



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R25-0304
June 11, 2025

REPORT RE:

**REPORT CONCERNING CEASE AND DESIST LETTERS FOR
HEMP PRODUCTS THAT CONTAIN TRACE AMOUNTS OF THC**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 25-0139

Honorable Members:

Pursuant to your request, this report provides information about the issuance of cease and desist letters to all Tobacco Retailer Permit holders concerning the sale of mislabeled hemp products that contain trace amounts of tetrahydrocannabinol (THC). The State of California promulgated emergency regulations in September 2024 governing the sale of intoxicating hemp products. As discussed in this report, this Office and the Department of Cannabis Regulation have each already issued notices to tobacco and cannabis licensees, respectively, advising of the new hemp regulations. Both agencies are committed to continued enforcement of the new regulations adopted at both the City and State levels.

Background

On September 23, 2024, the State of California adopted emergency regulations concerning the sale of industrial hemp food, beverages, food additives, and dietary supplements intended for human consumption. (See Title 17 California Code of Regulations, § 23000, *et seq.*) Governor Newsom, in conjunction with the California Department of Public Health, proposed these regulations based on the sale of intoxicating hemp products outside of the regulated market and their availability to children and

consumers under 21. These new regulations do not require local jurisdictions to provide specific enforcement or notice. However, both the Department of Cannabis Regulation (DCR) and the City of Los Angeles Tobacco Enforcement Program (TEP) monitored these changes and began coordinating to ensure that local tobacco and cannabis licensees were made aware of these important changes, thereby enabling them to more quickly comply with these updates.

These new rules include the following key restrictions: hemp products may not have any detectable level of THC per serving; hemp products intended for human consumption cannot be sold to individuals under the age of 21; and, each package of hemp products, even those without THC, may contain no more than five servings. The restrictions extend to additional cannabinoids within the definition of THC.

Separately, in late 2024, DCR proposed amendments to align the definition of “cannabis” in Section 104.00 of Chapter X of the Los Angeles Municipal Code (LAMC) with the definition codified in LAMC Chapter 2, Article 1, Section 21.51. The definition in Section 21.51 matches the definition of “cannabis” in Measure M, passed by the voters of the City of Los Angeles in 2017. Measure M’s definition of “cannabis” included hemp, industrial hemp, as well as cannabis. Accordingly, DCR recommended an ordinance amendment to make the definition of “cannabis” uniform across LAMC sections and ensure consistency in interpretation. The City Council adopted DCR’s recommendation and Ordinance No. 188451 took effect December 30, 2024. By including hemp and industrial hemp in the definition of cannabis, City Council enabled DCR to take jurisdiction over any remaining legal hemp products as well as providing TEP with an additional enforcement mechanism to keep unpermitted intoxicants out of licensed tobacco retailers.

The Tobacco Retailer’s Permit Ordinance (Ordinance No.173260) established the City of Los Angeles Tobacco Enforcement Program (TEP) in May 2000, with the primary objective of reducing youth access to tobacco products. The TEP ensures compliance among the approximately 3,800 tobacco retailers operating within the City by requiring them to obtain an annual tobacco permit and adhere to all applicable local and state laws governing tobacco retailing.

Based on the State’s emergency regulations, on February 7, 2025, the TEP emailed a letter to all City tobacco permit holders advising them that hemp products are prohibited for sale at tobacco retail locations. (See Exhibit A, attached to this report.) Given that hemp is now classified as a cannabis product under the LAMC, the letter informed tobacco retailers that the sale of hemp products requires a license issued by DCR. Pursuant to the Tobacco Retailer’s Permit Ordinance, tobacco permit holders are strictly prohibited from selling cannabis or any product that requires a DCR license. Accordingly, tobacco retailers are now prohibited from selling hemp products, in addition to all other cannabis products. The letter directed tobacco retailers to remove all hemp products from their inventory immediately.

Moving forward, TEP will continue to engage in outreach efforts directed at tobacco retailers. These efforts encompass a variety of supportive services, including direct retailer

training, site visits, targeted mailings, distribution of resource materials, and dedicated phone and email support. This robust outreach framework has been instrumental in ensuring that all tobacco retailers within the City remain informed of new tobacco-related laws and regulatory changes.

Notices Issued to Licensed Cannabis Retailers

On March 5, 2025, DCR disseminated a letter similar to the letter issued by the TEP, emailing all licensed commercial cannabis retailers. (See Exhibit B, attached to this report.) The notification provided an overview of changes to State law regarding intoxicating hemp products, as well as the recent changes to the LAMC. This letter explained what types of hemp products could be sold and their new sales restrictions. It also directed retailers to check their inventory for noncompliant products.

Both DCR and TEP will monitor their respective business activities for the unpermitted sale of hemp products. DCR and TEP will send cease and desist letters and engage in further prosecution as necessary to those who violate these updated State and local requirements.

If you have any questions regarding this matter, please contact Deputy City Attorney Allison Towle at (213) 978-7439. A member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By



MICHAEL J. DUNDAS
Senior Assistant City Attorney

MJD:AT

Attachment A: Email notification from Tobacco Enforcement Program, dated February 7, 2025

Attachment B: Email notification from Department of Cannabis Regulation, dated March 5, 2025

Attachment A

Tobacco Enforcement Program <TEP@lacity.org>
To: TEP Distribution <tep-distribution@lacity.org>

Fri, Feb 7, 2025 at 12:19 PM



City of Los Angeles TOBACCO ENFORCEMENT PROGRAM

Dear Tobacco Retailer:

This email is to inform you that effective December 30th, 2024, the definition of cannabis in LAMC section 104.01(a)(7) was amended to include industrial hemp. As a result, in the City of Los Angeles, industrial hemp products may only be sold by a licensed Commercial Cannabis Retailer.

As a tobacco retailer, please note that you are prohibited from selling any form of cannabis, including industrial hemp. Industrial hemp products include, but are not limited to, tetrahydrocannabinol products like delta-8, delta-9, delta-10, that come in the form of gummies, sours and baked sweets, like cookies and brownies. Please be advised that the unlawful sale of cannabis by a tobacco retailer is a misdemeanor, punishable by up to one year in county jail and/or a fine of \$1,000.

To ensure compliance with the law, you are required to:

1. Immediately remove any industrial hemp products from your store shelves.
2. Review your inventory to confirm that no prohibited products remain available for sale.
3. Train your employees to prevent inadvertent violations.

Compliance by you and your employees is required in order to avoid criminal prosecution, penalties and fines.

If you have any further questions, please do not hesitate to reach us at TEP@lacity.org.

Tobacco Enforcement Program
TEP

Attachment B



CITY OF LOS ANGELES DEPARTMENT OF
**CANNABIS
REGULATION**



Dear Retailer:

As a Commercial Cannabis Retailer licensed by the Los Angeles Department of Cannabis Regulation (DCR), this letter is to inform you of the recent enactment of emergency State regulations concerning industrial hemp products, as well as recent updates to the Los Angeles Municipal Code (LAMC). Compliance with these new regulations is required to avoid potential penalties and fines.

Emergency State Regulations on Intoxicating Hemp Products

Effective September 23, 2024, the State of California adopted emergency regulations governing the sale of industrial hemp food, beverages, food additives, and dietary supplements intended for human consumption. (See, Title 17 California Code of Regulations, § 23000, et seq.) These new rules include the following key restrictions:

1. **No Detectable THC:** Hemp products may not have any detectable level of tetrahydrocannabinol (THC) per serving.
2. **Age Restriction:** Hemp products intended for human consumption cannot be sold to individuals under the age of 21.
3. **Serving Limit:** Each package of hemp products, even those without THC, may contain no more than five servings.
4. **List of Intoxicating Cannabinoids:** The regulations also include [additional cannabinoids](#) within the definition of THC.

All consumer dietary supplements, food, or beverage products manufactured using industrial hemp are governed by the Sherman Food, Drug, and Cosmetic Laws. (Health and Safety Code § 109875.) This law requires manufacturers and distributors of hemp products to be registered with the Food and Drug Branch for Industrial Hemp Enrollment and Oversight at the California Department of Public Health. Other