

CANNABIS TOURISM COUNCIL

03/2022



SPOTLIGHT GUEST SPEAKER



— LAW OFFICES OF —
OMAR FIGUEROA



Guest Speaker Attorney Omar Figueroa has more than twenty three years of experience at the vanguard of California cannabis law and is widely respected as an industry expert.

He earned his Bachelor of Arts in philosophy from Yale College in Connecticut and his Juris Doctor from Stanford Law School.

Omar is a Director of the National Cannabis Industry Association as well as a Director of the Cannabis Travel Association International.

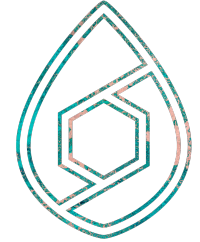
He is a member of the Ganjier Circle, and helped develop a curriculum for training cannabis sommeliers.

What's Legal?

Understanding Cannabis and Hemp

In Food and Beverage

In California



— LAW OFFICES OF —
OMAR FIGUEROA



Federal Law



FDA FAQ's: Is it legal, in interstate commerce, to sell a food to which THC or CBD has been added?

Answer: No. Food Drug & Cosmetics Act, codified at 21 USC 331(l).

"FDA has therefore concluded that it is a prohibited act to introduce or deliver for introduction into interstate commerce any food (including any animal food or feed) to which THC or CBD has been added."

Enforcement has been limited to warning letters

California Law: Hemp & AB-45



— LAW OFFICES OF —
OMAR FIGUEROA

AB-45 Industrial hemp products. (2021-2022)

Text	Votes	History	Bill Analysis	Today's Law As Amended ⓘ
Date	Action			
10/06/21	Chaptered by Secretary of State - Chapter 576, Statutes of 2021.			
10/06/21	Approved by the Governor.			



AB-45 Took effect on October 6, 2021.

California law now permits the addition of hemp and its derivatives, including CBD, into food and beverages

Products must comport with AB-45, including the requirements that any food and beverage products be prepacked and shelf-stable

Regulations have yet to be promulgated; no inhalables until regs

Manufacturers must register with CA Department of Public Health

No registration available yet; existing operators in grey area



CDPH: Industrial Hemp & AB-45




I operate a café/restaurant. May I add IH extracts (e.g. CBD) to the food and beverages I advertise on my menu?

No. The law requires all IH products to be prepackaged and shelf stable. Manufacturing IH products at retail cafés and restaurants is not allowed.

Regulated cannabis market

Cannabis Unified License Search

CA .GOV Official website of the State of California Contact us

 **Department of Cannabis Control**
CALIFORNIA

[Report Unlicensed Business](#)

Cannabis Unified License Search

Search by License Number, Name, etc...

[Find Retailers Near Me](#)



- Dual licensing system: local permit + state license
- Municipalities can ban activity altogether or allow green zones
- Two types of retailers:
 - Storefront retailer (can deliver with local permit)
 - Delivery-only non-storefront retailer
- Products are tested, shelf-stable and packaged



Cannabis consumption in public and private



WELCOME.

Join us for **Thursday Infused** - a gourmet series for the canna-curious hosted by [The Herb Somm](#).

Meet the chef, discover new brands, and learn about cannabis at this educational private dining club in San Francisco. Artisanal delights included.

Select events hosted from 6:30 pm - 9:00 pm. Join our mailing list for your personal invite.



— LAW OFFICES OF —
OMAR FIGUEROA

Prop 64 does not allow for public consumption except at storefront dispensaries where onsite consumption is allowed by the local jurisdiction and at licensed cannabis events

It is lawful under California law for adults ages 21 and over to consume cannabis in private

It is lawful under California law for adults ages 21 and over to possess and give away up to one ounce of cannabis to adults



**Department of
Cannabis Control**
CALIFORNIA