

Concise Explanatory Statement

The Cabinet Secretary of the Environment Department adopted amendments to 20.10.2 NMAC (hemp manufacturing rules) on December 18, 2025 in accordance with section 76-24-8.C, NMSA 1978 (2020) which authorizes the Department to promulgate rules for persons that extract, process or engage in other manufacturing activities regarding hemp.

This is a repeal and replace of 20.10.2 NMAC the hemp manufacturing rules to address current and emerging manufacturing practices and finished products offered to the public without verification or validation of their safety or efficacy, to update the rule to meet current industry practices, to ensure consumers are properly informed of the contents and risks associated with the products they are consuming, to create a more robust product testing program to further ensure consumer product safety, and to more closely align New Mexico's hemp extraction and manufacturing requirements with other state's rules.

The rule adds 16 new definitions, modifies nine existing definitions, and removes four definitions. Pesticide testing is now required and the specific chemicals that must be tested are determined by the Department. Finished products produced in New Mexico now have total THC limits per serving and container, and serving sizes are defined. Additional product and safety information is required on product labels, and the use of a QR code is allowed to display required label information. Finally, manufacturing employees must possess a valid food handler card to conduct manufacturing activities.