



RON DESANTIS
GOVERNOR

June 7, 2024

Secretary Cord Byrd
Secretary of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

Dear Secretary Byrd:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8 of the Florida Constitution, I do hereby veto and transmit my objection to Senate Bill 1698, enacted during the 126th Session of the Legislature of Florida during the Regular Session 2024 and entitled:

An act relating to food and hemp products

As hemp production and use continue to increase, we must ensure that such products are safe and that adequate measures exist to protect children. Last year, I signed Senate Bill 1676, which instituted a series of consumer protections related to the sale of hemp products. Florida Law now prohibits the sale of hemp products to anyone under 21, prohibits the sale or distribution of products found to be mislabeled or attractive to children, requires all hemp processing facilities to meet food safety and sanitation standards, and provides a potency cap on all products containing hemp extract.

Small businesses are the cornerstone of Florida's economy. While Senate Bill 1698's goals are commendable, the bill would, in fact, impose debilitating regulatory burdens on small businesses and almost certainly fail to achieve its purposes. Senate Bill 1698 would introduce dramatic disruption and harm to many small retail and manufacturing businesses in Florida – businesses that have emerged due to recent legislation paving the way for the commercial use of hemp.

I encourage the Florida Legislature to reconsider this topic during the next Legislative Session and engage with all relevant stakeholders to create a comprehensive regulatory framework for the manufacture and sale of hemp and hemp-derived products. Sensible, non-arbitrary regulation will provide businesses and consumers alike with much-needed stability – safeguarding public health and safety, allowing legitimate industry to flourish, and removing bad actors from the market.

When it resumes its work on this topic, I encourage the Legislature to consider the following:

Quality control. The Legislature should set standards for cultivation, processing, and handling of hemp products to ensure the purity, potency, and safety of hemp and hemp-derived products. This would include random, unannounced inspections, standardized and repeated testing, and dosing, packaging, and unit purchase caps that better correspond to the character of the products and their intoxicating capabilities. Upon review, Senate Bill 1698’s effort to address those limitations misses the mark. Additionally, the Legislature should establish record-keeping requirements for sellers and suppliers of hemp products.

Labeling, Marketing, and Packaging. The Legislature should develop guidelines for accurate labeling, including cannabinoid content, sourcing information, health claims, and dosing instructions. Packaging should—by default—be child-resistant, and any and all advertising that makes these products attractive to minors should be prohibited.

Retail Sales. The Legislature should ensure that hemp-derived cannabinoids are sold behind the counter and that hemp retail shops operate outside sufficient proximities from schools, religious institutions, and other areas where children and families regularly gather. These shops should not present themselves as medical offices, and the Legislature should consider measures to prevent the ubiquity and concentration of these retail locations in communities across the State.

In the meantime, I encourage the Florida Department of Agriculture and Consumer Services to continue using its full, existing authority to root out products that violate Florida law.

For these reasons, I withhold my approval of SB 1698 and do hereby veto the same.

Sincerely,



Ron DeSantis
Governor

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DEPARTMENT OF STATE
TALLAHASSEE, FL

FILED