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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2025	.	
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The Committee on Agriculture (Burton) recommended the following:

Senate Amendment (with title amendment)

Delete lines 186 - 303

and insert:

certificate of analysis of the final hemp extract batch by a certified marijuana ~~an independent~~ testing laboratory;

b. The batch number;

c. The Internet address of a website where batch information may be obtained;

d. The expiration date; ~~and~~

e. The number of milligrams of each marketed cannabinoid



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12 per serving; and
13 f. The toll-free telephone number for the national Poison
14 Help line.
15 4.3. Is distributed or sold in a container that:
16 a. Is suitable to contain products for human consumption;
17 b. Is composed of materials designed to minimize exposure
18 to light;
19 c. Mitigates exposure to high temperatures;
20 d. Is not attractive to children; and
21 e. Is compliant with the United States Poison Prevention
22 Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq., without
23 regard to provided exemptions.
24 (b) Except as required under this section for the retail
25 sale of THC-infused beverages, hemp extract may only be sold to
26 or procured by a business in this state if that business is
27 properly permitted as required by chapter 500 this section. A
28 business or food establishment may not possess hemp or hemp
29 extract products that are attractive to children. Unpermitted
30 business sales, street sales, or festival sales are not allowed.
31 A business or food establishment permitted to sell hemp or hemp
32 extract may not be located within 500 feet of a school or day
33 care facility, a retail outlet engaged in the business of
34 selling motor fuel, or a retail facility in possession of a
35 valid permit to sell hemp or hemp extract. Businesses and food
36 establishments permitted to sell hemp or hemp extract:
37 1. May not advertise the availability of such products in a
38 manner that is visible to members of the public from any street,
39 sidewalk, park, or other public place. A business or food
40 establishment permitted to sell hemp extract may not use a trade



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41 name, a logo, or advertising that contains wording or images
42 that are attractive to children; that implies that such products
43 confer health or medical benefits that are unsubstantiated; or
44 that suggests that the business or food establishment is
45 affiliated with a medical office or other health care facility.
46 Advertising may not use the terms "THC" or "medical card" or
47 similar terms.

48 2. Shall keep records pertaining to lab testing results and
49 the suppliers of hemp extract products for a minimum of 3 years
50 and shall have procedures in place to effect a recall of any
51 hemp extract later determined to be unsafe for human
52 consumption.

53 3. Shall store all such products out of reach of customers,
54 either in a controlled area accessible only to employees or in a
55 locked display case, excluding hemp-infused beverages.

56 (c) Hemp extract distributed or sold in this state is
57 subject to the applicable requirements of chapter 500, chapter
58 502, or chapter 580.

59 (d) Products that are intended for human ingestion or
60 inhalation and that contain hemp extract, including, but not
61 limited to, THC-infused beverages, snuff, chewing gum, and other
62 smokeless products, may not be sold in this state to a person
63 who is under 21 years of age. A person who violates this
64 paragraph commits a misdemeanor of the second degree, punishable
65 as provided in s. 775.082 or s. 775.083. A person who commits a
66 second or subsequent violation of this paragraph within 1 year
67 after the initial violation commits a misdemeanor of the first
68 degree, punishable as provided in s. 775.082 or s. 775.083.

69 (e) Hemp extract possessed, manufactured, delivered, held,



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70 offered for sale, distributed, or sold in violation of this
71 subsection by an entity regulated under chapter 500 is subject
72 to s. 500.172 and penalties as provided in s. 500.121. Hemp
73 extract products found to be mislabeled or attractive to
74 children are subject to an immediate stop-sale order. The
75 department may not grant permission to remove or use, except for
76 disposal, hemp extract products subject to a stop-sale order
77 which are attractive to children until the department has
78 determined that the hemp extract products comply with state law.

79 (f)1. An event organizer may not promote, advertise, or
80 facilitate an event where:

81 a. Hemp extract products that do not comply with general
82 law, including hemp extract products that are not from an
83 approved source as provided in sub-subparagraph (a)2., are sold
84 or marketed; or

85 b. Hemp extract products are sold or marketed by businesses
86 that are not properly permitted as required by this section and
87 chapter 500.

88 2. Before an event where hemp extract products are sold or
89 marketed, an event organizer must provide to the department a
90 list of the businesses selling or marketing hemp extract
91 products at the event and verify that each business is selling
92 hemp products only from an approved source. The event organizer
93 must ensure that each participating business is properly
94 permitted as required by this section and chapter 500.

95 3. A person who violates this paragraph is subject to an
96 administrative fine in the Class III category under s. 570.971
97 for each violation.

98 (8) TESTING.-



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99 (a) Each final batch of hemp extract must be tested using a
100 certified marijuana testing laboratory before it may be sold in
101 this state. Test results must be verified and signed by two
102 laboratory employees. The certified marijuana testing laboratory
103 must determine whether the test results indicate that the
104 product meets the definition of hemp and hemp extract, the
105 labeling of the concentration of tetrahydrocannabinol and
106 cannabidiol is accurate, and the product is free from
107 contaminants that are unsafe for human consumption.

108 (b) The department shall create procedures for the
109 treatment of hemp extract that fails to meet the testing
110 requirements of this section or department rule.

111 (c) The department may select and test samples of hemp
112 extract from a retail store, hemp distributor, or hemp
113 cultivator to determine whether the product meets the
114 requirements of this section, is safe for human consumption, and
115 is accurately labeled.

116 (d) A retail store must recall hemp extract that fails to
117 meet the requirements of this section, is unsafe for human
118 consumption, or is mislabeled.

119 (e) The certified marijuana testing laboratory must retain
120 records of all testing and samples of each final batch of hemp
121 extract for 9

122
123 ===== T I T L E A M E N D M E N T =====

124 And the title is amended as follows:

125 Delete lines 40 - 51

126 and insert:

127 requiring that each final batch of hemp extract be



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128 tested in a certified marijuana testing laboratory
129 before it may be sold in this state; providing
130 construction; requiring the department to create
131 procedures for the testing of hemp extract that fails
132 to meet specified requirements; authorizing the
133 department to select and test samples of hemp extract
134 from a retail store, hemp distributor, or hemp
135 cultivator for certain purposes; requiring retail
136 stores to recall hemp extract that fails to meet
137 specified requirements; requiring that a certified
138 marijuana testing laboratory retain records of each
139 final batch of tested and sampled hemp extract for a
140 specified