

SENATE BILL NO. 993

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR HENDERSON.

5195S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 312, RSMo, by adding thereto ten new sections relating to hemp businesses, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 312, RSMo, is amended by adding thereto
2 ten new sections, to be known as sections 312.1000, 312.1005,
3 312.1010, 312.1015, 312.1020, 312.1025, 312.1030, 312.1035,
4 312.1037, and 312.1040, to read as follows:

312.1000. As used in sections 312.1000 to 312.1040,
2 the following terms mean:

3 (1) "Artificially derived cannabinoid", a cannabinoid
4 extracted from a hemp plant, or hemp plant parts with a
5 chemical makeup that is changed after extraction to create a
6 different cannabinoid or other chemical compound by applying
7 a catalyst other than heat or light. Artificially derived
8 cannabinoid includes, but is not limited to, any
9 tetrahydrocannabinol created from cannabidiol;

10 (2) "Department", the department of health and senior
11 services;

12 (3) "Division", the division of alcohol and tobacco
13 control;

14 (4) "Hemp beverage" or "hemp beverage product", a
15 beverage intended for human consumption, which does not
16 include cannabis flower or cannabis concentrate; and:

- 17 (a) Contains or consists of hemp plant parts; or
18 (b) Contains hemp concentrate or artificially derived
19 cannabinoids in combination with other ingredients;
20 (5) "Hemp business", one of the following licensed
21 under sections 312.1000 to 312.1040:
22 (a) Hemp beverage manufacturer;
23 (b) Hemp beverage wholesaler; or
24 (c) Hemp beverage retailer.

25 "Hemp business" does not include a person or entity licensed
26 to grow industrial hemp for commercial or research purposes
27 or to process industrial hemp for commercial purposes;

28 (6) "Hemp concentrate":

29 (a) The extracts and resins of a hemp plant or hemp
30 plant parts;

31 (b) The extracts or resins of a hemp plant or hemp
32 plant parts that are refined to increase the presence of
33 targeted cannabinoids; or

34 (c) A product that is produced by refining extracts or
35 resins of a hemp plant or hemp plant parts and is intended
36 to be consumed by combustion or vaporization of the product
37 and inhalation of smoke, aerosol, or vapor from the product.

38 "Hemp concentrate" does not include artificially derived
39 cannabinoids, hemp beverages, hemp-derived consumer
40 products, or hemp-derived topical products;

41 (7) "Hemp plant", all parts of the plant of the genus
42 Cannabis that is growing or has not been harvested and has a
43 delta-9 tetrahydrocannabinol concentration of no more than
44 three-tenths of one percent on a dry weight basis;

45 (8) "Hemp plant parts", any part of the harvested hemp
46 plant, including the flower, bud, leaves, stems, and stalk,

but does not include derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers that are separated from the plant. "Hemp plant parts" do not include hemp fiber products, hemp grain, or hemp seed;

(9) "Hemp seed", the viable seed of the plant of the genus *Cannabis* that is intended to be planted and is reasonably expected to grow into a hemp plant. "Hemp seed" does not include cannabis seed or hemp grain;

(10) "Industrial hemp", the plant *Cannabis sativa* L. and any part of the plant, whether growing or not, including the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis. Industrial hemp is not marijuana, as defined under Article XIV of the Constitution of Missouri;

(11) "Unfinished hemp extract", an oil, extract, concentrate, or other substance that has a total tetrahydrocannabinol concentration above three-tenths of one percent on a dry weight basis, is not for consumer use or retail distribution, and is intended to undergo further refinement or processing into a hemp product.

312.1005. 1. The division shall issue the following types of hemp business licenses:

- (1) Hemp beverage manufacturer;
- (2) Hemp beverage wholesaler; and
- (3) Hemp beverage retailer.

2. Notwithstanding any provisions of sections 312.1000 to 312.1040 or chapter 311 to the contrary, there shall be no interpretations that prohibit liquor licensees from manufacturing, distributing, or selling hemp beverage

10 products that comply with the provisions of sections
11 312.1000 to 312.1040 and any other rules adopted by the
12 division.

13 3. A person, cooperative, or business may hold both a
14 hemp beverage manufacturer and hemp beverage retailer
15 license, but may only operate hemp beverage retail
16 operations on site at the premises in which the hemp
17 beverage product is manufactured.

18 4. Except as otherwise provided in this section, no
19 person, cooperative, or business holding any one of the
20 three types of hemp beverage licenses shall hold either of
21 the other two types of hemp beverage licenses and shall not
22 have a financial interest, either direct or indirect, in a
23 person, cooperative, or business holding any of the other
24 two types of hemp beverage licenses.

25 5. Except as otherwise provided in this section, no
26 hemp beverage manufacturer shall sell or otherwise convey
27 hemp beverage products to retailers. Hemp beverage
28 manufacturers are authorized to solicit and sell hemp
29 beverage products to hemp beverage wholesalers. Hemp
30 beverage wholesalers are authorized to solicit and sell hemp
31 beverage products to hemp beverage retailers.

32 6. A person, cooperative, or business holding a hemp
33 beverage manufacturer license, a hemp beverage wholesaler
34 license, or a hemp beverage retailer license, or any
35 combination of the three, shall not hold a marijuana
36 facility license or a medical facility license, as such
37 terms are defined in Article XIV of the Constitution of
38 Missouri.

39 7. No license shall be issued to a hemp beverage
40 retailer unless the hemp beverage retailer also has an
41 active license issued by the division allowing it to sell

42 alcoholic beverages. This restriction shall not apply to
43 hemp beverage manufacturers or hemp beverage wholesalers,
44 unless they are seeking a hemp beverage retailer license.

45 8. No hemp beverage wholesaler or hemp beverage
46 retailer shall distribute or sell any hemp beverage products
47 that the wholesaler or retailer knows or reasonably should
48 know were manufactured outside of the United States.

49 9. Unfinished hemp extract may only be imported by a
50 hemp beverage manufacturer if:

51 (1) The unfinished hemp extract is derived from
52 industrial hemp biomass that has been cultivated under a
53 state-sponsored industrial hemp program or the U.S.
54 Department of Agriculture; and

55 (2) The hemp beverage manufacturer has records to
56 substantiate the source of the hemp biomass.

57 10. Unfinished hemp extract may only be exported by a
58 hemp beverage manufacturer if:

59 (1) The hemp beverage manufacturer does not export
60 unfinished hemp extract to a state where unfinished hemp
61 extract is prohibited by state law; and

62 (2) The hemp beverage manufacturer does not sell or
63 export unfinished hemp extract to any person or entity that
64 does not hold a valid hemp beverage manufacturer license.

312.1010. 1. The division, by rule, shall establish
2 forms and procedures for the processing of hemp licenses
3 issued under sections 312.1000 to 312.1040. At a minimum,
4 any application to obtain or renew a hemp business license
5 shall include the following information, if applicable:

6 (1) The name, address, and date of birth of the
7 applicant;

8 (2) The address and legal property description of the
9 business;

(3) Proof of business name registration;

(4) Certification that the applicant shall comply with the requirements of sections 312.1000 to 312.1040 relating to the ownership and operation of a hemp business;

(5) Identification of one or more controlling persons or managerial employees as agents who shall be responsible for dealing with the division on all matters; and

(6) A statement that the applicant agrees to respond to the division's supplemental requests for information.

2. An application on behalf of a corporation, limited liability company, partnership, or association shall be signed by at least two officers or managing agents of that entity.

3. The division may issue a hemp business license to an applicant who:

(1) Is, or is owned and managed by persons, at least twenty-one years of age who has or have not been convicted of a felony related to controlled substances within the previous ten years in any state or federal jurisdiction and who is or are current in filing all applicable tax returns to the department of revenue and in payment of all taxes, interest, and penalties assessed by the department of revenue;

(2) Has completed an application for licensure or application for renewal and has fully and truthfully complied with all information requests relating to license application and renewal;

(3) Has paid the applicable application and license fees. For hemp beverage manufacturers, the license fee shall be one thousand dollars. For hemp beverage wholesalers, the license fee shall be five hundred dollars. For hemp beverage retailers, the license fee shall be two

42 hundred fifty dollars per location, and shall not exceed
43 five thousand dollars for an entity with multiple locations;

44 (4) Is not employed by the division, department, or
45 any other state agency with regulatory authority over
46 sections 312.1000 to 312.1040; and

47 (5) Does not hold any marijuana facility or medical
48 facility license, as such terms are defined in Article XIV
49 of the Constitution of Missouri.

50 4. Licenses shall be renewed annually.

51 5. Licenses shall not be transferred.

52 6. The division shall promulgate such regulations
53 related to hemp business licensees for the administration of
54 sections 312.1000 to 312.1040 and shall design all necessary
55 forms. Any rule or portion of a rule, as that term is
56 defined in section 536.010, that is created under the
57 authority delegated in this section shall become effective
58 only if it complies with and is subject to all of the
59 provisions of chapter 536 and, if applicable, section
60 536.028. This section and chapter 536 are nonseverable and
61 if any of the powers vested with the general assembly
62 pursuant to chapter 536 to review, to delay the effective
63 date, or to disapprove and annul a rule are subsequently
64 held unconstitutional, then the grant of rulemaking
65 authority and any rule proposed or adopted after August 28,
66 2026, shall be invalid and void.

67 7. Whenever it shall be determined that a hemp
68 business licensee has violated any of the provisions of
69 sections 312.1000 to 312.1040, the supervisor of the
70 division may warn, place on probation on such terms and
71 conditions as the supervisor deems appropriate for a period
72 not to exceed twelve months, fine in an amount not to exceed
73 five thousand dollars per violation, suspend for a period

74 not to exceed twelve months, or revoke the license of the
75 licensee. The licensee shall have thirty days' notice of
76 the imposition of discipline and may seek a determination
77 thereon by the administrative hearing commission pursuant to
78 the provisions of section 621.045.

79 8. (1) There is hereby created in the state treasury
80 the "Hemp-Derived Products Fund", which shall consist of all
81 fees authorized to be charged by the division under this
82 section. The state treasurer shall be custodian of the
83 fund. In accordance with sections 30.170 and 30.180, the
84 state treasurer may approve disbursements. The fund shall
85 be a dedicated fund and money in the fund shall be used
86 solely by the division for the purposes of administration of
87 sections 312.1000 to 312.1040.

88 (2) Notwithstanding the provisions of section 33.080
89 to the contrary, any moneys remaining in the fund at the end
90 of the biennium shall not revert to the credit of the
91 general revenue fund.

92 (3) The state treasurer shall invest moneys in the
93 fund in the same manner as other funds are invested. Any
94 interest and moneys earned on such investments shall be
95 credited to the fund.

312.1015. 1. A hemp beverage manufacturer license
2 entitles the license holder to:

3 (1) Purchase hemp plant parts, hemp concentrate, and
4 artificially derived cannabinoids from industrial hemp
5 processors and hemp beverage manufacturers;

6 (2) Purchase hemp plant parts and propagules from
7 industrial hemp growers;

8 (3) Purchase hemp concentrate;

9 (4) Manufacture hemp beverages for public consumption;

10 (5) Package and label hemp beverages for sale to
11 customers;

12 (6) Sell hemp concentrate to other hemp businesses;

13 (7) Sell hemp beverage products to hemp beverage
14 wholesalers; and

15 (8) Perform any other actions approved by the
16 department and division.

17 2. All hemp beverage manufacturing shall take place in
18 a Current Good Manufacturing Practices-certified facility or
19 in a facility licensed as a brewery, distillery, or winery.

20 3. A hemp beverage manufacturer shall comply with all
21 applicable packaging, labeling, and testing requirements
22 established by the department. Labels and packaging for the
23 hemp beverage products shall not consist of images or
24 designs that are intended to be attractive to individuals
25 under twenty-one years of age. A product shall be
26 considered attractive under this subsection if it uses
27 labeling, packaging, advertising, and marketing that is
28 especially appealing to children, including, but not limited
29 to, the use of:

30 (1) Cartoons, meaning any drawing or other depiction
31 of an object, person, animal, creature, or any similar
32 caricature that satisfies any of the following criteria:

33 (a) The use of comically exaggerated features;

34 (b) The attribution of human characteristics to
35 animals, plants, or other objects; or

36 (c) The attribution of unnatural or extra-human
37 abilities; and

38 (2) Similarities to products that are commonly used
39 by or marketed to individuals under twenty-one, including,
40 but not limited to, candy, soda, drinks, cookies, or cereal,

41 except when used to describe the contents, taste, or
42 ingredients of the product sold.

43 4. All hemp beverage products shall be registered by
44 the manufacturer with the department prior to sale.

45 5. Upon the sale of any hemp beverage, a hemp beverage
46 manufacturer shall provide a statement to the buyer that
47 discloses the product's ingredients, including, but not
48 limited to, any chemicals or compounds and any major food
49 allergens declared by name.

50 6. A hemp beverage manufacturer shall not add any
51 artificially derived cannabinoid, hemp plant part, or hemp
52 concentrate to a product if the manufacturer of the product
53 holds a trademark to the product's name, except that a hemp
54 beverage manufacturer may use a trademarked food product if
55 the manufacturer uses the product as a component or as part
56 of a recipe and if the hemp beverage manufacturer does not
57 state or advertise to the customer that the final retail
58 hemp beverage product contains a trademarked food product.

59 7. A hemp beverage manufacturer shall not add any
60 cannabis flower, cannabis concentrate, or cannabinoid
61 derived from cannabis flower or cannabis concentrate to a
62 product.

63 8. The hemp beverage manufacturer shall have a hemp
64 beverage product tested prior to distribution to confirm
65 compliance with all statutory and regulatory requirements.
66 The testing shall be performed by a laboratory holding an
67 ISO 17025 accreditation or that is registered with the Drug
68 Enforcement Administration in accordance with 21 CFR
69 1301.13, and which does not have a direct or indirect
70 interest in the entity whose product is being tested.

71 9. No hemp beverage manufacturer who designates a
72 specific geographic area for which a hemp beverage

73 wholesaler shall be responsible, shall enter into any
74 agreement with any other person for the purpose of
75 establishing an additional wholesaler for the same brands of
76 hemp beverage products in such designated area.

77 10. Any hemp beverage manufacturer or wholesaler who
78 violates the provisions of this section, or permits its
79 employees, officers, or agents to do so, shall be guilty of
80 a misdemeanor, and upon conviction thereof shall be punished
81 only as follows:

82 (1) For the first offense, by a fine of one thousand
83 dollars;

84 (2) For the second offense, by a fine of five thousand
85 dollars; and

86 (3) For the third or any subsequent offense, by a fine
87 of twenty-five thousand dollars.

312.1020. 1. A hemp beverage wholesaler may transport
2 hemp beverages on public roadways provided the hemp
3 beverages are in a safe and secured storage compartment that
4 is part of the motor vehicle.

5 2. A hemp beverage wholesaler may sell to retailers
6 hemp beverage products that:

7 (1) Are obtained from a licensed hemp beverage
8 manufacturer;

9 (2) Meet all applicable packaging and labeling
10 requirements established by the department; and

11 (3) Comply with any other rules adopted by the
12 department.

13 3. Any vehicle assigned for the purposes of hemp
14 beverage delivery is subject to inspection by the division
15 at any time.

16 4. Any hemp beverage products stored by a hemp
17 beverage wholesaler shall be stored in a secure climate-

18 controlled location that is locked and inaccessible to the
19 general public.

20 5. All hemp beverage wholesalers shall be resident
21 businesses. A "resident business" shall be a business
22 created under the laws of Missouri, in which at least sixty
23 percent of all of the financial interest in the business is
24 owned by bona fide Missouri residents who have continuously
25 resided in Missouri for a period of at least three years
26 immediately prior to the date of filing of the application
27 for a license, and in which at least sixty percent of all
28 directors, officers, or managers of the business are bona
29 fide Missouri residents who have continuously resided in
30 Missouri for a period of at least three years immediately
31 prior to the date of filing of the application for a license.

312.1025. 1. A hemp beverage retailer shall only sell
2 hemp beverages to individuals who are at least twenty-one
3 years of age. No person under twenty-one years of age shall
4 sell or assist in the sale or dispensing of the hemp
5 beverages.

6 2. A hemp beverage retailer shall not sell any product
7 the retailer knows, or has reason to know, contains more
8 than three-tenths of one percent of tetrahydrocannabinol
9 content.

10 3. A hemp beverage retailer may sell hemp beverage
11 products that:

12 (1) Are obtained from a licensed Missouri hemp
13 beverage wholesaler or is manufactured by the hemp beverage
14 retailer as a licensed hemp beverage manufacturer on the
15 premises it is sold; and

16 (2) Meet all applicable packaging and labeling
17 requirements established by the department.

18 4. A hemp beverage retailer shall not ship or deliver
19 hemp beverages to consumers, and all sales of hemp beverage
20 products shall be made on the licensed premises of the hemp
21 beverage retailer.

22 5. A hemp beverage retailer may sell other products or
23 items for which the hemp beverage retailer has a license or
24 authorization or that do not require a license or
25 authorization.

26 6. It shall constitute a class B misdemeanor for a
27 hemp beverage retailer or any other person to sell or
28 provide hemp beverage products to a person under twenty-one
29 years of age. It shall constitute a class B misdemeanor for
30 a person under twenty-one years of age to knowingly acquire,
31 possess, or consume a hemp beverage product.

32 Notwithstanding the other provisions of this section to the
33 contrary, law enforcement agency efforts utilizing a person
34 under twenty-one years of age but at least eighteen years of
35 age, wherein the person does not consume the hemp beverage
36 product, are not precluded. The division may enforce
37 compliance with this section by conducting random,
38 unannounced inspections at locations where such products are
39 sold or distributed to ensure compliance with sections
40 312.1000 to 312.1040. The division shall submit an annual
41 publicly accessible report to the general assembly
42 describing in detail the division's enforcement efforts.

43 7. A hemp beverage retailer shall ensure that all hemp
44 beverages offered for sale comply with the limits on the
45 amount and types of cannabinoids that a hemp beverage
46 product can contain, including, but not limited to, the
47 requirement that hemp beverages are either multi-serving or
48 a single serving hemp beverage and:

49 (1) A multi-serving hemp beverage shall be bottled or
50 placed in a container of no less than three hundred seventy-
51 five milliliters and no more than one and three-quarters
52 liters; be bottled or placed in a resealable container that
53 uses a screw top or cork-style cap; with container servings
54 measured in no less than one and a half ounces; and no more
55 than ten milligrams of tetrahydrocannabinol per serving;

56 (2) A single serving hemp-derived cannabinoid shall be
57 bottled, canned, or placed in a container of no less than
58 fifty milliliters and no more than nineteen and two-tenths
59 ounces; be canned or placed in a container that utilizes a
60 traditional pull tab; have no more than ten milligrams of
61 tetrahydrocannabinol per container and contain no more than
62 one serving per container. A single serving hemp beverage
63 product may be sold in a pack of twenty-four; and

64 (3) Consist of servings that contain no more than ten
65 milligrams of delta-9 tetrahydrocannabinol.

66 8. A hemp beverage retailer shall not:

67 (1) Sell a hemp beverage to a person who is visibly
68 intoxicated;

69 (2) Sell cannabis flower or cannabis products; or

70 (3) Allow for the dispensing of hemp beverage products
71 in vending machines.

72 9. A hemp beverage retailer may permit onsite
73 consumption of hemp beverage products which contain less
74 than five milligrams of tetrahydrocannabinol per serving
75 that are consumed by consumers onsite.

76 10. A hemp beverage retailer shall ensure that hemp
77 beverage products sold for onsite consumption comply with
78 sections 312.1000 to 312.1040 and rules adopted pursuant to
79 sections 312.1000 to 312.1040 regarding testing.

80 11. Food and beverages not otherwise prohibited by
81 this section may be prepared and sold onsite provided that
82 the hemp beverage retailer complies with all relevant state
83 and local laws, ordinances, licensing requirements, and
84 zoning requirements.

85 12. A hemp beverage retailer selling products onsite
86 shall not:

87 (1) Sell hemp beverage products to a customer who the
88 hemp beverage retailer knows or reasonably should know is
89 intoxicated, either from consumption of alcohol, other hemp
90 beverages, or any other drug;

91 (2) Sell hemp beverage products that are designed or
92 reasonably expected to be mixed with an alcoholic beverage;
93 or

94 (3) Permit hemp beverage products that have been
95 removed from the products' packaging to be removed from the
96 premises of the hemp beverage retailer.

97 13. A hemp beverage retailer shall maintain compliance
98 with state and local building, fire, and zoning codes,
99 requirements, or regulations.

100 14. A hemp beverage retailer shall ensure that the
101 licensed premises is maintained in a clean and sanitary
102 condition, free from infestation by insects, rodents, or
103 other pests.

104 15. No hemp beverage manufacturer or wholesaler may
105 pay to a hemp beverage retailer, nor shall any hemp beverage
106 retailer accept, any payment, credit, or any other
107 consideration to induce the hemp beverage retailer to
108 advertise or display a hemp beverage product in a certain
109 manner on the hemp beverage product's licensed premises.
110 Further, no hemp beverage manufacturer or wholesaler may pay
111 to a hemp beverage retailer any fee rental or other

112 consideration for the use of any part of the licensed retail
113 premises for advertising any brand name for the purpose of
114 advertising the same.

115 16. A hemp beverage retailer is subject to inspection
116 by the division at any time.

117 17. The division shall not issue a hemp beverage
118 license to any retail establishment located within one
119 hundred feet of any educational institution providing
120 education to children at any level between preschool and
121 twelfth grade, or the equivalent, nor to any retail
122 establishment located within one hundred feet of any church
123 or place of worship. The prohibition in this subsection
124 shall not apply to businesses selling hemp-derived
125 cannabinoids prior to December 31, 2026.

312.1030. 1. As used in this section, "franchise"
2 means a written or oral arrangement for a definite or
3 indefinite period in which a person grants to another person
4 a license to use a trade name, trademark, service mark, or
5 related characteristic, and in which there is a community of
6 interest in the marketing of goods or services at wholesale,
7 retail, by lease, agreement, or otherwise, including, but
8 not limited to, a commercial relationship of definite
9 duration or continuing indefinite duration, between a hemp
10 beverage wholesaler, to hemp beverage retailers, duly
11 licensed in this state, and a hemp beverage manufacturer,
12 and wherein a hemp beverage wholesaler is granted the right
13 to offer, sell, and distribute within this state or any
14 designated area thereof some or all of the hemp beverage
15 manufacturer's hemp beverage products to hemp beverage
16 retailers.

17 2. If more than one franchise for the same brand or
18 brands of hemp beverage products is granted to different

19 hemp beverage wholesalers in Missouri, it is a violation for
20 any hemp beverage manufacturers to discriminate between the
21 wholesalers with respect to any of the terms, provisions,
22 and conditions of these franchises.

23 3. Notwithstanding the terms, provisions, and
24 conditions of any franchise, no hemp beverage manufacturer
25 shall unilaterally terminate or refuse to continue or change
26 substantially the condition of any franchise with the hemp
27 beverage wholesaler unless the manufacturer has first
28 established good cause for such termination, noncontinuance,
29 or change.

30 4. Any hemp beverage wholesaler may bring an action in
31 a court of competent jurisdiction against a hemp beverage
32 manufacturer for violation of any of the provisions of this
33 section and may recover damages sustained by such wholesaler
34 together with the costs of the action and reasonable
35 attorney's fees.

36 5. In any action brought by a hemp beverage wholesaler
37 against a hemp beverage manufacturer for termination,
38 noncontinuance, or substantial change in violation of the
39 provisions of this section, it is a complete defense for the
40 hemp beverage manufacturer to prove that the termination,
41 noncontinuance, or change was done in good faith and for
42 good cause.

43 6. As used in this section, "good faith" is the duty
44 of each party to any franchise and all officers, employees,
45 or agents thereof to act in a fair and equitable manner
46 towards each other, and "good cause" means the following:

47 (1) Failure by the hemp beverage wholesaler to comply
48 substantially with the provisions of an agreement or
49 understanding with the hemp beverage manufacturer, which
50 provisions are both essential and reasonable;

51 (2) Use of bad faith or failure to observe reasonable
52 commercial standards of fair dealing in the trade; or

53 (3) Revocation or suspension for more than thirty days
54 of the hemp beverage wholesaler's state or local license
55 required for normal operations of its business.

 312.1035. 1. A hemp beverage product that is sold in
2 this state shall be labeled with consumer protection
3 warnings in the form of statements that cover all of the
4 following:

5 (1) A list of ingredients and possible allergens and a
6 nutritional fact panel or have a code that can be scanned
7 that directs consumers to a website containing the list of
8 ingredients and possible allergens and a nutritional fact
9 panel;

10 (2) A statement that use while pregnant or
11 breastfeeding may be harmful;

12 (3) A statement that consumption of certain
13 cannabinoids may impair your ability to drive and operate
14 heavy machinery;

15 (4) A statement that the product is not approved by
16 the U.S. Food and Drug Administration;

17 (5) A statement to keep out of reach of children;

18 (6) A statement to consult your physician before use;

19 (7) The amount of hemp-derived cannabinoid in each
20 serving of the product, measured in milligrams;

21 (8) The total amount of hemp-derived cannabinoid in
22 the entire package, measured in milligrams;

23 (9) The net weight of the product; and

24 (10) An expiration date in accordance with applicable
25 federal or state law.

26 2. A manufacturer, wholesaler, or retailer of a hemp
27 beverage product shall not advertise, market, or offer for

28 sale the product by using, in the labeling or design of the
29 product or product packaging or in advertising or marketing
30 materials for the product trade dress, trademarks, branding,
31 or other related materials, any imagery or scenery that
32 depicts or signifies characters or symbols known to appeal
33 primarily to persons under twenty-one years of age,
34 including, but not limited to, superheroes, comic book
35 characters, video game characters, television show
36 characters, movie characters, and mythical creatures.

312.1037. The division shall allow retailers and
2 wholesalers one hundred and twenty days after August 28,
3 2026, to sell any adult hemp beverage products that were in
4 the retailers' or wholesalers' inventory as of August 28,
5 2026. All sales shall be in compliance with the provisions
6 of sections 312.1000 to 312.1040, including the prohibition
7 on sales to persons under twenty-one years of age. On and
8 after one hundred and twenty days after August 28, 2026, all
9 hemp beverage products that have not been removed from the
10 inventory of a retailer or wholesaler shall be subject to
11 forfeiture and destruction and shall not be purchased or
12 sold in this state. The cost of seizure, forfeiture, and
13 destruction or disposal under this section shall be paid by
14 the person or entity from whom the adult hemp beverage
15 products are confiscated.

312.1040. 1. An excise tax at the rate of seven
2 percent is imposed on the retail sale of a hemp beverage
3 product. The tax is in addition to any tax imposed under
4 any other provision of federal, state, or local law.

5 2. The tax imposed by this section is intended to be
6 passed on to and borne by the purchaser of the hemp-derived
7 consumable product. The tax is a debt from the purchaser to
8 the retailer until paid. A retailer is considered to act as

9 a trustee on behalf of the state when it collects tax from
10 the purchaser on a taxable transaction. The tax shall be
11 stated and charged separately on any documentation provided
12 to the purchaser by the retailer at the time of the
13 transaction.

✓