



November 12, 2024

Dear Clark County Business Owner/Manager,

We are contacting you because there has been a recent change in local ordinance that may or may not impact your current or future business practices.

Historically, the 2018 Farm Bill legalized hemp production in the United States and removed hemp from the list of federally controlled substances. As a result, it also legalized hemp-derived products. A hemp plant is defined as a cannabis plant that contains 0.3% or less of Delta-9 THC. Although the intention of the 2018 Farm Bill was to stimulate agricultural growth, it inadvertently created a loophole—leading to the development of “Novel THC” products. In summary, some manufacturers began to extract the non-psychoactive chemicals (cannabinoids) from hemp and convert them into mind-altering substances such as Delta-8 THC, Delta-10 THC, and others.

In response, many states have passed their own laws to fill in the gaps left by the federal 2018 Farm Bill. Some states have regulated hemp-derived THC and others have prohibited it. In Wisconsin, hemp-derived THC products are unregulated. This means that there is no statewide age-restriction in place or restriction on where hemp-derived THC products can be sold.

On November 7, 2024, the Clark County Board of Supervisors passed an ordinance restricting the age-of-sale for hemp-derived cannabinoids. This ordinance makes it illegal to sell products containing hemp-derived cannabinoids such as Delta-8 THC (Tetrahydrocannabinol), Delta-10 THC, hexahydrocannabinol (HHC), HHC-O, THCA, THC-O, THCP, and/or THCV **to any individual under the age of 21 years**. It also requires that retailers first verify a person’s age by checking a valid photo ID before selling a hemp-derived cannabinoid product. Failure to comply with this ordinance may result in a fine of up to \$500 per violation.

The Clark County Health Department wants to help your establishment stay in compliance and avoid penalties. Research shows that substance use before the age of 21 leads to a greater risk of developing a substance use disorder later in life. In youth, THC use has been associated with poor mental growth, depression, increased risk for psychotic disorders in adulthood, and suicidal ideation or behavior.

Included with this letter, is a copy of the new ordinance (which can be found in Clark County Code of Ordinances, *Chapter 26-Offenses and Nuisances*) as well as information from the Wisconsin Department of Transportation regarding driver licenses and identification cards. To read *Chapter 26: Offenses and Nuisances* in its entirety, please refer to <https://www.clarkcountywi.gov/code-of-ordinances>.

Sincerely,

The Clark County Health Department