



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

Supporting the E's Through Innovative Programs, Partnership, and Packaging Cannabinoids

Minnesota Cannabinoid

Journey

- 2015: Minnesota Medical Cannabis Program begins.
- 2018: US Agriculture Improvement Act (Farm Bill) of approves hemp growing.
- July 2022: Minnesota State Statute 151.72 Sale of Certain Cannabinoid Products enacted (Edible and non-intoxicating consumables).
- May 30, 2023: Minnesota State Statute 342 signed by Governor Walz. Phase in of 16 cannabinoid business types.
- May 31, 2023: Liquor store sale definition expanded to allow immediate sale of edible cannabinoid products and fentanyl testing kits.
- August 1, 2023: Recreational marijuana use legal in Minnesota. Possess or transport edible cannabis products or lower-potency hemp edibles infused with a combined 800 milligrams or less of THC.
- October 1, 2023: Registration deadline for retailers currently selling products approved under 151.72. No fee required.
- March 1, 2025: Repeal of 151.72 which rolls into 342.
- July 1, 2025: Activation of all provisions in 342 complete. This includes 16 license types.



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

Minnesota Regulatory Agencies

- Minnesota Board of Pharmacy: Formerly regulated 151.72.
- Minnesota Department of Agriculture: Regulates hemp growth, hemp processing, and extraction of substances from hemp. Also regulate food ingredients and food manufacturing.
- Minnesota Department of Health: Currently regulating the Medical Cannabis Program and 151.72.
- Minnesota Department of Public Safety: Enforces illegal possession and use of products which are scheduled drugs.
- Minnesota Department of Public Safety-Alcohol and Gambling Enforcement Division: Regulates alcohol licensing and enforcement for manufacturing, wholesale, and some retail locations.
- Minnesota Office of Cannabis Management: Will be enforcing 342.

Fillmore County Cannabinoid

Journey



- August 23, 2022: Presentation provided to County Board about Minnesota State Statute 151.72. Board recommended community education plan.
- November 22, 2022: Board directed staff to research and present policy options.
- December 20, 2022: Presentation about Minnesota State Statute 151.72 offered to cities in Fillmore County.
- January 10, 2023: City of Harmony passes Ordinance 117. Later rescinded.
- January 24, 2023: Review of draft moratorium provided by staff team.
- February 28, 2023: Moratorium Hearing. Motion approved to draft ordinance.
- May 23, 2023: Fillmore County ordinance aligning with 151.72 passed.
- July 1, 2023: Fillmore County ordinance in effect.
- September 26, 2023: Fillmore County updated ordinance in effect for all lower-potency hemp items to reflect both 151.72 and 342.
- Current: Working on marijuana point-of-sale and outdoor use policies and education.

Cannabinoids Impact Behavioral and Cognition



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

- Relaxation
- Drowsiness
- Mood Change
- Sedation
- Euphoria
- Reduced Inhibitions
- Disorientation
- Changes in Thought Processes
- Lack of Concentration
- Memory Impairment
- Changes in Perception of Time and Distance



Observable Signs of Cannabinoid Use



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

- Cannabis Products, Packages, or Gear
- Odor
- Debris in Mouth or Tongue Coloration
- Red, Bloodshot Eyes
- Lack of Convergence
- Eyelid Tremors
- Body Tremors/Seizures
- Chest Pain
- Breathing Problems
- Faintness
- Unconsciousness



Cannabis Species Defined



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

Hemp “Industrial Hemp” Contents

- Species *Cannabis sativa* L.
- Higher in CBD (20%+)
(Nonpsychoactive)
- Not more than 0.3% THC
(Psychoactive)*

Marijuana Contents

- Any *Cannabis* species
- Lower in CBD
- Higher in THC (Often 20%+)



Minnesota Hemp Sourcing



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

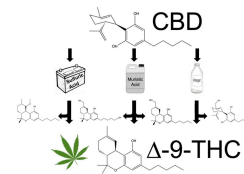


- Products must meet all statute conditions regardless of manufacture and sale location.
- All products are to be sold by and to people age 21 and older. Exception: Medical cannabis prescriptions.
- Hemp used to derive the cannabinoids for these products must meet requirements of [Minnesota State Statutes Chapter 18K.02](#) and associated rules.
- Hemp by definition must be less than 0.3% THC (psychoactive).
- Cannabis by definition has greater than 0.3% THC.



Hemp Components

- Hemp Seed: Viable seed used for planting.
- Hemp Plant Parts: Flowers, buds, leaves, stems, or stalks.
- Hemp Grain: Harvested seed or oil used as a food or in a food.
- Hemp Fiber: Not for consumption but rather used as bedding, textiles, insulation, etc..
- **Hemp Concentrate:** Extracts/Resins from the Hemp Plant or Plant Parts*
- **Artificially-Derived Cannabinoid:** Extraction from either hemp or cannabis that been changed to create a different chemical compound or cannabinoid by applying a catalyst other than heat or light.*



Hemp Products for Retail Sale in MN



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

- Nonintoxicating Cannabinoid - Available Now Under 151.72
- Edible Cannabinoid Product - Available Now Under 151.72
- Hemp-Derived Topical Product – Available Under 342 by 2025
- Hemp-Derived Consumer Product - Available Under 342 by 2025
- Lower-Potency Hemp Edibles - Available Under 342 by 2025



Nonintoxicating Cannabinoids



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health



Must follow other provisions for labelling, packaging, testing, etc.

Effective May 31, 2023 to March 1, 2025 (151.72)

- May contain cannabidiol (CBD) or as approved cannabigerol (CBG) and other non-intoxicating cannabinoid.
- May include extracts from hemp plants and hemp parts.
- May not include artificially-derived cannabinoids.
- Limited to 0.3% THC.
- May not be smoked, vaped, aerosolized, chewed, drunken, swallowed, or injected into a mucous membrane or nonintact skin.
- May use by any approved route of administration not listed above or available.



Edible Cannabinoid Products

Must follow other provisions for labelling, packaging, testing, etc.

Effective May 31, 2023 to March 1, 2025 (151.72)

- Made from hemp plants or hemp parts or artificially-derived cannabinoid (delta-8 or delta-9). May contain CBD.
- Limited to 0.3% THC.
- Edible must not exceed 5 mg of THC/serving.*
- Edible must not exceed 50 mg of THC/package.* (16 Packages!)
- Beverages must not exceed two servings of THC/container or 10 mg.*





Hemp-Derived Topical Products



Does not require state licensing but must meet provisions for labelling, packaging, testing, etc!

Effective March 1, 2025 (342):

- Product containing hemp concentrate, an extract/resin made from hemp plant parts, that is externally applied.
- Contain only cannabidiol (CBD), cannabigerol (CBG), and other pre-approved non-THC cannabinoids.
- Total of all other cannabinoids may not exceed 1 mg/package.

Hemp-Derived Consumer Products

Must follow other provisions for labelling, packaging, testing, etc.

Effective March 1, 2025 (342):

- Made from hemp plant parts, hemp concentrate (extract/resin) or artificially-derived cannabinoid with other ingredients.
- Limited to 0.3% total THC.
- Sale of 2oz if a plant-part based consumer product.
- Sale of 8 grams if consumer product from concentrate or artificially-derived cannabinoid.

If eaten the hemp-derived consumer product . .

- must not exceed 10 mg of THC per serving.
- must not exceed 200 mg of THC per package.
- Beverages must not exceed two servings of THC/container or 20 mg.



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health



Lower-Potency Hemp Edible Products



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

Must follow other provisions for labelling, packaging, testing, etc.

Effective March 1, 2025 (342):



- Must not contain more than 0.3% of any or all THC plus food ingredient.
- Made from hemp concentrate (extract/resin) or artificially-derived cannabinoid (delta-9 only).
- Edible must not exceed 5 mg of delta-9 THC, 25 mg CBD, 25 mg CBG, or 0.5 mg of all other cannabinoids per serving.
- Edible must not exceed 50 mg of delta-9 THC, 250 mg CBD, 250 mg CBG, or 0.5 mg of all other cannabinoids per package.
- Beverages must not exceed two servings per container.

Testing Conditions



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

- Each batch or lot is to be tested by an independent, accredited laboratory to certify the product complies with requirements. Labs must be accredited to ISO/IEC 17025:2017 standards by an accreditation organization.
- Testing verification notice on the label.
- Testing of the final product to be consumed is required before the product is offered for sale in Minnesota. Testing does not apply to the hemp the cannabinoid was derived from.
- Testing must verify cannabinoid composition.
- Testing must also assure the product does not contain trace amounts of mold, solvents, pesticides, fertilizers, or heavy metals.
- Upon request, manufacturers are required to provide test results certifying their compliance with 151.72 and 342.
- [USDA Hemp Analytical Testing Laboratories](#)
- MDH Office of Medical Cannabis has a process in place to approve Minnesota Labs. [Medical Cannabis Laboratory Approval Program - MDH](#)



Labeling Conditions

- Label must contain the type of product, serving size, **maximum dosage per 24 hours**, cannabinoid profile by serving and total, ingredients, major food and allergens.
- “Keep this product out of reach of children”
- **Contain universal product symbol.**
- **Have a warning and poison control info.**
- The package must not claim that the product is effective in prevention, treatment or cure of a disease or that it alters the structure or function of a human or animal body, unless the product has been so approved by the US Food and Drug Administration (FDA).
- “Product does not claim to diagnose, treat, cure, or prevent any disease that has not been evaluated or approved by the FDA unless the product has been so approved”



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health





Package Conditions



- Package must be made from FDA approved materials.
- All items are to be prepackaged.
- Packaging must be certified as child-resistant, tamper-evident, and opaque. Packages meeting the [Poison Prevention Packaging Act \(PPPA\) at 16 CFR 1700.15\(b\)\(1\)](#) are acceptable. This section does not apply to beverages. May request Child Resistant Certificate.
- If the product contains multiple servings, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size. Beverages are excluded.
- Packaging must contain a product label or QR code that includes: name, location, contact number, and website of the product retailer, manufacturer, and accredited laboratory.
- Package label must include the batch number.



Branding Conditions

- Edible products must not be marketed to or target children. They must not bear likeness or contain characteristics of real or fictional persons, animals, or fruit that appeal to children. Products must not be modeled after a brand of products primarily consumed or marketed to children.
- Edible cannabinoid products must not be packaged in a way that resembles the trademark, characteristic, or product specialized packaging of a commercially available food product.
- Edible cannabinoid products also must not be packaged in a container that includes a statement, artwork, or design that could reasonably mislead any person to believe the package contains anything other than an edible cannabinoid product.
- Must not resemble a lollipop, ice cream, or meat, poultry, or dairy product.



Indoor/Outdoor Advertising Conditions



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

Effective Under Minnesota 342:

- No false claims, unverified claims, overconsumption, youth consumption, target marketing to youth, or advertisements without warnings permitted.
- Advertisements in mediums where 30% or more of the population is under age 21.
- No unsolicited internet advertising.
- May direct market or use location-based services to 21 and older with age verification.
- Practitioners must appropriately advertise medical cannabis.
- May have two fixed exterior business signs that meet requirements.
- No print signs or advertisements on billboards, benches, transit, or business vehicles.



Product Sale Considerations



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

- Product must be served in original package and must not leave the on-site location once opened.
- Vending is not allowed.
- Consumption of lower-potency edibles is not to be visible outside of the licensed portion of the building.
- Employees of licensed cannabis businesses may consume no more than three samples of lower-potency hemp edibles and hemp-derived consumer products in a 24-hour period. They may not interact directly with customers for a least three hours after sampling.
- Food definition [34A.01 subd. 4](#)
- Edible cannabinoids are excluded from the food product definition and therefore excluded from the Minnesota Cottage Food Exemption.
- Must not be made by applying a cannabinoid to a commercially available candy or snack food.
- Addition of edible cannabinoids by restaurants, bars, or other business that prepare foods and beverages for onsite or take out consumption is prohibited.
- Products must not be sold to an obviously intoxicated customer.
- Self-Service is only allowed for lower-potency edible products that are beverages.
- Separation of five hours between alcohol and lower-potency hemp edible service. May not overserve.



Local Regulation Options

- May report violations additional regulatory agencies and following proper due process.
- Cities and counties in MN have regulatory powers under 151.72 and 342.
- State provides licenses and endorsements.
- Local municipalities provide registrations for the six retailer business classes: Cannabis Retailer, Cannabis Mezzobusiness with Retail Endorsement, Cannabis Microbusiness with Retail Endorsement, Lower Potency Edible Retailer, Medical Cannabis Retailer, and Medical Cannabis Combination Retailer.
- May develop own policies as long as state minimum is met.
- May charge initial and renewal registration fees that are not prorated, nonrefundable, non-transferrable. May not charge an application fee.
- Revocation of 1 can be sale of none for alcohol, tobacco, and cannabinoids. Example: Tobacco 7 Day Minimum Revocation



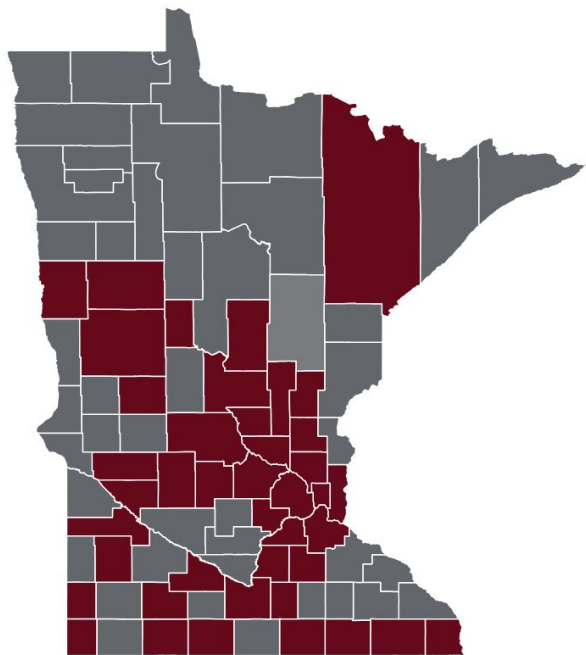
Local Regulation Options

- May use zoning as a tool for control.
- May limit business density based upon certain license type. (Per 12,500 population)
- May limit distance from school (1000 feet) or childcare/park/treatment facility (500 feet)
- May determine hours of operation.
- May decide who conducts compliance checks. (At least once per Calendar Year)
- May suspend or revoke registration (30 Day Minimum)
- May institute criminal penalties. (No more than 1 Year or \$3,000)
- May institute administrative penalties for no licensure. (\$2,000 per Violation)





More Potential Regulation Tools



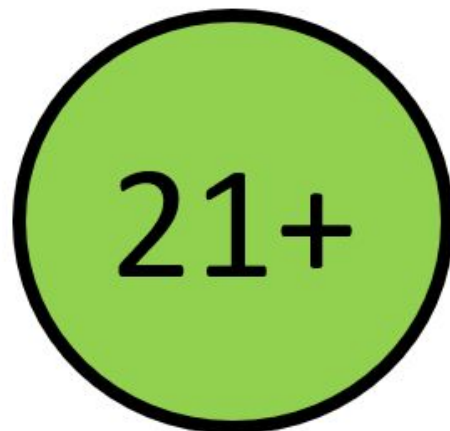
- Moratorium: As of 5/23/2023: 80 cities and 5 counties (Kanabec, Le Sueur, Otter Tail, Scott, and Yellow Medicine) have adopted moratoriums for Cannabinoid Edibles.
- Ordinance for Hemp/THC: As of 5/23/2023, 42 cities and 2 counties (Fillmore and Rock) have adopted regulation, including licensing and sale restrictions.

- Training requirements
- Signage requirements
- Pop-up or events sales
- Movable places of business
- Transient merchants
- Density of other retailers not identified or restricted in statute
- Distance between retailers
- Alcohol and/or tobacco license suspension or revocation
- Location of products within retail establishment
- Point of sale display and packaging
- Discounts
- Product flavors
- Workplace policies
- Outdoor use policies



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

You Must Be



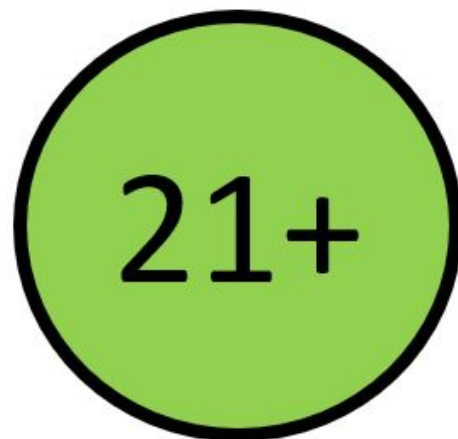
To Purchase
Products Containing
Cannabinoids

This sign meets legal sales age requirements outlined in Fillmore County Ordinance 20230523. Illegal sales are subject to penalties



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

Identification Required



To Purchase
Products Containing
Cannabinoids

This sign meets legal sales age requirements outlined in Fillmore County Ordinance 20230523. Illegal sales are subject to penalties



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

Cannabinoid Product Warning



Cannabinoid use can impair driving ability.
Driving under the influence is illegal
and danger to yourself and others.



Cannabinoid smoke increases lung cancer risk.
Cannabinoids intended for inhalation by
smoking or vaping are prohibited indoors.



Cannabinoids used in edible form can lead to
anxiety, hallucinations, and paranoia if
consumed in large amounts or too quickly.
Keep cannabinoids up and away from children!

This sign meets product warning requirements outlined in Fillmore County Ordinance Number 20230523.

Cannabinoid Use Prevention and Control Strategies



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

- Social acceptability
- Perception of risk
- Use demographics
- Strategies: Education, media, mental/chemical health assessment and referrals, and property and point of sale policies.



Traffic Safety and Cannabis Use Implication 1

Takeaway from Colorado

- People using cannabis have the perception that driving under the influence of marijuana is less dangerous.

Potential Strategy

- Work with drivers to consider travel conditions, alertness, and how recently they consumed cannabis.





Traffic Safety and Cannabis Use Implication 2

Takeaway from Colorado

- Many people who use cannabis are skeptical of staff and policies regarding impaired driving and enforcement.



Potential Strategy

- Credible detection methods.
- Guidelines for self-assessing impairment, dosage-based legal limits, and time to wait until driving.
- Messages or ads that are credible and realistic.

Traffic Safety and Cannabis Use Implication 3

Takeaway from Colorado

- Some audiences who are skeptical are still reachable with messages and education.

Potential Strategy

- Use friend-like messengers to lead campaigns with feelings followed by facts.



Colorado Department of Transportation. (2020, April) The cannabis conversation.

https://www.codot.gov/safety/impaired-driving/druggeddriving/assets/2020/cannabis-conversation-report_april-2020.pdf



Colorado DOT YouTube Channel

- [PSA: Marijuana Impaired Driving/BBQ – YouTube](#)
- [PSA: Marijuana Impaired Driving/Basketball – YouTube](#)
- [PSA: Marijuana Impaired Driving/TV – YouTube](#)
- [CDOT Drugged Driving Case Study - YouTube](#)

Technical Assistance and Resources



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

- [Minnesota Department of Agriculture – Hemp Program](#)
- [Minnesota Department of Health – Edible Cannabinoid Products](#)
- [Minnesota Office of Medical Cannabis](#)
- Minnesota Office of Cannabis Management
- [Minnesota Product Compliant Form](#)
- [Public Health Institute “Getting it Right from the Start” Model Ordinance](#)
- [Public Health Law Center at Mitchell Hamline School of Law](#)
- [United States Department of Agriculture](#)



Public Health
Prevent. Promote. Protect.
Fillmore County
Public Health

THANK YOU!

Fillmore County Public Health
902 Houston Street NW, Suite 2
Preston, MN 55965

Brenda Leigh Pohlman, BS, MPH, CPST
Health Educator

507-765-3898 extension 2636

bpohlman@co.fillmore.mn.us