



Development Services Department
Cannabis Business Division

DATE: December 1, 2023

TO: All Businesses that Retail Intoxicating Hemp-Derived CBD Products

FROM: City of San Diego Cannabis Business Division and San Diego Police Department

SUBJECT: Sale of Intoxicating Hemp

To Whom it May Concern:

The State of California allows for the sale of cannabis and cannabis-derived products only in compliance with specific regulatory and licensing requirements. In addition, City of San Diego regulations require businesses that sell cannabis or cannabis-derived products to have a specific cannabis retailer license allowing such sales.

It has come to the attention of the City of San Diego that your business (and others) may be unlawfully selling intoxicating hemp products which are subject to state and local cannabis regulations or are prohibited as unlawful hemp products. Products which purport to be "Delta-8 THC" or "Delta-10 THC" and other similar synthetically derived "hemp-based" products, as well as those hemp products which may be inhaled, are either prohibited under state law or are considered cannabis pursuant to state law and cannot be sold without the proper state and local licenses. Unlawful cannabis sales or unlawful hemp product sales may be prosecuted under state and local law and may be subject to additional civil penalties.

National poison control centers have received numerous cases of synthetically derived "hemp-based" product exposures causing hospitalizations and deaths. Additionally, under no circumstances may cannabis or cannabis products be sold to minors. The City has reason to believe that businesses are selling such products to minors as young as 16-17 years of age. Selling cannabis to a minor is a felony offense pursuant to Health and Safety Code section 11361(b).

The City requests that you dispose of any cannabis products or unlawful hemp products or surrender them to the San Diego Police Department for disposal within the next 30 days. Enforcement action may be taken, as appropriate, 30 days after this notice.

Please contact the City of San Diego Cannabis Business Division at DSDCannabis@sandiego.gov with questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Lara Gates".

Lara Gates
Deputy Director, Cannabis Business Division