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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO AGRICULTURE AND FORESTRY -- HEMP GROWTH ACT -- RHODE
ISLAND HEMP THC BEVERAGE ACT

Introduced By: Representative Patricia A. Serpa

Date Introduced: April 08, 2026

Referred To: House Corporations

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 2-26-4 of the General Laws in Chapter 2-26 entitled "Hemp Growth
2 Act" is hereby amended to read as follows:

3 **2-26-4. Hemp an agricultural product.**

4 Hemp is an agricultural product that may be grown as a crop, produced, possessed,
5 distributed, sold at retail, and commercially traded pursuant to the provisions of this chapter. Hemp
6 is subject to primary regulation by the ~~commission~~ [department of business regulation \(DBR\)](#);
7 [provided, however, that the manufacture, distribution, sale, and service of THC-infused beverages](#)
8 [shall be governed by chapter 28.13 of title 21](#). The division may assist ~~the commission~~ [DBR](#) in the
9 regulation of hemp growth and production.

10 SECTION 2. Section 21-28.11-6 of the General Laws in Chapter 21-28.11 entitled "The
11 Rhode Island Cannabis Act" is hereby amended to read as follows:

12 **21-28.11-6. Cannabis advisory board.**

13 (a) There is hereby established a cannabis advisory board, which is directed to work in
14 collaboration with the commission and the administrator of the cannabis office to advise and issue
15 recommendations on the use, commerce, regulation and effects of adult-use and medical cannabis
16 within the state. The advisory board shall additionally provide recommendations to the commission
17 regarding the administration and distribution of the social equity assistance fund established
18 pursuant to § 21-28.11-31.

1 (b) **Membership.** The cannabis advisory board shall consist of twenty (20) members, of
2 whom eleven (11) shall be voting members, and ~~eight (8)~~ nine (9) shall be non-voting members.

3 (1) The board shall consist of the following non-voting members: the secretary of
4 commerce or designee, the director of the department of labor and training or designee, the director
5 of the department of health or designee, the commissioner of education or designee, the
6 superintendent of public safety or designee, the director of the department of business regulation
7 or designee, the secretary of the Executive Office of Health and Human Services (EOHHS) or
8 designee, and a representative from the University of Rhode Island College of Pharmacy selected
9 by the commission.

10 (2) The board shall consist of the following voting members: a social equity officer, who
11 shall be appointed by the governor and serve as chair of the advisory board; two (2) additional
12 members to be appointed by the governor, one of whom shall represent the cannabis laboratory
13 testing industry, and one of whom shall be appointed ~~in accordance with subsection (e) of this~~
14 ~~section~~ who has demonstrated experience in the manufacture, distribution, or retail sale of THC-
15 infused beverages; four (4) members to be appointed by the speaker of the house, one of whom
16 shall represent the cannabis cultivation industry, and three (3) of whom to be appointed in
17 accordance with subsection (e) of this section; and four (4) members to be appointed by the
18 president of the senate, one of whom shall represent the cannabis retail industry, and three (3) of
19 whom to be appointed in accordance with subsection (e) of this section.

20 (c) **Term of voting members.** The voting members shall be appointed to serve three (3)
21 year terms or until a successor is appointed. In the event of vacancy, the vacancy shall be filled in
22 the manner of the original appointment for the remainder of the term.

23 (d) **Compensation.** The appointed members and representatives shall receive no
24 compensation for their services.

25 (e) **Representation.** The members of the advisory board appointed by the governor, the
26 speaker of the house and the president of the senate pursuant to the provisions of the chapter shall
27 to the extent possible be individuals with expertise in the following areas: public and behavioral
28 health, substance use disorder treatment, effective rehabilitative treatment for adults and juveniles,
29 homelessness and housing, economic development, criminal justice, law enforcement and drug
30 policy. Further, the advisory board shall include representation from communities most impacted
31 by cannabis prohibition, such as individuals with prior drug convictions, the formerly incarcerated,
32 and representatives of organizations servicing communities impacted by past federal and state drug
33 policies.

34 (f) **Quorum.** To take action at a meeting, a majority of voting members of the board must

1 be present and voting to constitute a quorum.

2 (g) **Role and responsibilities.** The advisory board shall:

3 (1) Consider all matters submitted to the board by the cannabis control commission;

4 (2) Advise and make recommendations to the commission on the preparation and
5 promulgation of guidelines, rules and regulations and any changes to guidelines, rules and
6 regulations that the advisory board deems fundamental or necessary for the commission’s review
7 and consideration;

8 (3) Provide analysis and recommendations to the commission relating to the administration
9 and distribution of the social equity assistance fund established pursuant to § 21-28.11-31;

10 (4) Conduct all meetings in compliance with chapter 46 of title 42 (the “open meetings
11 act”); and

12 (5) Report the findings, analysis, recommendations and conclusions adopted and approved
13 by the board to the commission within thirty (30) days of adoption and approval.

14 (h) **Subcommittees.** The chair may appoint subcommittees in order to develop and report
15 recommendations and to expedite the work of the board; provided, however, that the chair shall
16 appoint:

17 (1) A subcommittee on public health to develop recommendations on: products, labeling,
18 marketing, advertising, related public health issues; potency, which may include a recommended
19 maximum limit for individual servings of cannabis products; and packaging, which may include
20 the development and implementation of a public health warning to appear on cannabis products;

21 (2) A subcommittee on public safety and community mitigation to develop
22 recommendations on law enforcement, property, business, consumer, and any other issues that may
23 have an affect on the locality of the cannabis establishment and the surrounding environment;

24 (3) A subcommittee on the cannabis industry to develop recommendations on cultivation,
25 processing, manufacturing, transportation, distribution, seed-to-sale tracking systems and market
26 stability;

27 (4) A subcommittee on market participation to develop recommendations on minority and
28 veteran-owned businesses, local agriculture and growing cooperatives; and

29 (5) A subcommittee on social equity to develop recommendations on remedying the harm
30 to individuals directly and adversely impacted by the past enforcement of cannabis-related laws.

31 SECTION 3. Title 21 of the General Laws entitled "FOOD AND DRUGS" is hereby
32 amended by adding thereto the following chapter:

33 [CHAPTER 28.13](#)

34 [RHODE ISLAND HEMP THC BEVERAGE ACT](#)

1 **21-28.13-1. Short title.**

2 This chapter shall be known and may be cited as the “Rhode Island Hemp THC Beverage
3 Act.”

4 **21-28.13-2. Definitions.**

5 As used in this chapter:

6 (1) “Artificially-derived cannabinoid” means a cannabinoid that is created or modified after
7 extraction from hemp through a chemical reaction, other than decarboxylation or naturally
8 occurring isomerization resulting from the application of heat or light, that materially alters the
9 molecular structure of the cannabinoid. The term includes, but is not limited to,
10 tetrahydrocannabinols produced through the chemical conversion of cannabidiol (CBD), such as
11 delta-8-tetrahydrocannabinol (delta-8 THC) or delta-10-tetrahydrocannabinol (delta-10 THC),
12 unless the commission, by rule, determines that a specific artificially derived cannabinoid may be
13 safely manufactured and sold for human consumption in accordance with applicable law and
14 commission standards.

15 (2) “Business” means any individual or sole proprietorship, partnership, firm, corporation,
16 trust, limited liability company, limited liability partnership, joint stock company, joint venture,
17 association or other legal entity through which business for-profit or not-for-profit is conducted;

18 (3) “Cannabis retailer” or “marijuana retailer” means an entity licensed pursuant to section
19 28.11 of title 21;

20 (4) “Commission” means the Rhode Island cannabis control commission established by §
21 21-28.11-4;

22 (5) “Hemp” or “industrial hemp” means the plant cannabis sativa L. and any part of that
23 plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts,
24 and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of
25 not more than three-tenths percent (0.3%) on a dry weight or per volume basis regardless of
26 moisture content, and which satisfies the requirements of this chapter.

27 (6) “Hemp-derived THC” means tetrahydrocannabinol derived solely from hemp and
28 expressly excluding THC derived from cannabis.

29 (7) “Hemp-derived CBD” means cannabidiol extracted or derived from hemp that does not
30 itself produce intoxicating effects when consumed.

31 (8) “Independent testing laboratory” means a laboratory that:

32 (i) Does not have a direct or indirect interest in the entity whose product is being tested;

33 (ii) Does not have a direct or indirect interest in a facility that cultivates, processes,
34 manufactures, distributes, dispenses, or sells THC-infused beverages or infused beverage products

1 in the state; and

2 (iii) Is accredited by a third-party accrediting body to ISO/IEC 17025 for the applicable
3 analytical methods used to test the product and otherwise meets any proficiency-testing, quality-
4 assurance, and reporting standards established by the commission by rule.

5 (9) “Infused-beverage endorsement” means an endorsement issued by the commission to a
6 licensed liquor retailer, cannabis retailer, hemp-consumables retailer, or licensed on-premise
7 server, or a person licensed or authorized by the commission to manufacture THC-infused
8 beverages, authorizing the holder to sell or serve THC-infused beverages to consumers in
9 accordance with this chapter. An infused-beverage endorsement shall not authorize wholesale or
10 distribution activities.

11 (10) “Licensed liquor retailer” means the holder of a Class A retailer’s liquor license in
12 good standing.

13 (11) “Licensed liquor wholesaler” means the holder of a wholesale Class A or wholesale
14 Class B liquor license in good standing.

15 (12) “Low-dose” means a THC-infused beverage labeled to contain not more than five
16 milligrams (5 mg) of total hemp-derived THC per container.

17 (13) “Manufacturing facility” means a facility licensed or otherwise authorized by the
18 commission for the production or manufacture of THC-infused beverages in accordance with this
19 chapter.

20 (14) “Multi-serving container” means a beverage container intended for repeated access
21 and multiple servings that includes clearly measurable servings, resealable packaging, and labeling
22 stating the amount of total hemp-derived THC per serving and per container.

23 (15) “Permissible variance” means ten percent (10%), or such other variance as the
24 commission may establish by rule for particular analytes or testing circumstances upon an
25 articulated scientific or analytical basis.

26 (16) “Registered on-premise server” means the holder of a Class B liquor license in good
27 standing that has received an infused-beverage endorsement from the commission authorizing the
28 sale or service of THC-infused beverages for on-premises consumption in accordance with this
29 chapter.

30 (17) “Registered retailer” means a licensed liquor retailer, cannabis retailer, or hemp
31 consumables retailer that has received an infused-beverage endorsement from the commission
32 authorizing the retail sale of THC-infused beverages in accordance with this chapter.

33 (18) “Single-serving container” means a beverage container intended to be consumed on a
34 single occasion and containing not more than five milligrams (5 mg) of total hemp-derived THC.

1 (19) “Synthetic cannabinoid” means a substance with a similar chemical structure and
2 pharmacological activity to a cannabinoid, but which is not extracted or derived from hemp plants,
3 or hemp plant parts and is instead created or produced by chemical or biochemical synthesis.

4 (20) “Tax division” means the Rhode Island division of taxation.

5 (21) “THC-infused beverage” means a beverage product that:

6 (i) Is not an alcoholic beverage, as defined in title 3;

7 (ii) Is intended for human consumption;

8 (iii) Contains, or is advertised, labeled, or offered for sale as containing, not more than five
9 milligrams (5 mg) of total hemp-derived THC per container subject to § 21-28.13-6;

10 (iv) Is intended to be consumed as a beverage, including a ready-to-drink liquid and a
11 product intended to be dissolved, diluted, or mixed into a beverage prior to consumption, when
12 marketed and labeled as such; and

13 (v) May contain hemp-derived CBD or other hemp-derived cannabinoids permitted under
14 this chapter.

15 (22) “Universal THC symbol” means the ASTM International standard intoxicating
16 cannabinoid product symbol, ASTM D8441/D8441M, or a substantially similar symbol approved
17 by the commission by rule, indicating that a product contains intoxicating cannabinoids and is
18 intended for adult use only.

19 **21-28.13-3. Purposes -- Rules of construction.**

20 (a) This chapter shall be liberally construed and applied to promote its underlying purposes
21 and policies.

22 (b) The underlying purposes and policies of this chapter are:

23 (1) To promote temperance and the reasonable control of the traffic in intoxicating THC-
24 infused beverages;

25 (2) To protect the public health, safety, and welfare through the safe, regulated, and age-
26 restricted sale and service of THC-infused beverages, including by prohibiting the sale or service
27 of THC-infused beverages to persons under twenty-one (21) years of age;

28 (3) To establish a clear licensing, endorsement, registration, and distribution framework
29 process for THC-infused beverages through existing regulated channels, including licensed liquor
30 retailers, cannabis retailers, hemp-consumables retailers, licensed on-premise servers, licensed
31 manufacturers, and licensed liquor wholesalers, as applicable under this chapter;

32 (4) To utilize existing licensed and age-restricted retail channels, including cannabis
33 retailers, that are already subject to strict age-verification and compliance requirements for the sale
34 of adult-use products;

1 (5) To integrate the distribution and sale of THC-infused beverages into the existing
2 alcoholic beverage system in a manner that preserves the integrity of the three (3) tier structure
3 while vesting the commission with authority over product safety, testing, labeling, consumer
4 protection, and enforcement;

5 (6) To establish a low dose, container-based regulatory framework for THC-infused
6 beverages that is practical to administer, clear to consumers, and capable of routine inspection and
7 enforcement in general retail settings;

8 (7) To establish standardized requirements for labeling, universal intoxicating-cannabinoid
9 symbols, batch-level traceability, independent laboratory testing, age verification, and product
10 warnings in order to reduce consumer confusion and support consistent compliance and
11 enforcement;

12 (8) To distinguish regulated, tested, and lawfully distributed THC-infused beverages sold
13 through licensed channels from unregulated or noncompliant intoxicating hemp products outside
14 such channels;

15 (9) To permit, under conditions established by the commission, limited on-premises service
16 and off-premises sales by licensed manufacturers of THC-infused beverages in a manner consistent
17 with supervised beverage-service models used for other regulated beverage producers; and

18 (10) To ensure that taxes, fees, and other revenues associated with THC-infused beverages
19 support licensing administration, compliance inspections, investigations, product testing,
20 enforcement, and consumer education.

21 (c) The effect of this chapter may not be varied by contract or agreement. Any contract or
22 agreement purporting to do so is void and unenforceable to that extent only.

23 (d) Nothing in this chapter shall be construed to authorize any activity prohibited under
24 federal law, including the Controlled Substances Act, nor to limit or restrict the authority of the
25 United States Food and Drug Administration.

26 (e) This chapter shall be applied in a manner that does not discriminate against interstate
27 commerce, and products lawfully manufactured outside this state shall be permitted on equal terms
28 with in-state products, provided such products comply with the requirements of this chapter and
29 rules promulgated hereunder.

30 (f) In the event of a conflict between this chapter and any other provision of state law
31 relating to hemp-derived consumable products, the provisions of this chapter shall control with
32 respect to the manufacture, distribution, sale, and service of THC-infused beverages.

33 **21-28.13-4. Sale of THC-infused beverages -- Reporting -- Taxes -- Fees.**

34 (a) No THC-infused beverage shall be sold, offered for sale, distributed, or served in this

1 state unless the THC-infused beverage is:

2 (1) Sold or offered for sale on the premises of a registered retailer holding a valid infused-
3 beverage endorsement issued by the commission;

4 (2) Sold or served on the premises of a registered on-premise server holding a valid infused-
5 beverage endorsement issued by the commission;

6 (3) Sold by a manufacturer holding a valid infused-beverage endorsement issued by the
7 commission, but only to the extent authorized under subsection (e) of this section; or

8 (4) Distributed by a licensed liquor wholesaler registered with the commission in
9 accordance with this chapter. For avoidance of doubt, a cannabis retailer or marijuana retailer
10 authorized under this chapter to sell THC-infused beverages shall not otherwise be restricted from
11 engaging in any activity otherwise permitted under chapter 28.11 of title 21, except as provided in
12 this chapter.

13 (b) Any licensed liquor retailer, cannabis retailer, or hemp-consumables retailer may apply
14 to the commission for an infused-beverage endorsement authorizing the retail sale of THC-infused
15 beverages. An infused-beverage endorsement issued under this subsection shall authorize sale to
16 consumers only and shall not authorize wholesale distribution. The applicant shall submit to the
17 commission, in a form and manner prescribed by the commission:

18 (1) An application;

19 (2) An annual endorsement fee of five hundred dollars (\$500); and

20 (3) Proof of tax compliance, including compliance with this chapter. For purposes of this
21 subsection, the commission may require proof of tax compliance by:

22 (i) A certification of compliance made under the penalty of perjury; or

23 (ii) A letter of good standing from the tax division. An infused-beverage endorsement
24 issued under this subsection shall authorize the retail sale of THC-infused beverages in sealed
25 containers for off-premises consumption. Online ordering and delivery shall be permitted only
26 where the sale is fulfilled by a licensed retailer, with age verification at the time of purchase and at
27 the time of delivery, and otherwise in accordance with commission rule consistent with the delivery
28 provisions of title 3.

29 (c) Any licensed liquor wholesaler shall be eligible to distribute THC-infused beverages in
30 the state. Distribution authority under this chapter shall be limited to holders of wholesale Class A
31 or wholesale Class B liquor licenses in good standing under title 3. Each licensed liquor wholesaler
32 distributing THC-infused beverages shall register annually with the commission and shall pay an
33 annual compliance fee of two thousand five hundred dollars (\$2,500). An applicant for registration
34 under this subsection shall demonstrate tax compliance to the commission, including compliance

1 with this chapter. For purposes of this subsection, the commission may require proof of tax
2 compliance by:

3 (i) A certification of compliance made under the penalty of perjury; or

4 (ii) A letter of good standing from the tax division. A licensed liquor wholesaler registered
5 under this subsection shall maintain invoice records, lot and batch traceability, and access to
6 certificates of analysis for products distributed in this state in accordance with commission rules.

7 (d) Any holder of a Class B liquor license in good standing may apply to the commission
8 for an infused-beverage endorsement authorizing the sale or service of THC-infused beverages for
9 on-premises consumption and, upon approval, shall be deemed a registered on-premise server
10 under this chapter. THC-infused beverages sold by a registered on-premise server shall be sold
11 exclusively for consumption on the premises of such registered on-premise server. The applicant
12 shall submit to the commission, in a form and manner prescribed by the commission:

13 (1) An application;

14 (2) An annual endorsement fee of five hundred dollars (\$500); and

15 (3) Proof of tax compliance, including compliance with this chapter. The commission shall
16 promulgate rules establishing minimum server training requirements for THC-infused beverages
17 consistent, where applicable, with the alcohol server training regulations as set forth in § 3-7-6.1,
18 including requirements relating to age verification, responsible service, delayed effects, consumer
19 warnings, and limits on intoxication. THC-infused beverages shall not be commingled with
20 alcoholic beverages in the same container or mixed drink.

21 (e) A person licensed or otherwise authorized by the commission to manufacture THC-
22 infused beverages may apply to the commission for an infused-beverage endorsement authorizing:

23 (1) The sale or service of THC-infused beverages for on-premises consumption at a
24 licensed manufacturing facility or tasting room approved by the commission; and

25 (2) The sale of sealed THC-infused beverages for off-premises consumption from such
26 premises. An applicant under this subsection shall submit to the commission, in the form and
27 manner prescribed by the commission:

28 (i) An application;

29 (ii) An annual endorsement fee of five hundred dollars (\$500); and

30 (iii) Proof of tax compliance, including compliance with this chapter. The commission may
31 establish by rule reasonable conditions on sales authorized under this subsection, including
32 conditions relating to age verification, separation from alcoholic beverage service, premises
33 supervision, hours of sale, signage, training, and recordkeeping. THC-infused beverages sold
34 pursuant to this subsection shall not be commingled with alcoholic beverages in the same container

1 or mixed drink.

2 (f)(1) Not later than August 1, 2026, each business that owns or possesses any THC-infused
3 beverage in this state shall prepare an inventory of all such products owned or possessed in this
4 state as of said date.

5 (2) Products lawfully manufactured or possessed in this state before August 1, 2026, may
6 be sold through December 31, 2026; provided that, such products comply with the labeling and
7 testing requirements of this chapter.

8 (3) Each business in possession of THC-infused beverages for sale at retail or wholesale
9 shall remit to the tax division all applicable excise taxes, beverage container taxes, and sales taxes
10 consistent with the assessment, payment, and collection of:

11 (i) Excise taxes under chapter 10 of title 3;

12 (ii) Beverage container taxes under chapter 44 of title 44; and

13 (iii) Sales taxes under chapter 18 of title 44.

14 (4) The division of taxation shall establish a commodity code for THC-infused beverages,
15 and such taxes shall be remitted according to the same process, frequency, and cadence applicable
16 to alcoholic beverages.

17 (5) For low-dose THC infused beverages, the excise tax rate shall be ten percent (10%) of
18 the wholesale cost.

19 (g) If any business fails to submit the inventory or remit the taxes required under subsection
20 (f) of this section on or before August 1, 2026, the commission may:

21 (1) Make a good faith estimate, based on the information reasonably available to the
22 commission, of the number of containers owned or possessed by such business in this state on
23 August 1, 2026; and

24 (2) Invoice such business for the taxes due under subsection (f) of this section.

25 (h) All fees and penalties collected under this section shall be deposited in the general fund;
26 provided, however, that ten percent (10%) of such fees and penalties shall be credited to a restricted
27 receipt account to be known as the THC-infused beverage enforcement fund. Monies in the fund
28 shall be used, subject to appropriation, for administration and enforcement of this chapter, including
29 product testing, compliance inspections, investigations, and public education related to THC-
30 infused beverages.

31 (i) If any business fails to submit required reports or pay the fees required under this
32 chapter, the commission may suspend, revoke, or place conditions upon any certificate, license,
33 permit, registration, endorsement, or other credential issued to or for such business.

34 (j) The commission shall promulgate rules necessary to implement this chapter consistent

1 with protecting public health, preventing youth access, ensuring product safety, and maintaining a
2 transparent and accountable marketplace.

3 **21-28.13-5. Purchase from licensed wholesalers -- Limited exception.**

4 Except for THC-infused beverages manufactured by, and sold directly to consumers by, a
5 manufacturer holding a valid infused-beverage endorsement under § 21-28.13-4(e), all registered
6 retailers and registered on-premise servers authorized under this chapter shall purchase THC-
7 infused beverages only from a licensed liquor wholesaler registered under this chapter and holding
8 the applicable wholesale license under title 3.

9 **21-28.13-6. Dosage limitations.**

10 (a) A THC-infused beverage shall not contain more than five milligrams (5 mg) of total
11 THC per container.

12 (b) No single serving of a THC-infused beverage shall contain more than five milligrams
13 (5 mg) of total THC. The commission may establish by rule requirements governing multi-serving
14 containers, including labeling, demarcation of servings, and consumer instructions.

15 (c) The commission shall promulgate rules and regulations to enforce this section,
16 including:

17 (1) Permissible variance thresholds;

18 (2) Testing and verification requirements; and

19 (3) Civil penalties or fines for violations of this section.

20 (d) The commission shall establish, by rule, minimum testing panels including, at a
21 minimum, cannabinoids, pesticides, heavy metals, residual solvents, and microcontaminants,
22 together with sampling protocols and chain-of-custody requirements necessary to ensure the
23 accuracy, reliability, and reproducibility of test results.

24 **21-28.13-7. Sale to minors prohibited.**

25 (a) No THC-infused beverage may be sold or served to any individual under twenty-one
26 (21) years of age.

27 (b) Prior to completing a sale or service of a THC-infused beverage, a registered retailer or
28 registered on-premise server shall verify that the purchaser or consumer is at least twenty-one (21)
29 years of age in accordance with the proof of age requirements set forth in § 3-8-6.

30 (c) A registered retailer or registered on-premise server may seize a form of identification
31 set forth in § 3-8-6 if the retailer or server has reasonable grounds to believe that the form of
32 identification has been altered, falsified, or is being used in violation of law. Any form of
33 identification seized pursuant to this subsection shall be delivered to a law enforcement agency
34 within twenty-four (24) hours.

1 (d) THC-infused beverages shall not be commingled with alcoholic beverages in the same
2 container or mixed drink.

3 (e) The commission may promulgate rules establishing additional age verification, point-
4 of-sale, and service requirements consistent with this chapter and title 3.

5 (f) Registered retailers and registered on-premise servers shall display clear and
6 conspicuous signage stating that THC-infused beverages are intended only for individuals twenty-
7 one (21) years of age or older.

8 **21-28.13-8. Labeling requirements.**

9 (a) A THC-infused beverage product regulated under this chapter shall bear a label that
10 contains, at a minimum:

11 (1) The business name, mailing address, and website of:

12 (i) The manufacturer or co-packer responsible for physical production of the beverage; and

13 (ii) The brand owner or other responsible business under whose name the product is
14 marketed or distributed.

15 (2) The name and address of the independent testing laboratory that performed the most
16 recent testing of the batch;

17 (3) The batch or lot number sufficient to enable traceability; and

18 (4) An accurate statement of the cannabinoid profile of the product, showing the total
19 amount of each cannabinoid present at or above the reporting threshold established by the
20 commission, expressed per serving and per container, together with the total cannabinoids and total
21 tetrahydrocannabinol (THC), within the permissible variance;

22 (5) A scannable barcode or quick-response (QR) code linking directly to a certificate of
23 analysis maintained by the commission, the manufacturer, or a designee of either;

24 (6) A universal symbol, if established by the commission, indicating that the product
25 contains intoxicating cannabinoids;

26 (7) The following warning statements in bold type:

27 (i) “For adults twenty-one (21) years of age and older.”

28 (ii) “Do not drive or operate machinery after consuming.”

29 (iii) “Effects may be delayed.”

30 (iv) “Not safe during pregnancy or breastfeeding.”

31 (v) “Keep this product out of reach of children.”

32 For products manufactured under a co-packing or contract-manufacturing agreement, the
33 label shall identify both the manufacturing facility and the brand owner as provided in subsection
34 (1) of this section, and shall state “Manufactured for [Brand Name] by [Manufacturer Name, City,

1 State].”

2 (b) The information required in subsection (a) of this section may appear on an outer
3 package when the immediate container is too small to accommodate all required information;
4 provided that, the immediate container shall, at a minimum, display:

5 (1) The universal symbol required by subsection (a)(6) of this section, if applicable;

6 (2) The statement “21+”; and

7 (3) The total THC per container.

8 (c) The commission may authorize additional electronic or web-based disclosures by rule,
9 including through QR codes or similar technology; provided that:

10 (1) The linked page contains all information required by this section; and

11 (2) Such information remains publicly accessible for not less than twenty-four (24) months
12 following the product’s expiration date or final distribution, whichever is later.

13 (d) The label shall state: “This product has not been evaluated by the United States Food
14 and Drug Administration and is not intended to diagnose, treat, cure, or prevent any disease,” unless
15 the product has received approval from the United States Food and Drug Administration.

16 (e) All required label information shall be prominently and conspicuously displayed in a
17 manner that is easily legible and understandable to the consumer.

18 (f) The labeling shall not contain any statement or representation that a THC-infused
19 beverage is intended or effective for the prevention, treatment, or cure of any disease, or to affect
20 the structure or function of the human or animal body, unless such claim has been approved by the
21 United States Food and Drug Administration.

22 **21-28.13-9. Additional requirements.**

23 (a) In addition to the testing and labeling requirements set forth in § 21-28.13-8, every
24 THC-infused beverage sold or offered for sale in this state shall comply with the product-safety,
25 packaging, and formulation standards of this section.

26 (b) THC-infused beverages shall not:

27 (1) Bear designs, names, cartoons, images, features, or marketing elements that the
28 commission determines are reasonably likely to appeal primarily to persons under twenty-one (21)
29 years of age;

30 (2) Be modeled after, or marketed in a manner that imitates, a brand of products or category
31 of product primarily consumed by or marketed to children;

32 (3) Be made by applying an extracted or concentrated hemp-derived cannabinoid to a
33 commercially available candy or snack food item;

34 (4) Be represented or packaged in a form substantively similar to a meat food product;

1 poultry food product; or a dairy product;

2 (5) Contain any ingredient, other than a hemp-derived cannabinoid, that is not approved by
3 the United States Food and Drug Administration for use in food or beverage products;

4 (6) Be packaged in a manner that resembles the trademarked, characteristic, or product-
5 specialized packaging of any commercially available food product in a way that is likely to cause
6 consumer confusion;

7 (7) Be packaged in a container that includes a statement, artwork, symbol, or design that
8 could reasonably mislead a consumer to believe that the package contains anything other than a
9 THC-infused beverage.

10 (8) Use or display the same or a confusingly similar brand name, logo, or trade dress as an
11 alcoholic-beverage product regulated under title 3; provided, however, that an alcohol manufacturer
12 or wholesaler licensed under title 3 may use its existing corporate or brand name for a hemp-derived
13 or THC-infused beverage if the labeling, packaging, and marketing clearly distinguish the product
14 from alcoholic beverages in accordance with commission rules; or

15 (9) Be advertised or marketed in a manner that is false, misleading, or reasonably likely to
16 cause consumer confusion as to whether the product is an alcoholic beverage, a non-intoxicating
17 hemp product, or a product intended for persons under twenty-one (21) years of age.

18 (10) The commission shall establish by rule objective criteria and illustrative examples to
19 guide determinations under this subsection.

20 (c) In addition to the labeling elements required under § 21-28.13-8, each THC-infused
21 beverage shall clearly display on its container or outer package:

22 (1) The serving size and number of servings per container; provided, however, that for a
23 single-serving beverage the container shall be deemed one serving;

24 (2) A list of ingredients, including identification of any major food allergens declared by
25 name in accordance with 21 U.S.C. § 343(w);

26 (3) The following statement in bold, conspicuous type: “Keep this product out of reach of
27 children.”

28 (d) THC-infused beverages may contain delta-9 tetrahydrocannabinol and other naturally
29 occurring cannabinoids derived from hemp plants or hemp plant parts. No THC-infused beverage
30 shall contain a synthetic cannabinoid or any artificially-derived cannabinoid unless the
31 commission, by rule and upon a finding of safety, stability, and suitability for human consumption
32 in beverage form, authorizes its use in beverages manufactured for human consumption. The
33 commission may establish by rule a list of approved cannabinoids and any concentration limits
34 necessary to protect consumer health.

1 (e) A manufacturer authorized under this chapter may produce, possess, and store THC-
2 infused beverages formulated exclusively for lawful sale outside Rhode Island; provided that, such
3 products are clearly labeled “Not for sale in Rhode Island,” segregated from in-state inventory, and
4 documented in batch, lot, and manifest records identifying the lawful destination jurisdiction.

5 (f) Each manufacturer shall maintain procedures for product recalls, consumer complaints,
6 and adverse-event reporting consistent with commission rules. The commission may order a recall
7 of any THC-infused beverage that it determines poses a risk to public health or safety.
8 Manufacturers, wholesalers, and retailers shall maintain records sufficient to support product
9 traceability, recall execution, and inspection-ready verification of batch identity and certificate-of-
10 analysis access.

11 (g) The commission may establish by rule requirements governing retail placement, point-
12 of-sale identification, product segregation where necessary to prevent consumer confusion or youth
13 access, and other shelf-level safeguards consistent with this chapter.

14 **21-28.13-10. Noncompliant products -- Enforcement.**

15 (a) A product regulated under this chapter, including a THC-infused beverage, shall be
16 deemed noncompliant if it is offered for sale in this state, or manufactured, imported, distributed,
17 possessed, or stored with intent for sale in this state, in violation of any provision of this chapter or
18 rule promulgated hereunder including, but not limited to, where:

19 (1) It consists, in whole or in part, of any unsanitary, putrescible, or decomposed substance;

20 (2) It has been produced, prepared, packed, or held under unsanitary conditions whereby it
21 may have been rendered injurious to health, or whereby it may have been contaminated with filth;

22 (3) Its container is composed, in whole or in part, of any poisonous or deleterious substance
23 that may render the contents injurious to health;

24 (4) It contains any food additive, color additive, or excipient that has been found by the
25 United States Food and Drug Administration to be unsafe for human consumption;

26 (5) It contains an amount or percentage of cannabinoids that differs from the amount or
27 percentage stated on the label by more than the permissible variance;

28 (6) It contains an amount of tetrahydrocannabinol (THC) that exceeds the dosage limits
29 established in § 21-28.13-6;

30 (7) It contains mold, residual solvents, pesticides, fertilizers, heavy metals,
31 microcontaminants, or other contaminants in excess of action limits established by the commission
32 by rule;

33 (8) It has not been tested, labeled, packaged, or traceable in accordance with the
34 requirements of this chapter; or

1 (9) It was tested by a laboratory that does not satisfy the requirements of this chapter or
2 any rules promulgated hereunder.

3 (b) A product regulated under this chapter shall be deemed noncompliant if its labeling,
4 packaging, advertising, or presentation is false, misleading, or otherwise violates the requirements
5 of this chapter or any rule adopted by the commission.

6 (c) The commission may infer, based on the totality of the circumstances, that any regulated
7 product present in this state, other than a product lawfully possessed for personal use, has been
8 manufactured, imported, distributed, possessed, or stored with intent for sale in this state, including
9 where:

10 (1) A product of the same type and brand has been offered for sale in the state on or after
11 the effective date of this chapter; or

12 (2) The product is in the possession of a person who has sold any regulated product in
13 violation of this chapter.

14 (d) The commission may enforce this section against any manufacturer, wholesaler,
15 distributor, retailer, on-premise server, or other person subject to this chapter, and may impose
16 administrative penalties, suspend or revoke endorsements, or registrations, issue cease-and-desist
17 orders, order recalls, quarantine or embargo products, and refer matters for civil or criminal
18 prosecution as appropriate. In exercising its enforcement authority under this chapter, the
19 commission shall prioritize protection of public health and safety, product traceability, and the
20 removal of noncompliant products from commerce.

21 (e) The commission and its authorized agents may enter and inspect, during normal
22 business hours, any facility, manufacturing premises, warehouse, vehicle, retail premises, on-
23 premise service premises, or other location used in the manufacture, storage, distribution, sale, or
24 service of THC-infused beverages, and may seize, embargo, quarantine, or otherwise detain any
25 product the commission reasonably believes to be noncompliant. The commission shall coordinate
26 inspection and enforcement activities with the department of business regulation and the
27 department of health, as appropriate, to avoid unnecessary duplication of effort and to ensure public
28 safety.

29 (f) The commission shall provide notice and an opportunity to be heard prior to the
30 imposition of any administrative penalty, suspension, or revocation, consistent with chapter 35 of
31 title 42.

32 **21-28.13-11. Existing franchise laws.**

33 (a) Nothing in this chapter shall be construed to repeal, amend, impair, or supersede any
34 existing beer or wine franchise law including, without limitation, chapter 13 of title 3. This chapter

1 is intended to provide additional franchise-related protections and requirements applicable to THC-
2 infused beverages while leaving in effect and unchanged all otherwise applicable local and state
3 franchise laws relating to beer or wine franchises in effect on the effective date of this chapter.

4 (b) The provisions set forth in §§ 3-13-3 and 3-13-5 shall apply to all sales and distribution
5 arrangements for THC-infused beverages governed by this chapter including, without limitation,
6 prior notice of cancellation or termination of an agreement and prohibited supplier conduct, and
7 such provisions are hereby incorporated by reference as if fully set forth herein.

8 **21-28.13-12. Exclusive jurisdiction.**

9 Notwithstanding any agreement to the contrary between or among retailers, wholesalers,
10 commission licensees, department of business regulation licensees, manufacturers, or any other
11 person subject to this chapter, any dispute arising out of or relating to this chapter shall be governed
12 by the laws of the State of Rhode Island, and the state courts in Rhode Island shall have exclusive
13 jurisdiction over such dispute.

14 **21-28.13-13. THC-infused beverage enforcement fund.**

15 (a) There is hereby established within the cannabis control commission a restricted receipt
16 account to be known as the “THC-infused beverage enforcement fund.”

17 (b) The fund shall consist of all monies credited to it pursuant to § 21-28.13-4(h), and any
18 other monies made available by law.

19 (c) The fund shall be administered by the commission and shall be used solely for the
20 administration and enforcement of this chapter including, without limitation, product testing,
21 compliance inspection, investigations, enforcement activities, license administration, and consumer
22 education relating to THC-infused beverages.

23 (d) Any unexpended balance in the fund at the close of a fiscal year shall remain in the
24 fund and shall not revert to the general fund.

25 **21-28.13-14. Severability.**

26 If any provision of this chapter, or the application thereof to any person or circumstance,
27 is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other
28 provisions or applications of this chapter that can be given effect without the invalid or
29 unconstitutional provision or application, and to this end the provisions of this chapter are declared
30 to be severable.

31 SECTION 4. This act shall take effect on August 1, 2026.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO AGRICULTURE AND FORESTRY -- HEMP GROWTH ACT -- RHODE
ISLAND HEMP THC BEVERAGE ACT

1 This act would provide a licensed liquor retailer, cannabis retailer, or hemp consumable
2 retailer that has received an infused-beverage endorsement from the cannabis control commission
3 the authorization to sell at retail THC-infused beverages in accordance with this chapter.

4 This act would take effect on August 1, 2026.

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