

High-THC Hemp Products

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Issue

Describe how Connecticut law defines High-Tetrahydrocannabinol (THC) hemp products.

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Beginning July 1, 2023, a new law establishes the category of “high-THC hemp product” and classifies it as marijuana or cannabis, thus subjecting it to various licensing and regulatory requirements (e.g., must be sold only by licensed establishments, tested, and sold only to those age 21 or older except under the medical marijuana program) ([PA 23-79](#), § 1).

A “high-THC hemp product” is a manufacturer hemp product (i.e., intended for human ingestion, inhalation, absorption, or other internal consumption) that has (or is advertised, labeled, or offered as having) a total THC that exceeds the following:

1. for a hemp edible, topical, or transdermal patch: (a) one milligram on a per-serving basis or (b) five milligrams on a per-container basis;
2. for a hemp tincture, including oil intended for ingestion by swallowing, buccal administration (i.e., between the gums and mouth cheek), or sublingual absorption (i.e., placing under tongue to dissolve): (a) one milligram on a per-serving basis or (b) 25 milligrams on a per-container basis;
3. for a hemp concentrate or extract, including a vape oil, wax, or shatter: 25 milligrams on a per-container basis; or
4. for a manufacturer hemp product not described above: (a) one milligram on a per-serving basis, (b) five milligrams on a per-container basis, or (c) 0.3% on a dry-weight basis for cannabis flower or cannabis trim.

In establishing a regulatory structure for high-THC hemp products, the act makes several corresponding changes to laws that previously governed hemp products that exceed 0.3% total THC concentration on a dry-weight basis, generally replacing them with high-THC hemp products. It also makes this change for the exemption for cannabidiol derived from hemp, by specifying that high-THC hemp products are not included within this exemption. Correspondingly, the act removes the prior exemption stating that marijuana does not include manufacturer hemp products.

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