



What is in the Law Cannabinoid Hemp

Overview

On March 31, 2021, New York State legalized adult-use cannabis (also known as marijuana, or recreational marijuana) by passing the Marijuana Regulation & Taxation Act (MRTA). The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law (collectively referred to as the “OCM”). The OCM will also oversee the State’s existing Cannabinoid Hemp Program, currently regulated by the Department of Health.

As stated in the law, the transition process for the Cannabinoid Hemp Program will occur within six months of the Cannabis Control Board being fully appointed. Every effort will be made to ensure the transition from the Department of Health to the OCM for cannabinoid hemp permit holders and licensees will be as seamless as possible. Due to the six-month transition process, no immediate changes are being made to the current Cannabinoid Hemp Program. Please continue to reach out to the Cannabinoid Hemp Program utilizing the following contact information:

- E-mail:** hemp@health.ny.gov
Phone: 1-866-697-4367
Website: <https://health.ny.gov/regulations/hemp>

In the short-term, there will be no immediate changes to the Cannabinoid Hemp Program. Individuals who are processing, manufacturing or selling cannabinoid hemp products in New York State are required to hold a license or permit to do so. The Cannabinoid Hemp Program plans to be issuing revised regulations soon, which will incorporate the changes made to the Cannabinoid Hemp Program in the MRTA. The revised regulations will be subject to a 45-day public comment period and will not go into effect until the regulations are published in the New York State Register for adoption. Below is a summary of the Cannabinoid Hemp Program and changes to the Program in the MRTA.

Summary of Cannabinoid Hemp Program

The Cannabinoid Hemp Program was created pursuant to [Chapter 1 of the Laws of 2020](#) to implement basic consumer protections and ensure cannabinoid hemp products sold in New York State are properly manufactured, laboratory tested and accurately labeled. The Program requires anyone who is processing, manufacturing or selling cannabinoid hemp to first obtain a license to do so. Currently, the Department of Health is accepting applications and issuing licenses for Cannabinoid Hemp Retailers, Processors and Distributors. Visit our website at <https://health.ny.gov/regulations/hemp> for more information.

Summary of Changes to the Cannabinoid Hemp Program in the MRTA

The MRTA expressly permits the sale of cannabinoid hemp flower and gives the OCM authority to promulgate regulations governing how cannabinoid hemp flower products can be sold. Further, the new law outlines different retail sale channels depending on how a cannabinoid hemp flower product is sold. Cannabinoid hemp flower products that are sold and clearly

labeled or advertised for the purposes of smoking may only be sold in adult-use cannabis retail dispensaries. Cannabinoid hemp flower products that are not marketed for smoking (e.g. in a jar or sealed package) may be sold by any cannabinoid hemp retail licensee, pursuant to forthcoming regulations.

The Department has issued [proposed regulations](#) to implement the Cannabinoid Hemp Program and will be sharing more information as it becomes available.

Those interested in growing hemp may find more information on the New York State [Department of Agriculture & Markets \(AGM\)](#) web page.

Contact Us

For additional information or to contact the Office of Cannabis Management, please visit our website at: www.cannabis.ny.gov or e-mail us at: info@cannabis.ny.gov.

For additional information about the current Cannabinoid Hemp Program please visit our website or contact us e-mail or phone number listed below.

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