

Tab 1	SB 428 by Simon ; Identical to H 01147 Country of Origin for Wild and Farm-raised Fish
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Tab 2	SB 438 by Burton (CO-INTRODUCERS) Davis ; Identical to H 01597 Food and Hemp Products
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

AGRICULTURE
Senator Truenow, Chair
Senator Grall, Vice Chair

MEETING DATE: Monday, March 17, 2025

TIME: 4:00—6:00 p.m.

PLACE: 301 Senate Building

MEMBERS: Senator Truenow, Chair; Senator Grall, Vice Chair; Senators Bernard, Boyd, Burton, and Rouson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 428 Simon (Identical H 1147)	Country of Origin for Wild and Farm-raised Fish; Providing that wild and farm-raised fish are considered misbranded under certain circumstances; requiring the Commissioner of Agriculture to establish the Florida Wild Fish and Seafood Certification Program; requiring all wild fish and seafood products intended to be certified and marketed as Florida wild fish or Florida wild seafood product to meet certain requirements; defining the term “wild or farm-raised fish”; requiring public food service establishments selling wild or farm-raised fish to publish specified information relating to the fish through certain means, etc. AG 03/17/2025 Temporarily Postponed AEG RC	Temporarily Postponed
2	SB 438 Burton (Identical H 1597, Compare H 601, S 334, S 1030)	Food and Hemp Products; Providing that a marijuana testing laboratory may acquire hemp and hemp extract only from certain businesses; revising requirements for the sale and distribution of hemp extract; prohibiting businesses and food establishments from possessing hemp extract products that are attractive to children; prohibiting a business permitted to sell hemp or hemp extract from being located in certain areas; providing a penalty for hemp extract possessed, manufactured, delivered, held, offered for sale, distributed, or sold by certain entities in violation of specified provisions, etc. AG 03/17/2025 Fav/CS FP	Fav/CS Yeas 6 Nays 0
3	Presentation by the FFA State Officers		Presented

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: SB 428

INTRODUCER: Senator Simon

SUBJECT: Country of Origin for Wild and Farm-raised Fish

DATE: March 14, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Pre-meeting
2.			AEG	
3.			RC	

I. Summary:

SB 428 creates the Florida Wild Fish and Seafood Certification Program. The program shall establish a quality certification program for Florida wild fish and seafood products, including wild-caught shrimp, which are taken, harvested, or landed in this state. The Department of Agriculture and Consumer Services (department) is directed to adopt rules to establish the program and program standards.

The bill also outlines requirements for the labeling of wild and farm-raised fish. It requires a food establishment selling wild or farm-raised fish that originated outside of the United States to provide whether the fish is wild or farm-raised and the country of origin for such fish or to denote that such fish is imported. It outlines requirements for how the labeling and signage is to be displayed.

The bill also updates circumstances under which a food is considered misbranded or misrepresented to reflect changes made by the bill.

The bill takes effect July 1, 2025.

II. Present Situation:

Federal Food Labeling Requirements

The U.S. Department of Agriculture's Country of Origin Labeling (COOL) requires retailers, generally including most grocery stores and supermarkets, to label food products with information regarding the source of the food.¹ Wild and farm-raised fish and shellfish, including

¹ *Country of Origin Labeling (COOL)*, U.S. Department of Agriculture Agricultural Marketing Service, available at <https://www.ams.usda.gov/rules-regulations/cool> (last visited March 11, 2025).

frozen fillets, steaks, nuggets, and any other flesh from wild or farm-raised fish or shellfish, are required to be labeled under COOL,² unless used as an ingredient in a processed food.³ The Code of Federal Regulations further details the requirements for the country of origin labeling for fish and shellfish. Generally, labeling for fish and shellfish must include country of origin and method of production (wild and/or farm-raised) information. Labeling can either be in the form of placard, sign, label, sticker, band, twist tie, pin tag, or other format.⁴ Labels may be typed, printed, or handwritten⁵ and must be placed in a location for easy reading and comprehension.⁶ Labeling requirements are not applicable to food service establishments.⁷

Seafood Labeling in Gulf States

Today, 80% of seafood consumed in the United States is imported.⁸ Gulf states, such as Louisiana⁹ and Alabama,¹⁰ recently passed laws requiring food establishments to label imported seafood in response to an increase in imported seafood. Louisiana's law followed a study conducted by researchers at the Louisiana State University Agricultural Center. The researchers detected harmful residue from banned veterinary drugs, such as antibiotics and sulfate, in imported shrimp purchased at various retail stores in 2016 and 2017.¹¹ Through legislation requiring food establishments to label their imported seafood, states such as Louisiana and Alabama aimed to enhance public health, provide transparency, and promote seafood caught locally.

Misbranding or Misrepresenting Food

In Florida a food is deemed to be misbranded:¹²

- If its labeling is false or misleading in any particular manner;
- If it is offered for sale under the name of another food;
- If it is an imitation of another food, with exception;
- If its container is so made, formed, or filled as to be misleading;
- If in package form, unless it bears a label containing certain information;¹³
- If any word, statement, or other information required by or under authority of ch. 500, F.S., does not meet certain requirements;¹⁴

² 7 CFR 60.105(a)

³ 7 CFR 60.200(c)

⁴ 7 CFR 60.200(a)

⁵ 7 CFR 60.300(b)

⁶ 7 CFR 60.300(c)

⁷ 7 CFR 60.107

⁸ Aquaculture, U.S. Department of Agriculture Economic Research Service, (January 6, 2025), available at <https://www.ers.usda.gov/topics/animal-products/aquaculture> (last visited March 11, 2025).

⁹ [RS 3:4706](#)

¹⁰ [22-20A-3](#), [22-20A-4](#)

¹¹ [Khan and Lively](#), *Determination Of Sulfite And Antimicrobial Residue In Imported Shrimp To The USA*, School of Renewable Natural Resources, Louisiana State University Agricultural Center, LA, USA, (2020), available at <https://repository.library.noaa.gov/view/noaa/37360> (last visited March 11, 2025).

¹² Section 500.11, F.S.

¹³ Section 500.11(1)(e), F.S.

¹⁴ Section 500.11(1)(f), F.S.

- If it purports to be or is represented as a food for which a definition and standard of identity has been prescribed by statute or by rule;
- If it purports to be or is represented as:
 - A food for which a standard of quality has been prescribed by rules as provided by s. 500.09, F.S., and its quality falls below such standard unless its label bears a statement that it falls below such standard; or
 - A food for which a standard or standards or fill of container have been provided by rule as provided by s. 500.09, F.S., and it falls below the standard or fill container unless its label bears a statement that it falls below such standard.
- Unless the label bears the common or usual name of the food and specific requirements if it is fabricated from two or more ingredients.¹⁵
- If it purports to be or is represented for special dietary uses, unless its label contains certain information.¹⁶
- If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact.
- If it is a fresh fruit or vegetable, package of honey, or bee pollen not labeled in accordance with the provisions of s. 504.012, F.S., or not otherwise labeled in such a manner as to indicate to an ultimate purchaser the country of origin.
- If it is offered for sale and its label or labeling does not comply with Federal requirements pertaining to nutrition or allergen information.
- If it is offered for sale and its label or labeling does not comply with federal labeling requirements pertaining to nutritional content claims and health claims.
- If it is bottled water and does not meet certain labeling requirements.¹⁷
- If it is an animal product that fails to have directly thereon or on its container the official USDA inspection legend.

An operator may not knowingly and willfully misrepresent the identity of any food or food product to any of the patrons of such establishment. The identity of a food product is misrepresented if:

- The description of the food or food product is false or misleading;
- The food or food product is served, sold, or distributed under the name of another food or food product; or
- The food or food product purports to be or is represented as a food or food product that does not conform to a definition of identity and standard of quality if such standard has been established by custom and usage.¹⁸

III. Effect of Proposed Changes:

Section 1 amends s. 500.11, F.S., to provide that a food is deemed misbranded if it is wild or farm-raised fish not labeled in accordance with s. 500.65, F.S.

¹⁵ Section 500.11(1)(i), F.S.

¹⁶ Section 500.11(1)(j), F.S.

¹⁷ Section 500.11(1)(o), F.S.

¹⁸ Section 509.292(1), F.S.

Section 2 creates s. 500.601, F.S., the Florida Wild Fish and Seafood Certification Program, which shall be established by the commissioner. The program shall establish a quality certification program for Florida wild fish and seafood products, including wild-caught shrimp, which are taken, harvested, or landed in this state. The department is directed to adopt rules to establish the program and program standards which must include, but are not limited to:

- Harvest requirements;
- Compliance standards;
- Packaging requirements; and
- Certification protocols.

The bill requires that all wild fish and seafood products intended to be certified and marketed as Florida wild fish or Florida wild seafood product must meet all criteria requirements established by the department. Any fish or seafood product sold or attempted to be sold under the program that fails to meet the requirements of the program must be immediately removed from the market and disposed of.

Any fisherman or seafood dealer who wishes to participate in the program shall apply to the department to be issued a participation permit. The permit may be suspended or revoked by the department for a violation of the requirements of the program. Any holder of a permit who harvests or markets wild fish or wild seafood products in accordance with the program may market the wild fish or wild seafood products as Florida wild fish and Florida wild seafood products.

Section 3 creates s. 500.65, F.S., which outlines requirements for the labeling of wild and farm-raised fish. The bill requires each food establishment selling wild or farm-raised fish that originated outside of the United States to provide whether the fish is wild or farm-raised and the country of origin for such fish or to denote that such fish is imported in letters no smaller than the same size, font, and shade as fish being offered is listed, by means of a label, stamp, mark, placard, or other visible sign on the package, display, holding unit, or bin containing the fish at the final point of sale or by posting a sign stating such information. The sign must be at least 8.5 inches wide by 11 inches tall and placed not less than 36 inches from the floor located in a conspicuous location where the fish is held for offer using English letters no less than one inch in size. For purposes of this section, the term “wild or farm-raised fish” includes fish and shrimp but does not include crabs, lobsters, oysters, crayfish, clams, or scallops.

Section 4 creates s. 509.1011, F.S., which provides labeling requirements for wild and farm-raised fish. The bill requires each public food establishment that sells wild or farm-raised fish that originated outside of the United States to provide the country of origin for such fish and:

- Display in its menus the country of origin of the fish and whether the fish is wild or farm-raised in letters no smaller than the same size, font, and shade as the wild or farm-raised fish being sold is listed, immediately adjacent to the menu listing;
- Affix to its menus a piece of paper with the country of origin of the fish and whether the fish is wild or farm-raised in letters no smaller than the same size, font, and shade as the wild or farm-raised fish being sold is listed; or
- Post a sign stating the country of origin for the fish and whether the fish is wild or farm-raised. The sign must be at least 8.5 inches wide and 11 inches tall and placed not less than

36 inches from the floor and be located in a conspicuous location where the fish is held for sale using English letters not less than one inch in size.

The requirements of this subsection apply to any dish served by a public food establishment that contains any wild or farm-raised fish that originated outside of the United States. For purposes of this section, the term “wild or farm-raised fish” includes fish and shrimp but does not include crabs, lobsters, oysters, crayfish, clams, or scallops.

Section 5 amends s. 509.292, F.S., to add the labeling requirements of Section 4 of the bill to circumstances under which a food or food product is considered misrepresented.

Section 6 provides that this act shall take effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill creates a new optional certification program for fishermen and seafood dealers and creates new labeling and signage requirements for restaurants that sell fresh or wild-caught fish that originates outside the United States.

C. Government Sector Impact:

The Department of Agriculture and Consumer Services could incur costs to administer the Florida Wild Fish and Seafood Certification Program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 500.11, 509.292
This bill creates the following sections of the Florida Statutes: 500.601, 500.65, 509.1011

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Simon

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1 A bill to be entitled
 2 An act relating to country of origin for wild and
 3 farm-raised fish; amending s. 500.11, F.S.; providing
 4 that wild and farm-raised fish are considered
 5 misbranded under certain circumstances; creating s.
 6 500.601, F.S.; requiring the Commissioner of
 7 Agriculture to establish the Florida Wild Fish and
 8 Seafood Certification Program; providing duties of the
 9 commissioner and the Department of Agriculture and
 10 Consumer Services in administration of the program;
 11 requiring the department to adopt rules; providing
 12 standards for the program; authorizing the
 13 commissioner to consult with certain entities when
 14 establishing regulatory authority and requirements for
 15 the program; requiring all wild fish and seafood
 16 products intended to be certified and marketed as
 17 Florida wild fish or Florida wild seafood product to
 18 meet certain requirements; providing construction;
 19 providing program requirements for fishermen and
 20 seafood dealers entering the program; creating s.
 21 500.65, F.S.; requiring food establishments selling
 22 wild or farm-raised fish to provide specified
 23 information relating to the fish on a sign; providing
 24 requirements for the sign; defining the term "wild or
 25 farm-raised fish"; creating s. 509.1011, F.S.;
 26 requiring public food service establishments selling
 27 wild or farm-raised fish to publish specified
 28 information relating to the fish through certain
 29 means; providing requirements for publishing such

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30 information; providing applicability; defining the
 31 term "wild or farm-raised fish"; amending s. 509.292,
 32 F.S.; providing penalties for mislabeled wild and
 33 farm-raised fish; providing an effective date.
 34
 35 Be It Enacted by the Legislature of the State of Florida:
 36
 37 Section 1. Paragraph (q) is added to subsection (1) of
 38 section 500.11, Florida Statutes, to read:
 39 500.11 Food deemed misbranded.—
 40 (1) A food is deemed to be misbranded:
 41 (q) If it is wild or farm-raised fish not labeled in
 42 accordance with s. 500.65.
 43 Section 2. Section 500.601, Florida Statutes, is created to
 44 read:
 45 500.601 Florida Wild Fish and Seafood Certification
 46 Program.—
 47 (1) (a) The Commissioner of Agriculture shall establish the
 48 Florida Wild Fish and Seafood Certification Program. The program
 49 shall establish a quality certification program for Florida wild
 50 fish and seafood products, including wild-caught shrimp, which
 51 are taken, harvested, or landed in this state. The Department of
 52 Agriculture and Consumer Services shall adopt rules to establish
 53 the program and program standards. The standards must include,
 54 but are not limited to:
 55 1. Harvest requirements.
 56 2. Compliance standards.
 57 3. Packaging requirements.
 58 4. Certification protocols.

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(b) The commissioner may consult with the Department of Health, state universities, and other state or federal agencies deemed appropriate, when establishing regulatory authority over and requirements for the program.

(2) All wild fish and seafood products intended to be certified and marketed as Florida wild fish or Florida wild seafood product must meet all criteria and requirements established in rule by the department. Any fish or seafood product sold or attempted to be sold under the program that fails to meet the requirements of the program must be immediately removed from the market and disposed of, as prescribed by department rule.

(3) Any fisherman or seafood dealer who wishes to participate in the program shall apply to the department, in a manner prescribed by the department, to be issued a participation permit. The permit may be suspended or revoked by the department for a violation of the requirements of the program. Any holder of a permit who harvests or markets wild fish or wild seafood products in accordance with the program may market the wild fish or wild seafood products as Florida wild fish and Florida wild seafood products.

Section 3. Section 500.65, Florida Statutes, is created to read:

500.65 Labeling of wild and farm-raised fish.-

(1) Each food establishment selling wild or farm-raised fish that originated outside of the United States shall provide whether the fish is wild or farm-raised and the country of origin for such fish or denote that such fish is imported in letters no smaller than the same size, font, and shade as the

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fish being offered is listed, by means of a label, stamp, mark, placard, or other visible sign on the package, display, holding unit, or bin containing the fish at the final point of sale or by posting a sign stating such information. The sign must be at least 8.5 inches wide by 11 inches tall and placed not less than 36 inches from the floor located in a conspicuous location where the fish is held for offer using English letters not less than 1 inch in size.

(2) For purposes of this section, the term "wild or farm-raised fish" includes fish and shrimp. The term does not include crabs, lobsters, oysters, crayfish, clams, or scallops.

Section 4. Section 509.1011, Florida Statutes, is created to read:

509.1011 Labeling of wild and farm-raised fish.-

(1) Each public food service establishment selling wild or farm-raised fish that originated outside of the United States shall provide the country of origin for such fish and:

(a) Display on its menus the country of origin of the fish and whether the fish is wild or farm-raised in letters no smaller than the same size, font, and shade as the wild or farm-raised fish being sold is listed, immediately adjacent to the menu listing;

(b) Affix to its menus a piece of paper with the country of origin of the fish and whether the fish is wild or farm-raised in letters no smaller than the same size, font, and shade as the wild or farm-raised fish being sold is listed; or

(c) Post a sign stating the country of origin for the fish and whether the fish is wild or farm-raised. The sign must be at least 8.5 inches wide and 11 inches tall and placed not less

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than 36 inches from the floor and be located in a conspicuous
location where the fish is held for sale using English letters
not less than one inch in size.

The requirements of this subsection apply to any dish served by
a public food service establishment that contains any wild or
farm-raised fish that originated outside of the United States.

(2) For purposes of this section, the term "wild or farm-
raised fish" includes fish and shrimp. The term does not include
crabs, lobsters, oysters, crayfish, clams, or scallops.

Section 5. Paragraph (d) is added to subsection (1) of
section 509.292, Florida Statutes, to read:

509.292 Misrepresenting food or food product; penalty.—

(1) An operator may not knowingly and willfully
misrepresent the identity of any food or food product to any of
the patrons of such establishment. The identity of food or a
food product is misrepresented if:

(d) For wild or farm-raised fish, the wild or farm-raised
fish is not labeled in accordance with s. 509.1011.

Section 6. This act shall take effect July 1, 2025.



The Florida Senate

Committee Agenda Request

To: Senator Keith L. Truenow, Chair
Committee on Agriculture

Subject: Committee Agenda Request

Date: March 9th, 2025

I respectfully request that **Senate Bill # 428**, relating to the Country of Origin for Wild and Farm-raised Fish, be placed on the:

- ☐ Committee agenda at your earliest possible convenience.
- ☒ Next committee agenda.

A handwritten signature in blue ink, appearing to read "Corey Simon", is written over a horizontal line. The signature is stylized and fluid.

Senator Corey Simon
Florida Senate, District 3

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Agriculture

BILL: CS/SB 438

INTRODUCER: Agriculture Committee and Senators Burton and Davis

SUBJECT: Food and Hemp Products

DATE: March 18, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Becker	Becker	AG	Fav/CS
2.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 438 makes a number of changes to the State Hemp Program.

Specific to testing, the bill removes the current requirement that hemp and hemp extract products be tested by an independent testing laboratory and now requires them to be tested by a certified medical marijuana testing laboratory (CMTL). It requires a CMTL to determine whether the test results indicate that the product meets the definition of hemp and hemp extract, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and the product is free from contaminants unsafe for human consumption. Results must be verified and signed by two laboratory employees.

The bill creates new requirements for the sale of THC-infused beverages. It prohibits the retail sale of THC-infused beverages at a location other than premises licensed to sell alcoholic beverages and specifies that THC-infused beverages may not contain alcoholic beverages or intoxicating beverages as defined in statute. It requires that THC-infused beverages only be distributed by a distributor licensed under the Beverage Law and provides additional prohibitions and requirements.

The bill makes several changes and additions to related definitions. Specifically, the bill modifies the definition of “attractive to children” to include containers displaying toys or other features that target children and include products manufactured in a form or packaged in a container that bears any reasonable resemblance to a branded food product such that the product could be mistaken for the branded food product, especially by children. It modifies the definition of

“hemp” to provide that it does not exceed 5 milligrams per servings and 50 milligrams per container on a wet-weight basis, whichever is less, except that a THC-infused beverage may not contain more than 5 milligrams per unopened can or bottle or in any other sealed container.

The bill prohibits businesses and food establishments permitted to sell hemp or hemp extract from advertising the availability of such products in a manner that is visible to members of the public from any street, sidewalk, park, or other public place. A business or food establishment permitted to sell hemp extract may not use a trade name, logo, or advertising that contains wording or images that are attractive to children; that implies that such products confer health or medical benefits that are unsubstantiated; or that suggests that the business or food establishment is affiliated with a medical office or other health care facility. Advertising may not use the term “THC” or “medical card” or similar terms.

The bill prohibits an event organizer from promoting, advertising, or facilitating an event where hemp extract products are sold that do not comply with general law or are sold by a business that is not properly permitted. Before an event where hemp extract products are sold or marketed, an event organizer must provide the department with a list of the businesses selling or marketing hemp extract products and verify that each business is only selling hemp products from an approved source. The event organizer must ensure that each participating business is properly permitted.

For the 2025-2026 fiscal year, the bill appropriates the sum of \$2 million in nonrecurring funds from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the bill. See Section V.

The bill takes effect October 1, 2025.

II. Present Situation:

Industrial Hemp

Industrial hemp is a *Cannabis sativa* plant (cannabis) that has been cultivated for approximately 10,000 years as a fiber and grain crop. It is used for textiles, building materials, seed oil, and essential oil.¹

Cannabis

Cannabis is a Schedule I controlled substance.² In Florida, it is a felony of the third degree³ to sell, manufacture, deliver, or possess with intent to sell, manufacture, or deliver, cannabis.⁴

¹ See University of Florida, *UF/IFAS Industrial Hemp Pilot Project* at: <https://programs.ifas.ufl.edu/hemp/> (last visited March 12, 2025).

² Section 893.03(1)(c)7., F.S.

³ Section 775.082, F.S., provides that a felony of the third degree is punishable by a term of imprisonment not to exceed 5 years. Section 775.083, F.S., provides that a felony of the third degree is punishable by a fine not to exceed \$5,000.

⁴ Section 893.13(1)(a)2., F.S.

As a controlled substance in chapter 893, F.S., “cannabis” is defined to mean: all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. The term does not include “marijuana,” as defined in s. 381.986, F.S., if manufactured, possessed, sold, purchased, delivered, distributed, or dispensed, in conformance with s. 381.986, F.S., [the Compassionate Medical Cannabis Act of 2014], hemp as defined in s. 581.217, F.S., [the state hemp program], or industrial hemp as defined in s. 1004.4473, F.S., [industrial hemp pilot projects].⁵

Medical Marijuana

On November 4, 2016, Amendment 2 was approved by the electors and is codified in Article X, section 29, of the Florida Constitution. This section of the constitution became effective on January 3, 2017, and created several exemptions from criminal and civil liability for:

- Qualifying patients medically using marijuana in compliance with the amendment;
- Physicians, solely for issuing physician certifications with reasonable care and in compliance with the amendment; and
- Medical marijuana treatment centers (MMTCs), their agents, and employees for actions or conduct under the amendment and in compliance with rules promulgated by the Florida Department of Health.

Subsequently, the Legislature passed SB 8-A in Special Session A of 2017.⁶ The bill revised the Compassionate Medical Cannabis Act of 2014⁷ in s. 381.986, F.S., to implement Article X, section 29 of the Florida Constitution.

The term medical marijuana includes two distinct forms of the plant genus *Cannabis*:

- Marijuana without any limitation or restriction on the percentage of THC;⁸ and
- “Low-THC cannabis” in which the percentage of THC is limited to 0.8 percent or less and has more than 10 percent of cannabidiol⁹ weight for weight.¹⁰

The Coalition for Medical Marijuana Research and Education located at the H. Lee Moffitt Cancer Center and Research Institute, Inc., is authorized to conduct medical marijuana research and education.¹¹

MMTCs and qualified patients or caregivers are specifically exempt from the criminal prohibition against the possession of cannabis.¹²

⁵ Section 893.02(3), F.S.

⁶ Chapter 2017-232, Laws of Fla.

⁷ Chapter 2014-157, Laws of Fla.

⁸ THC, or tetrahydrocannabinol, is the main active ingredient in cannabis and is responsible for most of the psychological effects of cannabis.

⁹ Cannabidiol (CBD) is a chemical compound, known as a cannabinoid, found in cannabis. CBD does not have the same psychoactivity as THC. See Michael J Breus, *Despite What You May Think... CBD Is Not Weed* (Sept. 20, 2018), Psychology Today, available at: <https://www.psychologytoday.com/us/blog/sleep-newzzz/201809/despite-what-you-may-think-cbd-is-not-weed> (last visited March 12, 2025).

¹⁰ See s. 381.986(1)(e) and (f), F.S.

¹¹ Section 1004.4351, F.S.

¹² See s. 381.986(14), F.S.

2014 Federal Farm Bill and State Industrial Hemp Pilot Programs

The Agricultural Improvement Act of 2014 (2014 Farm Bill) defined industrial hemp and allowed state departments of agriculture or universities to grow and produce industrial hemp as part of research or pilot programs. Specifically, the law allowed universities and state departments of agriculture to grow or cultivate industrial hemp if:

- The industrial hemp is grown or cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and
- The growing or cultivating of industrial hemp is allowed under the laws of the state in which such institutions of higher education or state department of agriculture is located, and such research occurs.¹³

The 2014 Farm Bill defines “industrial hemp” to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.¹⁴

Section 1004.4473, F.S., authorizes the Florida Department of Agriculture and Consumer Services (department) to oversee the development of industrial hemp pilot projects for the Institute of Food and Agricultural Sciences (IFAS) at the University of Florida, Florida Agricultural and Mechanical University, any land grant university in the state that has a college of agriculture, and any Florida College System institution or state university that has an established agriculture, engineering, or pharmacy program.¹⁵ The purpose of the pilot projects is to cultivate, process, test, research, create, and market safe and effective commercial applications for industrial hemp in the agricultural sector in this state. The department has adopted a rule addressing safety, compliance, and accountability and other concerns.¹⁶

2018 Federal Farm Bill

In the Agricultural Improvement Act of 2018 (2018 Farm Bill), the U.S. Congress legalized industrial hemp as an agricultural product by removing hemp’s classification as a controlled substance.¹⁷ The 2018 Farm Bill defines “hemp” to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.¹⁸

¹³ Agricultural Improvement Act of 2014, Pub. L. No. 113-79, s. 7606, 128 Stat. 912 (2014) (codified at 7 U.S.C. s. 5940).

¹⁴ *Id.*

¹⁵ Section 1004.4473(2)(a), F.S.

¹⁶ Fla. Admin. Code R. 5B-57.013 (2018).

¹⁷ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 12619, 132 Stat. 409 (2018) (codified at 21 U.S.C 802(16)).

¹⁸ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 10113, 132 Stat. 409 (2018) (codified at 7 U.S.C. s. 1639o).

The 2018 Farm Bill allows a state department of agriculture or an Indian tribe to submit a plan to the United States Secretary of Agriculture and apply for primary regulatory authority over the production of hemp in their state or tribal territory. A state or tribal plan must include:

- A procedure for tracking land upon which hemp will be produced;
- Testing methods for determining THC concentration levels of hemp;
- Methods for effective disposal of noncompliant products;
- Enforcement procedures;
- Inspection procedures; and
- Certification procedures for the persons authorized to produce hemp producers, test hemp products, inspect hemp producers, and enforce the provisions of the state or tribal plan.¹⁹

State Hemp Program

The state hemp program was created within the Department of Agriculture and Consumer Services (department) to regulate the cultivation of hemp in Florida.²⁰

Section 581.217(3)(e), F.S., defines the term hemp to mean:

...the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof, and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether growing or not, that has a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis, with the exemption of hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol on a wet-weight basis.

Section 581.217(3)(f), F.S., defines the term “hemp extract” to mean “a substance or compound intended for ingestion, containing more than trace amounts of cannabinoid, or for inhalation which is derived from or contains hemp, and which does not contain other controlled substances.” The term does not include synthetic cannabidiol or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.²¹ Products that are intended for inhalation and contain hemp extract may not be sold to a person who is under 21 years of age.²²

The department was required to seek federal approval of the state plan for the regulation of the cultivation of hemp with the United States Secretary of Agriculture (USDA) in accordance with the 2018 Farm Bill within 30 days of adopting rules.²³ A license is required to cultivate hemp²⁴ and to obtain a license, a person must apply to the department and submit a full set of fingerprints.²⁵ A person seeking to cultivate hemp must provide the department with a legal land

¹⁹ Agricultural Improvement Act of 2018, Pub. L. No. 115-334, s. 10113, 132 Stat. 409 (2018) (codified at 7 U.S.C. s. 1639p).

²⁰ See s. 581.217, F.S.

²¹ Section 581.219(3)(f), F.S.

²² Section 581.217(7)(d), F.S.

²³ Section 581.217(4), F.S.

²⁴ Section 581.217(5)(a), F.S.

²⁵ Section 581.217(5)(b), F.S.

description and GPS coordinates of where the hemp will be cultivated.²⁶ The department must deny an application under certain circumstances.²⁷

Distribution and Retail Sale of Hemp Extract

Hemp extract may only be distributed and sold if the product has a certificate of analysis prepared by an independent testing laboratory that states:

- The hemp extract is the product of a batch tested by the independent testing laboratory;
- The batch contained a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent pursuant to the testing of a random sample of the batch;
- The batch does not contain contaminants unsafe for human consumption; and
- The batch was processed in a facility that meets certain human health or food safety requirements.²⁸

Additionally, hemp extract may only be distributed or sold in a container that includes:

- A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract batch by an independent testing laboratory;
- The batch number;
- The Internet address of a website where batch information may be obtained;
- The expiration date; and
- The number of milligrams of each marketed cannabinoid per serving.²⁹

Such a container must:

- Be suitable to contain products for human consumption;
- Be composed of materials designed to minimize exposure to light;
- Mitigate exposure to high temperatures;
- Not be attractive to children; and³⁰
- Be compliant with the United States Poison Prevention Packaging Act of 1970.³¹

Certified Marijuana Testing Facilities

Section 381.988, F.S., requires the Department of Health (DOH) to certify testing laboratories for the testing of marijuana coming from Medical Marijuana Treatment Centers (MMTCs). MMTCs are required to use certified marijuana testing laboratories (CMTLs) to test their products to ensure that the products meet any potency requirements, are labeled accurately for concentrations of THC and CBD, are safe for human consumption, and are free from contaminants that are unsafe for human consumption.³² Section 381.988, F.S., requires DOH,

²⁶ Section 581.217(5)(d), F.S.

²⁷ Section 581.217(5)(e), F.S.

²⁸ Section 581.217(7)(a), F.S.

²⁹ Id.

³⁰ Section 581.217(3)(a), F.S., defines “attractive to children” to mean manufactured in the shape of humans, cartoons or animals; manufactured in a form that bears any reasonable resemblance to an existing candy product that is familiar to the public as a widely distributed, branded food product such that a product could be mistaken for the branded product, especially by children, or containing color additives.

³¹ Section 581.217(7)(a), F.S.

³² Section 381.986(8)(e)11.d., F.S.

with help from the Department of Agriculture and Consumer Services and the Department of Environmental Protection, to adopt minimum requirements in rule that a lab must meet in order to be certified to test marijuana for MMTCs. These rules are required to include:

- Security standards.
- Minimum standards for personnel.
- Sample collection method and process standards.
- Proficiency testing for tetrahydrocannabinol potency, concentration of cannabidiol, and contaminants unsafe for human consumption, as determined by department rule.
- Reporting content, format, and frequency.
- Audits and onsite inspections.
- Quality assurance.
- Equipment and methodology.
- Chain of custody.
- Any other standard the department deems necessary to ensure the health and safety of the public.

The rules governing CMTLs have been adopted through the DOH's emergency rulemaking authority³³ and establish significant criteria for CMTL operations and licensure.³⁴ Currently, there are eight CMTLs certified by the DOH.³⁵

Hemp in Beverages

THC-infused beverages have become a popular method of cannabis consumption that causes symptoms of intoxication such as drowsiness, relaxation, euphoria, and more.³⁶ THC-infused beverages have no standard dose of THC concentration, leading to ranges of 2mg to 200mg of THC per 8 to 8.5 ounce drink.³⁷ Due to the body's ability to rapidly absorb liquids, consumers of THC-infused drinks feel effects faster than other methods of THC consumption.³⁸

The Food and Drug Administration (FDA) does not approve of THC-infused beverages at the federal level; however, state regulation of THC-infused beverages vary. In Minnesota, THC beverages can be sold by sellers and in stores with proper registration and licensing with the

³³ The DOH is authorized, pursuant to ch. 2017-232, L.O.F., as most recently amended by ch. 2024-228, L.O.F., to adopt and maintain emergency rules to implement ss. 381.986 and 381.988, F.S. The emergency rules adopted pursuant to this authorization do not expire.

³⁴ For details on rules governing CMTLs see <https://knowthefactsmmj.com/rules-and-regulations/>, (last visited Mar. 12, 2025).

³⁵ See <https://knowthefactsmmj.com/cmtl/>, (last visited Mar. 12, 2025).

³⁶ Kelly Johnson-Arbor, MD, *What are Cannabis Drinks?*, Poison Control National Capital Poison Center, available at <https://www.poison.org/articles/what-are-cannabis-drinks> (last visited March 13, 2025)

³⁷ Julie Corliss, *Cannabis drinks: How do they compare to alcohol?*, Harvard Health Publishing-Harvard Medical School, (July 15, 2024), available at <https://www.health.harvard.edu/blog/cannabis-drinks-how-do-they-compare-to-alcohol-202407153058> (last visited March 13, 2025).

³⁸ *Id.*

state.³⁹ Other states that allow THC-infused beverages in licensed dispensaries include California,⁴⁰ Connecticut,⁴¹ and New Jersey.⁴²

Division of Alcoholic Beverages and Tobacco

The Division of Alcoholic Beverages and Tobacco (division) within the Department of Business and Professional Regulation administers and enforces⁴³ the Beverage Law,⁴⁴ which regulates the manufacture, distribution, and sale of wine, beer, and liquor.⁴⁵ The division is also responsible for the administration and enforcement of tobacco products under ch. 569, F.S.

“Alcoholic beverages” are defined in s. 561.01(4), F.S., as “distilled spirits and all beverages containing one-half of one percent or more alcohol by volume.”

“Intoxicating beverage” and “intoxicating liquor” are defined in s. 561.01(5), F.S., to mean only those alcoholic beverages containing more than 4.007 percent of alcohol by volume.

Section 561.14, F.S., specifies the license and registration classifications used in the Beverage Law:

- “Manufacturers” are those “licensed to manufacture alcoholic beverages and distribute the same at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.”⁴⁶
- “Distributors” are those “licensed to sell and distribute alcoholic beverages at wholesale to persons who are licensed to sell alcoholic beverages.”⁴⁷
- “Importers” are those licensed to sell, or to cause to be sold, shipped, and invoiced, alcoholic beverages to licensed manufacturers or licensed distributors, and to no one else in this state, provided that ss. 564.045 and 565.095, F.S., relating to primary American source of supply licensure, are in no way violated by such imports.⁴⁸
- “Vendors” are those “licensed to sell alcoholic beverages at retail only” and who may not “purchase or acquire in any manner for the purpose of resale any alcoholic beverages from any person not licensed as a vendor, manufacturer, bottler, or distributor under the Beverage Law.”⁴⁹

Quota Licenses

Section 561.20(1), F.S., limits, by county, the number of alcoholic beverage licenses that may be issued for the sale of distilled spirits, to one license per 7,500 residents within the county. These

³⁹ Minnesota Office of Cannabis Management, *Frequently Asked Questions for Businesses*, available at <https://mn.gov/ocm/businesses/cannabinoid-products/business-faq.jsp> (last visited March 13, 2025).

⁴⁰ California Code, BPC 26001., California Code, BPC 26200.

⁴¹ Chapter 420i

⁴² Chapter 238

⁴³ Section 561.02, F.S.

⁴⁴ Section 561.01(6), F.S., provides that the “Beverage Law” means chs. 561, 562, 563, 564, 565, 567, and 568, F.S.

⁴⁵ See s. 561.14, F.S.

⁴⁶ Section 561.14(1), F.S.

⁴⁷ Section 561.14(2), F.S.

⁴⁸ Section 561.01(5), F.S.

⁴⁹ Section 561.14(3), F.S.

limited alcoholic beverage licenses are known as “quota” licenses. New quota licenses are created and issued when there is an increase in the population of a county. The licenses may also be issued when a county initially changes its status from a county that does not permit the sale of intoxicating liquor to one that permits such sale. The quota license is the only alcoholic beverage license that is limited in number; all other types of alcoholic beverage licenses are available without limitation.

There are several exceptions⁵⁰ to the limitation on the number of quota licenses per county, including an exception for food service establishments that have at least 2,200 square feet of service area, is equipped to serve 120 persons at one time, and derives at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages, during the first 60-day operating period and each 12-month operating period thereafter.⁵¹ This type of license is known as a “special restaurant license” or an “SRX license.”⁵² SRX licensees may not sell alcoholic beverages for sale off the premises, i.e., such licensees may not make package sales.

Section 565.02(1)(a)-(g), F.S., provides the license fees for vendors licensed to sell beer, wine, and liquor, including for consumption on the premises and for consumption off the premises.

Three-Tier System

In the United States, the regulation of alcohol since the repeal of Prohibition has traditionally been based upon a “three-tier system.” The system requires separation of the manufacture, distribution, and retail sale of alcoholic beverages by vendors. The manufacturer creates the beverages, and the distributor obtains the beverages from the manufacturer to deliver to the vendor. The vendor makes the ultimate sale to the consumer.⁵³ A manufacturer, distributor, or exporter may not be licensed as a vendor to sell directly to consumers.⁵⁴

Generally, in Florida, only licensed vendors are permitted to sell alcoholic beverages directly to consumers at retail.⁵⁵ Licensed manufacturers, distributors, and registered exporters are prohibited from also being licensed as vendors.⁵⁶ Manufacturers are also generally prohibited from having an interest in a vendor and from distributing directly to a vendor.⁵⁷

⁵⁰ See ss. 561.20(2) and 565.02(2)-(10), F.S.

⁵¹ Section 561.20(2)(a)4., F.S. The required square footage and number of persons the restaurant must be equipped to serve may be different for county or municipality jurisdiction due to special acts enacted by the Legislature that affect these requirements for the county or municipality. For a list of the special act requirements for counties and municipalities, including the applicable act in the Laws of Florida, see: Division of Alcoholic Beverages and Tobacco, *General Laws of Local Application and Special Acts*, available at www.myfloridalicense.com/dbpr/abt/documents/GENLAWS.pdf (last visited March 12, 2025).

⁵² The division has re-designated the “SRX” license to an “SFS” license or “Special Food Service Establishment” license. However, these licenses are still commonly known as “SRX” licenses.

⁵³ Section 561.14, F.S.

⁵⁴ Section 561.22(1), F.S.

⁵⁵ Section 561.14(3), F.S. However, see the exceptions provided in ss. 561.221 and 565.03, F.S.

⁵⁶ Section 561.22, F.S.

⁵⁷ Sections 563.022(14) and 561.14(1), F.S.

Exceptions to the three-tier regulatory system permit in-state wineries,⁵⁸ breweries,⁵⁹ and craft distilleries to sell directly to consumers.⁶⁰ Restaurants licensed as vendors (brew pubs) may manufacture a limited quantity of malt beverages and sell directly to consumers for consumption on the licensed premises of the restaurant.⁶¹

A winery, even if licensed as a distributor,⁶² may be licensed as a vendor for a licensed premises situated on property contiguous to the manufacturing premises of the winery. A winery may not be issued more than three vendor licenses.⁶³

Tied House Evil Prohibitions

States have enacted statutes designed to prevent or limit the control of retail alcoholic beverage vendors by manufacturers, wholesalers, and importers, or to prohibit "tied-house arrangements." Such legislation is referred to as "tied house" or "tied house evil" statutes.⁶⁴

Section 561.42, F.S., Florida's "tied house evil" statute, regulates the permitted and prohibited relationships and interactions of manufacturers and distributors with vendors in order to prevent a manufacturer or distributor from having a financial interest, directly or indirectly, in the establishment or business of a licensed vendor, and to prevent a manufacturer or distributor from giving a vendor gifts, loans, property, or rebates.⁶⁵ The prohibitions also apply to an importer, primary American source of supply,⁶⁶ brand owner or registrant, broker, and sales agent (or sales person thereof).

The tied house evil statute also prohibits any distributor or vendor from receiving any financial incentives from any manufacturer. It further prohibits manufacturers or distributors from assisting retail vendors through gifts, loans of money, property, or by the giving of rebates.

III. Effect of Proposed Changes:

Testing of Hemp Extract

The bill amends s. 381, 988, F.S., which relates to medical marijuana testing laboratories (MMTLs). It permits MMTLs to acquire hemp and hemp extract only from a business licensed under the state hemp program and prohibits the MMTL from selling, distributing, or transferring hemp or hemp extract received from such a business. An MMTL must keep marijuana received from a medical marijuana treatment center (MMTC) separated from hemp or hemp extract.

⁵⁸ See s. 561.221(1), F.S.

⁵⁹ See s. 561.221(2), F.S.

⁶⁰ See ss. 565.02(12) and 565.03, F.S.

⁶¹ See s. 561.221(3), F.S.

⁶² Section 561.14(1), F.S., permits manufacturers to distribute at wholesale to licensed distributors and to no one else within the state, unless authorized by statute.

⁶³ See s. 561.221(1), F.S.

⁶⁴ 45 AM. JUR. 2d *Intoxicating Liquors*, s. 94 (2017).

⁶⁵ Section 561.42(1), F.S.

⁶⁶ See s. 564.045, F.S.

Definitions

The bill modifies the definition of “attractive to children” to include containers displaying toys or other features that target children and include products manufactured in a form or packaged in a container that bears any reasonable resemblance to a branded food product such that the product could be mistaken for the branded food product, especially by children.

The bill defines “certified marijuana testing laboratory” (CMTL) to mean a laboratory that is certified by the Department of Health pursuant to s. 381.988, F.S. It modifies the definition of “hemp” to provide that it does not exceed 5 milligrams per servings and 50 milligrams per container on a wet-weight basis, whichever is less, except that a THC-infused beverage may not contain more than 5 milligrams per unopened can or bottle or in any other sealed container.

The bill revises the definition of “hemp extract” to prohibit it from containing synthetic or naturally occurring versions of controlled substances listed in s. 893.03, F.S., such as delta-8-tetrahydrocannabinol, delta-10-tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol acetate, tetrahydrocannabiphorol, and tetrahydrocannabivarin. It also creates a definition for “total delta-9-tetrahydrocannabinol concentration” to mean a concentration calculated as: $[\text{delta-9-tetrahydrocannabinol}] + (0.877 \times [\text{delta-9-tetrahydrocannabinolic acid}])$.

The bill defines “THC-infused beverage” to mean a soft drink, soda, juice, tea, or other beverage intended for ingestion which contains hemp extract in an amount not to exceed 5 milligrams per unopened can or bottle or in any other sealed container. It also deletes the definition of “independent testing laboratory.”

Distribution and Retail Sale of Hemp Extract

The bill amends requirements for the distribution and retail sale of hemp extract, specifying the product must meet all of the requirements. The product must comply with the new testing requirements described below and updates the statute to reflect the change from an independent testing laboratory to a CMTL. It also requires such products to be sold in a container that includes the toll-free telephone number for the national Poison Control Help line.

Except as required for the retail sale of THC-infused beverages, the bill clarifies that hemp extract may only be sold to *or procured by* a business in this state if that business is properly permitted. A business or food establishment may not possess hemp extract products that are attractive to children. Unpermitted business sales, street sales, or festival sales are prohibited. A business or food establishment permitted to sell hemp or hemp extract may not be located within 500 feet of a school or daycare facility, a retail outlet engaged in the business of selling motor fuel, or a retail facility permitted to sell hemp or hemp extract.

Businesses and food establishments permitted to sell hemp or hemp extract may not advertise the availability of such products in a manner that is visible to members of the public from any street, sidewalk, park, or other public place. A business or food establishment permitted to sell hemp extract may not use a trade name, logo, or advertising that contains wording or images that are attractive to children; that implies that such products confer health or medical benefits that are

unsubstantiated; or that suggests that the business or food establishment is affiliated with a medical office or other health care facility. Advertising may not use the term “THC” or “medical card” or similar terms.

Businesses and food establishments permitted to sell hemp or hemp extract shall keep records pertaining to lab testing results and the suppliers of hemp extract products for a minimum of 3 years and shall have procedures in place to effect a recall of any hemp extract later determined to be unsafe for human consumption. Businesses shall store all such products out of reach of customers, either in a controlled area accessible only to employees or in a locked display case excluding hemp-infused beverages.

The bill prohibits the department from granting permission to remove or use, except for disposal, hemp extract products subject to a stop-sale order which are attractive to children until the department determines that the hemp extract products comply with state law.

The bill prohibits an event organizer from promoting, advertising, or facilitating an event where:

- Hemp extract products that do not comply with general law, including hemp extract products that are not from an approved source are sold or marketed; or
- Hemp extract products are sold or marketed by businesses that are not properly permitted by this section and chapter 500.

Before an event where hemp extract products are sold or marketed, an event organizer must provide the department with a list of the businesses selling or marketing hemp extract products at the event and verify that each business is only selling hemp products from an approved source. The event organizer must ensure that each participating business is properly permitted.

Testing

The bill requires hemp extract to be tested using a CMTL before it can be sold in this state. Test results must be verified and signed by two laboratory employees. The CMTL must determine whether the test results indicate that the product meets the definition of hemp and hemp extract, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and the product is free from contaminants unsafe for human consumption. The bill directs the department to create procedures for the treatment of hemp extract that fails to meet the testing requirements of this section or department rule.

The department may select and test samples of hemp extract from a retail store, hemp distributor, or hemp cultivator to determine whether the product meets the requirements of this section, is safe for human consumption, and is accurately labeled. A retail store must recall hemp extract that fails to meet the requirements of this section, is unsafe for human consumption, or is mislabeled.

The independent testing laboratory must retain records of all testing and samples of each batch of hemp extract for 9 months.

Sale of THC-Infused Beverages

The bill prohibits the retail sale of THC-infused beverages at a location other than premises licensed to sell alcoholic beverages under s. 565.02(1)(a)-(g), F.S. THC-infused beverages may not contain alcoholic beverages as defined in s. 561.01(4), F.S., or intoxicating beverages as defined in s. 561.01(5), F.S.

THC-infused beverages may only be distributed in this state by a distributor licensed under the Beverage Law, as described in s. 561.14(2), F.S. A distributor of THC-infused beverages may not:

- Assist any retail vendor by any gift or loan of money or property of any description, including equipment, fixtures, or furnishings.
- Sell or provide THC-infused beverages to a retail vendor who does not hold an active permit required under the state hemp law.
- Make consignment sales to retail vendors of THC-infused beverages, including any right of return or exchange because the product is over-stocked or slow-moving.
- Give a retailer of THC-infused beverages anything of value to promote THC-infused beverages, or to provide shelf space or floor space to promote THC-infused beverages.

A retail vendor of THC-infused beverages may not attempt to return or exchange to a distributor any THC-infused beverage because the product is over-stocked or slow moving. A person regulated under the Beverage Law who possesses, delivers, holds, offers for sale, or distributes THC-infused beverages is subject to discipline under s. 561.29, F.S., and such beverages are subject to s. 500.172, F.S. A person who violates this subsection is subject to an administrative fine in the Class III category under s. 570.971, F.S., for each violation.

Appropriation

For the 2025-2026 fiscal year, the bill appropriates the sum of \$2 million in nonrecurring funds from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the bill.

The bill takes effect October 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

There are additional requirements for businesses that manufacture, distribute, or sell products containing hemp extract or THC-infused beverages. Event organizers have additional requirements to ensure businesses participating in the event meet certain requirements.

C. Government Sector Impact:

The department could incur increased costs to ensure compliance with the changes set forth in the bill.

The Florida Department of Law Enforcement estimates the bill will have a total fiscal impact on their department of \$1,068,725, of which \$98,028 is nonrecurring. This is mostly for Salaries and Benefits, Contracted Services, and Expenses.⁶⁷

For the 2025-2026 fiscal year, the sum of \$2 million in nonrecurring funds is appropriated from the General Revenue Fund to the Department of Law Enforcement for the purchase of testing equipment necessary to implement the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 381.988 and 581.217 of the Florida Statutes. This bill reenacts section 500.03 of the Florida Statutes.

⁶⁷ Florida Department of Law Enforcement Agency Analysis on file with the Senate Agriculture Committee.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Agriculture on March 17, 2025:

The committee substitute clarifies that the batch of hemp extract to be tested is the final batch. The CS also corrects a reference to the testing laboratory.

- B. **Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2025	.	
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The Committee on Agriculture (Burton) recommended the following:

Senate Amendment (with title amendment)

Delete lines 186 - 303
and insert:
certificate of analysis of the final hemp extract batch by a
certified marijuana ~~an independent~~ testing laboratory;
b. The batch number;
c. The Internet address of a website where batch
information may be obtained;
d. The expiration date; ~~and~~
e. The number of milligrams of each marketed cannabinoid



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per serving; and

f. The toll-free telephone number for the national Poison Help line.

4.3- Is distributed or sold in a container that:

a. Is suitable to contain products for human consumption;

b. Is composed of materials designed to minimize exposure to light;

c. Mitigates exposure to high temperatures;

d. Is not attractive to children; and

e. Is compliant with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq., without regard to provided exemptions.

(b) Except as required under this section for the retail sale of THC-infused beverages, hemp extract may only be sold to or procured by a business in this state if that business is properly permitted as required by chapter 500 this section. A business or food establishment may not possess hemp or hemp extract products that are attractive to children. Unpermitted business sales, street sales, or festival sales are not allowed. A business or food establishment permitted to sell hemp or hemp extract may not be located within 500 feet of a school or day care facility, a retail outlet engaged in the business of selling motor fuel, or a retail facility in possession of a valid permit to sell hemp or hemp extract. Businesses and food establishments permitted to sell hemp or hemp extract:

1. May not advertise the availability of such products in a manner that is visible to members of the public from any street, sidewalk, park, or other public place. A business or food establishment permitted to sell hemp extract may not use a trade



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41 name, a logo, or advertising that contains wording or images
42 that are attractive to children; that implies that such products
43 confer health or medical benefits that are unsubstantiated; or
44 that suggests that the business or food establishment is
45 affiliated with a medical office or other health care facility.
46 Advertising may not use the terms "THC" or "medical card" or
47 similar terms.

48 2. Shall keep records pertaining to lab testing results and
49 the suppliers of hemp extract products for a minimum of 3 years
50 and shall have procedures in place to effect a recall of any
51 hemp extract later determined to be unsafe for human
52 consumption.

53 3. Shall store all such products out of reach of customers,
54 either in a controlled area accessible only to employees or in a
55 locked display case, excluding hemp-infused beverages.

56 (c) Hemp extract distributed or sold in this state is
57 subject to the applicable requirements of chapter 500, chapter
58 502, or chapter 580.

59 (d) Products that are intended for human ingestion or
60 inhalation and that contain hemp extract, including, but not
61 limited to, THC-infused beverages, snuff, chewing gum, and other
62 smokeless products, may not be sold in this state to a person
63 who is under 21 years of age. A person who violates this
64 paragraph commits a misdemeanor of the second degree, punishable
65 as provided in s. 775.082 or s. 775.083. A person who commits a
66 second or subsequent violation of this paragraph within 1 year
67 after the initial violation commits a misdemeanor of the first
68 degree, punishable as provided in s. 775.082 or s. 775.083.

69 (e) Hemp extract possessed, manufactured, delivered, held,



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offered for sale, distributed, or sold in violation of this subsection by an entity regulated under chapter 500 is subject to s. 500.172 and penalties as provided in s. 500.121. Hemp extract products found to be mislabeled or attractive to children are subject to an immediate stop-sale order. The department may not grant permission to remove or use, except for disposal, hemp extract products subject to a stop-sale order which are attractive to children until the department has determined that the hemp extract products comply with state law.

(f)1. An event organizer may not promote, advertise, or facilitate an event where:

a. Hemp extract products that do not comply with general law, including hemp extract products that are not from an approved source as provided in sub-subparagraph (a)2., are sold or marketed; or

b. Hemp extract products are sold or marketed by businesses that are not properly permitted as required by this section and chapter 500.

2. Before an event where hemp extract products are sold or marketed, an event organizer must provide to the department a list of the businesses selling or marketing hemp extract products at the event and verify that each business is selling hemp products only from an approved source. The event organizer must ensure that each participating business is properly permitted as required by this section and chapter 500.

3. A person who violates this paragraph is subject to an administrative fine in the Class III category under s. 570.971 for each violation.

(8) TESTING.—



100076

(a) Each final batch of hemp extract must be tested using a certified marijuana testing laboratory before it may be sold in this state. Test results must be verified and signed by two laboratory employees. The certified marijuana testing laboratory must determine whether the test results indicate that the product meets the definition of hemp and hemp extract, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and the product is free from contaminants that are unsafe for human consumption.

(b) The department shall create procedures for the treatment of hemp extract that fails to meet the testing requirements of this section or department rule.

(c) The department may select and test samples of hemp extract from a retail store, hemp distributor, or hemp cultivator to determine whether the product meets the requirements of this section, is safe for human consumption, and is accurately labeled.

(d) A retail store must recall hemp extract that fails to meet the requirements of this section, is unsafe for human consumption, or is mislabeled.

(e) The certified marijuana testing laboratory must retain records of all testing and samples of each final batch of hemp extract for 9

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 40 - 51

and insert:

requiring that each final batch of hemp extract be



100076

tested in a certified marijuana testing laboratory
before it may be sold in this state; providing
construction; requiring the department to create
procedures for the testing of hemp extract that fails
to meet specified requirements; authorizing the
department to select and test samples of hemp extract
from a retail store, hemp distributor, or hemp
cultivator for certain purposes; requiring retail
stores to recall hemp extract that fails to meet
specified requirements; requiring that a certified
marijuana testing laboratory retain records of each
final batch of tested and sampled hemp extract for a
specified

By Senator Burton

12-00477B-25

2025438__

1 A bill to be entitled
 2 An act relating to food and hemp products; amending s.
 3 381.988, F.S.; providing that a marijuana testing
 4 laboratory may acquire hemp and hemp extract only from
 5 certain businesses; prohibiting a marijuana testing
 6 laboratory from selling, distributing, or transferring
 7 hemp or hemp extract from certain businesses;
 8 requiring a marijuana testing laboratory to separate
 9 marijuana received from certain entities from hemp or
 10 hemp extract received from certain entities; amending
 11 s. 581.217, F.S.; revising legislative findings;
 12 revising definitions; defining terms; revising
 13 requirements for the sale and distribution of hemp
 14 extract; deleting provisions related to the
 15 distribution and sale of hemp extract; providing an
 16 exception; prohibiting unpermitted business sales,
 17 street sales, or festival sales of hemp extract;
 18 prohibiting businesses and food establishments from
 19 possessing hemp extract products that are attractive
 20 to children; prohibiting a business permitted to sell
 21 hemp or hemp extract from being located in certain
 22 areas; providing requirements for businesses permitted
 23 to sell hemp or hemp extract; including THC-infused
 24 beverages in the list of products prohibited for sale
 25 to a person under 21 years of age; providing a penalty
 26 for hemp extract possessed, manufactured, delivered,
 27 held, offered for sale, distributed, or sold by
 28 certain entities in violation of specified provisions;
 29 prohibiting the Department of Agriculture and Consumer

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30 Services from granting permission to remove or use
 31 certain hemp extract products until it has determined
 32 that such hemp extract products comply with state law;
 33 prohibiting event organizers from promoting,
 34 advertising, or facilitating certain events; requiring
 35 organizers of certain events to provide a list of
 36 certain vendors to the department, verify that such
 37 vendors are selling hemp products only from approved
 38 sources, and ensure that such vendors are properly
 39 permitted; providing for administrative fines;
 40 requiring that hemp extract be tested in a certified
 41 marijuana testing laboratory before it may be sold in
 42 this state; providing construction; requiring the
 43 department to create procedures for the testing of
 44 hemp extract that fails to meet specified
 45 requirements; authorizing the department to select and
 46 test samples of hemp extract from a retail store, hemp
 47 distributor, or hemp cultivator for certain purposes;
 48 requiring retail stores to recall hemp extract that
 49 fails to meet specified requirements; requiring that
 50 an independent testing laboratory retain records of
 51 all tested and sampled hemp extract for a specified
 52 timeframe; prohibiting the retail sale of THC-infused
 53 beverages at certain locations; prohibiting THC-
 54 infused beverages from containing alcoholic or
 55 intoxicating beverages; providing that THC-infused
 56 beverages may be distributed only by certain
 57 distributors; prohibiting distributors of THC-infused
 58 beverages from taking certain actions; prohibiting a

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retail vendor of THC-infused beverages from purchasing or obtaining such beverages from a person not licensed as a distributor; prohibiting a retail vendor of THC-infused beverages from attempting to return or exchange a THC-infused beverage under certain circumstances; providing for administrative fines; providing an appropriation; reenacting s. 500.03(1)(n), F.S., relating to definitions, to incorporate the amendment made to s. 581.217, F.S., in references thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 381.988, Florida Statutes, is amended to read:

381.988 Medical marijuana testing laboratories; marijuana tests conducted by a certified laboratory.—

(4) A marijuana testing laboratory may acquire marijuana only from a medical marijuana treatment center and may acquire hemp and hemp extract only from a business that is licensed or permitted under s. 581.217. A marijuana testing laboratory is prohibited from selling, distributing, or transferring marijuana received from a marijuana treatment center, or hemp or hemp extract received from a business licensed or permitted under s. 581.217, except that a marijuana testing laboratory may transfer a sample to another marijuana testing laboratory in this state. A marijuana test laboratory must keep marijuana received from a medical marijuana treatment center separated from hemp or hemp extract received from a business that is licensed or permitted

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under s. 581.217.

Section 2. Present subsections (8) through (13) of section 581.217, Florida Statutes, are redesignated as subsections (10) through (15), respectively, present paragraphs (b) through (f) of subsection (3) are redesignated as paragraphs (c) through (g), respectively, new subsections (8) and (9) are added to that section, new paragraphs (b) and (i) are added to subsection (3) of that section, and paragraph (b) of subsection (2), present paragraphs (a), (e), (f), and (g) of subsection (3), subsection (7), and paragraph (c) of present subsection (13) of that section are amended to read:

581.217 State hemp program.—

(2) LEGISLATIVE FINDINGS.—The Legislature finds that:

(b) Hemp and hemp extract ~~Hemp-derived cannabinoids, including, but not limited to, cannabidiol,~~ are not controlled substances ~~or adulterants if they are in compliance with this section.~~

(3) DEFINITIONS.—As used in this section, the term:

(a) "Attractive to children" means manufactured in the shape of or packaged in containers displaying humans, cartoons, ~~or animals, toys, or other features that target children;~~ manufactured in a form or packaged in a container that bears any reasonable resemblance to an existing candy or snack product that is familiar to the public; manufactured in a form or packaged in a container that bears any reasonable resemblance to ~~a as a widely distributed,~~ branded food product such that the ~~a~~ product could be mistaken for the branded food product, especially by children; or containing any color additives.

(b) "Certified marijuana testing laboratory" means a

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laboratory that is certified by the Department of Health pursuant to s. 381.988.

(f)(e) "Hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof, and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers thereof, whether growing or not, that has a total delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis, with the exception of hemp extract, which may not exceed 0.3 percent total delta-9-tetrahydrocannabinol concentration on a wet-weight basis or which does not exceed 5 milligrams per serving and 50 milligrams per container on a wet-weight basis, whichever is less, except that a THC-infused beverage may not contain more than 5 milligrams per unopened can or bottle or in any other sealed container.

(g)(f) "Hemp extract" means hemp that is a substance or compound intended for ingestion or inhalation and that contains, ~~containing~~ more than trace amounts of a cannabinoid ~~but, or for inhalation which is derived from or contains hemp and which~~ does not contain controlled substances listed in s. 893.03; any quantity of synthetic cannabinoids; or delta-8-tetrahydrocannabinol, delta-10-tetrahydrocannabinol, hexahydrocannabinol, tetrahydrocannabinol acetate, tetrahydrocannabiphorol, or tetrahydrocannabivarin. The term does not include synthetic cannabidiol or seeds or seed-derived ingredients that are generally recognized as safe by the United States Food and Drug Administration.

(h)(g) "THC-infused beverage" means a soft drink, soda, juice, tea, or other beverage intended for ingestion which

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contains hemp extract in an amount not to exceed 5 milligrams per unopened can or bottle or in any other sealed container
~~"Independent testing laboratory" means a laboratory that:~~

~~1. Does not have a direct or indirect interest in the entity whose product is being tested;~~

~~2. Does not have a direct or indirect interest in a facility that cultivates, processes, distributes, dispenses, or sells hemp or hemp extract in the state or in another jurisdiction or cultivates, processes, distributes, dispenses, or sells marijuana, as defined in s. 381.986; and~~

~~3. Is accredited by a third-party accrediting body as a competent testing laboratory pursuant to ISO/IEC 17025 of the International Organization for Standardization.~~

(i) "Total delta-9-tetrahydrocannabinol concentration" means a concentration calculated as follows: [delta-9-tetrahydrocannabinol] + (0.877 x [delta-9-tetrahydrocannabinolic acid]).

(7) DISTRIBUTION AND RETAIL SALE OF HEMP EXTRACT.—

(a) Hemp extract may only be distributed and sold in this the state if the product meets all of the following requirements:

1. Is in compliance with the testing requirements set forth in subsection (8). ~~Has a certificate of analysis prepared by an independent testing laboratory that states:~~

~~a. The hemp extract is the product of a batch tested by the independent testing laboratory;~~

~~b. The batch contained a total delta-9-tetrahydrocannabinol concentration that did not exceed 0.3 percent pursuant to the testing of a random sample of the batch;~~

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~~e. The batch does not contain contaminants unsafe for human consumption; and~~

~~2.d. The batch~~ Was processed in a facility that holds a current and valid permit issued by a human health or food safety regulatory entity with authority over the facility, and that facility meets the human health or food safety sanitization requirements of the regulatory entity. Such compliance must be documented by a report from the regulatory entity confirming that the facility meets such requirements.

~~3.2. Is distributed or sold in a container that includes:~~

a. A scannable barcode or quick response code linked to the certificate of analysis of the hemp extract batch by a certified marijuana an independent testing laboratory;

b. The batch number;

c. The Internet address of a website where batch information may be obtained;

d. The expiration date; ~~and~~

e. The number of milligrams of each marketed cannabinoid per serving; and

f. The toll-free telephone number for the national Poison Help line.

~~4.3. Is distributed or sold in a container that:~~

a. Is suitable to contain products for human consumption;

b. Is composed of materials designed to minimize exposure to light;

c. Mitigates exposure to high temperatures;

d. Is not attractive to children; and

e. Is compliant with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq., without

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regard to provided exemptions.

(b) Except as required under this section for the retail sale of THC-infused beverages, hemp extract may only be sold to or procured by a business in this state if that business is properly permitted as required by chapter 500 this section. A business or food establishment may not possess hemp extract products that are attractive to children. Unpermitted business sales, street sales, or festival sales are not allowed. A business or food establishment may not possess hemp or hemp extract products that are attractive to children. A business or food establishment permitted to sell hemp or hemp extract may not be located within 500 feet of a school or daycare facility, a retail outlet engaged in the business of selling motor fuel, or a retail facility in possession of a valid permit to sell hemp or hemp extract. Businesses and food establishments permitted to sell hemp or hemp extract:

1. May not advertise the availability of such products in a manner that is visible to members of the public from any street, sidewalk, park, or other public place. A business or food establishment permitted to sell hemp extract may not use a trade name, a logo, or advertising that contains wording or images that are attractive to children; that implies that such products confer health or medical benefits that are unsubstantiated; or that suggests that the business or food establishment is affiliated with a medical office or other health care facility. Advertising may not use the terms "THC" or "medical card" or similar terms.

2. Shall keep records pertaining to lab testing results and the suppliers of hemp extract products for a minimum of 3 years

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and shall have procedures in place to effect a recall of any hemp extract later determined to be unsafe for human consumption.

3. Shall store all such products out of reach of customers, either in a controlled area accessible only to employees or in a locked display case excluding hemp-infused beverages.

(c) Hemp extract distributed or sold in this state is subject to the applicable requirements of chapter 500, chapter 502, or chapter 580.

(d) Products that are intended for human ingestion or inhalation and that contain hemp extract, including, but not limited to, THC-infused beverages, snuff, chewing gum, and other smokeless products, may not be sold in this state to a person who is under 21 years of age. A person who violates this paragraph commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person who commits a second or subsequent violation of this paragraph within 1 year after the initial violation commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(e) Hemp extract possessed, manufactured, delivered, held, offered for sale, distributed, or sold in violation of this subsection by an entity regulated under chapter 500 is subject to s. 500.172 and penalties as provided in s. 500.121. Hemp extract products found to be mislabeled or attractive to children are subject to an immediate stop-sale order. The department may not grant permission to remove or use, except for disposal, hemp extract products subject to a stop-sale order which are attractive to children until the department has determined that the hemp extract products comply with state law.

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(f)1. An event organizer may not promote, advertise, or facilitate an event where:

a. Hemp extract products that do not comply with general law, including hemp extract products that are not from an approved source as provided in sub-subparagraph (a)2., are sold or marketed; or

b. Hemp extract products are sold or marketed by businesses that are not properly permitted as required by this section and chapter 500.

2. Before an event where hemp extract products are sold or marketed, an event organizer must provide to the department a list of the businesses selling or marketing hemp extract products at the event and verify that each business is selling hemp products only from an approved source. The event organizer must ensure that each participating business is properly permitted as required by this section and chapter 500.

3. A person who violates this paragraph is subject to an administrative fine in the Class III category under s. 570.971 for each violation.

(8) TESTING.—

(a) Hemp extract must be tested using a certified marijuana testing laboratory before it may be sold in this state. Test results must be verified and signed by two laboratory employees. The certified marijuana testing laboratory must determine whether the test results indicate that the product meets the definition of hemp and hemp extract, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and the product is free from contaminants that are unsafe for human consumption.

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291 (b) The department shall create procedures for the
 292 treatment of hemp extract that fails to meet the testing
 293 requirements of this section or department rule.
 294 (c) The department may select and test samples of hemp
 295 extract from a retail store, hemp distributor, or hemp
 296 cultivator to determine whether the product meets the
 297 requirements of this section, is safe for human consumption, and
 298 is accurately labeled.
 299 (d) A retail store must recall hemp extract that fails to
 300 meet the requirements of this section, is unsafe for human
 301 consumption, or is mislabeled.
 302 (e) The independent testing laboratory must retain records
 303 of all testing and samples of each batch of hemp extract for 9
 304 months.
 305 (9) SALE OF THC-INFUSED BEVERAGES.—
 306 (a) It is unlawful to sell, at retail, THC-infused
 307 beverages at a location other than premises licensed to sell
 308 alcoholic beverages under s. 565.02(1)(a)-(g). THC-infused
 309 beverages may not contain alcoholic beverages or intoxicating
 310 beverages as defined in s. 561.01(4) and (5), respectively.
 311 (b) THC-infused beverages may only be distributed in this
 312 state by a distributor licensed under the Beverage law, as
 313 described in s. 561.14(2). A distributor of THC-infused
 314 beverages may not:
 315 1. Assist any retail vendor by any gift or loan of money or
 316 property of any description, including equipment, fixtures, or
 317 furnishings.
 318 2. Sell or provide THC-infused beverages to a retail vendor
 319 who does not hold an active permit required under paragraph

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320 (7) (b) .
 321 3. Make consignment sales to retail vendors of THC-infused
 322 beverages, including any right of return or exchange because the
 323 product is over-stocked or slow-moving.
 324 4. Give a retailer of THC-infused beverages anything of
 325 value to promote THC-infused beverages, or to provide shelf
 326 space or floor space to stock or promote THC-infused beverages.
 327 (c) A retail vendor of THC-infused beverages may not
 328 purchase or otherwise obtain such beverages from a person not
 329 licensed as a distributor licensed under the Beverage Law as
 330 described in s. 561.14(2).
 331 (d) A retail vendor of THC-infused beverages may not
 332 attempt to return or exchange to a distributor any THC-infused
 333 beverage because the product is over-stocked or slow-moving.
 334 (e) A person regulated under the Beverage Law who
 335 possesses, delivers, holds, offers for sale, or distributes THC-
 336 infused beverages is subject to discipline under s. 561.29, and
 337 such beverages are subject to s. 500.172. A person who violates
 338 this subsection is subject to an administrative fine in the
 339 Class III category under s. 570.971 for each violation.
 340 (15)-(13) APPLICABILITY.—Notwithstanding any other law:
 341 (c) A licensee who negligently violates this section or
 342 department rules is not subject to any criminal or civil
 343 enforcement action by the state or a local government other than
 344 the enforcement of violations of this section as authorized
 345 under subsection (12) (10).
 346 Section 3. For the 2025-2026 fiscal year, the sum of \$2
 347 million in nonrecurring funds is appropriated from the General
 348 Revenue Fund to the Department of Law Enforcement for the

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purchase of testing equipment necessary to implement this act.

Section 4. For the purpose of incorporating the amendment made by this act to section 581.217, Florida Statutes, in a reference thereto, paragraph (n) of subsection (1) of section 500.03, Florida Statutes, is reenacted to read:

500.03 Definitions; construction; applicability.—

(1) For the purpose of this chapter, the term:

(n) "Food" includes:

1. Articles used for food or drink for human consumption;
2. Chewing gum;
3. Articles used for components of any such article;
4. Articles for which health claims are made, which claims are approved by the Secretary of the United States Department of Health and Human Services and which claims are made in accordance with s. 343(r) of the federal act, and which are not considered drugs solely because their labels or labeling contain health claims;
5. Dietary supplements as defined in 21 U.S.C. s. 321(ff)(1) and (2); and
6. Hemp extract as defined in s. 581.217.

The term includes any raw, cooked, or processed edible substance; ice; any beverage; or any ingredient used, intended for use, or sold for human consumption.

Section 5. This act shall take effect October 1, 2025.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Health Policy, *Chair*
Judiciary, *Vice Chair*
Agriculture
Appropriations Committee on Agriculture, Environment,
and General Government
Appropriations Committee on Health
and Human Services
Banking and Insurance
Fiscal Policy
Rules

SENATOR COLLEEN BURTON

12th District

March 7, 2025

The Honorable Keith Truenow
304 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

Chair Truenow,

I respectfully request SB 438 Food and Hemp be placed on the Agriculture agenda at your earliest convenience.

Thank you for your consideration.

Regards,

A handwritten signature in blue ink that reads "Colleen Burton".

Colleen Burton
State Senator, District 12

CC: Katherine Becker; Staff Director
Evan Denny, Committee Administrative Assistant

REPLY TO:

- ☐ 1375 Havendale Blvd., NW Winter Haven, Florida 33881 (863) 413-1529
- ☐ 408 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5012

Senate's Website: www.flsenate.gov

Ben Albritton
President of the Senate

Jason Brodeur
President Pro Tempore

The Florida Senate
APPEARANCE RECORD

3/17/25

Meeting Date

438

Bill Number or Topic

Deliver both copies of this form to
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~~Committee~~
Committee

Amendment Barcode (if applicable)

Name Caitlyn Smith

Phone 203 885 9364

Address 6848 22nd Ave N

Email Caitlyn @herbanflow.co

Street

St. Petersburg FL

City

State

33710

Zip

Speaking: ☐ For ☐ Against ☒ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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3/17/25
Meeting Date

Senate Ag
Committee

SB 438 as amended
Bill Number or Topic

Amendment Barcode (if applicable)

Name SCOTT ASHLEY

Phone (850) 681-8700

Address 215 S. MONROE ST. #705
Street

Email scott@wsdflorida.com

TALLAHASSEE, FL 32301
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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3-17-25

Meeting Date

438

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name

Michael Smith

Phone

203 885 5283

Address

6848 22nd Ave N

Email

Street

St Petersburg FL

33710

City

State

Zip

Speaking:

☐ For

☐ Against

☒ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/2025

Meeting Date

AG

Committee

The Florida Senate
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S438

Bill Number or Topic

Amendment Barcode (if applicable)

Name

PATRICK SHATZER

Phone

941-479-8064

Address

600 8th Ave W, STE 500

Email

PSHATZER@GETSLNMED.com

Street

PALMETTO FL 34221

City

State

Zip

Speaking:

☐ For



Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

SB 438

3.17.25

Meeting Date

Agriculture

Committee

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Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jared Ross

Phone

(850) 224-2337

Address

215 S. Monroe St., Ste. 340

Street

Email

jared@fbwa.com

Tallahassee

City

FL

State

32301

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:

Florida Beer Wholesalers
Association



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/17/25
Meeting Date
Senate Agriculture
Committee

The Florida Senate
APPEARANCE RECORD

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SB 438
Bill Number or Topic
Amendment Barcode (if applicable)

Name CHRIS LINGSEY Lingsley Phone 406-540-2323

Address 712 H STREET NE #518 Email chris@atach.org
Street
WASHINGTON DC 20002
City State Zip

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

- ☐ I am appearing without compensation or sponsorship.
- ☒ I am a registered lobbyist, representing:
ATCH
- ☐ I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

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APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 438

Bill Number or Topic

3/17/2025

Meeting Date

Agricultural

Committee

Amendment Barcode (if applicable)

Name

Alex Petrick

Phone

850-294-4631

Address

220 W Tennessee St

Street

Email

Tallahassee

City

FL

State

32301

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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3/17/25

Meeting Date

Agriculture

Committee

SB 438

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Melissa Villar

Phone

(850) 354-1636

Address

PO Box 11254

Email

melissavothecintally.org

Street

TH

FL

32302

City

State

Zip

Speaking:

☐ For

☒ Against

☒ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

The Holistic Cannabis Community

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/17/25

Meeting Date

Agriculture

Committee

HB 438 Hemp

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Jammie Treadwell

Phone

352.771.2318

Address

145 E. 10th Ave #8

Email

Street

Mt. Dora

City

FL

State

32757

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
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(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/17/2025

Meeting Date

SB 438

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

agriculture

Committee

Hodes

Name

Gary

Phone

786-353-8221

Amendment Barcode (if applicable)

Address

415 Shepherd St

Email

Street

Tallahassee

FL

32304

City

State

Zip

Speaking:

☐ For

☒ Against

☐ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/17/25

Meeting Date

SB 438

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

George Fernandez

Phone

863 797 9963

Address

4705 Old Rd 37

Email

george.fernandez@moderncanna.com

Street

Lakeland

FL

33813

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
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sponsored by:

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S-001 (08/10/2021)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/17/25

Meeting Date

438

Bill Number (if applicable)

Topic Food and Hemp Products

Amendment Barcode (if applicable)

Name Natalie King

Job Title VP/COO

Address 235 W Brandon Blvd.

Phone 813 924-8218

Street

Brandon FL 33511

City

State

Zip

Email natalie@teamrsa.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Pepin Distributing Company / ARMPA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

3.17.2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

438

Bill Number or Topic

Agriculture

Committee

Amendment Barcode (if applicable)

Name **Assistant Sheriff Ron Cave**

Phone **850-606-3345**

Address **2825 Municipal Way**

Email **caver@leoncountyfl.gov**

Street

Tallahassee

FL

32304

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

OR

Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/17/25

Meeting Date

SB 438

Bill Number (if applicable)

Topic Food and Hemp Products

Amendment Barcode (if applicable)

Name Will Spartin

Job Title Chief Operating Officer

Address 1150 NW 72nd Ave Tower 1

Street

Miami

City

FL

State

33125

Zip

Phone 202-657-7472

Email wills@piccobev.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Picco Beverage Group

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

The Florida Senate
APPEARANCE RECORD

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

Street

City

State

Zip

Speaking:



For



Against



Information

OR

Waive Speaking:



In Support



Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

03/17/2025

Meeting Date

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 438

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Cigano M.** Phone _____

Address **404 Monroe St** Email _____

Street

Tallahassee **FL** **32301**

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒ I am appearing without
compensation or sponsorship.

☐ I am a registered lobbyist,
representing:

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

3/17/

Meeting Date

SB 438

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Amendment Barcode (if applicable)

Name

Willson Carson

Phone

Address

Street

3279Z

Email

City

State

Zip

Speaking:

☐

For

☒

Against

☐

Information

OR

Waive Speaking:

☐

In Support

☒

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

March 17, 2025

Meeting Date

Agriculture

Committee

The Florida Senate

APPEARANCE RECORDDeliver both copies of this form to
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438

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Barney Bishop III

Phone

850-510-9922

Address

1454 Vieux Carre Drive

Email

Barney@BarneyBishop.com

Street

Tallahassee

FL

32308

City

State

Zip

Speaking:

☐

For

☐

Against

☐

Information

OR

Waive Speaking:

☒

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:☐I am appearing without
compensation or sponsorship.☒I am a registered lobbyist,
representing:

Fla. Smart Justice Alliance

☐I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

3.17.2025

Meeting Date

Agriculture

Committee

Name Allie McNair

Address 2617 Mahan Dr

Street

Tallahassee

City

FL

State

32308

Zip

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

438

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 850-566-1979

Email amcnair@flsheriffs.org

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:

☐ I am appearing without
compensation or sponsorship.

☒ I am a registered lobbyist,
representing:

Florida Sheriffs Association

☐ I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)



2025 FDLE LEGISLATIVE BILL ANALYSIS



BILL INFORMATION

BILL NUMBER:	SB 438
BILL TITLE:	Food and Hemp Products
BILL SPONSOR:	Sen. Burton
EFFECTIVE DATE:	October 1, 2025

COMMITTEES OF REFERENCE

- 1) Agriculture
- 2) Fiscal Policy
- 3)
- 4)
- 5)

CURRENT COMMITTEE

Agriculture

SIMILAR BILLS

BILL NUMBER:

SPONSOR:

PREVIOUS LEGISLATION

BILL NUMBER:

SPONSOR:

YEAR:

LAST ACTION:

IDENTICAL BILLS

BILL NUMBER:

HB 1597

SPONSOR:

Rep. Trabulsy

Is this bill part of an agency package?

No

--

BILL ANALYSIS INFORMATION

DATE OF ANALYSIS:	March 13, 2025
LEAD AGENCY ANALYST:	Lori Mizell
ADDITIONAL ANALYST(S):	Jason Bundy
LEGAL ANALYST:	Phil Lindley
FISCAL ANALYST:	Elizabeth Martin

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

The bill provides that a marijuana testing laboratory may acquire hemp and hemp extract only from certain businesses. The bill revises requirements for the sale and distribution of hemp extract. The bill prohibits businesses and food establishments from possessing hemp extract products attractive to children and prohibits a business permitted to sell hemp or hemp extract from being located in certain areas. The bill provides a penalty for hemp extract possessed, manufactured, delivered, held, offered for sale, distributed, or sold by certain entities in violation of specified provisions. The bill provides an appropriation of \$2 million to FDLE for testing equipment. This act shall take effect October 1, 2025.

2. SUBSTANTIVE BILL ANALYSIS

1. PRESENT SITUATION: Section 581.217, F.S., currently defines hemp to separate it from illegal cannabis through setting a 0.3% by weight limit for delta-9 tetrahydrocannabinol. This statute regulates who is permitted to sell hemp or hemp extract products.

2. EFFECT OF THE BILL:

3. Section 2: The bill amends s. 581.217, F.S., to define the term “total delta-9 tetrahydrocannabinol concentration.” The bill amends the definition of “hemp” adding the total delta-9 tetrahydrocannabinol concentration of not more than 5 milligrams per serving and not more than 50 milligrams per container, whichever is less. The bill amends the definition of “hemp extract” to prohibit the presence of synthetic or naturally occurring versions of controlled substances listed in s. 893.03, F.S.

Section 3: The bill provides an appropriation of \$2 million in nonrecurring general revenue funds to FDLE for laboratory testing equipment.

Section 5: The bill takes effect October 1, 2025.

4. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES OR PROCEDURES? Y ☐ N ☒

If yes, explain:	
What is the expected impact to the agency's core mission?	
Rule(s) impacted (provide references to F.A.C., etc.):	

5. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

List any known proponents and opponents:	
Provide a summary of the proponents' and opponents' positions:	

6. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL? Y ☐ N ☒

If yes, provide a description:	
Date Due:	
Bill Section Number:	

7. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSION, ETC. REQUIRED BY THIS BILL? Y ☐ N ☒

Board:	
Board Purpose:	
Who Appointments:	
Appointee Term:	
Changes:	
Bill Section Number(s):	

FISCAL ANALYSIS

1. DOES THE BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT? Y ☐ N ☒

Revenues:	
Expenditures:	
Does the legislation increase local taxes or fees?	
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	

2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT? Y ☒ N ☐

Revenues:	
Expenditures:	<p>To add a service of quantitation of drugs to the seized drugs section and handle the increase in caseload expected between Seized Drugs and Toxicology, FDLE requests 6 FTE positions totaling \$758,725 (\$38,028 nonrecurring):</p> <ul style="list-style-type: none"> • \$681,187 in Salaries and Benefits; • \$2,112 in HR Assessment; and • \$75,426 in Expenses (\$38,028 nonrecurring) <p>Maintenance, external analysis, and supplies:</p> <ul style="list-style-type: none"> • \$260,000 Contracted Services (\$60,000 nonrecurring); and • \$50,000 Expenses. <p>Total Fiscal Impact: \$1,068,725 (\$98,028 nonrecurring)</p>
Does the legislation contain a State Government appropriation?	Lines 346-349: Yes, \$2 million (nonrecurring) for laboratory testing equipment.

If yes, was this appropriated last year?	No.
--	-----

3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR? Y ☐ N ☒

Revenues:	
Expenditures:	
Other:	

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES? Y ☐ N ☒

Does the bill increase taxes, fees or fines?	
Does the bill decrease taxes, fees or fines?	
What is the impact of the increase or decrease?	
Bill Section Number:	

TECHNOLOGY IMPACT

1. DOES THE LEGISLATION IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E., IT SUPPORT, LICENSING, SOFTWARE, DATA STORAGE, ETC.)? Y ☐ N ☒

If yes, describe the anticipated impact to the agency including any fiscal impact.	
--	--

FEDERAL IMPACT

1. DOES THE LEGISLATION HAVE A FEDERAL IMPACT (I.E., FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)? Y ☐ N ☒

If yes, describe the anticipated impact including any fiscal impact.	
--	--

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments and recommended action:	No additional comments or concerns.
--	-------------------------------------

ADDITIONAL COMMENTS

- The new definition of "hemp" would place a heavy burden on Seized Drugs analysis, requiring full quantitation (new instrumentation and methodology).
 - Substances that do not meet the definition of hemp and hemp extract are covered under the definition of Cannabis in s. 893.02, F.S., and would be subject to penalties in s. 893.13, F.S.

- FDLE averages approximately 2,000 marijuana determinations per year. Assuming the same number of cases continue, once the new instrumentation was validated and methods approved to quantitate the amount (milligrams) present, the caseload would require an additional five analysts to work the cases and an additional supervisor.
- FDLE requires one year to order, calibrate, and validate the equipment, as well as train all analysts on the new technology. Therefore, FDLE would need to utilize a vendor for the first year to conduct full quantitation on a limited number of cases. The short-term vendor cost is estimated at \$60,000 for the first/partial year as the new law is incorporated.



FLORIDA FFA ASSOCIATION

The Next Generation of Agriculturalists

70%

By 2050, agricultural production will need to increase by 70% in order to feed 9 billion people. With less land, water, and resources.

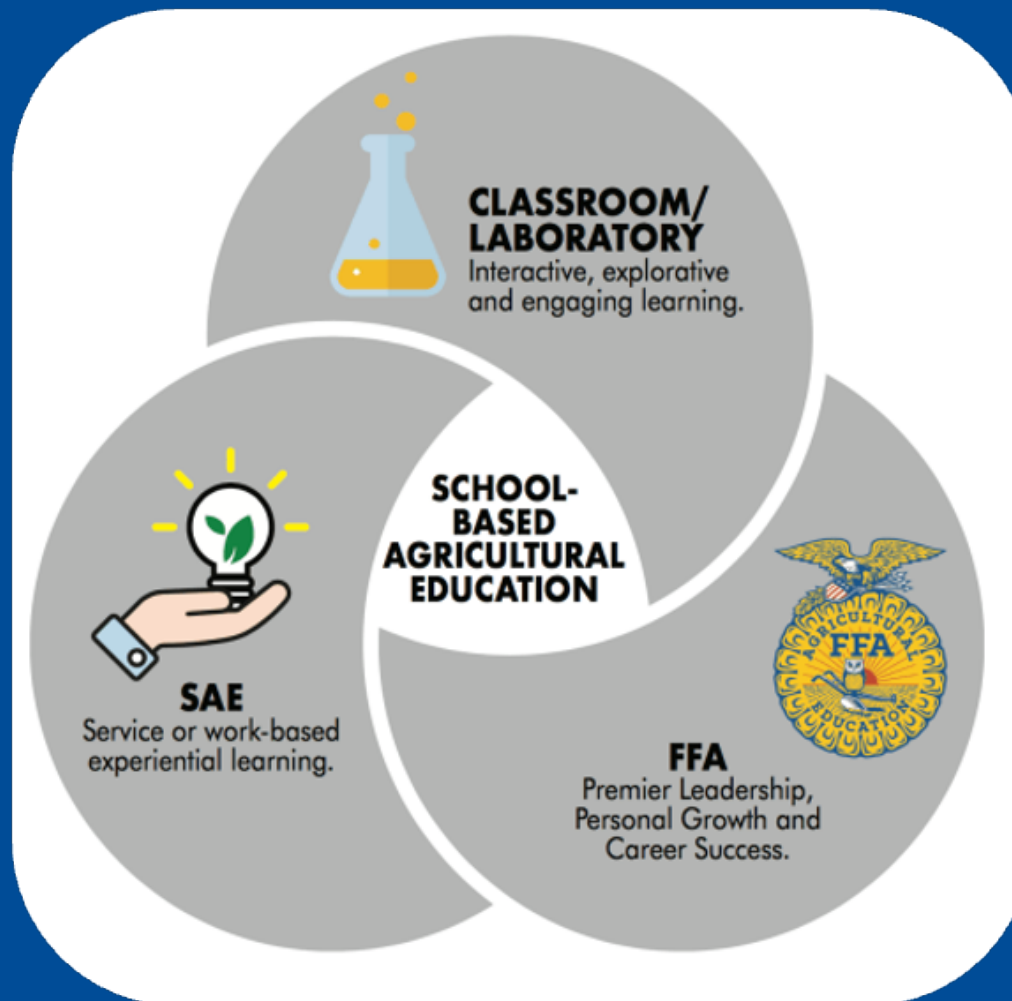
The future of agriculture is much more than farming. It's about the **next generation of agriculturalists** and a **new age of discovery**.





We are addressing a very key issue: the growing need for young, talented people in a variety of fields to consider a career in agriculture.

FFA is the most recognized component of agricultural education, but Supervised Agricultural Experiences and the classroom create a complete experience for our students.



33 farm boys started the organization in 1928, and now over 1,000,000 members nationally are developing their potential for premier leadership, personal growth and career success through agricultural education and FFA.





FFA is only part of a comprehensive strategy to build a heroic workforce & reconnect people with agriculture



Students can choose from eight different career pathways, preparing them for the workforce & college.



Supervised Agriculture Experiences allow students to gain real-world experience and apply their skills and knowledge from FFA & the classroom.



Agriculture Education proudly provides students with one of the most complete educational experiences available.

We've got some work to do before 2050, but we're up for the challenge. Our growing pains are a positive sign:

- Record membership
- Record participation



REMARKS

FLORIDA GOVERNOR

RON



Thanks to the support of the Florida Legislature & Governor Ron DeSantis, every single student enrolled in agriculture education in Florida is now an FFA member with access to membership opportunities at no cost to them.

REMARKS

FLORIDA REPRESENTATIVE

DANNY ALVAREZ



Senator Erin Grall & Representative Danny Alvarez have requested the continuation of this funding for the 2025-2026 school year by filing Appropriation Request #2788 (Senate) & #2512 (House) entitled:

“Preparing Florida’s Workforce through Agriculture Education”



Together, we'll face these issues in an effort to tackle a global challenge.



**97th Florida FFA State
Convention & Expo
June 16-20, 2025 – Orlando,**

The Florida Senate
APPEARANCE RECORD

3/17/25

Meeting Date

Senate Ag

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Macy Jordan

Phone

850-718-7595

Address

5635 Line Rd

Email

macylynnjordan@gmail.com

Street

Bascom

City

FL

State

32423

Zip

Speaking:

☐

For

☐

Against

☒

Information

OR

Waive Speaking:

☐

In Support

☐

Against

PLEASE CHECK ONE OF THE FOLLOWING:

☒

I am appearing without
compensation or sponsorship.

☐

I am a registered lobbyist,
representing:

☐

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

3/17/2025

Meeting Date

Senate Ag

Committee

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Gabrielle Howell

Phone

813-480-5430

Address

18820 Lithia Ranch Rd

Email

gabby.howell@flaffa.org

Street

Lithia

City

FL

State

33547

Zip

Speaking:

☐ For

☐ Against

☒ Information

OR

Waive Speaking:

☐ In Support

☐ Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



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S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 301

Case No.:

Type:

Caption: Senate Committee on Agriculture

Judge:

Started: 3/17/2025 4:05:22 PM

Ends: 3/17/2025 5:45:20 PM

Length: 01:39:59

4:05:21 PM	Chair Grall calls the meeting to order
4:05:23 PM	Roll call
4:05:32 PM	Pledge of Allegiance
4:05:54 PM	Chair Grall makes opening remarks
4:06:01 PM	SB 428 by Simon is TP'd
4:06:13 PM	Tab 3, Presentation by the FFA State Officers
4:07:03 PM	Gabrielle Howell, FFA President
4:08:09 PM	Macy Jordan, FFA State Secretary
4:09:37 PM	Gabrielle Howell
4:10:01 PM	Macy Jordan
4:10:31 PM	Gabrielle Howell
4:10:35 PM	Macy Jordan
4:11:24 PM	Gabrielle Howell
4:12:40 PM	Macy Jordan
4:13:32 PM	Gabrielle Howell
4:14:19 PM	Macy Jordan
4:14:53 PM	Gabrielle Howell
4:15:33 PM	Macy Jordan
4:17:00 PM	Gabrielle Howell
4:17:31 PM	Macy Jordan
4:18:03 PM	Gabrielle Howell
4:18:22 PM	Macy Jordan
4:18:46 PM	Gabrielle Howell
4:19:25 PM	Discussion:
4:19:28 PM	Senator Boyd
4:20:16 PM	Chair Grall
4:20:39 PM	Vice Chair Grall passes the gavel back to Chair Truenow
4:20:51 PM	Tab 2, SB 438 by Burton, Food and Hemp Products
4:21:01 PM	Senator Burton explains the bill
4:27:43 PM	Amendment Barcode #100076
4:27:51 PM	Senator Burton explains the amendment
4:28:23 PM	Senator Burton waives close on the amendment
4:28:33 PM	Chair Truenow reports the amendment
4:28:39 PM	Back on the bill
4:28:45 PM	Questions:
4:28:48 PM	Senator Rouson
4:29:15 PM	Senator Burton
4:30:21 PM	Senator Rouson
4:30:39 PM	Senator Burton
4:30:44 PM	Senator Rouson
4:30:51 PM	Senator Burton
4:31:51 PM	Senator Rouson
4:32:10 PM	Senator Burton
4:33:07 PM	Chair Truenow
4:33:14 PM	Senator Burton
4:34:51 PM	Chair Truenow
4:34:54 PM	Senator Burton
4:34:59 PM	Chair Truenow
4:35:03 PM	Senator Burton
4:35:41 PM	Chair Truenow
4:35:48 PM	Senator Burton
4:36:07 PM	Chair Truenow

4:36:11 PM	Senator Burton
4:36:16 PM	Chair Truenow
4:36:19 PM	Senator Burton
4:38:14 PM	Chair Truenow
4:38:25 PM	Senator Burton
4:39:17 PM	Chair Truenow
4:39:27 PM	Senator Burton
4:40:33 PM	Chair Truenow
4:40:40 PM	Senator Burton
4:41:54 PM	Senator Rouson
4:42:13 PM	Senator Burton
4:42:55 PM	Chair Truenow recognizes public appearances
4:43:28 PM	Scott Ashley
4:46:09 PM	Caitlyn Smith
4:48:46 PM	Questions:
4:48:50 PM	Senator Rouson
4:49:00 PM	Caitlyn Smith
4:49:28 PM	Chair Truenow
4:49:31 PM	Caitlyn Smith
4:50:07 PM	Chair Truenow
4:50:10 PM	Caitlyn Smith
4:50:13 PM	Chair Truenow
4:50:16 PM	Caitlyn Smith
4:50:38 PM	Michael Smith
4:53:53 PM	Patrick Shatzer
4:57:09 PM	Jared Ross
4:58:22 PM	Chris Lindysey
5:03:03 PM	Alex Patrick
5:06:42 PM	Chair Truenow
5:07:11 PM	Alex Patrick
5:07:37 PM	Melissa Villar
5:12:13 PM	Jammie Treadwell
5:16:03 PM	Gary Hodes
5:16:23 PM	George Fernandez
5:21:13 PM	Natalie King
5:21:28 PM	Ron Cave
5:22:19 PM	Will Spartin
5:24:09 PM	Chas Bailes
5:29:04 PM	Cigano M
5:31:15 PM	Debate:
5:31:18 PM	Senator Bernard
5:32:26 PM	Senator Rouson
5:36:32 PM	Chair Truenow
5:39:05 PM	Senator Burton closes on the bill
5:44:32 PM	Roll call
5:44:48 PM	Chair Truenow makes closing remarks
5:45:03 PM	Senator Grall moves to adjourn
5:45:10 PM	Meeting adjourned