

# SOUTH CAROLINA DEPARTMENT OF AGRICULTURE

## HEMP PRODUCTS IN HUMAN FOOD QUICK GUIDE

Commercial Manufacturing of cannabis-infused food products is an emerging industry, and regulation of this industry is a new area of regulation. The guidance provided in this Quick Guide is subject to change.

The U.S. Food and Drug Administration (FDA) prohibits the introduction into interstate commerce of any food to which THC or CBD has been added. This includes Delta-9 THC and Delta-8 THC.

Similarly, SCDA under the authority of the South Carolina Food and Cosmetic Act,

does not allow food or drink to which THC or CBD has been added to be manufactured in South Carolina.

Ingredients that are derived from the cannabis plant that contain only trace amounts of THC or CBD may be added to food manufactured in South Carolina and sold intrastate. This includes full spectrum whole-plant extract and the following hemp seed-derived food ingredients: hulled hemp seed, hemp seed protein powder, and hemp seed oil. However, all food ingredients and

additives must comply with all applicable laws governing food including requirements related to processing (e.g. Current Good Manufacturing Practices (CGMPs) and Preventive Controls for Human Food) and labeling.

Allowable food and food ingredients may not include health claims, not bear any sort of declaration of CBD or THC, and must be manufactured at an inspected, permitted, registered, or licensed food establishment under GMP or CGMP regulations.

### NON-APPROVED HEMP FOOD INGREDIENTS FOR FOOD MANUFACTURED IN SOUTH CAROLINA AND SOLD INTRASTATE

- CBD
- THC in any form, including Delta-9 THC and Delta-8 THC
- “Crude” or “work in progress” hemp-derived oils or products containing THC at a level greater than 0.3%, and oils or products that previously contained THC at a level greater than 0.3% but when added to food or another substance became diluted down to less than or equal to 0.3%
- Any hemp or hemp-derived product that includes health claims or bears any sort of declaration of CBD or THC
- Any hemp or hemp-derived product that is not manufactured in a food-grade inspected establishment under GMP or cGMP regulations. Inspected establishments are regulated by the appropriate State Department of Agriculture, State Departments of Public

Health, or other regulatory body tasked with food safety regulation and by the appropriate authority

- Any hemp or hemp-derived product that promotes a psychedelic, intoxicating, or medical effect, or any other health claim

### APPROVED HEMP FOOD INGREDIENTS FOR FOOD MANUFACTURED IN SOUTH CAROLINA AND SOLD INTRASTATE

- “Full spectrum” whole-plant extract (i.e. hemp oil from biomass) if it contains the naturally occurring ratios and array of phytonutrients found in hemp\*
- Hulled hemp seed\*
- Hemp seed protein powder\*
- Hemp seed oil\*

*\*must be sourced from hemp containing no more than 0.3% THC and from a legal U.S. or international industrial hemp program*

### LABELING

Food or drink products containing approved hemp ingredients must comply with all

state and federal food labeling laws and cannot include a dosage amount, a warning statement, or be marketed to provide a psychedelic, intoxicating, or medical effect, or any other health claim.

### INDUSTRY RESPONSIBILITY

#### Federal Registration

South Carolina food or drink manufacturers who wish to sell products in interstate commerce must register with the FDA and are subject to FDA inspection either federally or under state contract. Compliance with SCDA regulations and requirements does not ensure compliance with FDA Federal requirements. Any violation, warning, or regulatory actions FDA may impact the SC-issued permit, registration, or license.

#### State Registration

To manufacture and wholesale food products in South Carolina, manufacturers must apply for a South Carolina Registration Verification Certificate (RVC) or equivalent permit. Please refer to our [Food Establishment Quick Guide](#) for more information on how to register.

For questions about hemp products in human food, please contact:

SCDA Food Safety Department  
123 Ballard Ct, West Columbia, SC 29172  
803-737-9700  
[rvcregistration@scda.sc.gov](mailto:rvcregistration@scda.sc.gov)



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