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## Regulatory Notice

Attention: Iowa food establishment and food processing plant license holders

Subject: Cannabidiol (CBD)

Date: May 2019

The purpose of this regulatory notice is to provide guidance regarding the use of cannabidiol (CBD) in food to all Iowa food establishment and food processing plant license holders.

CBD is a substance derived from the hemp plant. CBD is **not approved** for use in food in the state of Iowa. "Food" means a raw, cooked, or processed edible substance; ice or beverage; ingredient used or intended for use or sale, in whole or in part, for human consumption; or chewing gum. "Food" also includes dietary supplements.

Food establishments that offer food containing CBD to consumers are in violation of the 2013 Food Code with Supplement of the Food and Drug Administration<sup>1</sup> sections 3-201.11(A) and 3-202.12.

Food processing plants that manufacture or distribute food containing CBD are in violation of federal regulations at 21 CFR sections 117.80(a)(2), (6), (b)(1), and 111.365(a).<sup>2</sup>

Foods containing CBD found on the premises of a food establishment or food processing plant are subject to an embargo, or removal from sale or distribution.

The passage of the **Iowa Hemp Act** (Senate File 599) does not preempt federal jurisdiction to regulate the processing, distribution, and retail sale of products intended for human consumption.

This notice is intended only to clarify the legality of foods containing CBD, and **does not** address the legality of possession or use of CBD outside of this context.

For more information regarding CBD and food, visit [FDA.gov](http://FDA.gov).



<sup>1</sup> The 2013 Food Code with Supplement of the Food and Drug Administration is adopted as the State of Iowa's Food Code pursuant to 481 Iowa Admin. Code r. 31.1.

<sup>2</sup> Adopted pursuant to 481 Iowa Admin. Code r. 31.2(9).