



KRIS MAYES  
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL  
STATE OF ARIZONA

March 24, 2025

Dear Arizona Retailer:

The Arizona Attorney General's Office (AGO) is aware that certain businesses—without a valid “marijuana establishment” license under the Smart and Safe Arizona Act (Proposition 207)—are selling tetrahydrocannabinol (THC)-infused beverages and edible products to the general public.

Under Arizona law, the unlicensed sale of any THC-infused edible product is illegal. My Office previously issued AGO Opinion No. I24-005, which prohibits the sale of delta-8 THC products and other hemp-synthesized intoxicants—whether currently existing or developed in the future—to include Delta-9 THC and similar derivatives. The Federal Farm Bill of 2018 does not preempt any Arizona law that outlaws these products. *See Virginia Hemp & Agric., LLC v. Virginia*, 125 F.4th 472, 495 (4th Cir. 2025).

Given the possible confusion created by the Federal Farm Bill, I understand that some retailers may not have been aware of these restrictions. With that in mind, I want to ensure you have the necessary information to comply with state law. Businesses that continue to sell these products without a proper license could face civil and/or criminal penalties.

Beginning April 24, 2025, the AGO will take enforcement action against unlicensed businesses that continue selling THC-infused edible products that claim to comply with the Federal Farm Bill of 2018. Other Arizona law enforcement agencies and prosecutorial offices may also pursue legal action.

To help keep Arizona communities safe, I urge you to cease the sale of these products if you are not a licensed marijuana establishment.

Sincerely,

Kris Mayes  
Arizona Attorney General