufacturer shall be responsible for costs of disposal of any hemp or hemp product that is not in compliance with law, such as cannabis that is above the 0.3% THC threshold.<sup>3</sup> Please note, the level of THC contained in the hemp plant may increase after pre-harvest laboratory testing. If a manufacturer receives a batch of raw hemp that has a concentration of greater than 0.3% THC, in lieu of disposal, the manufacturer may seek permission from DCP to combine such product with a different batch of hemp to achieve a THC concentration of less than 0.3% in the aggregate.

---

<sup>3</sup> See Section 2(i)(1) of [Public Act 19-3](#)