



## Guide for the Sale or Distribution of Hemp Derived Products at Special Events

Any vendor that operates on a temporary basis at an event in the City and County of Denver may sell or distribute products containing hemp or hemp-derived cannabinoids at the event as long as certain guidelines are followed. Under no circumstances may vendors sell or distribute marijuana or marijuana products within Denver.

### I. Do I need a license to sell or distribute hemp products at special events?

Event organizers and vendors who intend to sell or distribute hemp products at special events in Denver may need a **business license** from the Denver Department of Excise and Licenses (EXL) and/or a **tax license** from the Treasury Division in the Denver Department of Finance (Treasury). Business license information can be found on [EXL website](#). Tax license information can be found on the [Treasury website](#).

#### **INGESTIBLE HEMP DERIVED PRODUCTS**

Vendors selling or distributing ingestible products at special events in Denver must obtain a Denver **business license**. Anything that can be ingested by a human being is considered an ingestible product. Common examples of ingestible products include:

- Food and food products containing hemp cannabinoids
- Hemp tinctures, extracts, or ingestible oils containing hemp cannabinoids
- Pills, supplements, or capsules containing hemp cannabinoids

**Business license types:** Vendors may need a [temporary restaurant license](#), a [food peddler license](#), and/or a [peddler license](#), depending on the event configuration and manner in which the vendor sells or distributes product. Contact EXL for more information.

#### **OTHER HEMP PRODUCTS**

Vendors do **not** currently need a **business license** to sell or distribute other hemp products. Common examples of other products include:

- Topical products such as lotions or balms containing hemp derived cannabinoids
- Pet supplements or treats containing hemp derived cannabinoids
- Inhalable or vape-able hemp derived cannabinoids

#### **RETAIL SALES OF HEMP PRODUCTS**

Any vendor who will be conducting retail sales of hemp products at a special event in Denver shall ensure compliance with all applicable rules and regulations associated with their product. Products shall be labeled with the intent of use, i.e. "This product is intended for inhalation only".

**Tax license types:** Contact Treasury for more information by calling 720-913-9300 or by visiting the [Treasury website](#). To learn more about tax licensing for retail sales at special events, call 720-913-9446. State taxes may also apply.



## II. What requirements apply to ingestible hemp derived products?

As with any ingestible product, the Denver Department of Public Health and Environment (DDPHE) will evaluate all ingestible hemp derived products being sold or distributed at special events in accordance with the [Denver Food Establishment Rules & Regulations](#). Evaluations are necessary to ensure that both the hemp ingredient and the final product being sold or distributed come from **approved sources** and to determine if **refrigeration** is needed.

### APPROVED SOURCES

- **COLORADO:** If the hemp product is produced in Colorado, the product must come from a source that is registered with and approved by the Colorado Department of Public Health and Environment (CDPHE) as a wholesale food manufacturer.
  - i. CDPHE maintains a list of these registered and approved sources on their [website](#).
- **OUTSIDE OF COLORADO:** If the hemp product is produced **outside of Colorado**, verification that the product manufacturer is under regulatory public health oversight must be sent to [PHIcomments@denvergov.org](mailto:PHIcomments@denvergov.org) at least two weeks prior to the event.

### REFRIGERATION

Refrigeration at or below 41°F is required for the following types of ingestible hemp derived products:

- Extracts, Oils, and Tinctures
- Beverages, Infused Butters, and Infused Honey
- Oil-filled capsules
- Any other food product considered to be potentially hazardous under the [Denver Food Establishment Rules & Regulations](#).

These types of products can be stored outside of refrigeration **only** if the vendor has a current signed shelf stability affidavit from DDPHE. See 'approved source and refrigeration' info below.

## III. What are the penalties for selling or distributing ingestible hemp products without a license and required approval?

### VENDORS

Vendors who sell or distribute ingestible hemp/CBD products at a special event without obtaining the required licensure and approvals will be issued a cease-and-desist order and may be cited criminally. Additional penalties and/or future permitting consequences may apply for noncompliance.

### EVENT ORGANIZERS

Event organizers who allow vendors to sell or distribute ingestible hemp/CBD products without first obtaining the required licensure and approvals may also be cited, fined, and/or be subject to permitting consequences for subsequent events.



#### **IV. Chemically Modified or Converted Industrial Hemp Cannabinoids are Prohibited:**

May 14, 2021. The MED (Marijuana Enforcement Division) in conjunction with CDPHE (Colorado Department of Public Health and Environment) issued a notice to clarify that chemically modifying or converting any naturally occurring cannabinoids from industrial hemp is non-compliant with the statutory definition of “industrial hemp product.” This includes any process that converts an industrial hemp cannabinoid, such as CBD isolate, into delta-9, delta-8, delta-10-THC, or other tetrahydrocannabinol isomers or functional analogs. Therefore, these tetrahydrocannabinol isomers are not allowed in food, dietary supplements, or cosmetics. Information from the MED can be found [Here](#). The memo from CDPHE can be found [Here](#).

#### **V. Need more information?**

##### **BUSINESS LICENSING INFORMATION**

Vendors and event organizers may contact Denver Excise and Licensing by email at [EXLapplications@denvergov.org](mailto:EXLapplications@denvergov.org) to learn more about licensing at special events and ask questions about other hemp/CBD regulations.

##### **TAX LICENSING INFORMATION**

Vendors and event organizers may contact Treasury by calling (720) 913-9446 to learn more about tax licensing for retail sales at special events.

##### **APPROVED SOURCE AND REFRIGERATION INFORMATION**

Vendors shall first read the [Approved Source & Shelf Stability Guidance Document](#) to ensure their production process meets the requirements therein before submitting a [Shelf Stability Affidavit](#) for review. Vendors and event organizers may contact DDPHE by email at [PHIcomments@denvergov.org](mailto:PHIcomments@denvergov.org) to ask questions and/or submit the Shelf Stability Affidavit for review. Affidavits should be submitted at least two weeks before the date of the event to allow for processing.

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*This document is meant to assist businesses in determining what licensing they might need to operate in the City and County of Denver (the City). The information contained in this document is provided for guidance purposes only and is not intended to constitute legal advice. The City does not warrant or make any representations about the quality, content, accuracy, timeliness, or completeness of the information provided in this document. Such materials are subject to change without notification at any time and may not be up-to-date. It is the applicant's own responsibility to ensure that they do not violate any applicable requirements and any applicable state or city laws and rules. Revised March 2022.*