

Notice Regarding CBD

The MA Department of Agriculture (MDAR) and the MA Department of Public Health (MDPH) Food Protection Program have issued statements regarding the sale of CBD and CBD products. CBD stands for cannabidiol. While delta-9-tetrahydrocannabinol (THC) is the major active ingredient in marijuana, CBD is obtained from hemp.

The MDAR policy outlines categories of hemp-derived products that are approved for sale in the Commonwealth and identifies products that are prohibited for sale.

The following products are **NOT** approved for sale in the Commonwealth:

- **Any food product containing CBD;**
- Any product containing CBD derived from hemp that makes therapeutic/medicinal claims;
- Any product that contains hemp as dietary supplement;

The MDPH Food Protection Program statement outlines the restrictions on food products.

- **A food establishment, both retail and food service, cannot sell prepackaged food with CBD or add CBD to food.**
- The FDA has concluded that federal law prohibits the addition of CBD to food products because CBD is an active ingredient in FDA-approved drugs.
- The MDAR Hemp Program does not provide an exception to the federal prohibition against adding CBD into food products.

Copies of the full MDAR policy and MDPH documents can be found on the Health Department website on the Food Safety Program page: norwoodma.gov/departments/health

The following hemp-derived products are approved for sale in the Commonwealth:

- Hemp seed
- Hemp seed oil
- Hulled hemp
- Hemp seed powder
- Hemp protein
- Clothing
- Building material
- Items made from hemp fiber
- Flower/plant from a Massachusetts licensed Grower to a Massachusetts licensed Grower or Processor

While not regulated by the Public Health Department, under the FD&C Act, cosmetic products and ingredients are not subject to approval by FDA. Certain cosmetic ingredients are prohibited or restricted by regulation, but currently that is not the case for any cannabis or cannabis-derived ingredients. Ingredients not specifically addressed by regulation must nonetheless comply with requirements, and no ingredient – including a cannabis or cannabis-derived ingredient – can be used in a cosmetic if it causes the product to be adulterated or misbranded in any way. See FDA.gov for more information.



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Below are some examples of products that **CAN NOT** be sold in Massachusetts

