

DEPARTMENT USE ONLY	
DATE RECEIVED	_____
FIRM ID#	_____
REVIEWED BY	_____

Edible Hemp Products Disclosure Form

DOWNLOAD THIS APPLICATION TO YOUR COMPUTER AND OPEN IN ADOBE READER FOR FULL FUNCTIONALITY

Pursuant to section 3.2-5145.2:1, completion of this disclosure form is a requirement for offering edible hemp products for sale.

Instructions:

Fill-in your business information. Review the **Requirements for Selling Edible Hemp Products** listed below and acknowledge that you have reviewed the information and intend to comply with all requirements by adding your initials where indicated.

Submit the completed, signed, and dated form to the VDACS Office of Hemp Enforcement at HempEnforcement@vdacs.virginia.gov. If you are also submitting a Permit Application for a Retail Food Establishment, please submit this form and the application together. Incomplete forms will be returned for correction.

Business Legal Name:	
Doing Business As (DBA):	
Business Phone Number:	Federal EIN:
Business Physical Address:	
Business Mailing Address:	
Business Email Address:	

Names, Titles, Phone Numbers, and Email Addresses of Persons Comprising the Legal Ownership (Attach list if necessary)

FULL NAME	TITLE	PHONE NUMBER	EMAIL ADDRESS

Requirements for Selling Edible Hemp Products	CODE OF VIRGINIA SECTION(S)	INITIALS
"Hemp product" means a product, including any raw materials from industrial hemp that are used for or added to a food or beverage, that (i) contains industrial hemp and has completed all stages of processing needed for the product and (ii) when offered for retail sale (a) contains a total tetrahydrocannabinol concentration of no greater than 0.3 percent and (b) contains either no more than two milligrams of total tetrahydrocannabinol per package or an amount of cannabidiol that is no less than 25 times greater than the amount of total tetrahydrocannabinol per package. "Edible hemp product" means any hemp product that is or includes an industrial hemp extract and that is intended to be consumed orally. "Regulated hemp product" means a hemp product intended for smoking or an edible hemp product. "Tetrahydrocannabinol" means any naturally occurring or synthetic tetrahydrocannabinol, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation and any preparation, mixture, or substance containing, or mixed or infused with, any detectable amount of	3.2-4112	

Requirements for Selling Edible Hemp Products	CODE OF VIRGINIA SECTION(S)	INITIALS
tetrahydrocannabinol. For the purposes of this definition, "isomer" means the optical, position, and geometric isomers.		
No person shall offer for sale a regulated hemp product that contains a total tetrahydrocannabinol concentration that is greater than 0.3 percent or contains more than two milligrams of total tetrahydrocannabinol per package and does not contain an amount of cannabidiol that is at least 25 times greater than the amount of total tetrahydrocannabinol per package.	3.2-5145.2:1	
All products offered for sale must be from an approved source. A manufacturer of an industrial hemp extract or food containing an industrial hemp extract shall be an approved source if the manufacturer operates: 1) under inspection by the responsible food regulatory agency in the location in which such manufacturing occurs; and 2) in compliance with the laws, regulations, or criteria that pertain to the manufacturer of industrial hemp extracts or food containing an industrial hemp extract in the location in which such manufacturing occurs.	3.2-5145.3	
A person who intends to offer for sale an edible hemp product must have a food establishment permit issued by the VDACS Food Safety Program. A person meeting all of the following requirements is exempt from this permit: • Does not prepare or serve food; • Sells only food or beverages that are sealed in packaging by a manufacturer that has been officially inspected in the manufacturing process by the regulatory agency responsible for food safety; • Does not sell infant formulas; • Does not sell salvaged foods; and • Certifies to the Department that they meet all of the requirements on the Exemption From Inspection form for Retailers of Edible Hemp Products (find the form HERE).	3.2-5100 3.2-5130	
An edible hemp product offered for sale must be contained in child resistant packaging if the product contains tetrahydrocannabinol. "Child-resistant" means, with respect to packaging or a container, (i) specially designed or constructed to be significantly difficult for a typical child under five years of age to open and not to be significantly difficult for a typical adult to open and reseal and (ii) for any product intended for more than a single use or that contains multiple servings, resealable.	3.2-5145.4:1 4.1-600 59.1-200 (A)(71)	
An edible hemp product offered for sale must be equipped with a label that has the following information: • All ingredients contained in the substance. • The amount of such substance that constitutes a single serving. • The total percentage and milligrams of all tetrahydrocannabinols included in the substance. • The total number of milligrams of all tetrahydrocannabinols that are contained in each serving. • If the substance contains tetrahydrocannabinol, that the product contains tetrahydrocannabinol and may not be sold to persons younger than 21 years of age.	3.2-5145.4:1 59.1-200 (A)(70) 59.1-200 (A)(71)	
All labeling required for a food is also required for food containing hemp extract. Additional labeling required for edible hemp products are found in the labeling regulation 21 CFR 101 .	3.2-5123	
A manufacturer shall identify each batch of an industrial hemp extract or a food containing an industrial hemp extract with a unique code for traceability.	3.2-5145.4:1	

Requirements for Selling Edible Hemp Products	CODE OF VIRGINIA SECTION(S)	INITIALS
An industrial hemp extract or food containing an industrial hemp extract with a label that contains a claim indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease shall be considered misbranded.	3.2-5145.4:1	
No person shall offer for sale a regulated hemp product that, without authorization, is labeled with the trademark, trade name, or any likeness thereof, of another manufacturer or distributor.	59.1-200 (A)(73)	
A regulated hemp product offered for sale must be accompanied by a certificate of analysis, produced by an independent laboratory that is ISO/IEC 17025 accredited, that states the total tetrahydrocannabinol concentration of the substance. The testing laboratory's certificate of accreditation to standard ISO/IEC 17025 shall be available for review at the location at which the regulated hemp product is offered for sale or sold.	3.2-5145.4:1 59.1-200 (A)(71)	
No person shall offer for sale or sell a regulated hemp product that depicts or is in the shape of a human, animal, vehicle, or fruit.	59.1-200 (A)(72)	
Selling or offering for sale any substance intended for human consumption, orally or by inhalation, that contains a synthetic derivative of tetrahydrocannabinol is a prohibited act. As used in this subdivision, "synthetic derivative" means a chemical compound produced by man through a chemical transformation to turn a compound into a different compound by adding or subtracting molecules to or from the original compound.	59.1-200 (A)(69)	
Selling or offering for sale to a person younger than 21 years of age any substance intended for human consumption, orally or by inhalation, that contains tetrahydrocannabinol is a prohibited act.	59.1-200 (A)(70)	
An industrial hemp extract is a food and is subject to the requirements of the Virginia Food and Drink Law and regulations adopted pursuant to Chapter 51 of the Code of Virginia. The regulations, 2VAC5-595 , further define the requirements for the manufacturing and sale of edible hemp products, including some additional definitions (what the terms "extract" and "industrial hemp extract" mean within the Code), and the testing requirements for manufacturers, as well as additional information regarding labeling requirements.	3.2-5145.2 2VAC5-595	
Any person found to be operating out of compliance with the requirements described in this declaration may be subject to permit revocation, civil penalties of up to \$10,000 for each day a violation occurs, and/or court issued injunctions, and/or criminal charges in accordance with the Administrative Process Act (§ 2.2-4000 et seq.)	3.2-5145.2:1 59.1-203 59.1-206	

I, _____, as a legally responsible person for the above-named business, have
PRINT FULL NAME
reviewed the requirements for selling Regulated Hemp Products to consumers and I intend to fully comply with all requirements applicable to my business in accordance with the Code of Virginia. Further, I will inform all persons involved in the business of these requirements, and take responsibility for their actions with regard to selling Edible Hemp Products. Business partners will be held equally responsible for business operations.

Signature

Date of Signature