



THC Beverage Endorsement Application Guide

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Use this guide with the THC Beverage Endorsement Application to prepare a complete, timely submission.

PURPOSE OF THIS GUIDE

This guide explains the information and supporting documentation the Office of the Marijuana Commissioner (OMC) expects when reviewing an application for a THC Beverage Endorsement. It is intended to help applicants prepare a complete packet; it does not replace Delaware law, OMC regulations, or instructions issued by the Commissioner.

BEFORE YOU BEGIN

- Submit one application for each applicant entity.
- An endorsement is valid for two years unless it is suspended, revoked, or canceled.

SUBMISSION AND PAYMENT INSTRUCTIONS

Email the completed application and supporting documents to OMCTHCBeverages@delaware.gov, or mail them to the OMC. Payment must be made by check and mailed to the address below.

Office of the Marijuana Commissioner

1128 South Bradford Street | Dover, Delaware 19904

Phone: (302) 244-3662 | Email: OMCTHCBeverages@delaware.gov | Website: OMC.Delaware.Gov

RECOMMENDED PREPARATION STEPS

- Read the application from beginning to end and identify every section that applies to the applicant.
- Gather business, licensing, product inventory, and source records before completing the form.
- Review all entries for accuracy and retain a complete copy of the submitted packet for your records.

Incomplete or inconsistent applications may require additional information and can delay review.



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Complete each applicable application section using information that matches your business and licensing records.

APPLICATION AND BUSINESS INFORMATION

- Select Initial Application for a first-time request, or Renewal Application for renewal of an existing or recently expired endorsement. Include the application date.
- Provide the applicant entity name, trade name or DBA, Federal Tax ID or sole-proprietor Social Security Number, Delaware business registration ID, website if applicable, and business type.
- Provide a primary contact name, phone number, email address, mailing address, and the business location or manufacturing facility address. The primary contact must be able to respond to OMC questions.

UNDERLYING LICENSE ELIGIBILITY

Delaware Alcohol Beverage Control Commission license types

- Supplier; Importer / Distributor / Wholesaler; or Manufacturer - winery, brewery, microbrewery, or distiller.

Office of the Marijuana Commissioner license types

- Marijuana Product Manufacturer; Marijuana Product Micro Manufacturer; or Marijuana Product Manufacturer (Conversion).
- An out-of-state infused beverage manufacturer may also apply when otherwise eligible. Provide the relevant out-of-state license verification and Delaware importer documentation, if applicable.

LICENSE DETAILS TO PROVIDE

Identify the issuing agency or state, license number, issue date, expiration date, and the name appearing on the underlying license if different from the applicant entity name.

FEES AND APPLICANT STATUS

- Initial application fee: \$1,500 standard fee, or \$600 for an eligible social-equity-owned manufacturer or microbusiness.
- Renewal fee: \$1,000 standard fee, or \$400 for an eligible social-equity-owned manufacturer or microbusiness.
- If claiming the reduced fee, include documentation demonstrating social equity or microbusiness eligibility. Mail the payment check to the OMC address on page 1.



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These source requirements apply to manufacturers that will manufacture infused beverages using THC.

MANUFACTURER THC SOURCE REQUIREMENTS

4 Del. C. § 1335F(4)

A manufacturer may obtain THC to manufacture an infused beverage only if the THC is a delta-9 extract. No other THC product may be used to manufacture an infused beverage.

Source of the hemp

- The delta-9 extract must have been extracted from hemp grown by a hemp producer, supported by a certificate of authenticity from the producer and a copy of the hemp grower's state-issued license; or
- A licensed hemp grower regulated by a state, territory, or federally recognized Indian tribe under a USDA-approved state or tribal plan, supported by a certificate of authenticity from that grower.

Extraction requirements

- The extraction must have been performed by a person actively credentialed by a state or federally recognized Indian tribe to extract hemp, supported by a certificate of authenticity (see required source documentation below) and a copy of the hemp grower's state-issued license.
- The extraction facility must be credentialed by a state or federally recognized Indian tribe, supported by a certificate of authenticity and a copy of the hemp grower's state-issued license.

REQUIRED SOURCE DOCUMENTATION

Include records demonstrating compliance. Provide the hemp license or, if the jurisdiction does not issue hemp licenses, state or USDA confirmation that the grower is authorized under the USDA Domestic Hemp Production Program or an approved state or tribal plan. This may also be documentation that is compliant with 7 CFR 990.71(d).

APPLICANT ACKNOWLEDGMENT

The authorized representative must sign the acknowledgment on the application confirming compliance with the manufacturer THC source requirements. The acknowledgment does not replace the underlying documentation or compliance obligations required by law.

IMPORTER / DISTRIBUTOR / WHOLESALE REQUIREMENTS

This section applies to applicants that import, distribute, or wholesale infused beverages. Complete the applicable license and submission-material sections and retain supporting business records.

Product restrictions

Do not sell or distribute an infused beverage containing alcoholic liquor, THC other than delta-9 extract, or delta-9 extract above 10 mg per single-serving container or 170 mg per 750 mL bottle.

Delivery, storage, testing, and approval

Use the authorized Delaware delivery pathway and licensed importer warehouse. On receipt, notify the Commissioner and keep beverages at rest until inspection, sampling, testing, and approval, unless a waiver applies.

Ongoing responsibility

Suppliers and importers are responsible for compliance at all premises and should maintain inventory, delivery, warehouse, and testing records for review.



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Use this checklist before submitting. The OMC may request additional information or documentation during review.

REQUIRED SUBMISSION MATERIALS

- Copy of the active underlying ABC, OMC, or out-of-state license.
- Application fee check mailed to the OMC address, and payment receipt or other payment documentation if available.
- Business registration or organizational documentation.
- Social equity eligibility documentation, if applicable.
- Out-of-state license verification and Delaware importer documentation, if applicable.
- A complete infused beverage inventory list identifying every beverage submitted for endorsement.
- Certificates of Analysis for each beverage listed in the inventory in compliance with the 5003 Rules of the Office of the Marijuana Commissioner.
- Documentation in compliance with 7 CFR 990.71(d).
- Any other documents needed to support eligibility, ownership, licensing, or product information.

CERTIFICATION AND REVIEW

- An authorized representative must certify that the application and attachments are true, complete, and correct; the applicant will maintain compliance; and the OMC may verify submitted information.
- The certification requires the representative's name, title, signature, and date.

WHAT TO EXPECT AFTER SUBMISSION

- OMC staff may contact the applicant for clarification or additional documentation.
- An application may be approved, denied, or returned for corrections or additional information.
- If approved, the endorsement will identify its effective date and endorsement number.

QUESTIONS

For questions about the application or submission process, contact the Office of the Marijuana Commissioner at OMCTHCBeverages@delaware.gov or (302) 244-3662.