

**To:** Retail Food Facilities in Santa Barbara County, CA  
**From:** Lawrence Fay, Jr., Director, Environmental Health Services Division  
**Date:** March 22, 2019  
**Subject:** Cannabidiol (CBD) prohibition in food  
**CC:** Santa Barbara County District Attorney's Office

Our office has recently received reports of local retail food facilities offering/selling foods containing cannabidiol (CBD). With the legalization of recreational cannabis in California, we realize that there may be some confusion about what products are and are not permitted in retail food facilities. The purpose of this memo is to clarify the regulations regarding foods and CBD in California.

While California law allows the manufacture and sales of cannabis products, including edibles, through properly licensed retailers, the use of industrial hemp-derived CBD oils in food products is not permitted. The US Food and Drug Administration (FDA) and the California Department of Public Health Food and Drug Branch (CDPH) have determined that CBD oil and CBD oil products derived from industrial hemp are not approved foods, food ingredients, food additives or dietary supplements and shall not be added to human or animal food products. The CDPH published a frequently-asked questions (FAQ) document regarding industrial hemp and CBD in July of 2018 addressing this issue; it can be found at:

<https://www.cdph.ca.gov/Programs/CEH/DFDCS/CDPH%20Document%20Library/FDB/FoodSafetyProgram/HEMP/Web%20template%20for%20FSS%20Rounded%20-%20Final.pdf>

As a permitted retail food facility in Santa Barbara County, you are responsible for making sure that the food products you offer or sell come from approved sources and do not contain prohibited substances. Please be advised that as of this time, no food products (including food, beverages, gummies, candy, etc.) or dietary supplements containing CBD may be sold or offered in California.

**In order to comply with current California law, please immediately discontinue offering and/or selling any and all food products containing CBD from your facility.**

Thank you for your immediate and complete cooperation with this memo. If you have additional questions, please contact Kathy Cardiel, Community Health Supervisor (North County) at 805-346-8462 or Kendra Wise, Community Health Supervisor (South County) at 805-681-4938.