# A Primer for Selling Industrial-Hemp-Derived CBD Products

- **Wholesale Manufacturing:** A facility in the state of Louisiana that wishes to manufacture Industrial-Hemp-Derived CBD Products (IHDCP) for ingestion under the authority of Act 164 of the 2019 Louisiana Legislature must obtain a Permit to Operate with the LDH/OPH Food and Drug/Milk and Dairy Unit. Contact the FDU/MDU at 225-342-7533 for additional information on permitting.

- **Retailing:** A facility in the state of Louisiana that wishes to sell IHDCP to consumers at retail must be permitted by the Louisiana Office of Alcohol and Tobacco Control (ATC). Information on permitting for retailers can be obtained by calling 225-925-4041 or sending an email to eliska.coleman@atc.la.gov.

- **IHDCP Registration:** All IHDCP must be registered with the Louisiana Department of Health under the Food and Drug/Milk and Dairy Unit. Contact the FDU/MDU at 225-342-7533 if you have questions about product registration that are not addressed on this sheet. In order to obtain an *FD-8a Certificate of IDHCP Registration*, your firm and/or your products must meet the following requirements:

    - All IHDCP must be registered in the name of the responsible party whose name and address appear on the product labelling. Responsible parties that are corporations, partnerships, or limited-liability companies must use the actual corporate name on the product labelling, and for firms with a physical footprint in the state (i.e., company-owned stores or product warehouses), the address must match the domicile, mailing, agent for service of process, or principal business establishment in Louisiana address in the firm's registration record with the Louisiana Secretary of State. The address must include a street name and number unless the firm is listed in a local or internet telephone directory (company websites do NOT count).
    - No product labelling may bear medical claims, and for the purpose of this statement, labelling includes both the materials on the primary and secondary (if applicable) container, as well as any pamphlets, brochures, documents, websites, or additional printed or electronic materials utilized in marketing the products. Medical claims in this context mean any reference to improving, treating, diagnosing, or curing any medical condition in humans or animals.
    - Likewise, no product may be marketed as a dietary supplement, as defined by LDH and the federal Food and Drug Administration.
    - All products must bear the following disclaimer statement on the primary labelling: "This product has not been evaluated by the Food and Drug Administration and is not intended to diagnose, treat, cure or prevent any disease."
    - All products must bear a *bar code, QR code, or website URL* linked to a document or website with the *certificate of analysis* for the batch of product to which that item belongs. The certificate of analysis must include the information listed in La R.S. 3: 1482(D).
    - Any products consisting of one or more ingredients must bear an *ingredient statement* with ingredients listed in descending order of predominance in the finished product. Any ingredient consisting of one or more subingredients must include a parenthetical listing of those subingredients.
    - All products must bear a *statement of identity* describing the nature of the product.
    - All products must bear a *net quantity of contents declaration* in both English and metric units. For solid or viscous products, this statement must be preceded by a declaration of "Net", "Net wt.", or "Net weight."
    - The net quantity of contents and statement of identity must appear on the *principal display panel* of the product, the area of labelling most likely to be first seen by a consumer, normally the top or front of a package.