

Federal Hemp Restrictions Could Force CBD and THC Products Off Store Shelves by December

Jay Dellinger, Publisher

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LINCOLNTON, N.C. — A federal law passed by Congress last year could soon have a significant impact on CBD stores, gas stations, convenience stores and other retailers throughout Lincoln County and across North Carolina. Many hemp-derived products currently being sold legally could be removed from store shelves beginning in November and December as new federal restrictions take effect.

The legislation was signed into law on November 12, 2025 but Congress allowed time before the restrictions would take effect. A subsequent spending measure delayed portions of the law until December 11, 2026. The approaching deadlines have raised concerns among hemp farmers, retailers and consumers who could be affected by the changes. While some advertisements refer to the legislation as a federal hemp ban, the law does not prohibit all hemp products. Instead, it changes the federal definition of legal hemp and places much stricter limits on certain products containing THC.

For consumers unfamiliar with the differences, hemp and marijuana come from

the same cannabis plant. Hemp is commonly used to produce CBD oils, gummies, creams and other products that are sold in specialty stores and convenience stores. CBD, which stands for cannabidiol, generally does not produce the intoxicating effects associated with marijuana. THC or tetrahydrocannabinol, is the compound primarily responsible for those effects. Some hemp-derived products contain THC while others contain little or none.

Under the 2018 Farm Bill, Congress legalized hemp containing no more than 0.3 percent delta-9 THC by dry weight. That legislation helped create a growing industry involving farmers, manufacturers, distributors and retailers. However, lawmakers later raised concerns that the original legislation allowed intoxicating hemp-derived products to be sold without the same restrictions imposed on marijuana.

The new law changes how THC is measured and establishes a limit of 0.4 milligrams of total THC and certain other cannabinoids with similar effects per container in finished consumer products. To put that into perspective, the restriction applies to the entire package rather than each individual gummy or serving. Many products currently sold in stores contain considerably more than the new limit. Certain synthetic cannabinoids are also excluded from the definition of legal hemp under the legislation. Products that no longer meet the federal definition of hemp could instead fall under federal marijuana restrictions.

Traditional industrial hemp used for clothing, fiber, grain and other agricultural purposes will remain legal under the new definition. Some CBD products may also remain legal depending on their ingredients and THC content. For local businesses, the financial impact could be substantial. Many gas stations, convenience stores and CBD retailers have invested in hemp-derived merchandise. Some specialty stores depend heavily on the sale of these products for their revenue.

If those products no longer qualify as legal hemp, retailers could be forced to stop selling them. Businesses could also be left with inventory they cannot legally sell. The impact would not necessarily stop at the retail level. Farmers who grow hemp for cannabinoid production, along with manufacturers and distributors, could also experience declining demand for their products. The actual impact on each business will depend on what it sells and whether those products comply with the new federal requirements.

Supporters of the restrictions argue that stronger laws are needed to protect consumers, particularly children and teenagers. Concerns have been raised

about intoxicating products being sold without consistent testing requirements or age restrictions. Some products have also been packaged to resemble candy and other familiar consumer items. Opponents argue that the restrictions go too far and could eliminate a large portion of an established industry.

Many hemp industry representatives favor regulations requiring laboratory testing, proper labeling, child-resistant packaging and age restrictions rather than limits that would prohibit most intoxicating hemp-derived products. Consumers who use CBD and other hemp-derived products have also expressed concerns about losing access to products they purchase for relaxation, sleep or other personal reasons. Although some consumers report benefits, most over-the-counter CBD products have not been approved by the Food and Drug Administration as medical treatments.

The debate has now become a question of whether Congress should prohibit certain products or establish a regulatory system that allows them to remain available under stricter safety requirements. Although the federal restrictions have already been approved, Congress can still amend, delay or repeal them. Several proposals have been introduced in Washington that would change the federal government's approach to regulating hemp-derived products.

The American Hemp Protection Act of 2025, identified as H.R. 6209, would repeal the hemp restrictions included in the 2025 federal funding legislation. Another proposal, the Lawful Hemp Protection Act, identified as H.R. 9830, would establish a different federal approach to hemp regulation while addressing concerns involving intoxicating products. Neither proposal has become law.

North Carolina lawmakers have also been considering regulations for hemp-derived products. House Bill 328 would establish additional requirements involving the sale and regulation of certain consumable hemp products. As of October 13, the legislation remains in the House Rules Committee. However, even if North Carolina adopts its own regulations, state legislation cannot override federal restrictions.

With the deadlines approaching, business owners and consumers who are concerned about the legislation still have an opportunity to contact their elected representatives. Those who support continued access to hemp-derived products can ask lawmakers to consider alternatives that would establish safety requirements instead of the current restrictions. Those who favor stricter limits can also communicate their concerns about product safety and access by minors.

Business owners may want to explain how the legislation could affect their inventory, revenue and employees. Consumers can explain how the changes could affect the products they currently purchase. North Carolina residents can contact U.S. Senator Thom Tillis at (202) 224-6342 or visit www.tillis.senate.gov. U.S. Senator Ted Budd can be reached at (202) 224-3154 or through www.budd.senate.gov.

Lincoln County residents can also contact U.S. Representative Pat Harrigan, who represents North Carolina's 10th Congressional District, at (202) 225-2576 or visit harrigan.house.gov. Residents can ask their representatives about the American Hemp Protection Act, the Lawful Hemp Protection Act and other proposals involving federal hemp regulation.

The upcoming November 3 election will not include a direct vote on whether hemp products remain legal. However, voters will be selecting representatives who could influence future decisions concerning the industry. For now, the hemp industry faces two important deadlines. On November 12, 2026, certain restrictions involving synthetic cannabinoids are scheduled to take effect. On December 11, 2026, the remaining major changes to the federal definition of hemp are scheduled to become effective.

Unless Congress takes additional action, many hemp-derived products currently being sold at stores across North Carolina could lose their legal status under federal law. For retailers, the changes could mean lost sales and unsold inventory. For farmers and manufacturers, they could mean reduced demand. For consumers, they could mean fewer products available for purchase.

Congress still has the authority to change the legislation before the deadlines arrive. Until then, business owners and consumers throughout Lincoln County and across North Carolina will be watching to see whether lawmakers decide to keep the restrictions or establish a different approach to regulating the hemp industry.