Report and Recommendations on the Regulation of Consumable Hemp Products in Nevada

Submitted Pursuant to Assembly Bill 76, Section 54.3 (2025)

Introduction

Section 54.3 of Assembly Bill 76 (2025) directed the Cannabis Advisory Commission (CAC) to establish a subcommittee to study how consumable hemp products should be regulated. Specifically, the Nevada Legislature asked the Subcommittee to consider potential regulation by the Cannabis Compliance Board (CCB) and whether sales should be limited to businesses licensed by the Board or, for consumable hemp beverages, businesses licensed or permitted to sell alcoholic beverages.[1]

The Subcommittee held its first meeting on March 24, 2026 and met over the following six months. During that period, the Subcommittee received presentations from stakeholders regarding federal and state hemp law, the development of the consumable hemp market, public health and consumer safety considerations, enforcement, and approaches adopted in other states.

The need for this study arose from significant changes in the national hemp marketplace following enactment of the Agriculture Improvement Act of 2018, commonly known as the 2018 Farm Bill. That federal legislation distinguished hemp from marijuana based principally on the plant's concentration of delta-9 tetrahydrocannabinol on a dry weight basis. In the years that followed, a rapidly expanding national market developed for products containing cannabinoids derived or converted from hemp. These products include CBD products, delta-8 THC, hemp-derived delta-9 THC, gummies, beverages, vapor products, and other products intended for human consumption.[2]

As these products became more widely available, federal, state, and local regulators identified concerns involving product potency, inaccurate or incomplete labeling, contamination, youth access, and adverse events associated with certain intoxicating cannabinoids.[3] Online sales create additional enforcement and age verification challenges because products may be shipped directly to Nevada consumers by manufacturers and sellers located outside the state.

In Nevada, the growth of this market raised questions about whether the existing regulatory structure adequately addresses hemp-derived cannabinoid products. The Subcommittee considered which agency should be responsible for oversight and how Nevada should address product testing, labeling, registration, age restrictions, recalls, taxation, retail compliance, online sales, and enforcement. It also considered whether intoxicating products should be permitted in the general retail market or limited to businesses operating within a regulated and age-restricted system.

This report examines Nevada's existing laws governing consumable hemp products in light of the changing marketplace and evolving federal law. It identifies statutory and regulatory gaps, evaluates approaches adopted by other states and local governments, and recommends clear and workable standards for products, businesses, regulators, and enforcement agencies. The

[1] Assembly Bill 76, § 54.3 (2025).

[2] Consumable hemp products are also referred to in this report as hemp-derived cannabinoid products.

[3] 39 State and Territorial Attorneys General, *Letter to Congressional Leaders*, October 24, 2025, https://www.naag.org/wp-content/uploads/2025/10/NAAG_Hemp-letter-to-Congress-2025.10.24.pdf; J.J. Goicoechea, *Testimony Before the Nevada Legislature Joint Interim Standing Committee on Natural Resources*, 2026 Nev. Leg., February 25, 2026, 9:24:15–9:26:35; Clark County Code § 7.220.200–7.220.210.

recommendations are intended to protect public health and consumers, establish accountability for products entering Nevada, and provide businesses with greater certainty regarding the products they may manufacture, distribute, or sell.

Key Findings

1. *Nevada's existing regulatory authority is divided among several entities.*

The Nevada Department of Agriculture (NDA) regulates hemp cultivation and processing; the CCB regulates cannabis and hemp products produced or sold by cannabis licensees; state and local food safety authorities regulate food establishments and adulterated food; law enforcement agencies enforce controlled substance laws; and local governments regulate retailers through their business licensing authority. No single state agency is expressly assigned responsibility for administering a comprehensive statewide regulatory program for hemp-derived cannabinoid products sold outside Nevada's licensed cannabis system.

2. *Hemp-derived cannabinoid products sold outside Nevada's licensed cannabis market are not subject to the same oversight or tracking as licensed cannabis products.*

Nevada's seed-to-sale tracking system connects licensed cannabis products to the businesses that cultivate, manufacture, test, transport, and sell them, and the CCB's Cannabis Item Catalog provides consumers with product-specific information. Hemp-derived cannabinoid products sold in the general retail market are not subject to a comparable statewide product registration or tracking system.

3. *Nevada has a visible market for hemp-derived cannabinoid products, but the state lacks sufficient information to measure its size.*

Hemp-derived cannabinoid products are sold through dedicated hemp retailers, smoke shops, convenience stores, tourist-oriented storefronts, other general retailers, and online sellers. Nevada does not comprehensively register these products or businesses or separately collect statewide sales and tax information.

4. *Nevada's in-state hemp cultivation industry is limited and not a significant source of the intoxicating hemp-derived cannabinoid products being sold in Nevada stores and online.*

The state has relatively few registered hemp growers and limited acreage devoted to hemp production. Nevada growers generally produce conventional agricultural hemp rather than the concentrated, chemically converted, or synthetically derived cannabinoids commonly found in intoxicating products sold at retail. Those products are largely manufactured outside Nevada and introduced into the state through interstate commerce. Accordingly, restrictions directed solely at Nevada growers would not meaningfully address the intoxicating hemp marketplace and could disproportionately burden a small agricultural industry that is not demonstrably responsible for the underlying public health and enforcement concerns.

5. *Although Nevada's testing and labeling requirements apply to online sales, the state lacks a clear regulatory mechanism for identifying and holding out-of-state sellers accountable.*

NRS 439.532 applies testing and labeling requirements to all persons who sell or offer to sell hemp products in Nevada. However, enforcing these requirements on out-of-state sellers is challenging.

Nevada does not currently require online sellers of hemp-derived cannabinoid products to register with the state or designate an in-state agent.

6. *Nevada does not impose a statewide minimum purchaser age or identification verification requirements for hemp-derived cannabinoid products.*

Cannabis establishments must verify a consumer's age by checking government-issued identification with an approved scanner. Nevada also prohibits sales of tobacco, vapor, and nicotine products to purchasers under 21 and requires electronic age verification for certain in-person and remote sales. Alcohol may not be sold to a person under 21 and sellers must verify age when a person's age is in question. Clark County now prohibits hemp retail stores from selling hemp or hemp-derived products to purchasers under 21, but that requirement applies only in unincorporated Clark County. No state statute restricts the sale of hemp-derived products to purchasers over 21 or requires verification of age.

7. *Nevada's current tax structure treats hemp-derived cannabinoid products differently from cannabis products.*

Nevada imposes a 15 percent wholesale excise tax and a 10 percent retail excise tax on cannabis sales, in addition to sales tax and fees imposed by local jurisdictions. Purchasers of hemp products, however, pay only sales tax. There is no hemp-specific excise tax.

8. *Clark County's hemp retail ordinance provides a useful regulatory model.*

Clark County's hemp retail ordinance requires hemp retail stores in unincorporated Clark County to obtain business licenses, hire employees with work identification cards, retain products in original packaging, maintain lot-specific testing from a CCB-certified laboratory, comply with age restrictions, and submit to inspection and enforcement. The ordinance applies only in unincorporated Clark County and is limited to establishments meeting the definition of "hemp retail store."

9. *Nevada law does not clearly or consistently address hemp-derived cannabinoid beverages and food products.*

Existing statutes and regulations do not provide a clear and comprehensive framework for adding hemp-derived cannabinoids to food or beverages. State and federal food safety and adulteration standards appear to prohibit cannabinoids such as CBD and THC from being added to food and beverages sold in Nevada. Nevertheless, CBD-infused gummies and other ingestible products remain widely available in stores across the state.

10. *Nevada law does not currently establish a retail pathway for intoxicating hemp-derived THC beverages.*

Although Nevada permits certain consumable hemp products that comply with testing, labeling, and food safety requirements, state law does not create a licensing or regulatory framework specifically authorizing intoxicating hemp-derived THC beverages to be sold through bars, restaurants, liquor stores, grocery stores, convenience stores, or other retailers. Nevada law also does not identify an agency responsible for regulating such a market or establish requirements governing age verification, potency, taxation, distribution, product registration, recalls, or enforcement.

11. *Federal law is scheduled to substantially narrow the category of products that may qualify as hemp.*

The Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026, Public Law 119-37, amends the federal definition of hemp to account for total THC and to exclude specified synthesized or manufactured cannabinoids and final hemp-derived cannabinoid products containing more than 0.4 milligrams of total THC per container.[4] These changes are expected to substantially reduce the existing market for intoxicating hemp-derived products, including THC beverages. After this Subcommittee completed its work, Congress temporarily delayed the effective date of most of these provisions from November 12 to December 11, 2026, while leaving certain restrictions on synthetic cannabinoids scheduled to take effect November 12.[5] The substantive standards enacted in Public Law 119-37 remain unchanged, although Congress continues to consider proposals that could further delay or modify these requirements.

Summary of Recommendations

- Maintain alignment with the federal hemp standards enacted in Public Law 119-37, including the total THC measurement and restrictions applicable to final hemp-derived cannabinoid products.
- Establish a statewide regulatory framework tailored to the scope of the hemp market.
- Designate a lead state agency and clearly allocate regulatory responsibilities and enforcement authority.
- Create manufacturer and product registration requirements.
- Establish uniform testing, packaging, labeling, and product safety standards.
- Establish a statewide minimum age of 21 for intoxicating products and adopt age verification requirements.
- Apply Nevada's regulatory requirements to all hemp-derived cannabinoid products sold or delivered to Nevada consumers, including through online and direct-to-consumer sales.
- Adopt provisions of Clark County's hemp retail ordinance as statewide minimum standards while preserving local authority.
- Address the tax disparity between intoxicating hemp-derived cannabinoid products and regulated cannabis.
- Clarify the treatment of hemp-derived cannabinoids in food and beverages.
- Create a contingent pathway if federal law permits intoxicating hemp products.

[4] Office of the Federal Register, "Public Law 119 - 37."

[5] Office of the Federal Register, "Public Law 119 – 103, Section 2019." "Until December 11, 2026, the amendments made by section 781 of division B of Public Law 119–37 (7 U.S.C. 1639o note) shall only apply with respect to products described in paragraphs (1)(C)(ii)(I) and (1)(C)(iv)(I) of section 297A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o) (as amended by such section 781)."

- If the Legislature affirmatively authorizes hemp-derived THC beverages, a comprehensive regulatory framework must be established.
- Provide adequate resources to implement and enforce the regulatory framework.

Overview of the Federal and Nevada Legal Framework for Hemp and Hemp-Derived Cannabinoid Products

Hemp and cannabis are both derived from the same plant species, *Cannabis sativa L.*, but are classified differently under federal and Nevada law based primarily on their THC concentration.

Under current federal law, 7 USC 1639o(1), hemp is "the plant *Cannabis sativa L*. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis." Anything exceeding 0.3 percent delta-9 by dry weight is classified as marijuana or cannabis (for this purpose, the terms are interchangeable).[6]

In Nevada, hemp is defined as "any plant of the genus *Cannabis sativa L.* and any part of such a plant, including, without limitation, the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts and salts of isomers, whether growing or not, with a THC concentration that does not exceed the maximum THC concentration established by the Department [of Agriculture] for hemp."[7] The maximum THC content established by the NDA for hemp is a "total THC content concentration level on a dry weight basis that, when reported with the laboratory's measurement of uncertainty, produces a distribution or range that includes a total THC content concentration level on a dry weight basis that is equal to or less than the maximum total delta-9-tetrahydrocannabinol concentration level on a dry weight basis for hemp established by 7 U.S.C. § 1639o."[8]

Regulation of Hemp Cultivation and Initial Processing

The United States Department of Agriculture (USDA) regulates hemp cultivation through state, tribal, and federal production plans, including requirements for pre-harvest THC testing.[9] The NDA oversees Nevada's hemp plan, which was approved by the USDA on May 28, 2021.[10]

In alignment with USDA regulations, the NDA tests pre-harvest crops grown in Nevada for "total THC." Total THC is the value determined after the process of decarboxylation, or the application of a conversion factor if the testing methodology does not include decarboxylation, that expresses

[6] Cannabis Regulators Association, *Cannabinoid Hemp*, 1.

[7] Nev. Rev. Stat. § 557.160.

[8] LCB File No. R188-24, approved by the Legislative Commission on July 1, 2026. Previously, Nevada Administrative Code Chapter 557 referenced THC content, but not *total* THC content, the difference being that total THC measures both THC and THCA. The NDA followed USDA regulations when it came to pre-harvest THC testing, which requires that the acceptable hemp level include total THC. Thus, the recent change to regulations merely aligned the language with the USDA regulations.

[9] U.S. Department of Agriculture, *Hemp Laws and Regulations*.

[10] Nevada Department of Agriculture, "State of Nevada Hemp Plan."

the potential total delta-9 tetrahydrocannabinol content derived from the sum of the THC and THCA content and reported on a dry weight basis.[11]

If a crop exceeds the maximum THC concentration allowable for hemp, the crop must be disposed of or remediated. Additional enforcement actions, such as hemp license suspension, seizing the crop, or contacting law enforcement, will be taken if the crop remains out of compliance.[12]

NDA oversight at the state level extends beyond harvested plants only to the initial processing of raw hemp, which includes grinding, pressing, hemp seed cleaning, and oil extraction.[13] Nevada law specifically excludes "any commodity or product made using hemp" from the definition of hemp.[14] The NDA does not regulate finished consumer hemp products.[15]

USDA regulation over hemp crops also ends when they are harvested, and the federal hemp framework does not establish a comprehensive licensing or regulatory system governing the extraction, manufacture, distribution, or retail sale of hemp-derived cannabinoid products.[16] However, there is some federal oversight by the Food & Drug Administration (FDA) under the Food, Drug & Cosmetic Act (FD&C Act).[17]

Federal Regulation of Consumable Hemp Products

The FDA has determined that only certain hemp-derived ingredients are safe and therefore allowed to be used in food or dietary supplements. The only allowed ingredients are hulled hemp seed, hemp seed protein powder, and hemp seed oil.[18] CBD and THC, however, are not generally recognized as safe by the FDA and, therefore, are not approved additives in foods or dietary supplements.[19] Because CBD and THC are unapproved food additives, food or beverages containing CBD or THC are considered adulterated under the FD&C Act.[20]

In 2023, citing safety concerns over long-term use of CBD, the FDA asked Congress to create a regulatory pathway for hemp-derived cannabinoids, which has not occurred.[21] In the meantime, the FDA has taken enforcement action in the form of warning letters to manufacturers of products

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[11] 7 C.F.R. § 990.1 (2021); Nev. Rev. Stat. § 557.240(4).

[12] Nev. Rev. Stat. § 557.240(3-4).

[13] Nevada Department of Agriculture, *Hemp in Nevada*.

[14] Nev. Rev. Stat. § 557.160(2).

[15] Nevada Department of Agriculture, *Hemp in Nevada*.

[16] Cannabis Regulators Association, *Cannabinoid Hemp*, 2; Cannabis Regulators Association, *Urging Federal Action*, 1–2.

[17] U.S. Food and Drug Administration, *FDA Regulation of Cannabis*.

[18] U.S. Food and Drug Administration, *FDA Responds to Three GRAS*.

[19] U.S. Food and Drug Administration, *FDA Regulation of Dietary Supplement*, 1, stating that FDA is "not aware of any basis to conclude that CBD is generally recognized as safe (GRAS)" for use in human or animal food.

[20] U.S. Food and Drug Administration, *Scientific Memorandum: Cannabidiol (CBD)*; U.S. Food and Drug Administration, *Determining the Regulatory Status*; Federal Food, Drug, and Cosmetic Act §§ 201(s), 402(a)(2)(C), 409, 21 U.S.C. §§ 321(s), 342(a)(2)(C), 348; U.S. Food and Drug Administration, *Warning Letter to ATLRx, Inc.*

[21] U.S. Food and Drug Administration, *FDA Concludes*.

containing CBD and delta-8, but has focused these efforts primarily on companies making unsubstantiated medical claims.[22]

Despite these federal restrictions, consumable hemp-derived cannabinoid products, such as gummies, tinctures, and beverages, remain widely available. The FDA has acknowledged the existence of a large market of products that do not comply with federal requirements.[23] Some states have established their own regulatory frameworks for hemp and hemp-derived products, while others follow the approach of federal agencies. The result is a state-by-state patchwork that does not consistently align with the FDA's position concerning hemp-derived cannabinoids in food.[24]

Nevada Regulation of Consumable Hemp Products

Nevada law addresses food containing hemp-derived cannabinoids through two related provisions. First, NAC 439.668(1) prohibits the sale of consumable hemp products processed in Nevada unless the FDA has determined the product to be safe or generally recognized as safe for use as an ingredient in food intended for human consumption.[25] Second, NAC 439.668(2)(d) provides that a hemp product is adulterated if it meets any other condition for adulteration prescribed by federal or state law or regulation.

Products containing hemp are allowed to be produced by cannabis licensees and sold in licensed cannabis dispensaries as long as they are tested by a licensed cannabis testing facility.[26] Under current state law, products containing hemp-derived cannabinoids produced by cannabis licensees may not be sold outside of the closed-loop licensed cannabis system.[27]

Nevada Testing and Labeling Requirements

Current Nevada law establishes testing and labeling requirements for consumable hemp products. NRS 439.532 prohibits the sale or offer for sale of a commodity or product containing hemp intended for human consumption, or another covered product that purports to contain cannabidiol, unless the product has been tested by an independent testing laboratory and meets standards established by regulation.[28] The statute also requires covered products to comply with labeling requirements established by Department of Human Services (DHS), including the condition that labels must not be false or misleading.[29]

DHS regulations establish more detailed consumable hemp product testing requirements. Under NAC 439.670, a hemp product processed, sold, or offered for sale in Nevada must be tested by a

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[22] U.S. Food and Drug Administration, *Warning Letters*.

[23] U.S. Food and Drug Administration, *What the FDA Is Doing.* Acknowledging a "large, violative market of CBD products" and explaining that FDA prioritizes enforcement against companies whose products pose the greatest risk of public harm.

[24] Cannabis Regulators Association, *A Brief Overview*.

[25] Nev. Admin. Code § 439.668(1).

[26] Nev. Rev. Stat. § 678B.290 (testing); Nev. Rev. Stat. § 678B.520(9) (cannabis production facility may sell hemp products to a cannabis sales facility); Nev. Rev. Stat. § 678B.520(10) (allowing cannabis sales facilities to sell products made using hemp).

[27] Nev. Rev. Stat. § 678B.529(9).

[28] Nev. Rev. Stat. § 439.532.

[29] Nev. Rev. Stat. § 439.532(3).

CCB-certified laboratory[30] in the same manner as an equivalent marijuana product, as well as analyzed for THC and other cannabinoids or terpenoids identified in the product's ingredients or labeling. Products must be tested for homogeneity of THC and processors must retain the final certificate of analysis for at least two years.[31] These requirements, coupled with the food safety adulteration standards, provide minimum standards for testing, labeling, and approved ingredients.

Recent Changes to Federal Law and Responses by States

On November 12, 2025, the President signed the *Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026*, Public Law 119-37 (Public Law 119-37). The legislation ended the federal government shutdown, provided continuing appropriations and extensions for Fiscal Year 2026, and made significant changes to the federal definition of hemp.[32] Supporters characterized Public Law 119-37 as closing the "hemp loophole" created by the 2018 Farm Bill, while hemp-industry representatives warned that the changes could eliminate much of the existing market for both intoxicating and nonintoxicating hemp-derived cannabinoid products.[33]

Public Law 119-37 replaced the former delta-9 THC standard with a "total tetrahydrocannabinols concentration" standard that expressly includes tetrahydrocannabinolic acid, or THCA. Under the amended definition, *Cannabis sativa L.* and its derivatives qualify as hemp only if they contain no more than 0.3 percent total THC on a dry-weight basis.[34] The law also excludes from the definition of hemp any final hemp-derived cannabinoid product containing more than 0.4 milligrams per container of the combined total of THC, including THCA, and any other cannabinoids determined by the Department of Health and Human Services (DHHS) Secretary to have, or are marketed as having, effects similar to THC.[35] The Act delayed the effective date of the provisions for one year, to November 12, 2026.[36]

Several states responded to the Act by aligning their statutes with the new federal law. Missouri enacted House Bill 2641, which incorporates the federal total THC and container size standards and, beginning November 12, 2026, generally treats products exceeding those standards as marijuana.[37] New Jersey enacted Senate Bill 4509 in January 2026. The bill classifies any hemp-derived product that exceeds 0.3 percent total THC on a dry weight basis or contains more than 0.4 milligrams of total THC per container as cannabis.[38] It also phased out hemp beverages on November 14, 2026, unless they fall below the 0.4 mg per container THC limit.[39] Illinois enacted

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[30] Nev. Admin. Code § 439.670.

[31] Nev. Admin. Code § 439.670.

[32] Office of the Federal Register, "Public Law 119-37."

[33] Congressional Research Service, "Changes to the Statutory Definition of Hemp."

[34] Office of the Federal Register, "Public Law 119-37."

[35] *Id.*, 139 Stat. at 559 (amending 7 U.S.C. § 1639o(1)(C)(iv)).

[36] *Id.*, 139 Stat. at 558 (providing that the amendments become effective 365 days after enactment).

[37] Missouri H.B. 2641, 103rd Gen. Assemb., 2d Reg. Sess. (2026), signed April 23, 2026, https://house.mo.gov/Bill.aspx?bill=HB2641&year=2026.

[38] New Jersey S.B. 4509, 222nd Leg., 1st Ann. Sess. (2026), enacted January 12, 2026; New Jersey Cannabis Regulatory Commission, "Intoxicating Hemp-Derived Products," accessed August 14, 2026, https://www.nj.gov/cannabis/resources/faqs/intoxicating-hemp.

[39] *Id.*

the Illinois Hemp Act, Senate Bill 3222, on June 12, 2026, aligning its state statutes with the new federal approach. The Illinois Department of Agriculture (IDOA) is the primary agency responsible for administering the Act.[40]

After this report was prepared, Congress enacted a temporary delay of most of the changes to the definition of hemp established by Public Law 119-37. H.R. 6500, signed into law on September 2, 2026, generally extends the effective date of those provisions from November 12 to December 11, 2026.[41] The legislation does not repeal or substantively modify the total THC standard or the 0.4 milligram per container limit for hemp-derived cannabinoid products. It also does not delay the exclusion of certain synthetic cannabinoids that cannot be naturally produced by the cannabis plant, which remains scheduled to take effect November 12, 2026. Accordingly, the federal restrictions in this report remain enacted law, but the effective date of most of those restrictions has been temporarily postponed while Congress continues to consider additional legislation concerning hemp-derived cannabinoid products. Because these proposals remained subject to the legislative process, this report analyzes federal law as enacted and does not assume that any pending proposal will become law.

Nevada's Hemp-Derived Cannabinoid Marketplace

Nevada does not currently collect sufficient information to calculate the statewide size of the hemp-derived cannabinoid product market. Unlike licensed cannabis, hemp-derived products are not subject to statewide seed-to-sale tracking, comprehensive product registration, or a distinct tax reporting system. The NDA registers hemp growers, handlers, and seed producers, but those registrations do not identify every manufacturer, distributor, or retailer of finished products.[42] Local jurisdictions also do not provide sufficient distinctions between businesses selling intoxicating hemp-derived products from smoke shops, convenience stores, wellness retailers, and other businesses that sell hemp products as part of a broader inventory.

Nevertheless, available evidence shows that Nevada has an established and highly visible marketplace for hemp-derived cannabinoid products, particularly in Southern Nevada's tourist corridors. In 2023, the City of Las Vegas adopted requirements directed at smoke shops selling hemp products presenting themselves in a manner that could be confused with licensed cannabis dispensaries.[43] Nevada Public Radio similarly reported that storefronts on Fremont Street and the Las Vegas Strip appeared to be cannabis dispensaries but, instead, sold CBD and hemp products, including products that could contain synthetic cannabinoids.[44] Their presence in tourist corridors is particularly significant because Nevada law generally prevents cannabis establishments from operating within 1,500 feet of gaming establishments.[45] Likewise, in 2026, the Clark County Board of Commissioners found that retail sales of hemp and hemp-derived products in unincorporated Clark County, which includes the Las Vegas Strip, had "expanded rapidly" following changes in

[40] Illinois Hemp Act, Pub. Act 104-463, §§ 1, 5, enacted June 12, 2026, https://ilga.gov/documents/legislation/PublicActs/104/104-0463.htm.

[41] Office of the Federal Register, "Public Law 119-103, Section 2019."

[42] Nev. Rev. Stat. § 557.200–.240; Nevada Department of Agriculture, *NDA Hemp Program*.

[43] City of Las Vegas, *How to Spot*.

[44] Prevatt, "Fake Dispensaries."

[45] Nev. Rev. Stat. §§ 678B.210(3)(a)(2)(II) and 678B.250(3)(a)(2)(II).

federal law and that many products were sold without rigorous third-party testing or uniform compliance standards.[46]

The proliferation of hemp products is not limited to just one area of the state. At the February 25, 2026 meeting of Nevada's Joint Interim Standing Committee on Natural Resources, NDA Director J.J. Goicoechea described products marketed as hemp, including vape pens, candies, gummies, concentrated cannabinoids, and chemically produced cannabinoid compounds, as available for sale in Nevada. Goicoechea testified that some products were represented as having 10 or 20 times the potency of products available through Nevada's regulated cannabis market and identified youth access and resulting ambulance calls as public safety concerns.[47]

Hemp-derived cannabinoid products reach Nevada consumers through hemp and CBD stores, smoke shops, gas stations, other retail establishments, and internet sellers. An April 2024 *Las Vegas Sun* article reported that intoxicating synthetic hemp products were being sold at Nevada businesses and online and that the CCB had received "several reports of intoxicating hemp products being sold within the state."[48] *The Nevada Independent* likewise reported that Nevada consumers could purchase certain hemp-derived cannabinoid products online from businesses operating in other states notwithstanding Nevada's restrictions.[49]

The size of the hemp-derived cannabinoid product marketplace is not explained by Nevada agricultural production. According to the NDA, the number of registered hemp growers declined from 213 in 2019 to five as of July 1, 2026; the Department also reported nine registered handlers and no registered agricultural hemp seed producers.[50]

Statewide Enforcement and Challenges

Nevada law does not assign comprehensive responsibility for hemp-derived cannabinoid products to a single state agency. Instead, regulatory and enforcement authority is divided among the CCB, the NDA, the DHS, state and local law enforcement agencies, and local business licensing and health authorities. Each entity has authority over a portion of the market, but no entity has an express mandate to regulate hemp-derived cannabinoid products from manufacture through retail sale. The practical result is an oversight and enforcement gap.

Cannabis Compliance Board Authority

The CCB has extensive oversight, inspection, and disciplinary powers within Nevada's licensed cannabis system. It may regulate cannabis establishments, investigate unlicensed cannabis activity, seize cannabis and cannabis products connected to unlicensed activity, refer matters for criminal prosecution, and impose penalties authorized by statute and regulation.[51] These powers do not, however, create general CCB jurisdiction over every product derived from the cannabis plant.

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[46] Clark County Code § 7.220.010.

[47] J.J. Goicoechea, *Testimony Before the Nevada Legislature Joint Interim Standing Committee on Natural Resources*, 2026 Nev. Leg., February 25, 2026, 9:24:15.

[48] Harrison, "Concerns Arise."

[49] Butterworth, "Is Synthetic Marijuana."

[50] Nevada Department of Agriculture, *2019–2026 Nevada Hemp*.

[51] Nev. Rev. Stat. Chapters 678A-678D.

Nevada's definition of marijuana generally excludes qualifying hemp grown under NRS Chapter 557, as well as commodities or products made using hemp.[52]

As discussed elsewhere in this report, AB 504 (2025) created a limited exception to this jurisdictional boundary. NRS 678A.660 now prohibits unlicensed hemp retailers from falsely representing themselves as licensed cannabis establishments and from making specified false or misleading claims about hemp products and treats violations as deceptive trade practices. The CCB may investigate suspected violations and refer them to the Attorney General.[53] Thus, the provision addresses deceptive presentation and "fake dispensary" conduct but not broader regulation of hemp-derived cannabinoid products.

Nevada Department of Agriculture Authority

Chapter 557 authorizes the NDA to register and regulate hemp growers, handlers, and seed producers, certify hemp production sites, conduct crop sampling, enforce THC limits applicable to hemp, and prohibit registered growers and producers from producing or selling synthetic cannabinoids.[54] This is principally an agricultural production framework. It does not establish a comprehensive licensing, product registration, inspection, recall, and administrative penalty system for intoxicating hemp-derived cannabinoid products sold by unrelated retailers. The NDA employs agricultural police officers, but their authority is limited to enforcing the statutes expressly identified in NRS 289.290 and other state laws while performing duties under those provisions.[55]

Senate Bill 466 (SB 466) transferred Nevada's state-level food safety regulatory authority from the DHS to the NDA, while preserving the role of local health authorities.[56] The shift in oversight in SB 466 did not broaden the scope of what types of hemp are allowed in products intended for human consumption. CBD and THC still do not qualify as "approved hemp components" under Nevada law because they are not generally recognized as safe by the FDA. Section 18 of SB 466 specifically governs the use of hemp in manufactured food, limiting permissible hemp ingredients to components that the FDA has determined are safe or generally recognized as safe for use in food (hulled hemp seed, hemp seed protein powder, and hemp seed oil).

While SB 466 transferred substantial food safety responsibilities to the NDA, it did not amend the definition of "Department" under NRS 439.532. Under the current text of Chapter 439, "Department" continues to mean DHS.[57] What resulted from SB 466 is a statutory mismatch between the agency now responsible for much of Nevada's food safety system and the agency named in the hemp testing and labeling statute.

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[52] Nev. Rev. Stat. § 453.096(1)(a); Nev. Rev. Stat. § 557.130.

[53] Nev. Rev. Stat. § 678A.660.

[54] Nev. Rev. Stat. § 557.

[55] Nev. Rev. Stat. § 561.225 (authorizing the Director of the Nevada Department of Agriculture to appoint agricultural police officers); Nev. Rev. Stat. 289.290(1) (granting those officers peace-officer authority to serve process and enforce Titles 49 and 50 and Chapters 581, 582, 583, 584, 586, 587, 588, and 590 of NRS, and to enforce other Nevada laws while performing duties under those provisions).

[56] Senate Bill 466, 83rd Sess. (Nev. 2025).

[57] Nev. Rev. Stat. § 439.005(3); Senate Bill 466, 83rd Sess. (Nev. 2025).

Department of Human Services Authority

NRS 439.532 prohibits the sale of hemp-derived cannabinoid products intended for human consumption unless the products have been tested by an independent laboratory, meet testing standards, and comply with labeling regulations. The statute defines human consumption broadly to include ingestion, inhalation, and topical application.[58]

Aside from testing and labeling requirements, NRS 439.532 does not establish an administrative system for hemp-derived cannabinoid products. It does not expressly create hemp product registrations, retailer or manufacturer licenses, routine inspection procedures, recall procedures, penalties for violations, or a clearly identified enforcement unit.

NAC 439.672 establishes a complaint-based investigation framework for hemp products. For foods and dietary supplements, a consumer or public agency can complain to the health authority; for drugs or cosmetics, the complaint goes to the Commissioner. The agency investigates "to the extent it deems appropriate" and can require additional testing and pursue further action under food or cosmetic adulteration statutes.[59]

Department of Public Safety and Criminal Enforcement

The Investigation Division of the Department of Public Safety (DPS) is responsible for enforcing Nevada's controlled substance laws. It may also, upon request, assist the Department of Taxation, DHS, and the CCB with specified cannabis investigations.[60] Nevada law does not, however, make the Investigation Division the primary enforcement agency for hemp products or unlicensed cannabis activity generally.

Products marketed as hemp may contain cannabinoids that are restricted or prohibited under Nevada law. Nevada prohibits the production, distribution, and sale of synthetic cannabinoids and defines THC to include delta-9 THC and its structural, optical, and geometric isomers, including delta-7, delta-8, and delta-10 THC.[61] Determining whether a product qualifies as hemp or contains a prohibited cannabinoid may require laboratory testing, evidence concerning how the cannabinoid was produced, and application of overlapping hemp and controlled-substance laws.

During Nevada's 2025 Legislative Session, the Legislature considered assigning the DPS Investigation Division a larger role in enforcing criminal laws relating to unlicensed cannabis activity. However, Assembly Bill 203 (AB 203) did not pass.[62] A DPS fiscal note explained that the proposed responsibilities could increase the physical and digital evidence handled by the Department's evidence vault and that the resulting storage costs could not be determined because the volume of evidence was unknown.[63] Although AB 203 addressed unlicensed cannabis rather than the broader hemp market, its consideration illustrates that assigning criminal enforcement

[58] Nev. Rev. Stat. § 439.532; Nev. Admin. Code § 439.670.

[59] Nev. Admin. Code § 439.672.

[60] Nev. Rev. Stat. §§ 480.140(1)(a), 480.460(9).

[61] Nev. Rev. Stat. §§ 453.139, 453.572.

[62] Assembly Bill 203, 83rd Sess., sec. 26 (Nev. 2025).

[63] Nevada Department of Public Safety, *Fiscal Note for A.B. 203*.

responsibility carries personnel, equipment, laboratory, evidence storage, and other operational costs.

Statewide Retail Store Advertising and Marketing Restrictions

Enacted during the 2025 Legislative Session, Assembly Bill 504 (AB 504) addresses retail locations that sell consumable hemp products while presenting themselves in a manner that may cause consumers to believe they are licensed cannabis establishments. The legislation applies to stores that do not have a cannabis license and that sell or offer to sell hemp products. The bill requires stores to provide notice to customers that they are not selling licensed cannabis, targets deceptive advertising, and provides enforcement tools to combat misleading business practices.[64]

The legislation also prohibits hemp retailers from making or permitting false, misleading, or deceptive statements concerning whether the retailer holds a cannabis establishment license or the nature of a consumable hemp product being sold. The prohibition expressly includes claims that a hemp product is cannabis or produces an intoxicating effect. A violation constitutes a deceptive trade practice under Nevada's consumer protection laws.[65]

Additionally, AB 504 gives the CCB a limited enforcement role outside the licensed cannabis market. The CCB may investigate suspected violations of the signage and advertising requirements and refer violations to the Attorney General.[66] While the legislation provides a targeted mechanism for addressing misleading hemp storefronts, it does not give the CCB general regulatory jurisdiction over hemp retailers or establish broader restrictions on hemp-derived cannabinoid products.

Clark County's Hemp Retail Ordinance

In March 2026, the Clark County Board of Commissioners adopted sweeping changes to Title 7 governing the retail sale of hemp and hemp-derived products in the unincorporated areas of Clark County. The ordinance became effective July 15, 2026.[67] In adopting the ordinance, Commissioners acknowledged that retail sales of hemp and hemp-derived products had expanded rapidly following changes in federal law. They identified potential public safety issues related to contamination, inaccurate dosing and labeling, youth access, inconsistent business practices, and products sold without third-party testing or uniform compliance standards.[68]

The ordinance established a separate hemp retail store business license category. A "hemp retail store" is defined as a business that derives or will derive at least 10 percent of its gross revenue from hemp, hemp-derived products, hemp paraphernalia, or cannabis paraphernalia; devotes at least 10 percent of its retail floor space to those products; or holds itself out through advertising as engaging in that activity.[69] Such businesses must obtain a Clark County business license, and

[64] Assembly Bill 504, 83rd Sess., sec. 1 (Nev. 2025), codified at NRS 678A.660.

[65] Nev. Rev. Stat. § 678A.660(1)(b).

[66] Nev. Rev. Stat. § 678A.440(12).

[67] Clark County Code § 7.220.

[68] Clark County Code § 7.220.010(a).

[69] *Id*. at § 7.220.100.

employees who sell or handle covered products or have daily control over store operations must obtain work identification cards.[70]

The ordinance also establishes product requirements for hemp retail stores. Hemp and hemp-derived products must remain in their original, unopened packaging and must identify THC concentrations on the label.[71] Products must have lot-specific test results from a Nevada-licensed independent testing laboratory and must be tested for potency, microbials, pesticides, and heavy metals in the same manner as cannabis products. The ordinance further requires that products contain no greater total THC concentration, including THCA, than permitted by federal law.[72]

The ordinance prohibits hemp retail stores from producing, selling, or offering products containing artificially derived cannabinoids, products containing an intoxicating cannabinoid exceeding the limits established by the ordinance, or products intended to cause an intoxicating, narcotic, or hallucinogenic effect. For the purposes of this prohibition, the ordinance identifies intoxicating cannabinoids as including delta-7 THC, delta-8 THC, delta-9 THC, delta-10 THC, HHC, and THC-O.[73] Separately, the ordinance defines an "artificially derived cannabinoid" as a cannabinoid created through a chemical reaction that changes the molecular structure of a substance derived from *Cannabis sativa L.*, including THC isomers created from CBD through isomerization and cannabinoids that do not naturally occur in the plant but are created from naturally occurring cannabinoids.[74]

The ordinance addresses CBD separately in one provision, stating that "[a] hemp retail store may not introduce into a packaged food product or dietary supplement a product containing CBD as an ingredient or advertised as containing CBD."[75] The ordinance defines "food" broadly as any food, drink, confection, beverage, or component in the preparation or manufacture thereof, intended for human consumption.[76] As discussed at the March 2026 Commission meeting, this section was intended to prohibit CBD in food products or as a food additive.[77]

The ordinance also establishes age and marketing restrictions. A hemp retail store may not sell hemp or hemp-derived products to a person under 21,[78] and employees who sell or handle the covered products or control store operations must be at least 21.[79] Individuals under 21 may not enter or remain in a hemp retail store unless continuously accompanied by a parent or legal guardian.[80] Marketing, signage, packaging, and advertising may not falsely or deceptively suggest that the store is licensed to sell cannabis, and products may not be promoted as cannabis, as

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[70] *Id*. at § 7.220.230; § 7.220.240; *see also* § 6.10.020(c)(10).

[71] *Id*. at § 7.220.310(a).

[72] *Id*. § 7.220.310(b).

[73] *Id*. § 7.220.310(c).

[74] *Id*. § 7.220.220.005.

[75] *Id*. § 7.220.310(e).

[76] *Id*. § 7.220.220.060.

[77] Clark County Board of Commissioners, meeting video, March 17, 2026, 48, agenda item 55, https://clark.legistar.com/View.ashx?GUID=C4EE6582-15A6-4DA6-8FE7-02789DF6D3FE&ID=1386810&M=M.

[78] Clark County Code § 7.220.310(g).

[79] *Id*. § 7.220.310(h).

[80] *Id*. § 7.220.310(f).

producing an intoxicating effect, or as providing medical, curative, or disease-related benefits.[81] The ordinance also requires signs informing consumers that the location is not licensed to sell cannabis and that its hemp products contain less than the legal limit of THC.[82]

Finally, the ordinance authorizes the investigation, inspection, and audit of licensed premises by the Clark County Department of Business License, government regulatory officials, and law enforcement.[83] Violations may result in notices of violation, civil penalties of up to $1,000 for each violation, criminal misdemeanor penalties, and license suspension, revocation, conditioning, limitation, or nonrenewal.[84]

City of Las Vegas 2023 Ordinance

The Clark County ordinance addresses the same concern that prompted the City of Las Vegas to amend its smoke-shop regulations in 2023: retail businesses that resemble licensed cannabis dispensaries but are not licensed to sell cannabis. These businesses, which are frequently described as "fake dispensaries," may use cannabis terminology, marijuana-leaf imagery, dispensary-style interiors, or products labeled with terms such as "THC" and "CBD," creating the impression that they are licensed cannabis retail stores.[85]

The City's ordinance amends the smoke-shop provisions of Chapter 6.82 of the Las Vegas Municipal Code. It requires smoke shops selling hemp products to display conspicuous notices stating, "THIS LOCATION IS NOT LICENSED TO SELL CANNABIS" and "ALL HEMP PRODUCTS CONTAIN LESS THAN THE LEGAL LIMIT OF THC." The City also imposes testing and labeling requirements intended to establish the contents and THC concentration of the hemp products being offered for sale.

The City's ordinance addresses both consumer deception and public health risks. However, its reach is geographically limited; it applies only within city limits and operates through the City's existing smoke-shop licensing structure.

Local Health Authority Enforcement of Hemp in Food

Local jurisdictions play a significant role in the oversight of hemp-derived consumable products. Local health authorities have direct regulatory authority over food establishments, including restaurants, bars that prepare or serve food, commercial kitchens, and certain food manufacturers.

The Washoe County Health District (WCHD) has issued guidance prohibiting food establishments from adding CBD to food or beverages.[86] WCHD relies on federal restrictions limiting permissible hemp-derived ingredients to those generally recognized as safe by the FDA.

Current Nevada law provides additional statutory support for restrictions on hemp ingredients used by food establishments. NRS 580.520 allows an operator of a food establishment at which food is

[81] *Id*. at § 7.220.310(i) and § 7.220.310(j).

[82] *Id*. at § 7.220.310(d).

[83] *Id*. at § 7.220.340.

[84] *Id*. at § 7.220.350(c); § 7.220.350(d)(1); § 7.220.350(e); § 7.220.350(f)(2); § 7.220.360.

[85] City of Las Vegas, *How to Spot*.; FOX5 Vegas, *Proposed Las Vegas*.

[86] Washoe County Health District, CBD Oil in Food Products, Jun. 17, 2019.

not prepared or served for immediate consumption to manufacture or prepare food containing an "approved hemp component," which, under current federal law, is hulled hemp seed, hemp seed protein powder, and hemp seed oil.[87] Because the FDA has not approved CBD or THC as a food additive or recognized it as safe for use in food, this provision does not authorize a food establishment to add cannabinoids to a packaged food product.

Additional Regulatory Issues Considered by the Subcommittee

Product Registration, Traceability, and Retailer Accountability

Nevada's existing hemp registration system is principally designed to regulate cultivation and the initial handling of hemp, not to identify every business manufacturing hemp-derived cannabinoid products sold in the state. The NDA separately registers growers, handlers, and seed producers. A "handler" is a person registered to handle hemp for processing into commodities, products, or agricultural hemp seed. The category may include processors and extractors; however, the NDA's published statistics do not subdivide handlers into extractors, ingredient suppliers, finished-product manufacturers, or other types of businesses. As of July 1, 2026, the NDA reported only five registered growers and nine registered handlers statewide.[88]

Nevada does not maintain a single, hemp-specific registry identifying every manufacturer of hemp-derived cannabinoid products sold in the state. The NDA handler registry captures some processing businesses, but it does not provide complete visibility into finished products manufactured outside Nevada.

Other states and Nevada's cannabis industry provide models for licensing and product tracking. In Nevada's regulated cannabis market, every licensed Nevada cannabis cultivator, producer, laboratory, distributor, dispensary, and consumption lounge must report inventory and transaction information through seed-to-sale tracking software operated by Metrc. Cannabis plants and products are identified and tracked through cultivation, manufacturing, testing, transportation, and final retail sale. This system allows the CCB to trace a product to the licensed businesses that handled it, confirm its testing status, identify locations holding affected inventory, and place products on hold when a public health or compliance concern arises.

Nevada regulators have also begun making portions of this information available to consumers through the CCB's Cannabis Item Catalog (CIC). The catalog draws information from Metrc and provides product-specific information, including ingredients, allergens, potency, testing results, certificates of analysis, and current product hold status. In April 2026, the CCB reported that the CIC contained information for nearly 50,000 cannabis products sold through Nevada's licensed dispensaries and consumption lounges.[89]

Other states have adopted registration models for hemp products and manufacturers. The Illinois Hemp Act establishes a facility-specific hemp product manufacturer license and requires each applicant to identify the manufacturing facility, an authorized contact, and the operations and

[87] U.S. Food and Drug Administration, *FDA Responds to Three GRAS*.
[88] Nevada Department of Agriculture, *2019–2026 Nevada Hemp*.
[89] Cannabis Compliance Board, *CCB Debuts Metrc Item Catalog*.

processes conducted at the facility. Licensed facilities are subject to inspection, food safety requirements, extraction controls, and state and local building, fire, and zoning requirements.[90] The act also regulates every hemp-derived cannabinoid product distributed or offered for sale in Illinois. Each lot must be tested before sale; a certificate of analysis must be available to regulators, retailers, and consumers; and the product label must identify the manufacturer or distributor, cannabinoid content, lot number, expiration date, and a link or QR code providing access to the certificate of analysis.[91]

In Oregon, hemp-derived cannabinoid products must be registered with the Oregon Liquor and Cannabis Commission before they are sold, offered for sale, transferred, or delivered to an Oregon consumer or to a retailer for sale to Oregon consumers. The requirement applies to direct-to-consumer online sales as well as sales through brick-and-mortar retailers, including smoke shops, gas stations, and grocery stores.[92] Under Oregon law, the responsible party may be located inside or outside Oregon and may be the person responsible for manufacturing, packaging, or distributing the product. The registration application must include the product label and a certificate of analysis, and registrations must be renewed annually. Oregon maintains a publicly searchable list of registered products, allowing distributors and retailers to determine whether a product has already been approved rather than requiring every business in the distribution chain to submit a duplicative application for the same product.[93] Oregon's model therefore places the initial registration obligation on the business responsible for the product while allowing downstream distributors and retailers to rely upon a centralized, publicly accessible registration system.

Clark County's hemp retail ordinance focuses on the retail point of sale. Businesses meeting the definition of a "hemp retail store" in unincorporated Clark County must obtain and maintain a hemp retail store license. The license creates a direct regulatory and enforcement connection to the Nevada businesses offering these products to consumers. Licensed premises are subject to investigation, inspection, and audit by the Clark County Department of Business License, other government regulatory officials, and law enforcement.[94]

Testing, Packaging, and Labeling

As discussed above, Nevada already requires consumable hemp products to satisfy testing and labeling standards before they are sold or offered for sale.[95] Broader food safety, adulteration, and labeling requirements also apply to consumable hemp products. NAC 439.668 requires hemp products processed in Nevada to comply with federal and state labeling laws and provides that a

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[90] Illinois Hemp Act, Public Act 104-463, § 30, https://ilga.gov/documents/legislation/PublicActs/104/104-0463.htm.

[91] *Id.* at § 35.

[92] Oregon Liquor and Cannabis Commission, "Hemp Registry Guide."; Oregon Liquor and Cannabis Commission, "Hemp Registry FAQs."

[93] Oregon Laws 2024, ch. 16, §§ 10–14a, https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2024orLaw0016.pdf; Oregon Liquor and Cannabis Commission, "Hemp Registry Guide."

[94] Clark County Code §§ 7.220.220.100, 7.220.230–.250.

[95] Nev. Rev. Stat. § 439.532; Nev. Admin. Code § 439.670.

hemp product is adulterated if it satisfies another condition for adulteration established by federal or state law or regulation.[96]

Despite this, noncompliant hemp-derived products continue to be sold in Nevada stores and online. Products often have certificates of analysis (COA) from out-of-state laboratories and do not meet the requirements of NAC 439.670. Many COAs are not product specific.[97]

Age Gating and Age Verification

The Subcommittee received testimony regarding differences in age verification practices between licensed cannabis establishments and other retailers selling intoxicating hemp products.[98] Nevada imposes different age verification requirements on cannabis, alcohol, and tobacco. There is no statewide age verification requirement or minimum purchasing age for hemp-derived cannabinoid products.

For cannabis sales, only individuals 21+ are allowed to enter a retail store and a cannabis-establishment agent must verify a consumer's age before completing the transaction by checking government-issued identification with a CCB-approved scanner.[99]

Nevada's alcohol statutes prohibit a person from knowingly selling, giving, or otherwise furnishing an alcoholic beverage to anyone under 21, subject to specified exceptions.[100] For Internet alcohol sales, the seller must adopt a policy designed to prevent persons under 21 from obtaining alcohol, which requires the person delivering the alcohol to obtain the signature of a person over 21 and requires the shipment to be marked as containing alcohol.[101]

Nevada's tobacco laws establish age verification requirements. Sellers may not sell or offer tobacco, vape, or other nicotine products to anyone under 21.[102] A seller complies by requesting a buyer's ID, confirming that it shows the purchaser is at least 21, and reasonably relying on it.[103] In addition, sellers must also use scanning technology or another automated system to verify the age of any purchaser under 40.[104] Remote sellers must collect the purchaser's name, date of birth,

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[96] Nev. Admin. Code § 439.668.

[97] Clark County addressed the use of non-product-specific COAs by requiring each hemp or hemp-derived product offered by a hemp retail store to have testing results for its specific lot. Section 7.220.220.110 of the Clark County Code defines a lot as a quantity produced at a single facility during a single manufacturing cycle, not exceeding seven days, that allows an individual product to be traced to that production cycle.

[98] Nevada Cannabis Advisory Commission, Subcommittee on Scheduling Hemp, Meeting Minutes, June 18, 2026. Darlene Purdy described age verification outside licensed cannabis establishments as less stringent than the processes required of Nevada cannabis licensees. Kema Ogden similarly testified that products capable of producing intoxication should be subject to consistent age restrictions and verification, testing, accurate labeling and potency information, and regulatory oversight.

[99] Nev. Rev. Stat. § 678B.545.

[100] Nev. Rev. Stat. § 202.055.

[101] Nev. Rev. Stat. § 202.055(3).

[102] Nev. Rev. Stat. § 370.521(1).

[103] Nev. Rev. Stat. § 370.521(2).

[104] Nev. Rev. Stat. § 370.521(3) (except in certain casinos).

and residential address and use an independent third-party service to verify that the purchaser is over 21.[105]

Taxation of Hemp and Cannabis Products in Nevada

Nevada does not impose an excise tax on the sale of hemp-derived cannabinoid products. Instead, hemp products are subject to Nevada's sales and use tax laws. Whether sales tax applies depends on how the product is classified. Products classified as dietary supplements, tonics or vitamins are taxable at the applicable state and local sales tax rate. By contrast, food and beverages sold for human consumption generally are exempt, unless they constitute prepared food intended for immediate consumption or fall within another statutory exclusion from the food exemption.[106]

Licensed cannabis is subject to a 15 percent excise tax on the first wholesale sale of cannabis by a cultivation facility to another cannabis establishment and a 10 percent retail excise tax on cannabis and cannabis products sold by a cannabis retail store or cannabis consumption lounge.[107] Additionally, Nevada law authorizes counties and incorporated cities to impose a local license tax on cannabis establishments, up to three percent of the establishment's gross revenue.[108]

As a result, intoxicating hemp products sold outside Nevada's licensed cannabis market are not subject to the significant taxes levied on legal cannabis. A hemp product generally bears only sales tax, while some hemp foods and beverages may qualify for the food exemption and bear no sales tax at all. A comparable cannabis product, by contrast, is subject to the wholesale cannabis excise tax and, when sold for adult use, the retail cannabis excise tax, in addition to sales tax and local taxes. The current structure therefore creates a substantial tax disparity between products that may have similar intoxicating effects but are sold through different channels.

Hemp-Derived THC Beverages

Hemp-derived THC beverages warrant separate consideration because AB 76 directed the Subcommittee to examine whether consumable hemp beverages should be sold by businesses licensed or permitted to sell alcoholic beverages.

The hemp beverage market developed under the 2018 Farm Bill's dry weight definition of hemp, which allowed a beverage to contain an intoxicating amount of THC while remaining below 0.3 percent delta-9 THC by weight.[109] Public Law 119-37 substantially narrows that definition by, among other changes, excluding final hemp-derived cannabinoid products containing more than

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[105] Nev. Rev. Stat. §§ 202.24935(1)–(3).

[106] Nev. Rev. Stat. § 372.284; Nev. Rev. Stat. §§ 360B.445, 360B.460, 360B.495 (Nevada exempts food for human consumption from sales and use tax but excludes, among other things, tonics, vitamins, dietary supplements and prepared food intended for immediate consumption).

[107] Nev. Rev. Stat. § 372A.290 (The retail excise tax does not apply when the product is sold to a registered medical cannabis patient).

[108] Nev. Rev. Stat. §§ 244.35253(2)–(5) (authorizing counties to impose a license tax on cannabis establishments outside incorporated cities); Nev. Rev. Stat §§ 268.0977(2)–(5) (providing parallel authority for incorporated cities).

[109] Nevada Cannabis Advisory Commission, Subcommittee on Scheduling Hemp, Meeting Minutes, April 17, 2026 (presentation of Neil Wilner, Vicente LLP).

0.4 milligrams of total THC per container.[110] That limit is substantially below the THC content of intoxicating hemp beverages currently sold in other states and, if it takes effect as enacted, it is expected to substantially restrict the existing hemp beverage market.[111]

Legal Status of Hemp-Derived THC Beverages in Nevada

Nevada has not established a statutory pathway authorizing hemp-derived THC beverages for sale through bars, restaurants, liquor stores, grocery stores, convenience stores, or other retailers outside the licensed cannabis system.

The absence of clear statutory authorization, coupled with Nevada's requirement that hemp ingredients in food be FDA-approved and the FDA's position that CBD and THC are not lawful food ingredients, has effectively prevented a commercial market for hemp beverages from developing in the state.[112] Authorizing the sale of hemp-derived THC beverages outside licensed cannabis dispensaries would require affirmative legislation. At a minimum, the legislation would need to reconcile the sale of THC beverages with Nevada's food safety laws, create an excise tax, and assign responsibility for product tracking, testing, recalls, inspections, and enforcement. A separate statutory classification could be necessary because these products do not fit neatly within Nevada's existing cannabis or alcohol frameworks.

Retail and Distribution Channels

Authorizing hemp-derived THC beverages requires a policy decision about where the products may be sold. Limiting sales to licensed cannabis establishments would place the products within an existing age-restricted system that already provides testing, inventory tracking, inspections, product holds, recalls, and enforcement. Allowing sales through alcohol licensees or general retail establishments would create a broader market, but would require additional licensing, product-safety, age verification, and enforcement mechanisms.

An alcohol license alone would not provide the protections necessary for an intoxicating cannabinoid product. Nevada's alcohol system focuses primarily on licensing, distribution, taxation, and preventing sales to minors. It does not provide the cannabinoid testing, potency verification, product registration, labeling review, inventory tracking, or recall infrastructure used in the regulated cannabis market. If alcohol licensees are permitted to sell hemp-derived THC beverages, the state would need to impose these additional requirements through a separate statutory framework.

Nevada would also need to determine whether bars and restaurants may serve hemp-derived THC beverages for immediate consumption or whether sales should be limited to unopened, prepackaged containers. On-premises service would raise additional questions regarding serving limits, employee training, intoxicated patrons, the combined consumption of alcohol and THC,

[110] Office of the Federal Register, "Public Law 119 - 37."

[111] Congress has temporarily delayed the effective date of this provision and continues to consider legislation that could further delay or modify the requirements.

[112] Nev. Rev. Stat. § 439.532; Nev. Admin. Code § 439.668(1)(a) (2023); U.S. Food & Drug Administration, *FDA Regulation of Cannabis*.

and the authority of local health and liquor licensing agencies. A more limited authorization of sealed products would reduce, but not eliminate, these concerns.

Agency Oversight

No existing Nevada agency currently performs all of the functions necessary to regulate hemp-derived THC beverages sold outside the licensed cannabis system. The Department of Taxation administers statewide alcohol licensing and excise taxes, while local governments license and regulate retail alcohol establishments. The CCB regulates cannabis products and establishments, and the NDA oversees hemp cultivation, initial processing, and much of Nevada's food safety system.[113]

The Department of Taxation could administer licensing, distribution, and taxation if sales are permitted through alcohol licensees. However, it does not currently oversee cannabinoid laboratory testing, potency and contaminant standards, product labeling, or recalls. Assigning those responsibilities to Taxation would require substantial new authority, personnel, and technical expertise.

The CCB already has expertise in cannabinoid testing, potency and contaminant standards, packaging and labeling, inventory tracking, product holds, and recalls. Extending its jurisdiction to products sold by bars, restaurants, liquor stores, and general retailers would nevertheless represent a significant expansion of its responsibilities and require coordination with agencies that regulate alcohol, food safety, and local business licensing.

The NDA has expertise in hemp and food safety but has not historically regulated the retail sale of intoxicating hemp-derived cannabinoid products. Making the NDA the primary regulator would similarly require new authority and resources for product registration, distribution, retail compliance, age verification, and enforcement.

If Nevada authorizes sales of hemp beverages outside the cannabis system, a coordinated model may make the most effective use of existing expertise. The Department of Taxation could administer distribution and taxation, local governments could retain responsibility for retail licensing, and the CCB could establish or administer cannabinoid testing and other technical product safety requirements. The NDA and local health authorities could continue to oversee food safety requirements. Any shared model would require the Nevada Legislature to clearly assign responsibilities, designate a lead agency, establish information sharing procedures, and provide adequate funding.

Taxation

If intoxicating hemp beverages are authorized outside licensed cannabis establishments, they should be subject to an excise tax that addresses the existing disparity between hemp-derived intoxicants and regulated cannabis. The principal options are a retail tax comparable to Nevada's adult-use cannabis tax or a gallonage tax modeled on alcoholic beverages.

[113] See Nev. Rev. Stat. Chapter 369 (regulation and taxation of intoxicating liquor); Nev. Rev. Stat. Chapters 678A–678D (regulation of cannabis establishments); Nev. Rev. Stat. Chapter 557 (regulation of hemp); Nev. Admin. Code Chapter 557.

A retail tax would provide the closest parity with cannabis but would require collection from a potentially large number of retailers. A gallonage tax appears to be the most administratively practical option if Nevada adopted an alcohol-style distribution system. Nevada already collects alcohol taxes from manufacturers, importers, and wholesalers based on the number of gallons distributed into the State. [114]

Available information does not support a reliable revenue estimate, and the federal 0.4-milligram-per-container limit enacted in Public Law 119-37 may eliminate most of the current intoxicating hemp-beverage market. Therefore, any fiscal projection should account for the potential effect of the federal restrictions on the size and composition of the market.

Recommendations

Nevada's existing laws address individual aspects of consumable hemp products, but do not operate as a coordinated framework that is responsive to the broader national market of hemp-derived cannabinoid products that developed following the 2018 Farm Bill. Products containing hemp-derived cannabinoids now reach consumers through a wide range of retail and online channels, while responsibility for product safety, testing, labeling, age restrictions, inspections, and enforcement remains divided among multiple state and local agencies. The result is a regulatory framework that does not consistently provide consumers and businesses with clear rules or accountability. If they take effect as enacted, the changes to the federal definition of hemp enacted in Public Law 119-37 are expected to significantly narrow the marketplace by excluding many of the intoxicating products that prompted the concerns examined by this Subcommittee.

The Subcommittee recommends that Nevada establish a regulatory framework for hemp-derived cannabinoid products that protects consumers and can be effectively administered and enforced. The scope and cost of the framework will depend substantially on the category of products Nevada chooses to continue treating as lawful hemp.

1. ***Maintain alignment with the federal hemp standards enacted in Public Law 119-37, including the total THC measurement and restrictions applicable to final hemp-derived cannabinoid products.***

Nevada should maintain alignment between its definition of hemp and the federal definition enacted in Public Law 119-37. The federal definition accounts for total THC and excludes specified synthesized or manufactured cannabinoids, as well as final hemp-derived cannabinoid products containing more than 0.4 milligrams of total THC per container.

The 0.4 milligram per container limitation is particularly significant to the scope of the regulatory system Nevada would need to administer. A container limit of this size prohibits products containing intoxicating quantities of THC from being sold outside of the licensed cannabis program. Nevada should ensure that any state definition of "container" is sufficiently clear to prevent packaging configurations designed to circumvent the THC limitation.

Federal alignment also has significant implications for regulatory cost. If Nevada decides to allow intoxicating hemp-derived products to be sold outside of the licensed cannabis program, the state will need a separate regulatory system for consumable hemp that is capable of managing a

[114] Nev. Rev. Stat. § 369.330 (imposing excise taxes on liquor based upon alcoholic content and gallonage).

substantially larger number and variety of manufacturers, products, distributors, retailers, and online sellers. Maintaining the current narrower federal restrictions would make the remaining hemp market more manageable and reduce, although not eliminate, the resources required for effective state oversight.

2. Establish a statewide regulatory framework tailored to the scope of the hemp market.

For hemp-derived cannabinoid products that continue to qualify as hemp, Nevada should establish clear statewide minimum requirements. The scope of those requirements should reflect the products that remain lawful, the risks they present, and the resources necessary for effective oversight. At a minimum, the framework should address product and manufacturer registration, testing, labeling, packaging, age restrictions, recalls, online sales, inspections, and enforcement. The objective should not necessarily be to replicate Nevada's cannabis regulatory system, but to establish sufficient accountability to identify the products being sold in the state, the businesses responsible for them, and whether those products comply with Nevada law.

The Legislature should design the scope of this framework in conjunction with its fiscal impact. A relatively narrow market consisting primarily of non-intoxicating products may be effectively regulated through product and manufacturer registration, testing and labeling requirements, targeted inspections, and coordination with local health authorities and business licensing departments. A broad market that includes intoxicating products would require considerably more infrastructure, including age verification enforcement, potency controls, retailer oversight, distribution requirements, inspections, product holds and recalls, and greater enforcement capacity.

3. Designate a lead state agency and clearly allocate regulatory responsibilities and enforcement authority.

The Legislature should designate a lead agency responsible for hemp-derived cannabinoid products and expressly identify the responsibilities of other agencies that retain related jurisdiction. Nevada's current division of authority among the NDA, DHS, CCB, local health authorities, state and local law enforcement, and local governments creates uncertainty regarding responsibility for hemp products. No existing agency currently performs all of the functions that would be necessary to administer a comprehensive statewide program.

The statewide framework should clearly allocate administrative, civil, and criminal enforcement responsibilities. The designated regulatory agency should have express authority to inspect licensed or registered premises, obtain records and samples, place products on hold, order recalls, issue cease and desist orders, impose administrative fines, suspend or revoke registrations or licenses, and refer matters for civil or criminal enforcement.

The framework should also establish how the lead agency will coordinate with the CCB, the NDA, the DPS Investigation Division, local law enforcement, health authorities, and local business licensing agencies. It should identify which agency receives complaints, conducts initial investigations, pays for product testing, maintains evidence, issues recalls or product holds, and refers matters for prosecution. Coordination may be implemented through statute, interagency agreements, or a standing task force, but responsibility should not depend solely on informal referrals.

Finally, at a minimum, the Legislature should correct the statutory mismatch created following SB 466, which transferred substantial food safety responsibilities to the NDA without corresponding amendments to NRS 439 with respect to consumable hemp products.

4. Create manufacturer and product registration requirements.

Nevada should require manufacturers of hemp-derived cannabinoid products sold in the state to register with the designated regulatory agency. Registration should apply whether the manufacturer is located inside or outside Nevada and should identify the manufacturer, each manufacturing location, the types of products manufactured, the source of hemp or intermediate cannabinoid ingredients, and a person responsible for regulatory compliance.

Manufacturer registration would give the state an accountable party for products being sold in Nevada. It would also allow the designated agency to suspend or revoke a registration or impose administrative penalties when a manufacturer produces or distributes noncompliant products. If testing establishes that material or a product constitutes cannabis rather than hemp, the manufacturer should be required to cease handling the product, segregate and secure it, notify the regulatory agency, and refrain from selling, transferring, remediating, or disposing of it except as directed by the agency.

Nevada should separately require registration of hemp-derived cannabinoid products before those products may be sold or delivered to consumers in the state. Product registration should identify the responsible manufacturer or distributor, product and brand, cannabinoid content, certificate of analysis, batch or lot information, and a person responsible for compliance and recalls.

Manufacturer and product registration provide a comparatively targeted means of increasing accountability without requiring Nevada to establish a complete seed-to-sale tracking system for hemp. A centralized registry would allow regulators, distributors, and retailers to determine whether a manufacturer and product are authorized to operate or be sold in Nevada. It would also allow the state to identify affected products and responsible businesses when a testing, labeling, contamination, or other compliance issue arises.

Nevada should consider making the registry publicly searchable. A system modeled on relevant aspects of Oregon's hemp registry or the CCB's Cannabis Item Catalog could allow retailers and consumers to confirm that a manufacturer and product are registered as well as access product information without requiring duplicative registration at every point in the distribution chain. Creating and maintaining a manufacturer and product registry would require personnel, information technology, product review, records management, and ongoing administrative support. Registration and renewal fees should be established at levels sufficient to offset these costs.

5. Establish uniform testing, packaging, labeling, and product safety standards.

Nevada should retain and strengthen its existing testing and labeling requirements for consumable hemp products. Testing should be lot-specific and should verify potency and contaminants. The state should also establish a mechanism for determining how products manufactured outside Nevada demonstrate compliance with Nevada testing requirements before entering the market.

Uniform labeling should accurately identify cannabinoid content, ingredients, the manufacturer or responsible party, lot or batch information, and a means of accessing the certificate of analysis.

Products capable of producing intoxication should carry warnings regarding psychoactive effects and impairment. Packaging and marketing should not imitate products commonly marketed to children or otherwise be designed to appeal to minors.

The designated regulatory agency should have authority to place products on hold, order recalls, remove noncompliant products from commerce, and notify retailers and consumers of significant product safety concerns.

6. ***Establish a statewide minimum age of 21 for intoxicating products and adopt age verification requirements.***

Any intoxicating hemp-derived cannabinoid products that remain lawful for sale outside Nevada's cannabis system should be restricted to purchasers 21 years of age or older. Products capable of producing intoxication should not be available to minors merely because the cannabinoid was derived from hemp rather than cannabis.

Nevada should establish identification requirements for in-person transactions and stronger safeguards for online and direct-to-consumer sales. Online sellers of intoxicating products should use electronic age verification at purchase, and delivery should require verification that the recipient is at least 21. These requirements should apply statewide.

7. ***Apply Nevada's regulatory requirements to all hemp-derived cannabinoid products sold or delivered to Nevada consumers, including through online and direct-to-consumer sales.***

Nevada's product safety requirements should apply to any products sold, shipped, or delivered to Nevada consumers, regardless of where the seller is located. A framework limited to Nevada storefronts would create a significant enforcement gap and place compliant Nevada businesses at a competitive disadvantage.

Therefore, online sellers should be subject to container limits, product registration, testing, labeling, and age restriction requirements. The state should require an identifiable responsible party for products entering Nevada and provide the designated regulatory agency with authority to address noncompliant products and sellers.

Nevada should also consider mechanisms for coordinating enforcement with the Attorney General, other states, distributors, delivery services, and online platforms. Online enforcement is likely to remain more resource intensive than oversight of businesses with a physical Nevada presence and should be accounted for when estimating the cost of a statewide framework.

8. ***Adopt provisions of Clark County's hemp retail ordinance as statewide minimum standards while preserving local authority.***

Nevada should adopt provisions of Clark County's hemp retail ordinance as statewide minimum standards. Clark County's approach provides useful models for age restrictions, original packaging, lot-specific testing, retailer accountability, inspections, marketing restrictions, and enforcement. At the same time, state legislation should preserve local business licensing authority.

9. ***Address the tax disparity between intoxicating hemp-derived cannabinoid products and regulated cannabis.***

If Nevada permits intoxicating hemp-derived cannabinoid products to remain available outside the licensed cannabis market, those products should be subject to an excise tax. Products capable of producing similar intoxicating effects should not receive substantially different tax treatment.

The Legislature should also determine the scope of products subject to any hemp-specific excise tax. Some states impose special taxes broadly on hemp-derived cannabinoid products, including products containing non-intoxicating CBD, while others distinguish among product categories. Nevada could limit an excise tax to intoxicating hemp-derived cannabinoid products, which would most directly address the tax disparity with regulated cannabis, or apply a broader tax to hemp-derived cannabinoid products to help fund the costs of regulatory oversight.

10. Clarify the treatment of hemp-derived cannabinoids in food and beverages.

The state should clarify when or if hemp-derived cannabinoids may lawfully be incorporated into foods and beverages. Overlapping federal food additive restrictions, federal and state adulteration laws, hemp statutes, and food establishment regulations create uncertainty for regulators and businesses. The Legislature should expressly address whether CBD or other cannabinoids may be added to food or beverages and under what circumstances.

11. Create a contingent pathway if federal law permits intoxicating hemp products.

If the federal hemp standards enacted in Public Law 119-37 take effect without substantive modification, products containing intoxicating quantities of THC will generally fall outside the definition of hemp. If Congress instead establishes a lawful federal pathway for intoxicating hemp-derived products, Nevada will need to determine whether those products may be sold outside the state-licensed cannabis system. That decision should weigh the potential benefits of a separate regulated market against the cost of creating and administering the necessary regulatory framework.

The Legislature should strongly consider limiting the sale of intoxicating hemp-derived cannabinoid products to Nevada's licensed cannabis system. Nevada already has a regulatory structure for intoxicating cannabinoid products, including licensed manufacturers and retailers, age-restricted premises, laboratory testing, inventory tracking, product registration, inspections, recalls, and enforcement. Using that existing system is likely more efficient and less costly than creating and funding a separate regulatory structure for products that present similar consumer safety and enforcement concerns.

12. If the Legislature affirmatively authorizes hemp-derived THC beverages, a comprehensive regulatory framework must be established.

If the federal definition of hemp enacted in Public Law 119-37 takes effect without substantive modification, most intoxicating hemp-derived THC beverages will no longer qualify as hemp. If Congress modifies federal law in a manner that allows for an intoxicating hemp-derived THC beverage market instead, legislation would be necessary to affirmatively authorize the sale of those products in Nevada and establish where and under what conditions they may be sold.

At a minimum, such legislation should address which businesses are authorized to manufacture, distribute, and sell the products; create a system for manufacturer and product registration; establish testing, packaging, and labeling standards; model advertising and marketing restrictions

after either cannabis or alcohol; establish a minimum purchaser age of 21 and age verification requirements, including for online and direct-to-consumer sales; establish distribution requirements; create a taxation structure; provide for inspections, product holds, recalls, and enforcement; and designate the agency or agencies responsible for administering and enforcing the framework.

Any authorizing legislation must establish an excise tax structure. A retail excise tax would most closely parallel Nevada's taxation of adult-use cannabis, while a gallonage tax would more closely resemble alcohol distribution. In selecting a tax structure and rate, the Legislature should consider both tax parity with regulated cannabis and the costs of administering and enforcing the new regulatory framework.

Any legislation should also determine whether sales are limited to sealed, prepackaged beverages or extend to preparation and service for immediate consumption at bars, restaurants, or other establishments. If on-premises service is authorized, the statutory framework would need to address serving and potency limits, employee training, service to intoxicated patrons, concurrent consumption of alcohol and THC, food safety requirements, and the respective authority of state and local liquor licensing and health authorities.

Finally, the legislation should identify and fund the regulatory infrastructure necessary to administer the new intoxicating hemp-derived THC beverage market. No existing Nevada agency currently performs all of the functions necessary to regulate hemp-derived THC beverages sold outside the licensed cannabis system. Assigning those responsibilities to the Department of Taxation, the CCB, the NDA, or a coordinated group of agencies would require additional authority, personnel, technical expertise, information-sharing procedures, and funding. The fiscal and administrative requirements of regulating the market should therefore be addressed as part of the legislation.

13. Provide adequate resources to implement and enforce the regulatory framework.

The fiscal impact of any proposed framework should be evaluated together with its substantive requirements. The Legislature should consider registration and licensing fees, excise tax revenue, or other dedicated funding mechanisms sufficient to offset the cost of administering any proposed program.

Conclusion

The recommendations in this report are intended to give the Legislature a framework for addressing both the current gaps in Nevada law and the uncertainty surrounding the future of the hemp market. Nevada should have clear statewide standards for the products sold to consumers, clear responsibility for oversight and enforcement, and sufficient resources to carry out those responsibilities. The framework should also be flexible enough to respond to changes in federal law without creating unnecessary or duplicative regulatory systems.

Bibliography

39 State and Territorial Attorneys General. *Letter to congressional leaders concerning the federal definition of hemp*. National Association of Attorneys General, 2025. https://www.naag.org/wp-content/uploads/2025/10/NAAG_Hemp-letter-to-Congress-2025.10.24.pdf.

Butterworth, Todd. "Is Synthetic Marijuana Currently Illegal in Nevada?" *The Nevada Independent*, February 22, 2023. https://thenevadaindependent.com/article/fact-brief-did-a-federal-law-result-in-synthetic-cannabinoids-which-are-illegal-in-nevada-being-made-available-for-purchase-by-nevadans.

Cannabis Compliance Board. *CCB Debuts Metrc Item Catalog & Billboard Campaign on 4/20,* April 20, 2026. https://ccb.nv.gov/wp-content/uploads/2026/04/CCB-Debuts-Metrc-Item-Catalog-And-Billboard-Campaign-for-immediate-release.pdf.

Cannabis Regulators Association. *A Brief Overview of Regulatory Challenges for Cannabinoid Hemp*, Accessed August 14, 2026. https://www.cann-ra.org/s/Hemp-Regulatory-Challenges-Short-FINAL.pdf.

Cannabis Regulators Association. *Cannabinoid Hemp: An Overview.* 2022. https://static1.squarespace.com/static/5f7e577e23ad7c718c269776/t/632b8ac34869e5498b2fcbf5/1663797957567/CANNRA+Hemp+Overview+-+Long_FINAL.pdf.

Cannabis Regulators Association. *Urging Federal Action to Address Hemp-Derived Cannabinoid Product Regulation*. Cannabis Regulators Association, 2023. https://www.cann-ra.org/s/Considerations-for-Federal-Hemp-Regulation_April-2023.pdf.

City of Las Vegas, "How to Spot a Fake Dispensary," August 16, 2023, https://www.lasvegasnevada.gov/News/Blog/Detail/how-to-spot-a-fake-dispensary.

Clark County, Nev. *Hemp Retail Sales*: *Ordinance Amending Clark County Code Title 7 by Adding Chapter 7.220*, adopted March 17, 2026, § 7.220.200–7.220.360, effective July 15, 2026. https://www.clarkcountynv.gov/business/doing_business_with_clark_county/clark-county-adopted-ordinances.

Congressional Research Service, "Changes to the Statutory Definition of Hemp and Issues for Congress," IF13136, November 2025, https://www.congress.gov/crs-product/IF13136; Cannabis Regulators Association, *Briefing on 2025 Appropriations Language on Hemp*, November 2025, https://static1.squarespace.com/static/5f7e577e23ad7c718c269776/t/691e15dd277f9f2cdd84af27/1763579357743/CANNRA+Briefing+on+2025+Appropriations+Language+on+Hemp_November+2025.pdf.

FOX5 Vegas. *Proposed Las Vegas Ordinance Targets "Fake Dispensaries." FOX5 Vegas*, June 19, 2023. https://www.fox5vegas.com/2023/06/20/proposed-las-vegas-ordinance-targets-fake-dispensaries/.

Harrison, Casey. “Concerns Arise over Illegal Statewide Sales of Synthetic Hemp Products.” *Las Vegas Sun*, April 21, 2024. https://lasvegassun.com/news/2024/apr/21/concerns-arise-over-illegal-statewide-sales-of-syn/.

Nevada Department of Agriculture. *2019–2026 Nevada Hemp Statistics*. Data current as of July 1, 2026. https://agri.nv.gov/uploadedFiles/agrinvgov/Content/Plant/Seed_Certification/Industrial_Hemp/2019-2025%20Hemp%20Statistics.pdf.

Nevada Department of Agriculture. *Hemp in Nevada: Frequently Asked Questions*. July 22, 2019. https://agri.nv.gov/uploadedfiles/agrinvgov/content/resources/industrial_hemp_faq_update_r5.pdf

Nevada Department of Agriculture. *NDA Hemp Program Summary*. Accessed August 14, 2026. https://agri.nv.gov/Plant/Seed_Certification/Industrial_Hemp/NDA_Hemp_Program_Summary/.

Nevada Department of Agriculture. *State of Nevada Hemp Plan*. Rev. May 25, 2021. https://www.ams.usda.gov/sites/default/files/media/NevadaHempStatePlan.pdf.

Nevada Department of Public Safety, Director’s Office. *Fiscal Note for A.B. 203*. February 28, 2025. https://www.leg.state.nv.us/Session/83rd2025/FiscalNotes/4513.pdf.

Nevada Department of Taxation. “Intoxicating Liquor: Licenses and Taxes.” Accessed August 14, 2026. https://tax.nv.gov/wp-content/uploads/2024/03/Liquor-General-Information.pdf.

Office of the Federal Register, National Archives and Records Administration. "Public Law 119 - 103 - The Continuing Appropriations and Extensions Act, 2027". Government. U.S. Government Publishing Office, September 2, 2026. https://www.congress.gov/bill/119th-congress/house-bill/6500/all-actions

Office of the Federal Register, National Archives and Records Administration. "Public Law 119 - 37 - Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026". Government. U.S. Government Publishing Office, November 12, 2025. https://www.govinfo.gov/app/details/PLAW-119publ37

Oregon Liquor and Cannabis Commission. “Hemp Registry FAQs.” Accessed August 14, 2026. https://www.oregon.gov/olcc/marijuana/pages/hemp-registry-faqs.aspx.

Oregon Liquor and Cannabis Commission. *Hemp Registry Guide*. Accessed August 14, 2026. https://www.oregon.gov/olcc/marijuana/pages/hemp-registry-guide.aspx.

Prevatt, Mike. “Fake Dispensaries Pepper Las Vegas, but Pot Lounges Are Coming Soon.” *Nevada Public Radio*, December 5, 2023. https://knpr.org/show/knprs-state-of-nevada/2023-12-05/fake-dispensaries-pepper-las-vegas-but-pot-lounges-are-coming-soon.

Testimony Before the Nevada Legislature Joint Interim Standing Committee on Natural Resources, 2026 Nev. Leg. (February 25, 2026) (statement of J.J. Goicoechea, Director,

Nevada Department of Agriculture). Video recording, 9:24:15–9:26:35. https://sg001-harmony.sliq.net/00324/Harmony/en/PowerBrowser/PowerBrowserV2/20260225/-1/?fk=18187&viewmode=1

U.S. Food and Drug Administration. *Determining the Regulatory Status* of a Food Ingredient. Accessed August 22, 2026. https://www.fda.gov/food/food-ingredients-packaging/determining-regulatory-status-food-ingredient.

U.S. Department of Agriculture, Agricultural Marketing Service. *Hemp Laws and Regulations*. Accessed August 12, 2026. https://www.ams.usda.gov/rules-regulations/hemp/HempLawsandRegulations.

U.S. Food and Drug Administration. *FDA and Cannabis: Research and Drug Approval Process.* Accessed August 14, 2026. https://www.fda.gov/news-events/public-health-focus/fda-and-cannabis-research-and-drug-approval-process.

U.S. Food and Drug Administration. *FDA Concludes That Existing Regulatory Frameworks for Foods and Supplements Are Not Appropriate for Cannabidiol, Will Work with Congress on a New Way Forward*. Statement by Janet Woodcock, January 26, 2023. https://www.fda.gov/news-events/press-announcements/fda-concludes-existing-regulatory-frameworks-foods-and-supplements-are-not-appropriate-cannabidiol.

U.S. Food and Drug Administration. *FDA Regulation of Cannabis and Cannabis-Derived Products, Including Cannabidiol (CBD)*. Accessed August 14, 2026. https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-including-cannabidiol-cbd.

U.S. Food and Drug Administration. *FDA Regulation of Dietary Supplement & Conventional Food Products Containing Cannabis and Cannabis-Derived Compounds*. Accessed August 14, 2026. https://www.fda.gov/media/131878/download.

U.S. Food and Drug Administration. *FDA Responds to Three GRAS Notices for Hemp Seed-Derived Ingredients for Use in Human Food*. December 20, 2018. https://www.fda.gov/food/hfp-constituent-updates/fda-responds-three-gras-notices-hemp-seed-derived-ingredients-use-human-food.

U.S. Food and Drug Administration, Center for Food Safety and Applied Nutrition. *Scientific Memorandum: Cannabidiol (CBD)*. November 13, 2019, https://www.fda.gov/media/169549/download.

U.S. Food and Drug Administration. *Warning Letters for Cannabis-Derived Products*. Accessed August 14, 2026. https://www.fda.gov/news-events/public-health-focus/warning-letters-cannabis-derived-products.

U.S. Food and Drug Administration. *Warning Letter to ATLRx, Inc.* May 4, 2022, MARCS-CMS No. 618341, https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/atlrx-inc-618341-05042022

U.S. Food and Drug Administration. *What the FDA Is Doing to Protect Consumers from Cannabidiol (CBD) in Foods: A Conversation with Douglas Stearn and Kristi Muldoon-*

Jacobs. November 21, 2022. https://www.fda.gov/food/conversations-experts-food-topics/what-fda-doing-protect-consumers-cannabidiol-cbd-foods.

Washoe County Health District, CBD Oil in Food Products, Jun. 17, 2019. https://washoelife.washoecounty.gov/nnph/cbd-oil-in-food-products/