

217.039 Ingestible or cosmetic cannabidiol products -- Manufacturer or processor to be permitted -- Labeling and certificate of analysis requirements -- Cannabis-infused beverages.

- (1) As used in this section:
 - (a) "Cannabidiol" means a non-psychoactive cannabinoid found in the hemp plant *Cannabis sativa* which has the chemical name 2-[(1R,6R)-3-methyl-6-prop-1-en-2-ylcyclohex-2-en-1-yl]-5-pentylbenzene-1,3-diol;
 - (b) "Certificate of analysis" means a document produced by a laboratory that has been accredited pursuant to standards of the International Organization for Standardization, attesting to the composition of a product. The certificate of analysis shall include but not be limited to the amount of delta-9 tetrahydrocannabinol, the amount of other cannabinoids, the amount of pesticide residues, the amount of heavy metal traces, the amount of mycotoxin contaminants, the amount of residual solvents, and the amount of microbiological contaminants;
 - (c) "Hemp" has the same meaning as in KRS 260.850; and
 - (d) "Quick response code" or "QR code" means a type of machine-readable, two (2) dimensional bar code that stores information about a product.
- (2) A manufacturer or processor of ingestible or cosmetic cannabidiol products located in Kentucky shall:
 - (a) Be permitted as a food manufacturer or a cosmetic manufacturer by the cabinet and shall provide the following information:
 1. The name of the manufacturer or processor and the physical address where production or processing occurs; and
 2. A listing of the cannabidiol products to be produced or processed; and
 - (b) Obtain a certificate of analysis for all cannabidiol products to be sold or otherwise distributed in the Commonwealth.
- (3) All ingestible or cosmetic cannabidiol products sold or otherwise distributed in the Commonwealth shall bear labeling to allow the consumer to access information on the product, including a certificate of analysis for the product, the location where the hemp was grown, and the address and phone number of the manufacturer or distributor using the following:
 - (a) A scannable bar code, including the batch number or serial number of the product;
 - (b) A QR code; or
 - (c) A web address linked to a document or website.
- (4) Any product labeling or advertising material for any ingestible or cosmetic cannabidiol product sold or otherwise distributed in the Commonwealth shall not bear any claims stating that the product can diagnose, treat, cure, or prevent any disease.
- (5) The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish labeling requirements for ingestible or cosmetic cannabidiol products in accordance with of this section.

- (6) (a) The cabinet shall regulate and license manufacturers of cannabis-infused beverages.
- (b) After the Department of Alcoholic Beverage Control has promulgated administrative regulations under KRS 243.401 or July 1, 2026, whichever is earlier, this section shall not apply to any distributor or retailer of cannabis-infused beverages licensed under KRS Chapters 241 to 244. The distribution and retail sale of cannabis-infused beverages shall then be regulated solely by the Department of Alcoholic Beverage Control under KRS Chapter 243 and the administrative regulations promulgated thereto.

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