

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1920

H.P. 1281

House of Representatives, May 6, 2025

An Act to Prohibit the Sale of Potentially Intoxicating Hemp Products to a Person Under 21 Years of Age

(EMERGENCY)

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative STROUT of Harrington.
Cosponsored by Senator TALBOT ROSS of Cumberland and
Representatives: FROST of Belgrade, OSHER of Orono.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** there are currently intoxicating hemp products for sale in this State for
4 which there is no legal restriction preventing sale to minor children; and

5 **Whereas,** some of those products may be designed or packaged in a manner that a
6 person, including a child, could potentially be led to confuse the intoxicating products for
7 nonintoxicating products typically marketed to children, such as gummies or similar
8 products; and

9 **Whereas,** ingestion of intoxicating hemp products by a child can cause harm to the
10 child; and

11 **Whereas,** it is in the interest of child safety for the restrictions directed by this
12 legislation to go into effect as soon as possible; and

13 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
14 the meaning of the Constitution of Maine and require the following legislation as
15 immediately necessary for the preservation of the public peace, health and safety; now,
16 therefore,

17 **Be it enacted by the People of the State of Maine as follows:**

18 **Sec. 1. 7 MRSA §2231, sub-§1-A, ¶F** is enacted to read:

19 F. "Nonintoxicating cannabinoid" means:

- 20 (1) Cannabidiol, also known as "CBD";
21 (2) Tetrahydrocannabivarin, also known as "THCV";
22 (3) Cannabichromene, also known as "CBC";
23 (4) Cannabicitran, also known as "CBTC";
24 (5) Cannabicyclol, also known as "CBL";
25 (6) Cannabielsoin, also known as "CBE";
26 (7) Cannabigerol, also known as "CBG";
27 (8) Cannabidivarin, also known as "CBDV"; and
28 (9) Cannabinol, also known as "CBN."

29 **Sec. 2. 7 MRSA §2231, sub-§1-A, ¶G** is enacted to read:

30 G. "Potentially intoxicating cannabinoids" include the following:

- 31 (1) Delta-10-tetrahydrocannabinol and its isomers;
32 (2) Delta-9-tetrahydrocannabinol and its isomers;
33 (3) Delta-8-tetrahydrocannabinol and its isomers;
34 (4) Delta-7-tetrahydrocannabinol and its isomers;
35 (5) Delta-6a,10a-tetrahydrocannabinol and its isomers;
36 (6) Exo-tetrahydrocannabinol;

(7) Metabolites of tetrahydrocannabinol, including 11-hydroxy-tetrahydrocannabinol, 3'-hydroxy-tetrahydrocannabinol and 7-hydroxy-delta-tetrahydrocannabinol;

(8) Hydrogenated forms of tetrahydrocannabinol, including hexahydrocannabinol, hexahydrocannabiphorol and hexahydrocannabihexol;

(9) Synthetic forms of tetrahydrocannabinol, including dronabinol;

(10) Ester forms of tetrahydrocannabinol, including delta-8-tetrahydrocannabinol-O-acetate, delta-9-tetrahydrocannabinol-O-acetate and hexahydrocannabinol-O-acetate;

(11) Varin forms of tetrahydrocannabinol, including delta-8-tetrahydrocannabivarin but excluding delta-9-tetrahydrocannabivarin; and

(12) Analogs of tetrahydrocannabinols with an alkyl chain of 4 or more carbon atoms, including tetrahydrocannabiphorols, tetrahydrocannabioctyls, tetrahydrocannabihexols and tetrahydrocannabutols.

Sec. 3. 7 MRSA §2231, sub-§1-A, ¶H is enacted to read:

H. "Potentially intoxicating hemp product" means any products derived from hemp and ingestible consumer products, including food, food additives, food products and beverages derived from hemp, that in their final forms do not contain:

(1) A concentration of less than 0.3% potentially intoxicating cannabinoids; and

(2) A ratio of more than 10:1 of nonintoxicating cannabinoids to potentially intoxicating cannabinoids.

Sec. 4. 7 MRSA §2231, sub-§12 is enacted to read:

12. Potentially intoxicating hemp products; prohibited sales. A potentially intoxicating hemp product may not be sold to a person who has not attained 21 years of age.

Sec. 5. 7 MRSA §2231, sub-§13 is enacted to read:

13. Packaging and labeling requirements. This subsection governs packaging and labeling requirements for hemp products.

A. A potentially intoxicating hemp product that is not a salve or topical product must be packaged in child-resistant and tamper-evident packaging.

B. A hemp product may not be labeled or packaged in violation of a federal trademark law or regulation or in a manner that would cause a reasonable consumer confusion as to whether the item was a different trademarked product.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill prohibits the sale of potentially intoxicating hemp products to a person who has not attained 21 years of age. The bill also establishes requirements for the packaging of hemp products, including the requirement that all potentially intoxicating hemp products

1 that are not salves or topical products be packaged in child-resistant and tamper-evident
2 packaging. The bill also provides that all hemp products are subject to the requirement that
3 the product not be labeled or packaged in a manner that violates federal trademark law and
4 not be designed in such a way that would cause a person to confuse the product with a
5 different trademarked product.