

Effective 5/7/2025

4-41-102 Definitions.

As used in this chapter:

- (1) "Adulterant" means any poisonous or deleterious substance in a quantity that may be injurious to human health, including:
 - (a) pesticides;
 - (b) heavy metals;
 - (c) solvents;
 - (d) microbial life;
 - (e) artificially derived cannabinoids;
 - (f) toxins; or
 - (g) foreign matter.
- (2)
 - (a) "Artificially derived cannabinoid" means a chemical substance that is created by a chemical reaction that changes the molecular structure of any chemical substances derived from the cannabis plant.
 - (b) "Artificially derived cannabinoid" does not include:
 - (i) a naturally occurring chemical substance that is separated from the cannabis plant by a chemical or mechanical extraction process; or
 - (ii) cannabinoids that are produced by decarboxylation from a naturally occurring cannabinoid acid without the use of a chemical catalyst.
- (3) "Cannabidiol" or "CBD" means the cannabinoid identified as CAS# 13956-29-1.
- (4) "Cannabidiolic acid" or "CBDA" means the cannabinoid identified as CAS# 1244-58-2.
- (5) "Cannabinoid processor license" means a license that the department issues to a person for the purpose of processing a cannabinoid product.
- (6) "Cannabinoid product" means a product that:
 - (a) contains or is represented to contain one or more naturally occurring cannabinoids;
 - (b) contains less than the cannabinoid product THC level, by dry weight;
 - (c) contains a combined amount of total THC and any THC analog that does not exceed 10% of the total cannabinoid content;
 - (d) does not exceed a total of THC and any THC analog that is greater than:
 - (i) 5 milligrams per serving; and
 - (ii) 150 milligrams per package; and
 - (e) unless the product is in an oil based suspension, has a serving size that:
 - (i) is an integer; and
 - (ii) is a discrete unit of the cannabinoid product.
- (7) "Cannabinoid product class" means a group of cannabinoid products that:
 - (a) have all ingredients in common; and
 - (b) are produced by or for the same company.
- (8) "Cannabinoid product THC level" means a combined concentration of total THC and any THC analog of less than 0.3% on a dry weight basis if laboratory testing confirms a result within a measurement of uncertainty that includes the combined concentration of 0.3%.
- (9) "Cannabis" means the same as that term is defined in Section 26B-4-201.
- (10) "Delta-9-tetrahydrocannabinol" or "delta-9-THC" means the cannabinoid identified as CAS# 1972-08-3, the primary psychotropic cannabinoid in cannabis.
- (11) "Industrial hemp" means any part of a cannabis plant, whether growing or not, with a concentration of less than 0.3% tetrahydrocannabinol by dry weight.

- (12) "Industrial hemp producer registration" means a registration that the department issues to a person for the purpose of processing industrial hemp or an industrial hemp product.
- (13)
- (a) "Industrial hemp product" means a product made by processing industrial hemp plants or industrial hemp parts.
 - (b) "Industrial hemp product" does not include cannabinoid material or a cannabinoid product.
- (14) "Industrial hemp retailer permit" means a permit that the department issues to a retailer who sells any viable industrial hemp seed or cannabinoid product.
- (15) "Key participant" means any of the following:
- (a) a licensee;
 - (b) an operation manager;
 - (c) a site manager; or
 - (d) an employee who has access to any industrial hemp material with a THC concentration above 0.3%.
- (16) "Licensee" means a person possessing a cannabinoid processor license that the department issues under this chapter.
- (17) "Newly identified cannabinoid" means a cannabinoid that:
- (a) is not expressly identified by chemical name or CAS number in this chapter; and
 - (b) is identified by the department under Section 4-41-405.
- (18) "Non-compliant material" means:
- (a) a hemp plant that does not comply with this chapter, including a cannabis plant with a concentration of 0.3% tetrahydrocannabinol or greater by dry weight;
 - (b) a cannabinoid product, chemical, or compound with a concentration that exceeds the cannabinoid product THC level; and
 - (c) a cannabinoid product containing any of the following:
 - (i) delta-9-tetrahydrocannabiphorol (THCP), the cannabinoid identified as CAS# 54763-99-4;
 - (ii) delta-8-tetrahydrocannabiphorol (THCP), the cannabinoid identified as CAS# 51768-60-6;
 - (iii) delta-9-tetrahydrocannabinol (THC) acetate, the cannabinoid identified as CAS# 23132-17-4;
 - (iv) delta-8-tetrahydrocannabinol (THC) acetate, the cannabinoid identified as CAS# 23050-54-6;
 - (v) 9(s)-hexahydrocannabinol (HHC), the cannabinoid identified as CAS# 36403-91-5; or
 - (vi) 9(r)-hexahydrocannabinol (HHC), the cannabinoid identified as CAS# 36403-90-4.
- (19) "Permittee" means a person possessing a permit that the department issues under this chapter.
- (20) "Person" means:
- (a) an individual, partnership, association, firm, trust, limited liability company, or corporation; and
 - (b) an agent or employee of an individual, partnership, association, firm, trust, limited liability company, or corporation.
- (21) "Retailer permittee" means a person possessing an industrial hemp retailer permit that the department issues under this chapter.
- (22) "Tetrahydrocannabinol" or "THC" means a delta-9-tetrahydrocannabinol, the cannabinoid identified as CAS# 1972-08-3.
- (23)
- (a) "THC analog" means a substance that is structurally or pharmacologically substantially similar to, or is represented as being similar to, delta-9-THC.
 - (b) "THC analog" does not include the following substances or the naturally occurring acid forms of the following substances:

- (i) cannabichromene (CBC), the cannabinoid identified as CAS# 20675-51-8;
 - (ii) cannabicyclol (CBL), the cannabinoid identified as CAS# 21366-63-2;
 - (iii) cannabidiol (CBD), the cannabinoid identified as CAS# 13956-29-1;
 - (iv) cannabidivanol (CBDV), the cannabinoid identified as CAS# 24274-48-4;
 - (v) cannabielsoin (CBE), the cannabinoid identified as CAS# 52025-76-0;
 - (vi) cannabigerol (CBG), the cannabinoid identified as CAS# 25654-31-3;
 - (vii) cannabigerovarin (CBGV), the cannabinoid identified as CAS# 55824-11-8;
 - (viii) cannabinal (CBN), the cannabinoid identified as CAS# 521-35-7;
 - (ix) cannabivarin (CBV), the cannabinoid identified as CAS# 33745-21-0; or
 - (x) delta-9-tetrahydrocannabivarin (THCV), the cannabinoid identified as CAS# 31262-37-0.
- (24) "Total cannabidiol" or "total CBD" means the combined amounts of cannabidiol and cannabidiolic acid, calculated as "total CBD = CBD + (CBDA x 0.877)".
- (25) "Total tetrahydrocannabinol" or "total THC" means the sum of the determined amounts of delta-9-THC, tetrahydrocannabinolic acid, calculated as "total THC = delta-9-THC + (THCA x 0.877)".
- (26) "Transportable industrial hemp concentrate" means any amount of a natural cannabinoid in a purified state that:
- (a) is the product of any chemical or physical process applied to naturally occurring biomass that concentrates or isolates the cannabinoids contained in the biomass;
 - (b) is derived from a cannabis plant that, based on sampling that was collected no more than 30 days before the day on which the cannabis plant was harvested, contains a combined concentration of total THC and any THC analog of less than 0.3% on a dry weight basis;
 - (c) has a THC and THC analog concentration total that is less than 20% when concentrated from the cannabis plant to the purified state; and
 - (d) is intended to be processed into a cannabinoid product.

Amended by Chapter 114, 2025 General Session