



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

Code:  Section:

[Up^](#) [Add To My Favorites](#)

**HEALTH AND SAFETY CODE - HSC**

**DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406]** ( *Division 104 added by Stats. 1995, Ch. 415, Sec. 6. )*

**PART 5. SHERMAN FOOD, DRUG, AND COSMETIC LAWS [109875 - 111929.4]** ( *Part 5 added by Stats. 1995, Ch. 415, Sec. 6. )*

**CHAPTER 9. Industrial Hemp [111920 - 111929.4]** ( *Chapter 9 added by Stats. 2021, Ch. 576, Sec. 10. )*

**ARTICLE 6. Testing Requirements [111925 - 111925.6]** ( *Article 6 added by Stats. 2021, Ch. 576, Sec. 10. )*

**111925.** (a) A hemp manufacturer shall meet all of the following testing requirements:

(1) Industrial hemp shall be tested in raw extract final form, to allow its use as an ingredient, prior to being incorporated into a product.

(2) Testing shall be completed by an independent testing laboratory.

(3) The manufacturer of the hemp extract in its final form or the final form industrial hemp product shall be able to prove total THC concentration does not exceed 0.3 percent. A manufacturer of raw extract shall be able to prove that the THC concentration meets department requirements set forth pursuant to subdivision (a) of Section 111921.

(b) The department may regulate and restrict the cap on extract and may cap the amount of total THC concentration at the product level based on the product form, volume, number of servings, ratio of cannabinoids to THC in the product, or other factors, as needed.

(*Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.*)

**111925.2.** A raw hemp product shall not be distributed or sold in this state without a certificate of analysis from an independent testing laboratory that confirms all of the following:

(a) The raw hemp product is the product of a batch of industrial hemp that was tested by the independent testing laboratory.

(b) A tested representative sample of the batch of industrial hemp contained a total THC concentration that did not exceed 0.3 percent on a dry-weight basis.

(c) The tested sample of the batch did not contain contaminants that are unsafe for human or animal consumption.

(*Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.*)

**111925.4.** (a) As of the effective date of the act adding this chapter, testing requirements for contaminant levels shall be the same as those for cannabis, as established in paragraph (2) of subdivision (d) of Section 26100 of the Business and Professions Code and regulations adopted pursuant thereto.

(b) The department may adjust the specific contaminant levels for industrial hemp by regulation to protect consumers.

(*Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.*)

**111925.6.** (a) A product batch may be reprocessed or remediated after failed testing, but the batch shall not be distributed or sold unless the reprocessed or remediated batch has been retested and successfully passed all the analyses required pursuant to this article.

(b) If the batch cannot be reprocessed or remediated, the product batch shall be destroyed.

(c) If a failed product batch is not reprocessed or remediated in any way, it shall not be retested. Subsequent certificates of analysis produced without reprocessing or remediation of the failed product batch shall not supersede the initial regulatory compliance testing certificate of analysis.

(d) This section shall not prevent a product batch from being retested when the certificate of analysis was obtained 12 months prior or more.

(e) (1) Reprocessing or remediation shall be an available remedy for failed product batches in all industrial hemp product categories and raw extract.

(2) Remediation is not allowed once a product enters the retail market.

(f) A failed product batch that cannot be reprocessed or remediated shall be destroyed, at the expense of the owner, on video surveillance, as authorized by the department, or under the supervision of an authorized agent of the department.

*(Added by Stats. 2021, Ch. 576, Sec. 10. (AB 45) Effective October 6, 2021.)*