

CANNABIS & HEMP

The complex and uncertain regulation of cannabis, hemp, and their derivatives creates a number of challenges for cannabis-related businesses and those who service them. Hodgson Russ's Cannabis & Hemp Group is a team of accomplished and skilled attorneys especially qualified to provide insight and counsel on the countless questions facing businesses in this emerging and exciting industry.

We assist clients with meeting the challenges of the industry and adapting as the rules continue to evolve. Our team of attorneys monitors industry trends and legislative developments to provide timely guidance to clients through the labyrinth of federal, state, and local cannabis regulations.

We use experience and industrial knowledge, as well as a cross-disciplinary approach that spans many of our practice areas – some of which are ranked by *Chambers and Partners* – to provide clients with the skills and services they need to position themselves for success.

With offices in New York, New Jersey, North Carolina, Florida, and Toronto, we are a full-service, global law firm with the ability to provide legal advice on the full spectrum of issues facing companies that cultivate, process, distribute, or sell cannabis products. Our attorneys also assist clients who service the industry, including landlords, equipment manufacturers, food and beverage organizations, financial services providers, and others. Because many cannabis-related businesses are entrepreneurial in nature, we advise on enforcement of contracts, employment laws, environmental compliance, intellectual property, and other areas of law beyond licensing and day-to-day operations.

We have specific experience applicable to clients involved with the cannabis industry, including:

Licensing and Regulatory Compliance

- We help our clients know and understand the regulatory landscape, meet applicable licensure requirements, anticipate compliance issues, and limit exposure when mistakes happen.

Mergers and Acquisitions

- Our team has helped cannabis clients position themselves with strategic acquisitions, including some of the largest transactions in the history of the industry. Our experience gives us insight into the industry's complex regulatory requirements, the potential impact of a change of control on a target company's pending license applications, and ways to structure transactions accordingly.

Contact

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Professionals

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Federal, State, and Local Tax

- Hodgson Russ is a leading firm for New York State, New York City, and multistate tax matters including planning, compliance, litigation, and damage control. Our attorneys have the breadth and depth of experience necessary to anticipate tax questions arising from new, ever-changing laws and regulations specific to the cannabis industry.

Litigation

- Attorneys in our Cannabis & Hemp Practice have significant litigation experience representing clients in land use, intellectual property, and business disputes. We also have extensive experience representing clients before a variety of state and federal agencies, including the IRS, Federal Trade Commission (FTC), Food and Drug Administration (FDA), United States Department of Agriculture (USDA), United States Patent and Trademark Offices (USPTO), and state tax and regulatory agencies.

Disclaimer

Please remember that the possession, use, distribution, and sale of non-hemp cannabis and cannabis products is illegal under federal law, despite certain state laws that decriminalize and/or legalize such activity. While federal enforcement policy may defer to a state's laws and not enforce conflicting federal laws, the fact remains that compliance with state law in no way assures compliance with federal law, and there is a risk that conflicting federal laws may be enforced in the future. No legal advice we give is intended to provide any guidance or assistance in violating federal law.

If you would like to be added to our Cannabis & Hemp Practice mailing list or any other of our mailing lists in order to receive important updates and event notices in this area, please visit us at: <https://forms.hodgsonruss.net/subscription-center-hr.html>

Experience

Hodgson Russ attorneys assisted a government-sponsored finance entity with construction-to-term loan to complete six greenhouses and related infrastructure for a borrower specializing in hemp tea.

Hodgson Russ attorneys advised an equipment manufacturer on the statutory and regulatory framework concerning the cultivation, processing, and distribution of hemp and hemp products.

Hodgson Russ attorneys have provided numerous clients with government relations, lobbying, and other legal work regarding medical marijuana and related facilities business in New York.

In the News

Confusing start ends with judge voiding New York cannabis third-party marketing rules
Spectrum News, April 5, 2024

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Hodgson Russ LLP Named to 2024 “Best Companies to Work For: Law Firms” List
HudsonValley360, February 14, 2024

How Do New York’s Legal Cannabis Market Numbers Stack Up? Not Well
The Buffalo News, October 21, 2023

5 Ways the State’s Pot Industry Changed Wednesday
The Buffalo News, October 4, 2023

The State’s Cannabis Market is Headed for Big Changes. What’s Next?
The Buffalo News, September 27, 2023

Injunction Blocks NY Cannabis Dispensary Licensing; Hearing Set for Friday
WIVB-TV, August 9, 2023

Town Hall: First State-Licensed Dispensaries Set to Open in Western New York Next Week
WGRZ-TV, July 14, 2023

Western New York’s First State-Licensed Marijuana Dispensary Opens Next Friday
Spectrum News 1, July 14, 2023

New York Budget Deal Increases Penalties for Illegal Pot Shops
The Buffalo News, May 2, 2023

New War on Weed: The State’s Plan to Stomp Out Sticker Shops
The Buffalo News, April 24, 2023

Publications

Second Circuit Modifies Injunction and Opens the Door for Dispensaries in WNY
Hodgson Russ Cannabis & Hemp Alert, March 29, 2023

An 11th-Hour Obstacle for Retail Cannabis Licensing in NY
Law360, November 21, 2022

NYS Facing First Lawsuit Over Retail Cannabis Dispensary Licensing Process
Hodgson Russ Cannabis & Hemp Alert, October 19, 2022

New York Releases Proposed Regulations for Packaging/Labeling and Marketing/Advertising Adult-Use Cannabis Products
Hodgson Russ Cannabis and Hemp Alert, July 7, 2022

New York Governor Pledges \$200M to Boost Social Equity Efforts as Part of Adult-Use Cannabis Legalization
Hodgson Russ Cannabis & Hemp Alert, February 2, 2022

Advising a Cannabis-Related Business
Lexis Nexis - Practical Guidance, December 16, 2021

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Recent Litigation Trends Highlight the Importance of Wage & Hour Compliance for Tipped Employees in Cannabis Retail Setting

Hodgson Russ Cannabis & Hemp and Labor & Employment Alert, November 4, 2021

Cannabis Control Board Serious About Shutting Down Illegal Sales

Hodgson Russ Cannabis & Hemp Alert, October 26, 2021

New York State's Adult-Use Cannabis Program Finally Underway with Agency Appointments

Hodgson Russ Cannabis & Hemp Alert, September 2, 2021

Legislative Update

CannaBuff Magazine, August 2021

Presentations & Events

Cannabis Issues That Will Affect the Municipalities

Bravo Cafe and Catering, April 28, 2022

Marijuana and the Workplace

Albany Capital Center, April 28, 2022

The 2021 AGC NYS/Posillico Civil Summer Meeting

August 7, 2021

The Business of Cannabis

June 24, 2021

Bridging the Gap

June 23, 2021

New York State Marijuana Regulation and Taxation Act: What You Need to Know

June 15, 2021

Impacts of Marijuana in Construction

June 8, 2021

New York State Marijuana Regulation and Taxation Act: What CPAs Need to Know Webcast

April 21, 2021

Demystifying the Impact of the COVID-19 Crisis on the Cannabis Industry: Hot Buttons LIVE Webcast

December 17, 2020

Trademark Protection for the U.S. Cannabis Industry: Dealing with Threats and Challenges

March 10, 2020