



# Idaho State Board of Pharmacy

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The Board of Pharmacy receives many inquiries concerning the legality of CBD products in Idaho. Idaho's statutory definition of marijuana encompasses any substance that contains any amount of THC. I.C. § 37-2701. Both THC and marijuana (marihuana) are classified as Schedule I controlled substances. I.C. § 37-2705(d)(19) and (27).

The Board cautions anyone intending to possess or sell any product that may contain any amount of THC. Some manufacturers of CBD or hemp products may claim their products are 100% THC free. However, that may not always be accurate and a manufacturer's representation may not protect a licensee or registrant from criminal, civil, or administrative penalties.

Publicly available resources regarding CBD and hemp products in Idaho include:

- The Idaho Office of Drug Policy
  - See <https://odp.idaho.gov/cannibidiol/>
- 2015 Idaho Attorney General Opinion to Elisha Figueroa, former Administrator for the Idaho Office of Drug Policy
  - See p. 130, [www.ag.idaho.gov/content/uploads/2017/12/2015.pdf](http://www.ag.idaho.gov/content/uploads/2017/12/2015.pdf)
- Office of the Attorney General, Counsel for the State Podcast, Episode 3: CBD and Hemp in Idaho Attorney General's Office Attorney
  - See <https://www.ag.idaho.gov/office-resources/counsel-for-the-state/>

However, the Board recommends that any questions concerning the legality of any particular CBD or hemp product be discussed with private legal counsel, addressed directly with local law enforcement, or both. CBD and hemp are controversial topics and criminal enforcement may vary among local jurisdictions.