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§36–1102.

(a) (1) In this section the following words have the meanings indicated.

(2) "Hemp" has the meaning stated in § 14–401 of the Agriculture Article.

(3) "Tetrahydrocannabinol" means:

(i) any tetrahydrocannabinol, including delta–8–tetrahydrocannabinol, delta–9–tetrahydrocannabinol, and delta–10–tetrahydrocannabinol, regardless of how derived;

(ii) any other cannabinoid, except cannabidiol that the Administration determines to cause intoxication; and

(iii) any other chemically similar compound, substance, derivative, or isomer of tetrahydrocannabinol, as identified by the Administration.

(4) "Tincture" means a solution that is:

(i) dissolved in alcohol, glycerin, or vegetable oil; and

(ii) distributed in a dropper bottle of 4 ounces or less.

(b) (1) A person may not sell or distribute a product intended for human consumption or inhalation that contains more than 0.5 milligrams of tetrahydrocannabinol per serving or 2.5 milligrams of tetrahydrocannabinol per package unless the person is licensed under § 36–401 of this title and the product complies with the:

(i) manufacturing standards established under § 36–203 of this title;

(ii) laboratory testing standards established under § 36–203 of this title; and

(iii) packaging and labeling standards established under § 36–203 of this title.

(2) A person may not sell or distribute a product described under paragraph (1) of this subsection to an individual under the age of 21 years.

(c) A person may not sell or distribute a cannabinoid product that is not derived from naturally occurring biologically active chemical constituents.

(d) (1) Notwithstanding subsection (b) of this section and subject to paragraph (2) of this subsection, it is not a violation of this section for a person to sell or distribute a hemp–derived tincture intended for human consumption that contains:

(i) a ratio of cannabidiol to tetrahydrocannabinol of at least 15 to 1; and

(ii) 2.5 milligrams or less of tetrahydrocannabinol per serving and 100 milligrams or less of tetrahydrocannabinol per package.

(2) To sell or distribute a hemp–derived tincture under this subsection, a person must provide, as required by the Administration, tincture samples for the purpose of testing to determine chemical potency and composition levels and to detect and quantify contaminants.

(e) A person who violates subsection (b) of this section:

(1) may be charged by a citation; and

(2) is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $5,000.

(f) A person who violates subsection (c) of this section:

(1) may be charged by a citation; and

(2) is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $10,000.

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