The latest hemp laws state-by-state: September 2019

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Authors:

Jason M. Halligan
ARCHIVE – Nolan M. Jackson
Jonathan S. Miller

In September, three states authorized the retail sale of hemp-derived CBD, one state Board of Pharmacy rescinded its negative guidance on CBD, and two states published proposed hemp rules. However, five states announced limitations on hemp food or beverage products and two states expanded hemp product labeling requirements. Below is a review of the latest hemp legal changes listed state-by-state.

Alabama

Alabama passed legislation, which took effect in June 2019, expanding its definition of hemp and removing hemp from the definition of THC. Alabama already exempted hemp from its definition of marijuana. Thus, hemp-derived CBD is now no longer a controlled substance in Alabama.

Alaska

The Alaska Department of Natural Resources' Division of Agriculture published proposed rules that will require retailers selling hemp-derived CBD products to register with the Division.

California

The California state legislature imposed a ban on adding hemp-derived CBD into alcoholic beverages.

Colorado

The Colorado Department of Public Health and Environment now requires that hemp food products be labeled with certain information.

Kansas

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The Kansas Department of Agriculture posted its draft Commercial Industrial Hemp Regulations and definitions with an unusual definition of hemp. The Department is currently reviewing public input and revising the regulations.

Louisiana

Louisiana regulators expanded their hemp-derived CBD labeling requirements through emergency rules and a primer. Additionally, the Board of Pharmacy rescinded its prior guidance that had treated CBD as a controlled substance and encouraged its licensees to comply with the state's hemp program.

Maryland

Maryland's Department of Health announced it is illegal to add hemp-derived CBD to foods, beverages, or dietary supplements.

Montana

In July 2019, the Montana Department of Public Health and Human Services announced a policy that hemp-derived CBD is not allowed in food or dietary supplements in Montana, although the Department treats certain prepackaged CBD products manufactured outside of Montana differently. New rules also require hemp processors to apply for a license with the Montana Department of Agriculture.

Nevada

In July 2019, the Nevada Department of Agriculture posted a FAQ document indicating hemp-derived CBD cannot be used as a food ingredient per the FDA's guidance, although the Department does not regulate processed products for consumption.

New Jersey

Governor Phil Murphy signed legislation explicitly authorizing the retail sale of hemp-derived CBD products.

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Rhode Island

Rhode Island expanded its hemp program in July 2019, explicitly authorizing the sale of hemp-derived CBD, including consumables. The new law requires handlers, distributors, and retailers to be licensed and prohibits the sale of consumable CBD products to those under 21.

Vermont

Vermont's Agency of Agriculture, Food and Markets posted a statement declaring hemp-derived CBD may not be added to meat, poultry, or dairy products, but may be added to maple products.

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