



## DUBUQUE COUNTY ATTORNEY

### NOTICE

Dear CBD Distributor,

County Attorney

C.J. May, III

This letter is to provide notice that you, and/or persons you are associated with, may be engaged in criminal activity that violates state and/or federal criminal laws. The criminal activity conducted by you and/or persons you are associated with may include:

- Selling or distributing CBD products not manufactured by an Iowa licensed manufacturer;
- Selling or distributing CBD products without the required Iowa dispensary license;
- Selling or distributing CBD, a Schedule I Controlled Substance under Iowa law; and
- Possessing CBD, a Schedule I Controlled Substance under Iowa law.

Assistant  
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There has been much inquiry made about the legality of products containing cannabidiol (CBD). Current Iowa law defines Marijuana as "all parts of the plants of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including tetrahydrocannabinols." See Iowa Code 124.101(20). While certain parts of the cannabis plant are excluded from the definition of "marijuana", because CBD is derived from the parts of the cannabis plant that are included in the definition of "marijuana", CBD is considered marijuana under Iowa law. Both marijuana and its psychoactive component, tetrahydrocannabinols (THC), are Schedule I Controlled Substances under the Iowa Controlled Substances Act. See Iowa Code 124.204 (m), (u). In short, any product containing any amount of CBD or THC is classified as a Schedule I Controlled Substance under Iowa Law. It is illegal to manufacture, deliver, possess with intent to deliver, or possess a Schedule I Controlled Substance in Iowa.

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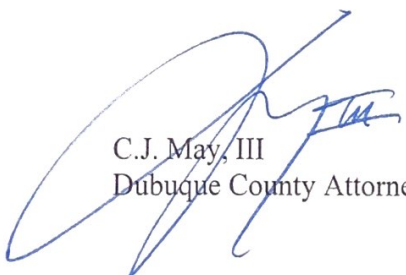
The only exception to the illegal status of CDB and THC under Iowa law is provided in Iowa's Medical Cannabidoil Act, codified in Iowa Code Chapter 124E. That Act permits the manufacturing and distribution of medical cannabidoil (mCBD), which is defined as any pharmaceutical grade cannabinoid found in a cannabis plant with a THC level of no greater than 3% and that is manufactured and distributed pursuant to the Iowa Department of Public Health's mCBD program. See Iowa Code 124E.2(6). Under this program, there are two companies in Iowa that hold Iowa manufacturer licenses, namely MedPharm and Iowa Relief. The medical CDB products produced by these two licensed Iowa manufacturers may be legally dispensed in Iowa to patients and caregivers who possess a medical CBD registration card issued by the Iowa Department of Public Health. Currently, there are five licensed dispensaries in Iowa located in Sioux City, Council Bluffs, Des Moines/Windsor Heights, Waterloo, and Davenport that are authorized to dispense mCBD.

We have credible information that you are engaging in the unauthorized sale of CBD here in Dubuque County. Your selling or possessing any CBD products in the State of Iowa, and Dubuque County, is illegal, and subjects you and your customers to criminal enforcement action by this office. In addition, the Office of the Iowa Attorney General has authority to take enforcement action against any person for false or misleading advertisements or deceptive sales practices related to CDB products.

Any further questions you or your customers may have regarding the legality of a specific product, or any questions in general on this topic, should be directed to a private attorney of your choosing.

Dubuque Law Enforcement has documented the delivery of this letter to you. Your receipt of this letter will be taken into consideration should you continue to be involved in the activities described above or any similar future activity.

Thank you very much for your time and attention to this important matter.



C.J. May, III  
Dubuque County Attorney