

Some THC products are now legal in Minnesota. Here's what you need to know

A new state law takes effect Friday legalizing some products containing hemp-derived THC. Minnesotans 21 and older are now able to purchase certain edibles and beverages containing the active ingredient in marijuana.

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A new state law took effect Friday that allows Minnesotans 21 and older to buy certain edibles and beverages containing small amounts of THC, the ingredient in marijuana that produces the high associated with the drug. Here are answers to questions about Minnesota's new law.

What kinds of products are legal under the new law?

The new law allows the sale and purchase of edibles — such as gummies, hard candy or chocolates — and beverages that contain up to 5 milligrams of tetrahydrocannabinol (THC) per serving and 50 milligrams per package, and no more than 0.3% THC by weight. Products containing THC, as well as those containing cannabidiol (CBD), must be clearly labeled and can only be sold to those 21 and older. Edibles must be in child-proof and tamper-evident packages and carry the label "Keep this product out of reach of children." Serving sizes must also be clearly defined.

THC products sold in Minnesota must be derived from legally-certified hemp containing no more than 0.3% THC by weight, according to the law. Marijuana flower and all THC-containing products derived from it remain illegal in Minnesota for recreational use.

The law places no limit on how many CBD and THC products can be purchased and does not regulate who can sell them.

What is THC?

Delta-9-tetrahydrocannabinol, commonly referred to as THC, is a chemical compound found in marijuana that makes users feel high. There are hundreds of compounds — known as cannabinoids — found in the cannabis plant, some of which are psychoactive and some are not. Marijuana flowers, or buds, may contain 20% or more THC by weight, with some concentrates containing nearly 100% THC.

What is the difference between hemp-derived THC and marijuana-derived THC?

There is no difference between them either chemically or in effect — hemp simply contains less THC than marijuana. Hemp and marijuana are products of the same plant, *Cannabis sativa*. Hemp has been cultivated for centuries to produce strong fibers for making rope, textiles and

other products, with minimal THC content. Cannabis plants that produce marijuana, on the other hand, have been selectively bred for higher THC content and greater psychoactive effects.

While hemp contains less than 0.3% THC, it may contain any number of other cannabinoids, including CBD and delta-8 THC — a milder but still psychoactive relative of delta-9 TH

Will hemp-derived THC get me high?

A 5-milligram THC edible can cause a high feeling for new or infrequent users, while people who are used to cannabis may require a larger dose to feel the same effect. It's important to remember that edibles can take a long time to kick in and can be very unpleasant if too much is taken. If you choose to indulge, High Times magazine recommends starting with a small dose and waiting two hours before consuming more. Drink plenty of water and avoid alcohol. Do not drive after consuming THC products.

What do first-time users need to know to help ensure a safe experience?

Dr. Jacob Mirman, a St. Louis Park-based internist who has certified more than 3,500 patients for Minnesota's medical cannabis program, stressed that marijuana can be an effective medication. But he doesn't advise people to use it recreationally.

"It's a very powerful, very good medication," he said in an interview Friday. "But medications are not supposed to be used for fun."

He said cannabis is not recommended for those who experience psychosis, such as patients with schizophrenia. Some patients, particularly older ones, sometimes experience side effects, including fatigue, paranoid feelings and anxiety after consuming cannabis.

"In general, if it does cause side effects, they usually pass within a few hours," Mirman said. "If they do develop side effects, then they know this is not the right dose for them."

Mirman said pharmacists working with the medical cannabis program start patients on a small dose and build up from there. He said anyone considering using cannabis for the first time should do it at home and have someone else around in case they experience side effects.

"You never know what's going to happen to you," Mirman said. "So if you're going to try it, do it at home. Give it some time, so you know what it does to you. Don't go out driving or operating heavy machinery, etc. That's the main advice."

Can hemp-derived THC show up on a drug test?

Yes, hemp-derived THC is chemically identical to the THC found in marijuana.

How will THC products be regulated in Minnesota?

The Minnesota Board of Pharmacy has authority over drug products intended for human or animal consumption, including hemp-derived THC products. However, according to information released by the board late Thursday, manufacturers, distributors and sellers of products containing hemp-derived substances are not required to be licensed. The board will not test or approve such products, and it does not currently have a lab to test hemp-derived THC products, board executive director Jill Phillips said. But it is working on setting up a lab and will rely on consumer complaints to aid in oversight, she said.

Manufacturers of products that contain hemp-derived cannabinoids are required to submit samples of all such products to an independent, accredited laboratory for certification that they comply with state law. Manufacturers are not required to submit those tests to the state pharmacy board, but must do so upon request.

Can products contain more than one cannabinoid?

Yes, the law allows products to contain multiple tetrahydrocannabinols (for example, delta-9 THC and delta-8 THC) as long as the total amount of THC is less than 5 milligrams per serving and 50 milligrams per package, according to the Board of Pharmacy.

Where can I buy products containing THC?

The law does not specify which retailers can sell THC products, though it does prohibit restaurants, bars and other businesses that prepare food and beverages for onsite or takeaway consumption from making products with cannabinoids.

Some stores that sell hemp and CBD products in the Twin Cities area began carrying THC products Friday.

How can I report an adverse reaction to a cannabis product?

The pharmacy board suggests submitting a report using the U.S. Food and Drug Administration's Medwatch form for consumers.

How does Minnesota's new law differ from those in states that have legalized recreational marijuana?

While the Minnesota law includes testing, packaging and labeling requirements for commercial THC products, it does not require that they be sold in state-licensed dispensaries or that manufacturers be licensed. The 5-milligram limit per serving is less than the 10-milligram limit for edible THC products sold in most of the 19 states that have legalized recreational marijuana. The state also has not set up an agency specifically focused on the regulation of the cannabis industry, as other states have, and the law does not require taxation of THC products.

What does the new law mean for the legalization of recreational marijuana in Minnesota?

It's a definite step in that direction, though obstacles remain for full legalization. The DFL-controlled Minnesota House passed a bill in 2021 to legalize recreational marijuana for those 21 and older, and DFL Gov. Tim Walz supports legalization. However, the bill never received a vote in the GOP-controlled Senate. Legalization seems unlikely to pass as long as Republicans hold the upper chamber. All 134 seats in the House and 67 seats in the Senate are up for election in 2022.