

Liquid Consumable Hemp Products, Less and Greater Than 12 oz.

PURPOSE

This document provides guidance to Consumable Hemp Registrants on liquid products less than and greater than 12 oz, and how they can submit compliant products for addition to the Approved Product List.

BACKGROUND

Relevant citations:

- Iowa Code Chapter 204.2 (Hemp and Hemp Products)
 - 2. “Consumable hemp product” means...c. A hemp product is deemed to be a consumable hemp product if all of the following apply: (2) Its maximum total tetrahydrocannabinol concentration is less than or equal to the lesser of the following: (b) Four milligrams per serving and ten milligrams per container...
- 641 IAC 156 (Consumable Hemp Products)
 - “Serving” means the size or portion customarily consumed per eating occasion, expressed in a common household measure as established in [table 2 of 21 CFR 101.12](#) (as amended to July 17, 2024). If a solid consumable hemp product is packaged in a manner that includes more than a single serving, each serving must be clearly identified and severable from the other servings in the container. If a liquid consumable hemp product is packaged in a manner that includes more than a single serving, the number of servings must be conspicuously labeled. Liquid consumable hemp products shall be packaged in a container that holds a minimum of 12 fluid ounces.
 - 641 IAC 156.5(2) - An individual or entity subject to Iowa Code chapter 123 shall not introduce any consumable hemp product into the alcoholic beverage product...
 - 641 IAC 156.5(4) - An individual or entity subject to Iowa Code chapters 190 through 192 shall not introduce any consumable hemp product into the dairy product...
- Table 2 of 21 CFR 101.12 (“CFR Table 2”) guidance provides varying serving sizes for beverages and liquids.

ANALYSIS

Statute and Administrative rule do not further define or indicate that any “liquid consumable hemp product” is exempt from the requirement for the container to be a minimum of 12 fl oz. This means that regardless of serving sizes indicated in CFR Table 2 for a liquid consumable hemp product, the container must be 12 oz or greater to be compliant and added to a product list.

Additionally, for any liquid consumable hemp product packaged in a container >12 oz and containing greater than one serving, the incremental increase in THC potency shall not exceed the following volume-potency increments listed in Table 1:

Table 1.

Volume	Servings	THC Potency
12 oz	1	4.00 mg
16 oz	1.33	5.33 mg
20 oz	1.66	6.66 mg
24 oz	2.0	8.00 mg
30 oz	2.5	10.00 mg

Regardless of the serving size indicated in CFR Table 2, beverage or liquid products packaged in containers >12 oz may not use a multiple of a serving size <12 oz (“juices, fruit drinks, syrups, drink mixes, etc.) as indicated by the standard 12 oz serving size for “beverages.” Some examples are provided below:

Examples:

Product	Volume, THC Potency	Servings	Compliant
<i>Beverage - Carbonated/non-carbonated</i>	12 oz, 4 mg	1	Yes
<i>Beverage - Carbonated/non-carbonated</i>	16 oz, 5 mg	1-2	Yes

<i>Beverage - Carbonated/non-carbonated</i>	16 oz, 10 mg	2	No, does not follow Table 1
<i>Fruit drink</i>	8 oz, 4 mg	1	No, container <12 oz
<i>Fruit drink</i>	16 oz, 8 mg	2	No, does not follow Table 1
<i>Drink mix, syrup</i>	4 oz, 4 mg	1	No, container <12 oz

HHS does not have authority to provide flexibility for variance from the 4 mg THC per serving or 10 mg THC per container limit. Compliant products must contain a COA that indicates less than those serving limits for a compliant volume-potency claim, or rounds down to those limits. Some examples are provided below:

Examples:

Product, Volume	Per Serving Label Claim (THC)	Per Serving COA Value (THC)	Compliant
Beverage, 10 oz	2.5 mg	2.5 mg	No, container <12 oz
Beverage, 12 oz	4 mg	3.85 mg	Yes
Beverage, 12 oz	4 mg	4.04 mg	Yes
Beverage, 12 oz	4 mg	4.06 mg	No, >4 mg THC/serving
Beverage, 16 oz	5 mg	5.13 mg	Yes
Beverage, 16 Oz	5 mg	5.41 mg	No, >4 mg THC/serving

CONCLUSION

- Liquid products must be in containers that have 12 oz or more in volume, regardless of the indicated serving size in CFR Table 2. 12 oz containers may have less <4mg THC, but not more.
- Liquid products in containers >12 oz may increase the THC potency to correlate with the volume-potency table above
- Liquid products in containers >12 oz may not use a suggested serving size from CFR Table 2 that is less than the 12 oz serving for carbonated and non-carbonated beverages.
- HHS cannot offer flexibility for variance with the 4 mg THC per serving and 10 mg per container limit.