



## Memo for Missouri Food Retailers and Wholesalers *Executive Order 24-10 Implementation*

On Aug. 1, Governor Mike Parson [issued Executive Order 24-10](#) (EO) concerning unregulated psychoactive cannabis products. The EO directs the Missouri Department of Health and Senior Services (DHSS) to designate food containing unregulated psychoactive cannabis products as either food from an unapproved food source, or as food that contains an unapproved food additive from an unapproved source. The EO also directs DHSS to identify food that contains unregulated psychoactive cannabis products as deleterious, poisonous and adulterated, and to embargo and condemn any food that contains these products.

Only facilities regulated and licensed by the DHSS Division of Cannabis Regulation can manufacture and sell products containing psychoactive cannabis. These facilities may only sell these products in Missouri licensed dispensaries.

The DHSS Bureau of Environmental Health Services (BEHS) regulates all facilities who provide food to the public. Food is defined as a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption or chewing gum. Any facility under the regulatory authority of BEHS that sells, manufactures, or distributes products containing unregulated psychoactive cannabis are subject to Executive Order 24-10.

### **Which regulations are DHSS using to implement EO 24-10?**

DHSS regulates food products using the authority within Missouri Revised Statutes Chapter 192, section 192.080, Missouri Revised Statutes Chapter 196, sections [196.010 to 196.120](#), and the [Missouri Food Code](#).

### **How will you prioritize inspections?**

DHSS will prioritize actions based off complaints received through the DHSS form at [Health.Mo.Gov/report](#). After Sept. 1, 2024, DHSS will begin to inspect facilities for compliance pursuant to EO 24-10. Complaint investigations will be prioritized, in the order below, based on the criteria found in the complaints.

1. Health (i.e. referrals from poison control, clinicians, local public health agencies, etc).
2. Safety (i.e. referrals from law enforcement).
3. Complaints or observations of products marketed to children.
4. Frequency of complaints received.

### **What happens if my facility is found to have unregulated psychoactive cannabis products?**

If unregulated psychoactive cannabis products are found during an investigation, DHSS will:

1. Document the findings.
2. Educate and request voluntary compliance, including destruction of the products.
  - If voluntary compliance is not achieved, products will be embargoed and held on the premises until a court order for destruction is obtained.

### **My establishment sells a product that might be considered a psychoactive cannabinoid. Who should I contact to determine if this product is an unregulated psychoactive cannabis product?**

Business owners who have questions about a product they are selling can call the DHSS Toll-Free Access Line: 866-219-0165 (9 a.m.-4 p.m., Monday-Thursday) or email [Cannabisinfo@health.mo.gov](mailto:Cannabisinfo@health.mo.gov).

To learn more about unregulated psychoactive cannabis products and this Executive Order, visit [Health.Mo.Gov/report](#).