



Development Services Department  
Project Management Division / Cannabis Section

DATE: March 1, 2026  
TO: All Businesses that Retail Hemp-Derived CBD Products  
FROM: City of San Diego Project Management Division  
SUBJECT: California Assembly Bill 8 (AB-8)

To Whom it May Concern:

The State of California AB 8 became effective January 1, 2026 and expands regulatory oversight of industrial hemp and cannabis products in California, and effectively implements the Sept. 2024 “Emergency Regulations” into law. The bill does the following:

**Tightens industrial hemp rules for products sold in the state of California.**

This means only THC free hemp is allowed in food and beverages and a total prohibition on the sale of hemp flower and pre-rolls within the state. Moreover, hemp products sold or stored within the state must comply with a total THC (not just delta-9) concentration of no more than .3% on a dry weight basis. Specifically, this bill prohibits anyone from selling, offering, or providing within the state:

- any inhalable cannabis product that contains THC derived from industrial hemp;
- any hemp flower or pre-roll that contains hemp flower or hemp-derived cannabinoids (whether infused or not);
- any cannabis product made outside the licensed market; or
- any product containing synthetic cannabinoids.

**Aligns hemp and cannabis regulations across multiple laws (MAUCRSA, Sherman Law and Cannabis Tax definitions are now aligned).**

This means no more loopholes — if a hemp product even slightly resembles a cannabis product under these aligned definitions, it falls under the same cannabis rules.

The bill specifies that MAUCRSA does not apply to products that contain no cannabinoids other than CBD isolate.

**Tobacco and cigarette retailers are totally barred from selling cannabis/hemp products.**

This provision will dramatically remove a sales channel for hemp operators, prohibiting the sale of hemp products in all convenience stores and smoke shops.

**Expands enforcement powers of multiple government agencies (DCC, CDPH, CDTFA and local law enforcement) to inspect, seize and destroy noncompliant hemp/cannabis products.**

Noncompliance risks are now much higher — products can be confiscated, and operators may face both administrative and criminal consequences and potential revocation of license and permits. [See attached CDTFA Special Notice.](#)

**Creates new criminal liabilities – noncompliance is a misdemeanor.**

Under AB 8, violations related to food, labeling, and tax requirements are now classified as misdemeanors. This elevates the consequences beyond monetary fines, exposing operators to potential criminal liability for noncompliance.

**Misuse of the cannabis universal symbol is also now a misdemeanor.**

Again, this provision will criminalize noncompliance – Mislabeling with the universal cannabis symbol is now a criminal liability, not just a fine.



The City of San Diego has filed suit against two smoke shops selling illegal products. Additionally, joint enforcement operations crack down on smoke shops. QR Code links to publication for each:



City of San Diego



Joint Enforcement

As a business owner you are responsible for understanding what products you may lawfully market and sell. The City will be enforcing compliance to this new law and applicable regulations to the full extent of the law. This notice requires immediate attention to protect your business from fines, license suspension/revocation, or legal action.

Please contact the City of San Diego Project Management Division – Cannabis Section at [DSDCannabis@sandiego.gov](mailto:DSDCannabis@sandiego.gov) with questions or concerns.

Sincerely,

*Lara Gates*

Lara Gates  
Deputy Director, Project Management Division

Attachment