



## New Virginia CBD/THC Laws & Impact to Virginia Chiropractors

July 10, 2023

Hope you all are enjoying the Summer and getting a little R&R.

My name is Joe Kryszak, President of [Stirling Professional CBD](#). Stirling sells our products to scores of DC offices in VA and I have received many phone calls asking for clarification on how the laws impact DCs selling Stirling and other CBD products, so I decided to send out a quick synopsis.

### Highlights:

- Two new laws went into effect:
  - HC 2294 – Creates framework for selling CBD and low dose THC Products in VA, while also creating a registration process for businesses selling CBD Products.
    - HC 2294 can be found [here](#)
  - HC 1922 – Prohibits sale of Delta 8
    - HC 1922 can be found [here](#)
- ***These new laws, overall, are good news for VA DC's*** and your patients as the new laws prevent unscrupulous companies from selling poor quality products in VA.
- The new laws prohibit the sale of Delta 8 THC Products.
- Strict labeling and testing requirements are now in place for all CBD products (which Stirling already adheres to).
- Most sellers of CBD will have to register and pay \$1000 a year to sell CBD products, however most, if not all, ***VA DCs will be exempt from the new registration and paying the fee (more info below).***

### Below are the details of the new laws:

Officially enacted on July 1<sup>st</sup>, 2023, Virginia has a couple new VA Laws Concerning Cannabinoids which I want to discuss.

An excerpt from VA HC 2294:

Tetrahydrocannabinol; hemp products; packaging, labeling, and testing; penalties. Limits the amount of tetrahydrocannabinol (THC) that can be included in a hemp product or industrial hemp extract to 0.3 percent and two milligrams per package. The bill limits the application of such THC limits to retail sales and allows a hemp product or industrial hemp extract to contain more than two milligrams of THC if the product or extract contains an amount of cannabidiol (CBD) that is at least 25 times greater than the amount of THC; however, the bill prohibits hemp processors from selling industrial hemp or a substance containing an industrial hemp extract to a person if the processor knows or has reason to know that such person will use the industrial hemp or substance containing an industrial hemp extract in a substance that violates the aforementioned THC limits.

1. **VA RULING: New laws are for edibles only.** The new Law is focused solely on hemp products which are intended for ingestion or smoking according to the definition. "Regulated hemp product" means a hemp product intended for smoking or an edible hemp product.
  - a. **DC IMPACT: Stirling Lotions and CBD Oils are not affected** as neither is considered edibles.
2. **VA RULING: Delta 8 is now Illegal** to sell According to VA House Bill 1922.
  - a. **DC IMPACT: Delta 8 Products are no longer legal to sell.** This means Stirling Delta 8 Sleep Gummies are no longer legal to sell. Stirling is already working on a new Sleep Gummy which adheres to the new guidelines. Current customers can reach out to me directly for more information and on how we can legally handle this change.
3. **VA RULING: Strict labeling and testing requirements** for all Cannabinoid Products.
  - a. **DC IMPACT: Stirling already conforms** to all these requirements.
4. **VA RULING: Companies cannot sell products with tetrahydrocannabinol concentration that is greater than 0.3 percent** or contains more than two milligrams of total tetrahydrocannabinol per package and **does not contain an amount of cannabidiol that is at least 25 times greater than the amount of total tetrahydrocannabinol per package.**
  - a. **DC IMPACT: Stirling Lotions and CBD Oils are not affected** as neither is considered edibles.
  - b. **DC IMPACT: THC Gummies must have a 25:1 CBD to THC concentrate.** This prevents selling Stirling Sleep Gummies in their current form. Stirling is already working on new formulations and configurations to adhere to these rules.
  - c. **RULING:** Any person that intends to manufacture, sell, or offer for sale a substance intended to be consumed orally that contains an industrial hemp-derived cannabinoid must **submit an [Edible Hemp Products Disclosure Form](#), unless the establishment is exempt. THIS IS IMPORTANT!!**
  - d. **DC IMPACT:** According to the exemption laws, **most/all of DCs will be exempt from the requirement of Registering the Hemp Products Disclosure form and paying the \$1000** yearly fee based on the fact that DCs will meet all of the following exemption criteria:

**EXEMPTION FROM THE EDIBLE HEMP PRODUCTS DISCLOSURE FORM IS LIMITED TO RETAIL ESTABLISHMENTS THAT MEET ALL OF THE FOLLOWING CRITERIA: copied from the VA Website**

- (a) Compliant with Article 5 of the Virginia Food and Drink Law;
- (b) Sell only food or beverages that are sealed in packaging by the manufacturer and come from an approved/inspected source;
- (c) Do not prepare or serve food;
- (d) Do not offer beverage service (i.e. coffee pot, fountain drink machine);
- (e) Do not sell infant formula;
- (f) Do not sell salvaged foods;
- (g) Do not sell [unwrapped](#) produce;
- (h) Do not sell store packaged ice;
- (i) Do not offer self-service of unwrapped foods (i.e. donut cases, bulk nuts, pickles);
- (j) Do not sell food or beverages, including edible hemp products, to other businesses for resale (wholesale); and
- (k) Certify to the Virginia Department of Agriculture and Consumer Services that they meet the foregoing criteria.

Therefore DCs should submit the exemption form found here: [Here](#)

*As DCs will be exempt, the law states that DCs will not be subject to auditing and inspection as long as there are not consumer complaints filed.*

Please be aware that Stirling Professional is not in any way a licensed attorney and, as such, cannot provide legal advice. Furthermore, any and all information or discussions provided should not be interpreted or relied upon as legal guidance.

If you need professional legal assistance or advice, please consult with a qualified attorney in your jurisdiction.

Thanks,

Joe Kryszak  
President

Stirling CBD Oils  
Pure - Potent - Tested



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