Cannabis Control Commission
STATE OF RHODE ISLAND

Hemp Quarantine and Destruction Frequently Asked Questions

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Frequently Asked Questions Related to Changes to Requirements for Post-Harvest Hemp Products

The Rhode Island Cannabis Control Commission ("CCC") is issuing this guidance to address questions regarding changes to the State's hemp program in advance of the federally imposed December 11, 2026 deadline, as announced in Cannabis Office Bulletin 2026-7 Federal Total THC Limit for All Hemp-Derived Products Enforcement (the "Bulletin"). It applies to any and all hemp-derived products *after* the hemp has been harvested pursuant to all United States Department of Agriculture ("USDA") rules and requirements. These include, but are not limited, to flower/trim (bulk biomass), concentrates, distillate (in intermediate or final retail ready form), tinctures, edibles, and/or drinks. No changes are being made or proposed that impact the pre-harvest cultivation of hemp. However, once hemp is harvested, the federally mandated 0.3% and 0.04 mg limit (as applicable by product type) of Total THC takes effect for any and all products.

Authority and Enforcement

Does the Commission consider the Bulletin to amend, supersede, or otherwise render unenforceable the existing Acceptable Hemp THC Level contained in § 1.5(A)(2)?

The Bulletin itself does not supersede the regulatory definition of Acceptable Hemp THC level. However, federal law *does* supersede state law when they are in conflict. This is the case with portions of RIGL 2-26 "Hemp Growth Act" and, as such, sections of the law, along with associated regulations including the definition of Acceptable Hemp THC Level, are no longer enforceable. The Bulletin outlines how this change is being effectuated until such time as there is a change in either federal or Rhode Island law.

If the Hemp Growth Act is no longer enforceable, what is the legal basis upon which violations of the Bulletin would subject a Rhode Island licensee to state administrative penalties, including monetary fines?

While portions of the Hemp Growth Act and associated regulations have been preempted by federal law, the authority of the Commission to inspect licensees, conduct enforcement actions, and levy penalties remain unchanged.

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Total THC Limits and Definitions

What qualifies as "Hemp-Derived" products for the purpose of the Bulletin?

"Hemp-derived products" means any intermediate or final product that is made or derived from compliantly harvested hemp. Intermediate products include any bulk biomass, concentrate and/or distillate that is not in a final form container. Intermediate products are subject to the 0.3% Total THC limit. Final products include flower, pre-rolls, edibles, drinks, tinctures, concentrates intended for inhalation, etc., that are packaged in enclosed containers for retail sale to consumers. Final products are subject to the threshold of 0.4mgs of Total THC per container.

Does the 0.4 mg Total THC per container limit apply to agricultural biomass and intermediate manufacturing materials that have not yet been placed into a finished consumer container?

Intermediate hemp-derived products, which are not in their final form, are held to the 0.3% Total THC limit rather than the 0.4mg Total THC per container limit.

At what point is harvested hemp considered "hemp-derived product?"

Hemp plant material is considered hemp-derived product following harvest, at which point it is classified as an intermediate hemp-derived product until it is placed in its final packaging.

What is compliantly harvested hemp?

Hemp which has been grown by a licensed hemp grower/producer, sampled and harvested pursuant to pursuant to all United States Department of Agriculture ("USDA") rules and requirements.

How does the Commission define a "container" when the material consists of bulk harvested flower, biomass, crude extract, concentrated cannabinoids, or distillate rather than a finished retail product?

Federal law defines container, for the purposes of hemp-derived products, to mean "the innermost wrapping, packaging, or vessel in direct contact with a final hemp-derived cannabinoid product in which the final hemp-derived cannabinoid product is enclosed for retail sale to consumers, such as a jar, bottle, bag, box, packet, can, carton, or cartridge."

However, such products would be considered intermediate products and, as such, the definition of container would not be applicable since, instead, the limit would be 0.3% Total THC by volume.

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Is an intermediate hemp-derived product with a potency of greater than 0.3% Total THC prohibited if the source hemp material was lawfully cultivated and harvested under the Rhode Island Industrial Hemp Program and the intermediate hemp-derived product is not offered for retail sale and is intended solely for further manufacturing or lawful business-to-business transfer?

Such intermediate hemp-derived products would be prohibited due to containing more than 0.3% Total THC. Intermediate hemp-derived products on hand *prior* to December 11th, 2026 may be either transferred out of the licensed facility, destroyed, or placed in quarantine. They may *not* be transferred following December 11, 2026.

Possession/Transfers/Further Processing/Manufacturing

May a licensed grower or handler continue to possess bulk harvested hemp flower outside of their identified quarantine area and, if not, is that material eligible for onsite quarantine?

Flower over 0.3% Total THC must be transferred to another business, quarantined onsite, or destroyed prior to December 11, 2026. Such flower may not be further processed, manufactured, or otherwise manipulated following this date, and until such date as the quarantine is lifted, except that it may destroyed following a request to the Cannabis Office.

May a handler possess bulk crude extract, concentrated cannabinoid material, or distillate derived from lawfully cultivated hemp outside quarantine after December 11th and, if not, are those materials eligible for quarantine as intermediate products?

After December 11, 2026, any intermediate hemp-derived product, including distillate and concentrate, must be quarantined if it contains over 0.3% Total THC. Such products may not be further processed, manufactured, distributed or sold.

May bulk hemp flower, extracts, concentrates, or distillate be sold or transferred to other licensed entities for further processing or manufacturing after December 11th?

Any quarantine-eligible products, which includes flower, other intermediary products over 0.3% Total THC, and other hemp-derived products over 0.4mg Total THC per container, may not be sold or transferred after December 11, 2026.

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May bulk hemp or hemp-derived ingredients be transferred to a Rhode Island-licensed cannabis establishment for further manufacturing into products regulated under the Rhode Island Cannabis Act?

Licensed cannabis establishments may request an external transfer from the Cannabis Office for hemp-derived products provided the hemp-derived product, including hemp or hemp-derived ingredients, are below the relevant Total THC thresholds and comply with regulatory requirements applicable to licensed cannabis establishments.

May qualifying inventory be transferred, remediated, sold, or otherwise disposed of before December 11th in lieu of quarantining? What documentation is necessary in such cases?

Quarantine is optional. However, following December 11, 2026, hemp licensees may not have any products on site that do not comply with applicable Total THC limits unless those products were designated as quarantined prior to December 11, 2026.

Products that comply with current hemp market regulations may continue to be processed, manufactured, distributed, and/or sold prior to December 11, 2026. Such products must continue to be documented through the required end-of-year reporting process accessible via the Cannabis Licensing Portal.

Any products manufactured, processed, distributed, or sold between December 4 and December 11, 2026, must be reported on a supplemental quarantine document. This document must be submitted to the Cannabis Office on December 11, in addition to the quarantine document due December 4. The Cannabis Office will reconcile the two documents and follow up with licensees if there are any questions.

May a licensed hemp Handler receive, process, and redistribute legally cultivated hemp from another Rhode Island or out-of-state hemp grower?

Rhode Island licensees may continue to acquire, process, and distribute hemp-derived products from producers both in- and out-of-state provided that such products comply with the federal potency limits of 0.3% Total THC for intermediary products and 0.4mg Total THC per container for final products.

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Quarantine Requirements

After December 11, under what circumstances, if any, may the Commission authorize release and transfer from quarantine?

Unless statutory action is taken on the state or federal level, the only permitted condition for the release of quarantined products after December 11, 2026 is via a destruction request submitted to the Cannabis Office.

The Bulletin states that no products may be added to or removed from the quarantine inventory document or designated area after December 11, 2026. May a licensee correct clerical errors, reconcile audit discrepancies, or request Commission authorization for a documented change, and what is the procedure for doing so?

Should a licensee discover any errors with submitted quarantine documentation they may email HempCompliance.CCC@ccc.ri.gov to request a reconciliation of quarantined products.

How will the Commission notify licensees of any change to quarantine requirements following a change in federal or state law?

The Commission will continue to update licensees as soon as possible following any changes to quarantine requirements following a change in state or federal law. Any required documentation will be provided to licensees and be made public at such times.

Testing Requirements

Do previously accepted certificates of analysis remain valid for purposes other than determining compliance with the new federal threshold?

Previously issued Certificates of Analysis remain compliant for all appropriate regulatory purposes.

What analytical methodology must be used to determine compliance with new potency standards?

No changes to required testing methodologies are contemplated at this time.

Specifically, for purposes of the Bulletin, how will "Total THC" be calculated, including the treatment of THCA, and what analytical tolerance or measurement uncertainty, if any, will apply when determining compliance and imposing administrative penalties?

Reporting Total THC has been in effect since 2025 and as such, laboratory methodology for determining Total THC will remain unchanged until such time that the federal government releases any guidance/new requirements.