

## **Hemp, CBD, Cannabinoids as ingredients in foods and feeds in Vermont**

Generally, additions of cannabinoids and other cannabis-derived ingredients in food, feed or other hemp derived products offered for sale are subject to a variety of regulatory requirements. In some instances, adding cannabinoids is prohibited outright. There are other circumstances where these additions may be permissible, or unregulated entirely.

The Agency of Agriculture does not regulate interstate movement - export from Vermont. Producers are cautioned there are many Federal interstate commerce and food safety laws that prohibit addition of certain ingredients to any human food that is intended to be offered for sale. Consult with FDA, USDA, DEA and private counsel as necessary prior to engaging in interstate sale of cannabinoid containing products.

The three areas where the Vermont Agency of Agriculture is responsible for regulating additives and adulterants in human foods are:

### **Meat – (6 VSA Chapter 204)**

Meat and poultry products produced and processed for human consumption may not be adulterated or contaminated. This includes additions of materials that are not listed as Generally Recognized as Safe (GRAS), or have not otherwise been approved by FDA and USDA FSIS as acceptable ingredients. Cannabinoids are not GRAS and are not recognized otherwise as food additives.

There is currently no provision for adding cannabinoids or other cannabis derived chemicals to meat or poultry products, regardless whether the product is offered for sale inter- or intrastate.

There may be allowances for packaged meat products with pre-applied rubs, sauces, herb garnishes, and similar containing cannabinoids. However, these would have to undergo FDA and USDA review and approval prior to offering for sale.

### **Dairy/Milk Products – Milk and Dairy Products (6 VSA Chapter 151)**

Milk and dairy products may contain additives under certain circumstances. Butter and other products may contain added ingredients, but the producer must obtain a milk handler's license from the Agency of Agriculture, and is subject to inspection and sanitary and recordkeeping requirements associated with the license.

Dairy products containing cannabinoids may not be sold or offered for sale interstate.

### **Maple – Maple products Law (6 VSA Chapter 32)**

Maple syrup, maple sugar, maple sap products may not be labeled or sold as "Pure Maple Syrup" if additives have been introduced to the product. This precludes additions of naturally occurring soluble materials. It also requires that maple products be unadulterated, as defined by VSA 18, Section 4059.

Addition of cannabinoids another cannabis-derived ingredients to maple products may be permitted, as long as labeling and food purity standards are met. Allowable practices depend on a

variety of conditions; therefore, please communicate with the Agency of Agriculture prior to offering cannabinoid containing maple products.

Frequently Asked Questions:

*May I add CBD to food prepared in a restaurant or hotel kitchen?*

Activities in restaurant and hotel (and other commercial food preparation facilities) are regulated and inspected by the Vermont Department of Health. Contact that department at (802)863-7221, 800-439-8550 (toll-free within VT) or [FoodLodging@vermont.gov](mailto:FoodLodging@vermont.gov) for more information.

*May I provide (Sell) CBD to customers alongside a meat, dairy, or maple product with instructions or suggestions they add it to their food on their own?*

Yes, if it does not contain THC in concentrations greater than 0.3%

*May I add CBD to dog food or to livestock fodder?*

As a consumer, yes. As a producer, in Vermont yes. Currently, there are some states that prohibit the deliberate introduction of CBD or other cannabinoids into pet or livestock feeds.

*May I make and sell alcoholic beverages containing CBD?*

Ask the Department of Liquor Control for details of what is allowable in liquor, wine, beer, cider, and other alcoholic beverages.

*May I sell hemp for recreational or therapeutic purposes?*

Hemp as a raw agricultural commodity or process can be legally offered for sale in Vermont.

In all instances, there is no prohibition on the deliberate and knowing addition of cannabinoids or other cannabis-derived products to foods at the time of post-purchase consumption in Vermont.