

SB17-184 - MARIJUANA MEMBERSHIP CLUBS - Food & Drink Options

The current version of SB17-184 says,

A MARIJUANA MEMBERSHIP CLUB SHALL NOT BE A RETAIL FOOD ESTABLISHMENT, AS DEFINED BY SECTION 25-4-1602 (14), THAT IS REQUIRED TO HAVE A LICENSE BY THE STATE OR ANY LOCAL GOVERNMENT.

What does this mean?

Without a retail food license, a Marijuana Membership Club CAN:

- **Prepare and serve coffee, tea, hot beverages, doughnuts, pastries;**
- **Serve prepared prepackaged cold food and drinks; and**
- **Serve hot food if prepackaged and requires no preparation other than heating.**

References:

COLORADO FOOD PROTECTION ACT, §25-4-1602 - Definitions

(4) "Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

(14) "Retail food establishment" means a retail operation that stores, prepares, or packages food for human consumption or serves or otherwise provides food for human consumption to consumers directly or indirectly through a delivery service, whether such food is consumed on or off the premises or whether there is a charge for such food.

"Retail food establishment" does not mean:

(h) Establishments preparing and serving only hot coffee, hot tea, instant hot beverages, and nonpotentially hazardous doughnuts or pastries obtained from sources complying with all laws related to food and food labeling;

(i) Establishments that handle only nonpotentially hazardous prepackaged food and operations serving only commercially prepared, prepackaged foods requiring no preparation other than the heating of food within its original container or package;

(k) Automated food merchandising enterprises that supply only prepackaged nonpotentially hazardous food or drink or food or drink in bottles, cans, or cartons only, and operations that dispense only chewing gum or salted nuts in their natural protective covering;