

# Supreme Court of Texas

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No. 21-1045

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Texas Department of State Health Services; John Hellerstedt, in  
His Official Capacity as Commissioner of the Texas DSHS,

*Appellants,*

v.

Crown Distributing LLC; America Juice Co., LLC; Custom  
Botanical Dispensary, LLC; 1937 Apothecary, LLC,

*Appellees*

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On Direct Appeal from the  
345th District Court of Travis County, Texas

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## **JUDGMENT**

THE SUPREME COURT OF TEXAS, having heard this cause on direct appeal from the 345th District Court of Travis County, Texas, and having considered the record, briefs, and counsels' argument, concludes that the trial court's judgment should be reversed in part.

IT IS THEREFORE ORDERED, in accordance with the Court's opinion, that:

- 1) The portion of the trial court's judgment enjoining that portion of rule 300.104 that prohibits the "distribution"

and “retail sale” of consumable hemp products for smoking remains undisturbed;

- 2) The remainder of the trial court’s judgment is reversed;
- 3) Judgment is rendered that Respondents take nothing on their claims against section 443.204(4) and those parts of rule 300.104 not still enjoined; and
- 4) Each party shall bear its own Court costs.

Copies of this judgment and the Court’s opinion are certified to the 345th District Court of Travis County, Texas, for observance.

Opinion of the Court delivered by Justice Boyd

June 24, 2022

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