



MINNESOTA

OFFICE OF

CANNABIS MANAGEMENT

On-Site Consumption

Quick Guide

Under Minnesota Statutes, chapter 342, on-site consumption of cannabis and hemp products is allowed under certain circumstances. Read this guide to learn more about the on-site consumption endorsement and limitations to consuming hemp and cannabis products.

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This document is meant to provide guidance to businesses licensed with the Office of Cannabis Management to help navigate the requirements adopted by the state of Minnesota. These guidelines are an important part of ensuring that Minnesota's cannabis and hemp industries prioritize public health and safety, consumer confidence and market integrity. The information contained in this document is not legal advice nor is it intended to replace your obligation to thoroughly read all applicable law and rules. It is the responsibility of each license holder to maintain compliance with all applicable laws and rules.

Approved license types and products allowed for on-site consumption



Cannabis event organizer (temporary license): Adult-use cannabis flower,* adult-use cannabis products, hemp-derived consumer products (HDCPs) and lower-potency hemp edibles (LPHEs).



Cannabis microbusiness license with retail and on-site consumption endorsements: Adult-use edible cannabis products and LPHEs.



LPHE retailer license with retail and on-site consumption endorsements: LPHEs only.

***Smoking or vaping adult-use cannabis flower, adult-use cannabis products (including medical cannabis), hemp-derived consumer products, or tobacco is strictly prohibited at retail locations permitting on-site consumption or anywhere where the Minnesota Clean Indoor Air Act would be violated.**

Refer to Minnesota Statutes, sections 342.28, subd. 10(h)(7); 340.40, subd. 8(e); and 342.56 subd. 1(a)(3).



Note: The Minnesota Clear Indoor Air Act bans smoking, including the use of electronic devices such as vapes, in all public indoor places (Minnesota Statutes, sections 144.413 to 144.417).



License type: Cannabis event organizer (temporary)

Endorsements/approvals required

- Specific local approval [Minnesota Statutes section 342.40, subd. 8(a)].

Products allowed for on-site consumption

- Adult-use cannabis flower, adult-use cannabis products, hemp-derived consumer products and LPHEs.

Site requirements

- The premises of the event are only accessible by people 21 years and older.
- Consumption of products within a designated consumption area must not be visible from any public place (Minnesota Statutes, section 342.40, subd. 8c).
- The entire perimeter of the on-site consumption area must be enclosed with commercial-grade fencing (Minnesota Rules, part 9810.2700, subp. 3B). There is no prohibition on designating the entirety of the licensed event space as the on-site consumption area if all requirements are met.

Packaging and labeling

Edible cannabinoid and LPHE products sold for on-site consumption must be served in the required packaging but may be removed from the product's packaging by customers and consumed on-site [Minnesota Statutes, sections 342.28, subd. 10(c)-(d); 342.46, subd. 8(d)]. Products must be consumed in the area designated for on-site consumption and may not be removed from the premises [Minnesota Statutes, sections 342.28, subd. 10(h)(6); 342.46, subd. 8(h)(3)].

Note: LPHE beverages may only be served outside of the packaging if the information that is required to be contained on the label is posted or otherwise displayed by the retailer [Minnesota Statutes, section 342.46, subd. 8(e)].

Samples for customers

Any licensed business that is an approved retail vendor at the event may distribute cannabis or LPHE product samples (as allowed by license type) at licensed events. Samples may only be given to consumers verified to be over 21 years of age and not visibly intoxicated [Minnesota Statutes, section 342.40, subd. 7a(a), (c)].

All cannabis and hemp-derived consumer products distributed as samples must be tracked in Metrc (LPHEs excluded). Refer to Minnesota Statutes, section 342.40, subd. 7a(d) and Minnesota Rules, part 9810.1103, subp. 1.

All retailers providing samples must have “a label or notice containing the information required to be affixed to the packaging or container containing cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products sold to customers must be displayed and available for consumers.” [Minnesota Statutes, section 342.40, subd. 7a(a)]

- **Products allowed to be provided as samples:** cannabis plants, cannabis flower, cannabis products, LPHEs, hemp-derived consumer products (Minnesota Statutes, section 342.40, subd. 7a).
- **Provisions:** Samples of adult-use cannabis flower or concentrate must not exceed 1 g, samples of edible cannabis products must not exceed 10 mg of THC, samples of LPHEs not exceed 5 mg of THC, 100 mg of CBD, CBG, CBC or any combination of those cannabinoids [Minnesota Statutes, section 342.40, subd. 7a(b)].

Prohibitions

- No individuals under 21 years of age may be permitted to enter designated on-site consumption areas. Refer to Minnesota Statutes, section 342.40, subd. 8(b); and Minnesota Rules, part 9810.2700, subp. 3A.
- Edible cannabis products or LPHEs may not be sold to any individuals under 21 years of age or to a person who is visibly intoxicated. Refer to Minnesota Statutes, section 342.40, subd. 7(d), (g)(1).
- Alcohol and tobacco sale or consumption are not allowed on the premises. Refer to Minnesota Statutes, sections 342.40, subd. 8(d); 342.28, subd. 10(g)(4).
- Neither cannabis nor hemp products may be combined with prepared food or drinks on-site. Refer to Minnesota Statutes, section 34A.02.



License type: Cannabis microbusiness

Endorsements/approvals required

- Retail endorsement.
- On-site consumption endorsement.

Products allowed for on-site consumption

- Adult-use edible cannabis products and LPHEs.

Site requirements

- The premises are only accessible by people 21 years and older [Minnesota Statutes, section 342.28, subd. 10(h)(2)].
- A cannabis microbusiness on-site consumption area must be separate from the retail sales area and accessed through a distinct entrance [Minnesota Statutes, section 342.28, subd. 10(b)].
- The microbusiness on-site consumption area—including the display of or consumption of cannabis edibles and LPHEs—must not be visible to the public from outside the premises [Minnesota Statutes, section 342.28, subd. 10(f)].
- A cannabis microbusiness may not sell or allow the sale or consumption of alcohol or tobacco on the premises [Minnesota Statutes, section 342.28, subd. 10(h)(4)].

Packaging and labeling

Edible cannabis products and LPHEs sold for on-site consumption must comply with Minnesota Statutes, chapter 342 and Minnesota Rules, chapter 9810 for testing, packaging, and labeling of cannabinoid products [Minnesota Statutes, section 342.28, subd. 10(c)].

Edible cannabinoid and LPHE products sold for on-site consumption must be served in the required packaging but may be removed from the product's packaging by customers and consumed on-site [Minnesota Statutes, section 342.28, subd. 10(d)].

Products sold in the area designated for on-site consumption may not be removed from that area [Minnesota Statutes, section 342.28, subd. 10(h)(6)].

Samples for customers

A microbusiness may not distribute or allow free samples of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products [Minnesota Statutes, section 342.28, subd. 10(h)(8)].

Prohibitions

- No individuals under 21 years of age may be permitted to enter designated on-site consumption areas [Minnesota Statutes, section 342.28, subd. 10(h)(2)].
- Edible cannabis products or LPHEs may not be sold to any individuals under 21 years of age or to a person who is visibly intoxicated [Minnesota Statutes, section 342.28, subd. 10(h)(1), (3)].
- Alcohol and tobacco sale or consumption are not allowed on the premises [Minnesota Statutes, section 342.28, subd. 10(h)(4)].
- Neither cannabis nor hemp products may be combined with prepared food or drinks on-site. Refer to Minnesota Statutes, section 34A.02.



License type: LPHE retailer

Endorsements/approvals required

- Retail endorsement.
- On-site consumption endorsement.
 - The office will issue an on-site consumption endorsement to any LPHE retailer that also holds an on-sale liquor license issued under Minnesota Statutes, chapter 340A, so long as all other applicable requirements are satisfied.
 - An LPHE retailer that does not possess an on-sale liquor license issued under chapter 340A must maintain liability insurance meeting the requirements of Minnesota Statutes, section 340A.409, or provide documentation of liability insurance of an equal level of coverage for on-site consumption.

Liability insurance coverage requirements

- \$50,000 coverage for bodily injury to any one person in any one occurrence.
- \$100,000 coverage for bodily injury to two or more people in any one occurrence.
- \$10,000 coverage for injury to or destruction of property of others in any one occurrence.
- \$50,000 coverage for loss of means of support of any one person in any one occurrence.
- \$100,000 coverage for loss of means of support of two or more people in any one occurrence.
- \$50,000 coverage for other pecuniary loss of any one person in any one occurrence.
- \$100,000 coverage for other pecuniary (financial) loss of two or more people in any one occurrence.

Products allowed for on-site consumption

- LPHEs only.

Site requirements

Food and beverages may be prepared and sold on site if the LPHE retailer complies with all relevant state and local laws, ordinances, licensing requirements, and zoning requirements [Minnesota Statutes, section 342.46, subd. 8(f)].

Off-site events for LPHEs

LPHE retailers are permitted to sell and allow the consumption of LPHEs at non-cannabis events if they are endorsed for on-site consumption, the event organizer holds a chapter 340A on-sale liquor license, and they meet all local regulations and obtain local approval, if required [Minnesota Statutes, section 342.46, subd. 8(i)].

- **Products allowed:** LPHE beverages.
- **Provisions:** The event must be authorized by the local unit of government and must not exceed four days.

Packaging and labeling

LPHE products sold for on-site consumption must be served in the required packaging but may be removed from the product's packaging by customers and consumed on-site [Minnesota Statutes, section 342.46, subd. 8(d)]. Products that have been removed from the products' packaging may not be removed from the premises [Minnesota Statutes, section 342.46, subd. 8(h)(3)].

LPHE beverages stored in bulk and dispensed individually, such as from kegs or tinctures, may only be dispensed in a single serving of no less than 8 fluid ounces; and no more than 5 milligrams of THC per serving [Minnesota Rules, part 9810.2503, subp. 3(B)].

Note: LPHE beverages may only be served outside of the packaging if the information that is required to be contained on the label is posted or otherwise displayed by the retailer [Minnesota Statutes, section 342.46, subd. 8(e)].

Samples

Product samples are allowed to be distributed if the LPHE retailer is endorsed for on-site consumption, and samples are consumed within the licensed premises [Minnesota Statutes, section 342.46, subd. 7(5)].

- **Products allowed:** Lower-potency hemp edibles.

A label or notice containing the information required to be affixed to the packaging or container containing LPHEs sold to customers must be displayed and available for consumers (Minnesota Rules, parts 9810.1103, subp. 2(A)(4); 9810.1400 to 9810.1403; and Minnesota Statutes, section 342.63).

Prohibitions

- LPHEs may not be sold to any individuals under 21 years of age or to a person who is visibly intoxicated [Minnesota Statutes, section 342.46, subds. 7(1)-(2), 8(h)(1)].
- LPHEs that are designed to be or are reasonably expected to be mixed with an alcoholic beverage are not allowed [Minnesota Statutes, section 342.46, subd. 8(h)(2)].
- Neither cannabis nor hemp products may be combined with prepared food or drinks on-site. Refer to Minnesota Statutes, section 34A.02.