



# THE COMPLETE GUIDE TO GROWING YOUR CBD ECOMMERCE BUSINESS

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# Introduction

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The CBD industry has come a long way since 2018. The legal statuses of CBD and other hemp-derived compounds have always been a looming shadow, but that hasn't slowed down entry into this lucrative market. The CBD industry is projected to grow to almost \$16 billion by 2026. 66% of all CBD sales (over \$4.5 Billion) in 2020 were made online. Put plainly, entrepreneurs have dived into the CBD market looking for green — and they've found it.

Just as the CBD industry itself has grown, so too have the types of products on the market. CBD-infused gummies, balms, cookies, vape cartridges, oils and sprays only scratch the surface of products sold around the country. Mainstream brands are seeing green, too. Some of the world's biggest brands, like **Sephora and Urban Outfitters**, have gotten in on the CBD game, meaning increased competition for small manufacturers and sellers.

But all of this growth hasn't come without its fair share of challenges. Legal status and marketability still vary state by state, and the federal government's position remains unchanged. As more individuals have ventured into the space, demographics have shifted. And retailers are facing challenges left and right when trying to market their products online, as platforms **like Google institute new rules regulating CBD-based claims and advertising**.

CBD brands are no longer just starting out. Large, established businesses are powerhouses in an extremely popular industry. Popular as it may be, though, the novelty has worn off. You're no longer marketing to a first-time CBD user. No, you're competing with another three or four brands for a customer's loyalty.

In this guide, we'll do a comprehensive dive into the current state of the CBD industry, taking you through everything from legal status and building your brand to the state of the market and today's most common business challenges. Read on for expert tips, strategies and solutions designed to help grow your CBD business.



# Legal Status and Regulations

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The legal status of CBD in your state is something that's vitally important for your business, in addition to the federal legal status of CBD. Where you can ship to, how you can label your products, what registrations you need, where you can source from, and how you can source all depend on it, because while it's no longer considered a controlled substance at the federal level in the US, legal status still varies on a state-by-state basis.

## Is CBD Legal In My State?

This is a tricky question. The answer is: it depends. It depends on which state you reside in, whether you want to sell online, whether the CBD was extracted from marijuana or hemp, how your product is tested or labeled, what products you intend to sell and plenty more.

The passage of the 2018 Farm Bill did not alter or change the FDA's authority to regulate food, drugs, cosmetics, pet food, or dietary supplement products. The FDA takes the position that CBD may not be added to food or dietary supplements. Many states amended their state drug law to remove hemp from their state-controlled substances act while adopting the FDA's position on the sale of hemp-derived CBD products.

If you are selling, or planning to sell CBD products online, you should have systems in place to ensure that you are fully compliant with each state's laws around CBD. Implementing **product-based shipping restriction rules** on your store can help you stay within safe shipping zones.





# What Rules & Regulations Do I Need To Follow?

The 2018 **Farm Bill** legalized the commercial production of hemp in the United States. This means you can grow hemp under a state or USDA license and then sell products containing hemp-derived CBD across the country; however, there are some restrictions.

- ▶ The hemp you are using to produce **CBD and any products containing hemp ingredients cannot contain more than 0.3% THC.**
- ▶ Any cannabis plant or product with a concentration of THC higher than 0.3% is automatically considered a marijuana plant and is a schedule I controlled substance under federal law (and state law).

When it comes to cannabinoids as substances, the regulatory matter gets complicated. To date, FDA has approved only one CBD-based prescription drug, **Epidiolex**. CBD brands are prohibited from making any drug or disease claims about their products or they may be treated as prohibited unapproved new drugs by the FDA. Also, the FDA prohibits adding CBD to food, or marketing anything with it as dietary supplements.

You're probably asking "But what about an array of edible CBD products that are on the shelves?" While the FDA doesn't allow CBD in food or dietary supplements, it has only taken action against CBD products marketed with drug, health, and disease claims.

## ➤ Let's Recap

### 01 Selling under federal law

Federal laws allow legal CBD sales nationwide, as long as your products contain less than 0.3% THC and are permitted product types making allowable claims about the products.

### 02 Selling under state law

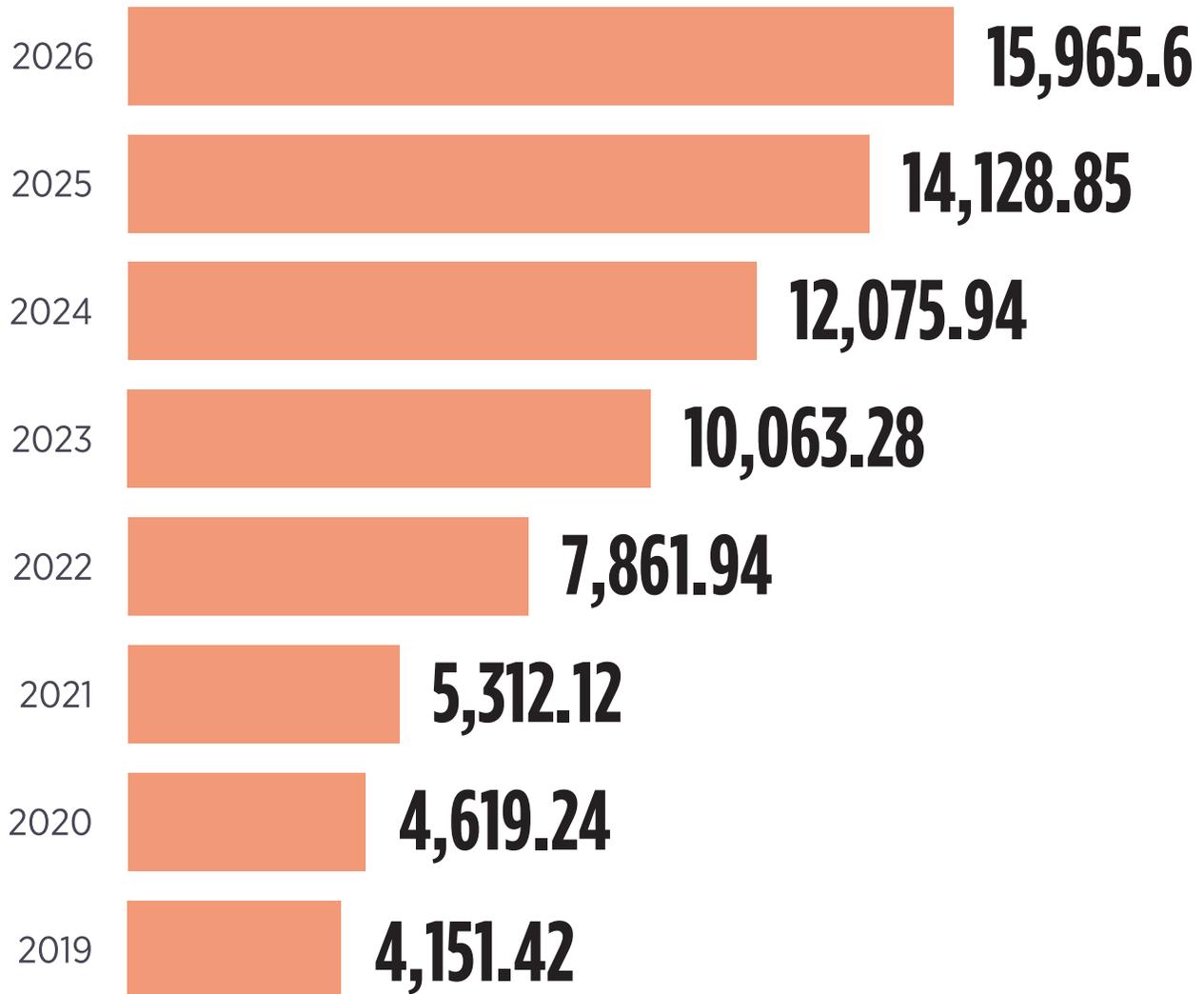
Statewide laws differ. Many states allow the sale of certain CBD products (including food and dietary supplements), but there may be restrictions on product types, THC and CBD concentration, and permitted ingredients. It's best to cross-check with a local legal specialist if there are any restrictions regarding CBD product sales in your state.



## A Maturing Market Means Changing Preferences

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Since 2018, the CBD industry has seen massive growth, and is expected to continue growing throughout the next decade.

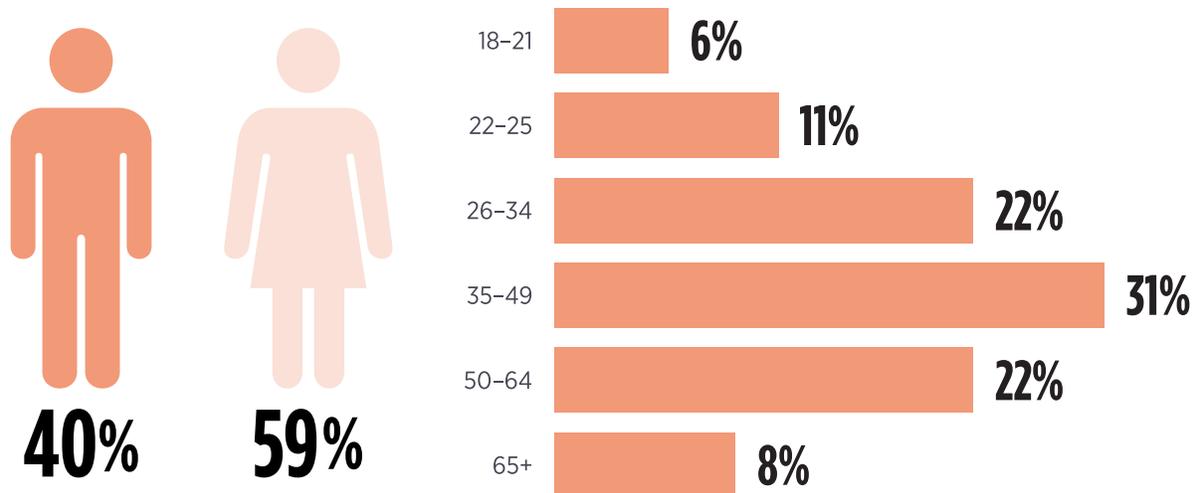


Dollar sales of cannabidiol (CBD) products in the United States from 2019 to 2026 (in million U.S. dollars)

Through this wave of massive growth, retailers have experienced a number of challenges, and as the dust begins to settle on this growing industry, many business owners who got in to make a quick buck are starting to see things a little more clearly. CBD is no longer a novel product. Entrepreneurs can no longer just break into the market by setting up a shop in a strip mall. And the top of mind products like oils and balms are old news.

## Demographic Shifts

Many people's assumption about the target demographic for CBD probably skews younger and more adventurous. In 2018, that may have been true, but as the market has matured, so has its target. 31% of CBD users are between the ages of 35 and 49. 22% are between the ages of 22 and 35, and another 22% are between 50 and 64.



### ➤ What does it mean for your business?

While different industries handle demographic shifts in different ways, CBD businesses, because of the relative novelty of the industry and market saturation, need to take quick action in order to survive.

#### 01 ADDRESS CHANGES IN CONSUMER EXPECTATIONS

Different age groups expect different things from their online experiences. It is important to understand these differences and tailor their experience accordingly. For instance, 66% of Gen Z shoppers will use social media to research a product before purchasing it. Find out who your audience is and create an experience tailored to their needs.

#### 02 ADVERTISE ACCORDINGLY

Different demographics may spend their time online in different corners of the Internet. Once you find your target audience, it's important to advertise to them through a means that they're familiar with. Digital ads, influencers and radio commercial spots can all play a role in a successful CBD marketing strategy (double check to make sure CBD products can be promoted on these platforms).

### 03 THINK OMNICHANNEL

Although only 26% of Gen Z buyers use social media to make purchases online, it's still important to give customers the option to purchase at any point during their journey. The COVID-19 pandemic has caused massive shifts in consumer preferences and behavior, and expectations like buy online, pickup in store (BOPIS) and one-click payment are not going away.

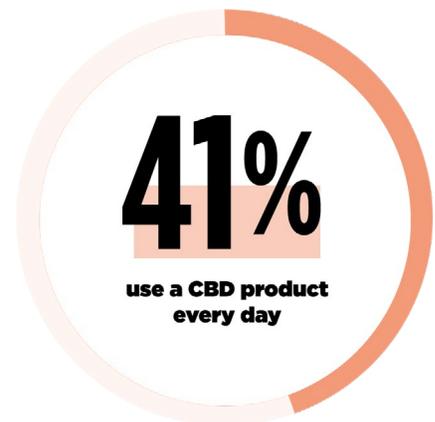
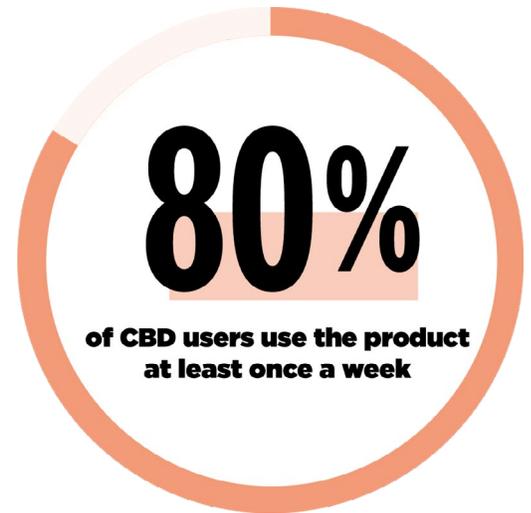
## Waning Novelty

In 2018, CBD was new and exciting. Consumers were interested in trying this new product for themselves, and were willing to shop from brand to brand to find a product that met their needs and expectations.

Now, however, the majority of CBD consumers aren't just "giving it a try." 80% of CBD users use the product at least once a week. 41% use a CBD product every day. Those experienced consumers are more likely to be loyal to a specific brand or product than new users.

### ➤ What does it mean for your business?

CBD businesses are no longer looking to grab the attention of first-time users. Instead, they're fighting for market share against well-known, established sellers. Now more than ever, retailers and manufacturers need to stand out from the crowd. Whether you do that through marketing, branding or your own products is up to you. (More on these later!)



## New Products & New Competition

As CBD becomes more mainstream, many individuals are becoming more familiar with its legality, benefits and general use. Because of this, more brands have released CBD-infused products. **CBD coffee**, drinks and other ingestibles can be found on grocery store shelves across the US, many carrying logos from brands consumers are familiar with.

### ➤ What does it mean for your business?

More brands will begin to add CBD-infused products to their lineup. In 2018, there were even rumors that Coca-Cola was eyeing CBD as a viable addition to their classic soda. (**These rumors were quickly squashed.**)

Rumors aside, it's clear that as CBD becomes more accepted — both socially and legally — markets will continue to see an influx of CBD products. Whether your business hops on the bandwagon is up to you, but know that in the future your competition won't just be the CBD store down the road, it could be one of the world's most recognizable brands.

# Today's Top CBD Ecommerce Challenges & Solutions

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The industry may have changed, but the challenges are still the same.

## The Challenge: Payment Processing

Albeit no longer a controlled substance at the federal level, CBD is still considered a high-risk industry. But as long as you are prepared, you can dodge potential financial predicaments and find success with your online/offline CBD store.

On the other hand, you simply can't ignore the fact that CBD's strict regulation and legal status puts all products containing the cannabinoid in a high-risk category. As a result, many payment processors are reluctant to work with CBD companies. Shady manufacturers looking to make a quick buck are ruining it for everybody else by deterring payment processors from working with CBD sellers for online transactions.

## The Solution: Finding the Right Payment Processing Partner

**Statista anticipates \$16 billion in CBD sales by 2026.** Such extreme predictions mean that an increasing number of ecommerce businesses are scrambling to find a CBD payment processor willing to accept them. Two of our closets partners are Pinwheel Payments and Inovio, two major players in the payment processing field, and that are highly trusted in the CBD industry.

Here's what you need to look for prior to opening a CBD merchant account.

### High-risk availability

It is imperative that your CBD payment processor is able to deal with high-risk transactions. CBD is a fairly new industry and is prone to payment card fraud and charge-backs. As an industry that hovers around a legal grey area, only a handful of CBD payment processing services will be willing to take the risks associated with this type of transaction.



Be on the lookout for a company that boasts extensive experience in aiding businesses operating within a high-risk sector. Some other high-risk industries that will demand specialized gateway payment systems include:

- ▲ Adult products and services
- ▲ Online dating
- ▲ Online gaming
- ▲ Bitcoin trading
- ▲ Pharmaceuticals
- ▲ Telemarketing
- ▲ Travel services
- ▲ Vaporizers & e-cigarette companies



## Easy integrations

Nobody wants to hear that they are being forced to switch their ecommerce site to a brand new platform in order to integrate a CBD payment processor. This can be incredibly time-consuming and also very defeating, particularly if they've invested a lot of money and effort into perfecting the way their online hemp shop looks to customers.

With that being said, it is best to refrain from using a CBD merchant processing system that requires you to use their specific platform. Instead, opt for a company that enables you to integrate their CBD credit card processing system seamlessly with a broad scope of ecommerce software.

One of the most common ways to integrate a CBD payment processor with your site is with an API integration. A major benefit of using API is that a payment gateway of this kind can be monitored by you, the business owner, as well as provide you with an insight into how the ecommerce store looks from a customer's perspective.

## POS availability

Save yourself time on administrative duties and cut the cost of in-office work by finding a CBD payment processor with point-of-sale (POS) availability. Processors with POS system integration will be able to assist you in managing both online and offline transactions. With accurate reporting gleaned from POS software, store profitability can increase, as well as customer loyalty, business intelligence and ease of access to your sales portal.

POS software will also aid you in making lucrative business choices. What's more, this type of software can be used to control stock input and output from a single location.

## Low fees

The saying goes, "You have to spend money to make money." But is that really how it works? When it comes to finding a reliable CBD payment processor, you don't want to be limited to companies that charge a hefty upfront fee. Although the more well-established companies may require a fee from account holders upon registration, many will provide their services free of charge or for an affordable rate.

Ask yourself if you can afford to pay the specific percentage that your preferred payment gateway will deduct from you for each transaction. If it does not work well with your profit margins, search for a service provider elsewhere.

Keep in mind that credit transactions may be more expensive than debit card transactions. There are also a number of other fees to take into consideration when selecting a CBD payment processor, such as:

- ▲ Statement fees
- ▲ Compliance fees
- ▲ Non-compliance fees
- ▲ Terminal fees
- ▲ Monthly/Annual Fees

Chargebacks may also accrue additional fees, so it would be in your best interest to confirm this prior to establishing a partnership with CBD merchant processing companies.



## Reasonable contracts

Not every payment processor will require you to sign a binding contract in order to do business. Each company's fees and contracts will differ, so allow yourself enough time to see which one suits your company the best. It is advisable to stay away from companies that will only establish long-term partnerships, particularly if they do not have sufficient testimonials to back-up their claims.

In the event that a company catches your eye, but will only offer a partnership under the condition that you fork over an ETF (early termination fee) if you choose to go elsewhere, prepare to negotiate.

## Customer support

You have to be prepared for the worst when it comes to dealing with online and offline transactions for CBD-related products. For example, if a customer wants to issue a \$200 chargeback on a recently submitted order, you need to understand exactly how these types of situations will be handled by your chosen CBD payment processor's customer service team. After all, the level of service they provide will reflect on you as a business.

Before you choose a payment gateway, ask a member of the team how they go about handling disputes, as well as how fraud protection will minimize the chances of disputes arising in the first place.

Personalized customer service is the way to go, but if you cannot find a company that offers this, at least find one that hires a customer service team to manage calls and emails around the clock.



## The Challenge: Legal Issues

There is still a long way to go for the legal status of CBD and other cannabinoids. Unfortunately, we don't have a solution for this, per se, but we have seen a number of trends emerging that we think might be important for your business.

### State Retailer & Transportation Registrations

A growing number of states, like Texas and New York, require retailers (and often manufacturers and distributors) of hemp products to register or obtain a **license or permit** with the state to lawfully sell consumable hemp products. Most of these registration requirements apply to both brick-and-mortar and online retailers, although they are more difficult to enforce against online retailers. In addition, some states also require that manufacturers or retailers register individual products they wish to sell in the state.

In the absence of a uniform federal transportation manifest, states are commonly requiring a bill of lading (freight invoice), transport manifest, or permit to transport hemp products into the state. These documents often require the contact information for the owner of the hemp products, points of origin and delivery, proof of lawful origin, total quantities of product, testing results and applicable dates. Some states also include inspection requirements.

It is important to also note that many shipping companies also impose restrictions on shipping hemp, hemp ingredients, or hemp products using their services. **FedEx, for example, prohibits shipping any raw or unrefined hemp plants, or their subparts. USPS permits shipping hemp;** however, the mailer must retain records establishing compliance with all applicable federal, state and local laws, including laboratory test results, licenses or compliance reports, for no less than two years after the date of mailing.

### Advertising, Labeling, & Product Claim Restrictions

Advertising restrictions, including product claim limitations, are commonplace in the CBD industry. Many major state markets impose product labeling requirements that go above and beyond **the FDA's**. Like the FDA, many states prohibit false or misleading claims, or disease or health claims (i.e., that a product is intended to treat a specific medical condition).



Common trends in labeling requirements — in addition to the applicable FDA labeling requirements for the product type — sometimes can include scannable QR codes that link to detailed product information (batch numbers, dates, certificates of analysis), quantities of cannabinoids per serving, specific labeling with respect to THC and other cannabinoid content. California’s Proposition 65 requires certain warning statements for products containing any amount of THC or that expose Californians to **cannabis smoke**.

## **Robust Testing & Product Safety Requirements**

States have been implementing more sophisticated testing and product safety requirements. Many states expressly include requirements in hemp regulations that mirror the FDA, including cGMP and other basic safety standards and requirements that manufacturers of consumable and cosmetic products be permitted as food/cosmetic manufacturing facilities. Many states also require that consumable hemp products be tested for THC concentration and contaminants.

## **Serving Size Limits**

While there is speculation that ultimately FDA regulation of CBD products will allow CBD to be added to food, but may include a serving size limit for foods and dietary supplements, the FDA is still in the process of evaluating safety data to inform any such regulation. Other countries, such as **Australia**, have adopted such limits. In the meantime, a number of states (like New York) have elected to impose serving size limits and have looked to Australia as an example.

## **Prohibitions on Synthetics & Analogs**

An increasing number of state hemp laws or controlled substance laws expressly **prohibit synthetic cannabinoids**, intoxicating cannabinoids, controlled substance analogues or cannabinoids created through isomerization (including [delta] 8-tetrahydrocannabinol and [delta] 10-tetrahydrocannabinol). Most states already prohibit synthetic cannabinoids and controlled substance analogues under state controlled substances laws.

A recent trend has found some states modifying their definitions of “THC” to include all THC isomers and are requiring that consumable hemp products have a total combined THC concentration of less than .3% of all THCs and THC isomers, rather than just delta 9 THC.



## The Challenge: Marketing & Advertising

Sales are almost impossible without a solid marketing strategy, and in a saturated market like CBD, it's imperative to have materials that can help you stand out from the competition. But how? With so many constraints on how and what you can say when advertising CBD, it makes it nearly impossible for companies to use traditional digital marketing channels like Facebook, YouTube, or Google Search. Instead, teams have turned to more innovative ways to advertise their products.

## The Solution: Finding Innovative Channels & Strategies

### Influencer Marketing & Brand Ambassadors

Chances are that if you're on social media, you've seen influencer marketing and brand ambassadors in action, but what exactly separates these two types of marketing, and how can you leverage them in your own strategy?

**“At a fundamental level, influencer marketing is a type of social media marketing that uses endorsements and product mentions from influencers — individuals who have a dedicated social following and are viewed as experts within their niche. Influencer marketing works because of the high amount of trust that social influencers have built up with their following, and recommendations from them serve as a form of social proof to your brand’s potential customers.”**

#### SPROUT SOCIAL

With this in mind, it's easy to see how an **influencer marketing strategy** could help a company in a high-risk vertical more easily advertise on platforms they would otherwise be barred from. By way of the influencer, a brand has access to a wide network of potential customers.

## Finding the Right Influencer for your Brand

To many, influencer marketing is a hard pill to swallow. After all, you're putting your brand and its message in the hands of someone else. That's why it's important to find an influencer who fits your brand as well as possible. When looking for an influencer to help grow your brand's footprint, ask these questions:

- ▲ What does the influencer stand for?
- ▲ What other brands associate with this influencer?
- ▲ What does the influencer's audience makeup look like?
- ▲ How successful has this influencer been in the past?

By breaking down the influencer's audience and past success rate at actually influencing the buying decisions of their audience, brands can feel a little more at ease about putting their message in the hands of someone else.

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**Want to learn more about influencer marketing in the CBD space? We welcomed our friends at CBDstillery to the Make It Big virtual stage in 2021 to talk about their experience advertising in this high-risk vertical. [Check out the talk here.](#)**

## Brand Ambassadors

A brand ambassador is an evangelist for a brand. In contrast to influencers, brand ambassadors don't have a pre-approved script. This is 100% genuine content from real people, meaning you won't have control of what their audience is exposed to. That's why it's important to shape the experience as much as possible to help create the most positive messaging for your brand. You should be sure to instruct any brand ambassadors to refrain from making any health or disease claims about your CBD products.

### How can you create brand ambassadors?

Creating a positive brand ambassador experience is easier said than done. To make someone want to take a specific action, like post a video unboxing your product on YouTube, you need to dazzle them from start to finish. For this example, let's stick with unboxing. What do you need to do in this situation?

First, your packaging game needs to be on point. A box is more than a delivery system. For many ecommerce companies, it's a customer's first time experiencing your brand in a physical way. That means creating a great look and feel for your customer, one that matches their expectations and ensures a quality experience.

Next, think about what comes inside the box itself. Your product, of course, but what else? Will you include branded wrapping or specially designed protection for your product? How about a gift in addition to the customer's purchase, like stickers or pins? One of our favorite CBD brands, CBDistillery, loves to include special gifts with their products, like beanies, sunglasses, or socks.

**“The extra dollar it costs to put that beanie or that pair of sunglasses in might seem like, “Well, wait, I’m gonna compress my contribution margin and I’m losing profitability,” but you’re gaining your next set of customers long-term. You have to start thinking a little differently than you would in a traditional business.”**

- CHRIS VAN DUSEN, CHIEF GROWTH OFFICER, [CBDISTILLERY](#)



What the customer does next is completely out of your hands. To many, that's a scary feeling, to put your brand in the hands of someone who doesn't understand your brand message, who doesn't know your approved colors or logo requirements, but in a high-risk vertical like CBD, the sort of "free" marketing that comes through brand ambassadors can be a huge boom to your business. Especially when social media and social proof hold such weight in the minds of consumers.

## Content Marketing & SEO

Content and inbound marketing have been hot for years now (and yes, **content is still king**). One of the best ways you can use content to your advantage is by helping educate existing and potential customers. CBD products are still largely misunderstood, often due to shady marketing from other brands or bogus medical claims made by self-proclaimed gurus. Build your initial customer base by seeding accurate content. Educate the interested-but-cautious buyers about:

- ▲ Different product types
- ▲ CBD extraction methods
- ▲ Product ingredients (such as organic)
- ▲ The hemp industry as a whole

Invite industry experts and use claims from verified sources to create more comprehensive content than your competition. Focus on both your blog and social media content, as that's where most younger consumers go looking for both product inspiration and information. Be sure not to make any drug or disease claims about your products or CBD generally.

## Affiliate Marketing

**Affiliate marketing** is another great way for brands to advertise their products in a non-traditional way. By taking the time to create an affiliate program, brands open themselves up to a world of opportunity.

### What is affiliate marketing?

Affiliate marketing is when an affiliate earns a commission for marketing and generating leads for another person's or company's products. The affiliate simply finds a product they want to work with, then promotes that product (usually using pre-ordained messaging provided by the brand) and earns a piece of the profit from each sale they make. The sales are tracked via affiliate links from one website to another.

### How does affiliate marketing work?

Affiliate marketing works by spreading the responsibilities of product marketing and content creation across parties. This way, it manages to leverage the abilities of a variety of individuals for a more effective marketing strategy while providing contributors with a share of the profit. To make this work, three different parties must be involved:

- ▲ Seller and product creators
- ▲ The affiliate or advertiser
- ▲ The consumer

Let's delve into the complex relationship these three parties share to ensure a successful affiliate marketing strategy.

#### **SELLER & PRODUCT CREATORS**

The seller, whether a solo entrepreneur or large enterprise, is a vendor, merchant, product creator or retailer with a product to market. The product can be a physical object, like household goods, or a service, like makeup tutorials. Also known as the brand, the seller does not need to be actively involved in the marketing, but they may also be the advertiser and profit from the revenue sharing associated with affiliate marketing.



For example, the seller could be an ecommerce merchant that **started a dropshipping business** and wants to reach a new audience by paying affiliate websites to promote their products. Or the seller could be a SaaS company that leverages affiliates to help sell their marketing software.

### **THE AFFILIATE OR ADVERTISER**

The affiliate (also known as the publisher) can be either an individual or a company that markets the seller's product in an appealing way to potential consumers. In other words, the affiliate promotes the seller's product to persuade consumers that it is valuable or beneficial to them and convince them to purchase the product. If the consumer does end up buying the product, the affiliate receives a portion of the revenue made.

Affiliates often have a very specific audience to whom they market, generally adhering to that audience's interests. This creates a defined niche or personal brand that helps the affiliate attract consumers who will be most likely to act on the promotion.

### **THE CONSUMER**

Whether the consumer knows it or not, they (and their purchases) are the drivers of affiliate marketing. Affiliates share these products with them on social media, blogs and websites. When consumers buy the product, the seller and the affiliate share the profits. Sometimes the affiliate will choose to be upfront with the consumer by disclosing that they are receiving commission for the sales they make. Other times the consumer may be completely oblivious to the affiliate marketing infrastructure behind their purchase.

Either way, they will rarely pay more for the product purchased through affiliate marketing; the affiliate's share of the profit is included in the retail price. The consumer will complete the purchase process and receive the product as normal, unaffected by the affiliate marketing system in which they play a significant part.

Adding an affiliate program to your marketing strategy can be a great way to expand your reach and open up new opportunities, especially in a high-risk vertical space like CBD.

# Conclusion

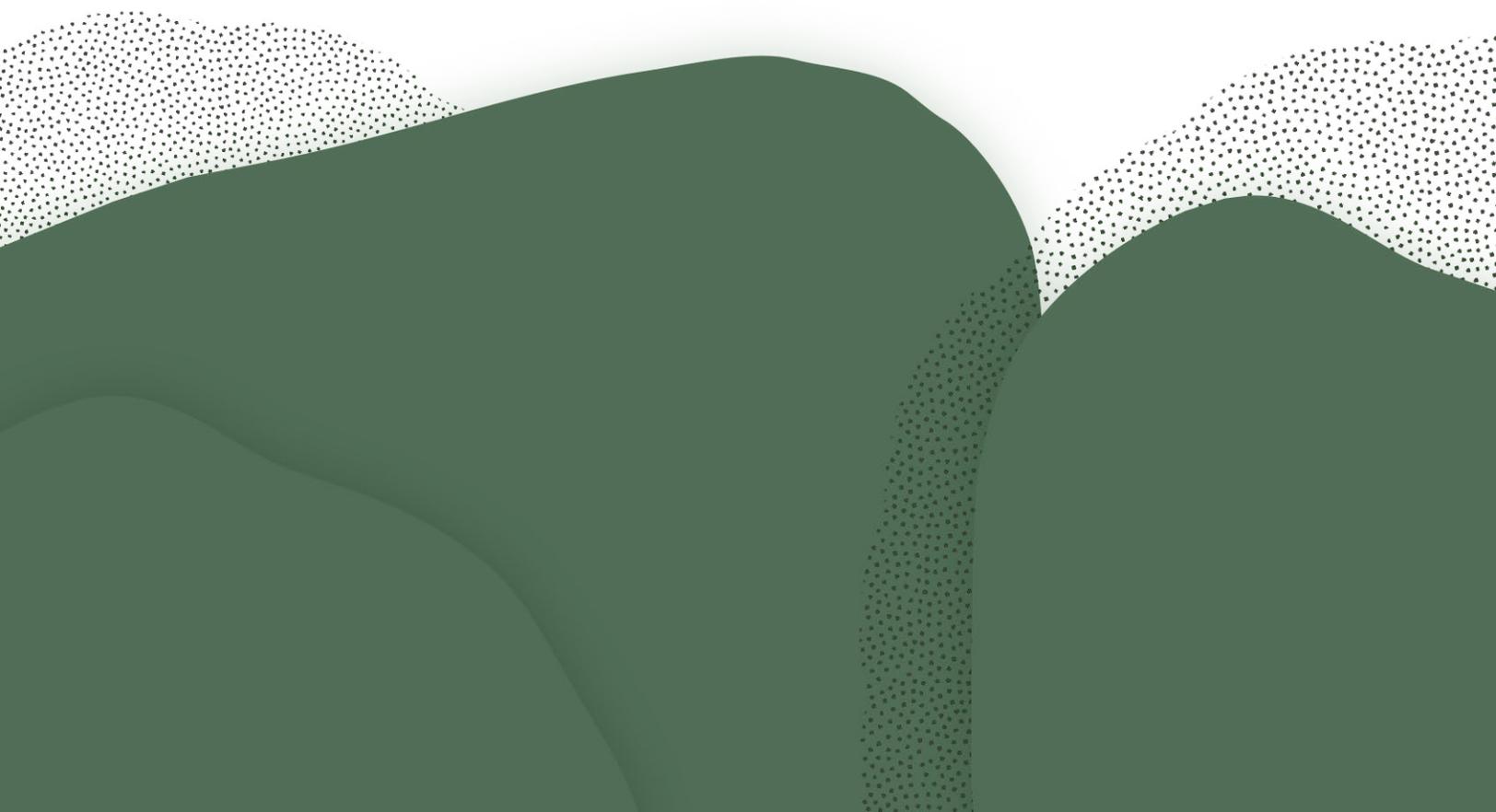
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There's no doubt that the budding CBD industry is only going to continue to grow. With projected revenue of almost \$16 Billion by 2026, business owners are hoping to see green in their futures. But it's not enough to just be present anymore. In such a large industry, competition can be fierce, and brands need to stand out in order to succeed. That can be difficult, however, in a high-risk vertical space where messaging and means of marketing are so heavily regulated.

In order to differentiate yourself from the competition, remember to:

- ▲ Work with a secure payment processing partner
- ▲ Stay on top of legal trends
- ▲ Create a vibrant marketing strategy using influencers, affiliates, and brand ambassadors
- ▲ Educate customers with content marketing

Most important of all, keep a finger on the pulse of the CBD industry as a whole. There are so many changes, challenges and regulatory hurdles to jump through that it can be easy to lose sight of the big picture. That kind of holistic, outside-of-the-box view is what's going to help propel your CBD business to new heights.



# Grow Your Budding Business

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Are you ready to take the next steps to turn your CBD business into an online powerhouse? Let BigCommerce help by giving you the tools you need to succeed. Take advantage of our platform loaded with marketing tools. Create a beautiful website with our custom page builder. And choose from plenty of payment processing partners to help you on the road to success.

Learn more about our CBD solutions and find out why BigCommerce is the perfect partner to help your business grow.

[Learn More About BigCommerce for CBD →](#)



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