



Hemp Flower and CBD Products Method of Sale and Labeling

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RESOURCES

Wis. Admin. Code ATCP 90
https://docs.legis.wisconsin.gov/code/admin_code/atcp/090/90.pdf

Wis. Admin. Code ATCP 91
https://docs.legis.wisconsin.gov/code/admin_code/atcp/090/91.pdf

Basics of Tare fact sheet
<https://datcp.wi.gov/Documents/BasicsTareFAQ.pdf>

Hemp Flower Retail Bulk Sales fact sheet
<https://datcp.wi.gov/Documents/HempFlowerRetailBulkSales.pdf>

Hemp Flower Scales for Packagers fact sheet
<https://datcp.wi.gov/Documents/HempFlowerScalesPackagers.pdf>

Hemp Flower Scales for Retailers fact sheet
<https://datcp.wi.gov/Documents/HempFlowerScalesRetailers.pdf>

CBD oils, food products, health and beauty products, and hemp flower must meet the method of sale and labeling requirements specified by Wisconsin Administrative Code Chapters [ATCP 90](#) and [ATCP 91](#), and [NIST Handbook 130](#).

All packaged hemp flower and CBD products must be labeled with the following:

- 1. Declaration of Product Identity** – Wis. Admin. Code s. ATCP 90.02
 - The package must clearly and conspicuously identify the contents on the principal display panel of the package.
 - The principal display panel means the part of the package which is most likely to be displayed to, or examined by, a consumer under normal conditions at retail.
- 2. Declaration of Responsibility** – Wis. Admin. Code s. ATCP 90.03
 - If a package is sold anywhere besides the premises where it was packaged, it must be clearly and conspicuously labeled with all of the following:
 - 1) The name of the responsible party, i.e. the manufacturer, packer, or distributor.
 - 2) The business address of the responsible party including street address, city, state, and ZIP code. The street address may be omitted if it can be found in a local directory.
 - 3) The connection to the commodity, i.e. if the responsible party is not the manufacturer or producer, the label shall declare “packaged by” or “distributed by” prior to the name of the responsible party.
- 3. Declaration of Net Quantity** – Wis. Admin. Code s. ATCP 90.04
 - A declaration of net quantity shall disclose the net quantity of the commodity contained in the package, excluding tare, i.e. wrappers and other packaging materials. For additional information on tare requirements, please see the [Basics of Tare](#) fact sheet.
 - The declaration of net quantity must clearly and conspicuously appear on the bottom 30% of the principal display panel.
 - The declaration of net quantity must be in the required unit of measure. See page 2 for additional information on method of sale.

Additional information on labeling requirements is available on the [Product Labeling Requirements](#) fact sheet.

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Method of sale refers to the unit of measure used to sell a commodity. Specific methods of sale for commodities are required in order to provide accurate and adequate quantity information that permits the buyer to make price and quality comparisons. The method of sale requirements for packaged hemp flower and CBD products are provided in the table below.

Product type	Example products	Must be sold by	Required units	Example label
Liquid Food Standard weight	Hemp milk Salad dressing Sauce	Volume	U.S. Customary and Metric	1 fl oz/30ml
Liquid Non-food Standard weight	CBD Oil Any CBD-infused liquid	Volume	Metric units	5 ml
Non-liquid Food Standard weight	Chocolate Gummies Bars	Weight	U.S. Customary and Metric	Net Wt. 0.6 oz./17 g
Non-liquid Non-food Standard weight	Pre-rolled joints Soap Balm	Weight	Metric units	Net Wt. 35g
Random weight products	Hemp flower Hemp seed Kief	Weight	U.S. Customary or Metric	Net Wt. 0.5g \$10/g Total Price \$5.00