

**DIVISION 25
MARIJUANA PACKAGING AND LABELING**

845-025-7000

Definitions

For the purposes of OAR **845-025-7000** through **845-025-7180**, unless otherwise specified:

(1) "Activation time" means the amount of time it is likely to take for an individual to begin to feel the effects of ingesting or inhaling a marijuana item.

(2) "Added substances" means any additional component or ingredient added to a marijuana concentrate or extract during or after processing that is present in the final product. This includes added flavors, terpenes, and any substances used to change viscosity or consistency of the concentrate or extract.

(3) "Attractive to minors" means packaging, labeling and marketing that features:

- (a) Cartoons;
- (b) A design, brand or name that resembles a non-cannabis consumer product of the type that is typically marketed to minors;
- (c) Symbols or celebrities that are commonly used to market products to minors;
- (d) Images of minors; and
- (e) Words that refer to products that are commonly associated with minors or marketed by minors.

(4) "Authority" means the Oregon Health Authority.

(5) "Cannabinoid" means any of the chemical compounds that are the active constituents of marijuana.

(6) "Cannabinoid capsule" means a small, soluble pill, tablet, or container that contains liquid or powdered cannabinoid product, concentrate or extract and is intended for human ingestion.

(7) "Cannabinoid concentrate or extract" means a substance obtained by separating cannabinoids from marijuana by a mechanical, chemical or other process.

(8)(a) "Cannabinoid edible" means:

- (A) Food or potable liquid into which a cannabinoid concentrate or extract or the dried leaves or flowers of marijuana have been incorporated; or
- (B) For purposes of labeling, includes any marijuana, cannabinoid concentrate, extract or cannabinoid product that is intended for human consumption or marketed in a manner that implies the item is for human consumption.

(b) For purposes of labeling "cannabinoid edible" does not include a cannabinoid tincture.

(9) (32) "Cannabinoid elixir" means a non-potable solution of glycerin or plant-based oil, cannabinoid concentrate, extract or usable marijuana, and perhaps other ingredients intended for human consumption or ingestion.

(9)(a) "Cannabinoid product" means a cannabinoid edible or any other product intended for human consumption or use, including a product intended to be applied to a person's skin or hair, that contains cannabinoids or the dried leaves or flowers of marijuana.

(b) "Cannabinoid product" does not include:

- (A) Usable marijuana by itself;
- (B) A cannabinoid concentrate or extract by itself; or
- (C) Industrial hemp, as defined in ORS 571.300.

(10)(a) "Cannabinoid tincture" means a non-potable solution consisting of at least 45% non-denatured alcohol, in addition to- cannabinoid concentrate, ~~or~~ extract or usable marijuana, and perhaps other ingredients intended for human consumption or ingestion, ~~and~~ that is exempt

from the Liquor Control Act under ORS 471.035, ~~and is packaged for sale or transfer to the consumer in a unit not greater than _____ fluid ounces.~~

(11) "Cannabinoid topical" means a cannabinoid product intended to be applied to skin or hair.

(12) "Cartoon" means any drawing or other depiction of an object, person, animal, creature or any similar caricature that satisfies any of the following criteria:

(a) The use of comically exaggerated features;

(b) The attribution of human characteristics to animals, plants or other objects, or the similar use of anthropomorphic technique; or

(c) The attribution of unnatural or extra-human abilities, such as imperviousness to pain or injury, X-ray vision, tunneling at very high speeds or transformation.

(13) "CBD" means cannabidiol.

(14) "Child resistant" means designed or constructed to be significantly difficult for children under five years of age to open and not difficult for adults to use properly.

(9) "Commission" means the Oregon Liquor Control Commission.

(15) "Consumer" has the meaning given that term in ORS 475B.015 and does not include a patient or designated primary caregiver.

(16) "Container"

(a) Means a sealed, hard or soft-bodied receptacle in which a marijuana item is placed and any outer receptacle intended to display a marijuana item for ultimate sale to a consumer.

(b) Does not mean:

(A) Inner wrapping or packaging, lining;

(B) An exit package; or

(C) A shipping container used to transfer marijuana items or industrial commodities or products in bulk from one licensee or registrant to another, that is not intended to display the marijuana item for sale to a consumer.

(17) "Date of harvest" means the date the mature marijuana plants in a harvest lot were removed from the soil or other growing media. If the harvest occurred on more than one day, the "date of harvest" is the day the last mature marijuana plant in the harvest lot was removed from the soil or other growing media.

(18) "Delta-9 THC" is the principal psychoactive constituent (the principal cannabinoid) of cannabis.

(19)(a) "Designated primary caregiver" means an individual:

(A) Who is 18 years of age or older;

(B) Who has significant responsibility for managing the well-being of a person who has been diagnosed with a debilitating medical condition; and

(C) Who is designated as the person responsible for managing the well-being of a person who has been diagnosed with a debilitating medical condition on that person's application for a registry identification card or in other written notification submitted to the Authority.

(b) "Designated primary caregiver" does not include a person's attending physician.

(20) "Exit Package" means a sealed, child-resistant certified container into which marijuana items already within a container are placed into-at the point of sale.

(21) "Food" means a raw, cooked, or processed edible substance, or ingredient used or intended for use or for sale in whole or in part for human consumption, or chewing gum.

(22) "Generic label" means a label that contains only the information required by rule.

(a) A generic label must may not contain any graphics, pictures, or logos.

(b) A generic label may include additional test information not required by rule or any additional information described in OAR 845-025-7160(7)(c)(A) and (B).

(16) "Grower" has the same meaning as "person responsible for a marijuana grow site."

~~(17) "Harvest lot" means marijuana that is uniform in strain, cultivated utilizing the same growing practices and harvested at the same time.~~

(17) "Health claim" means any claim made on the label that expressly states or implies a relationship between a substance and a disease or health-related condition.

(17) "Hemp symbol" means the image, established by the Commission and made available to licensees, indicating the item contains industrial hemp.

~~(18) "Human consumption" means to ingest, generally through the mouth, food, drink or other substances such that the substance enters the human body but does not include inhalation.~~

(18) "Industrial hemp commodity or product" means an item processed by a handler or processor containing any industrial hemp or containing any chemical compounds derived from industrial hemp, including CBD derived from industrial hemp. "Industrial hemp commodity or product" does not include industrial hemp that has been minimally processed or has not been processed in any form.

(19) "Intended for human consumption" means intended for a human to eat, drink, or otherwise put in the mouth but does not mean intended for human inhalation.

(20) "Intended for human use" means intended to be used by applying it to a person's skin or hair or otherwise consuming the product except through the mouth or through inhalation.

(21) "Label" means any display of written, printed, or graphic matter printed on or affixed to any container, wrapper, liner, or insert accompanying the marijuana item or industrial hemp commodity or product.

(22) "Licensee" has the meaning given that term in ORS 475B.015.

(23) "Major food allergen" means an ingredient that is one of the five foods listed in subsections (a) to (e) of this section, or from one of the three food groups listed in subsections (f) to (h) of this section, or is an ingredient that contains protein derived from one of the following:

- (a) Milk;
- (b) Egg;
- (c) Fish;
- (d) Crustacean shellfish;
- (e) Tree nuts;
- (f) Wheat;
- (g) Peanuts; and
- (h) Soybeans.

(24)(a) "Marijuana" means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae.

(b) "Marijuana" does not include industrial hemp, as defined in ORS 571.300.

(25) "Marijuana item" means marijuana, usable marijuana, a cannabinoid product, or a cannabinoid concentrate or extract.

(a) An item that contains both industrial hemp and marijuana must be labeled as a marijuana item.

(26) "Medical grade cannabinoid product, cannabinoid concentrate or cannabinoid extract" means a cannabinoid product, cannabinoid concentrate or cannabinoid extract that has a concentration of THC that is permitted under ORS 475B.625 in a single serving of the cannabinoid product, cannabinoid concentrate or cannabinoid extract for a patient.

(27) "Medical grade symbol" means the image established by the Authority and made available to licensees indicating the cannabinoid product, concentrate or extract may only be sold or transferred to a designated primary caregiver or patient, for use only by a patient.

(28) "Medical marijuana dispensary" means a facility registered under ORS 475B.858450.

(29)(a) "Net quantity of contents" means a statement on the principal display panel of the net weight or net volume of the product expressed in the terms of weight, measure, or numerical count.

(30)(a) "Net volume" means the fluid measure of a liquid product expressed as :

(b) Net volume must be listed in milliliters and fluid ounces.

(31) "Net weight" means the gross weight minus the tare weight of the packaging expressed as :

~~(a) Net weight must be listed in ounces and grams or milligrams.~~

~~(b) The "Net weight" as applied to of pre-rolled marijuana is the weight of the final product and includes the dried marijuana leaves and flowers, the rolling paper, and the filter or tip.~~

~~(32)(a) "Other Cannabinoid Product" means a cannabinoid product that contains two or more ingredients and is not a cannabinoid edible, topical, or tincture~~

~~(b) "Other Cannabinoid Product" does not include pre-rolled marijuana consisting of only dried marijuana leaves and flowers, an unflavored rolling paper and a filter or tip.~~

~~(27) "Package unique identification number" mean the unique identification number that was generated by the Commission's seed to sale tracking system at the time the marijuana item was packaged and labeled for sale to the consumer, patient, or designated primary caregiver.~~

~~(33) "Patient" has the same meaning as "registry identification cardholder."~~

~~(34) "Person responsible for a marijuana grow site" means a person who has been selected by a patient to produce medical marijuana for the patient, and who has been registered by the Authority for this purpose and has the same meaning as "grower."~~

~~(35) "Place of address" means the name, mailing address, city, state and zip code of the processor who made the cannabinoid edible.~~

~~(36) "Principal display panel" means the part of a label on a package or container that is most likely to be displayed, presented, shown or seen under customary conditions of display for sale or transfer.~~

~~(37) "Processor" means a person:~~

~~(a) Licensed by the Commission to process marijuana under ORS 475B.090; or~~

~~(b) Registered with the Authority under ORS 475B.435-840 as a processing site and who is not exempt from labeling requirements under ORS 475B.605~~

~~(33) "Process lot" means:~~

~~(a) Any amount of cannabinoid concentrate or extract of the same type and processed at the same time using the same extraction methods, standard operating procedures and batches from the same or different harvest lots; or~~

~~(b) Any amount of cannabinoid products of the same type and processed at the same time using the same ingredients, standard operating procedures and batches from the same or different harvest lots or process lots of cannabinoid concentrate or extract.~~

~~(38) "Producer" means a person:~~

~~(a) Licensed by the Commission to produce marijuana under ORS 475B.070; and~~

~~(b) Registered with the Authority under ORS 475B.420-810 as a grower and who is not exempt from labeling requirements under ORS 475B.605.~~

~~(39) (a) "Product identity" means a truthful or common name of the product that is contained in the package.~~

~~(40) "Registrant" means a person registered with the Authority under ORS 475B.400-785 to 475B.525949.~~

~~(41) "Registry identification cardholder" means a person to whom a registration card has been issued under ORS 475B.415797.~~

~~(42) "Serving" or "serving size" means an amount of product that is suggested for use by a consumer or patient trying the item for the first time.~~

~~(38)(a) "Test batch" means a group of test samples that are collectively submitted to a laboratory for testing purposes.~~

~~(b) "Test batch" does not mean a combination of marijuana flowers, marijuana leaves, cannabinoid products, or cannabinoid concentrate or extract.~~

~~(39) "Test sample" means anything collected by an individual authorized by the Authority to collect a sample from a licensee or registrant that is provided to a laboratory for testing, including but not limited to marijuana items, soil, growing medium, water, solvent or swab of a counter or equipment.~~

~~(43) "THC" means tetrahydrocannabinol and has the same meaning as delta-9 THC.~~

(44) "These rules" means OAR 845-025-7000 through 845-025-7180.

(45) "UID number" for the purpose of labeling, means the unique identification number that was generated by the Commission's seed to sale tracking system at the time the marijuana item was packaged and labeled for ultimate sale to a consumer, patient, or designated primary caregiver.

(46) "Ultimate sale" means the final sale from a retail location or dispensary to a consumer, patient, or designated primary caregiver.

(47) "Universal symbol" means the image, established by the Authority and made available to licensees and registrants, indicating the marijuana item contains marijuana.

(48)(a) "Usable marijuana" means the dried leaves and flowers of marijuana.

(b) "Usable marijuana" does not include:

(A) The seeds, stalks and roots of marijuana; or

(B) Waste material that is a by-product of producing or processing marijuana.

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

845-025-7010

Purpose, Scope and Effective Date

(1) The purpose of OAR 845-025-7000 through 845-025-7180 is to set the minimum standards for the packaging and labeling of marijuana items that are for ultimate sale or transfer to a consumer, patient, or designated primary caregiver. These minimum standards are applicable to:

(a) A Commission licensee as defined in OAR 845-025-1015; and

(b) A person registered with the Authority under ORS 475B.785 to 475B.949 who is not exempt from the labeling requirements as described in section (2) of this rule.

(2) The labeling requirements in these rules do not apply to:

(a) A grower if the grower is transferring usable marijuana or an immature marijuana plant to:

(A) A patient who designated the grower to grow marijuana for the patient; or

(B) A designated primary caregiver of the patient who designated the grower to grow marijuana for the patient.

(b) A designated primary caregiver of a patient if the caregiver is transferring a marijuana item to a patient of the designated primary caregiver.

(c) A licensee or registrant transferring a bulk quantity or amount of marijuana items to another licensee or registrant for processing or packaging.

(d) A licensee, hemp handler, or hemp grower transferring a bulk quantity or amount of industrial hemp or industrial hemp commodities or products to a licensee for processing or packaging.

(3) Nothing in these rules prohibits the Commission, ~~or~~ the Authority, or the Oregon Department of Agriculture from:

(a) Imposing additional labeling requirements in their respective rules governing licensees and registrants as long as those additional labeling requirements are not inconsistent with these rules; or

(b) Requiring licensees or registrants to provide informational material to a consumer, patient or designated primary caregiver at the point of sale.

(4) ~~A person registered by the Authority must comply with these rules at all times.~~

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

845-025-7020

Packaging for Sale to Consumer General Packaging Requirements; Prohibitions; Exceptions

(1) Containers or packaging for marijuana items and industrial hemp commodities or products must protect a marijuana item from contamination and must not impart any toxic or deleterious substance to the marijuana item.

(2) Marijuana items and industrial hemp commodities or products for ultimate sale to a consumer, patient, or designated primary caregiver, except for usable marijuana, immature plants and seeds, must:

(a) Be packaged in a container that is resealable and continually child-resistant as certified by a qualified third party child-resistant package testing firm or placed within an exit package that is resealable and continually child-resistant as certified by a qualified third party child-resistant package testing firm ~~certified by a qualified third party child-resistant package testing firm~~ prior to final sale or transfer to consumer, patient, or designated primary caregiver;

~~(b) Be packaged in a container or placed in an exit package that is capable of being resealed and made child resistant again after it has been opened, as certified by a qualified third party child-resistant package testing firm if the marijuana item is a cannabinoid product that contains more than 15 mg of THC, or if the item is an extract or concentrate.~~

~~(be)~~ Not be packaged or labeled in a manner that is attractive to minors; and

~~(cd)~~ Be labeled in accordance with **OAR 845-025-7030 to 845-025-7180**.

(3) Packaging may not contain any untruthful or misleading content.

(4) Nothing in this rule:

(a) Prevents the re-use of packaging that is capable of continuing to be child-resistant, as long as the package is in good working order and maintains its child-resistant properties, and as permitted by rules established by the Commission or the Authority; or

(b) Prohibits the Commission or the Authority from imposing additional packaging requirements in their respective rules governing licensees and registrants.

(5) A licensee or registrant must provide to the Commission or the Authority upon that agency's request, additional information about the testing that was performed by the qualified third party child-resistant package testing firm in accordance with 16 CFR 1700.

Statutory/Other Authority: ORS 475B.615

Statutes/Other Implemented: ORS 475B.070, 475B.090, 475B.100, 475B.110 & 475B.615

History:

OLCC 22-2016, f. 12-22-16, cert. ef. 12-27-16

OLCC 12-2016(Temp), f. & cert. ef. 8-23-16 thru 12-26-16

OLCC 6-2016, f. 6-28-16, cert. ef. 6-29-16

OLCC 2-2016(Temp), f. & cert. ef. 2-23-16 thru 8-18-16

OLCC 3-2015(Temp), f. 12-3-15, cert. ef. 1-1-16 thru 6-28-16

845-025-7030

General Label Requirements; Prohibitions; Exceptions

(1) A label required by these rules must:

(a) Be placed on the container holding the marijuana item or industrial hemp commodity or product and on any outer package or container that is used to display the marijuana item or industrial hemp commodity or product for sale or transfer to a consumer, patient or designated primary caregiver;-

(b) Comply with the National Institute of Standards and Technology (NIST) Handbook 130 (2016), Uniform Packaging and Labeling Regulation, incorporated by reference;-

~~(c) Be in~~Contain all required information no smaller than 8 point Times New Roman, Helvetica or Arial font in any typed, legible font that is easy to read and contrasts sufficiently with the background and is at least 1/16th of an inch in height based on the lowercase "o";

(d) Be in English, though it can be in other languages; and

(e) Be unobstructed and conspicuous.

(2) A label may not:

(a) Contain any untruthful or misleading statements including, but not limited to, a health claim that is not supported by the totality of publicly available scientific evidence (including evidence from well-designed studies conducted in a manner which-that is consistent with generally recognized scientific procedures and principles), and for which there is significant scientific agreement, among experts qualified by scientific training and experience to evaluate such claims; or

(b) Be attractive to minors, as that is defined in **OAR 845-025-7000**.

(3) Principal Display Panel.

(a) Every container that holds a marijuana item or industrial hemp commodity or product for sale or transfer to a consumer, patient or designated primary caregiver must have a principal display panel, as that term is defined in **OAR 845-025-7000**.

(b) If a container holding the marijuana item or industrial hemp commodity or product is placed within another container for sale or transfer to a consumer, patient or designated primary caregiver, both containers must have a principal display panel as that term is defined in **OAR 845-025-7000** in addition to the other labeling requirements provided in these rules.

(c) The principal display panel must contain the product identity, net quantity of contents, amount of THC and CBD, and universal symbol or hemp symbol, whichever is applicable.

(d) The product identity be in bold type, in a size reasonably related to the most prominent printed matter on the principal display panel, and shall be parallel to the base on which the package rests as it is designed and displayed.

(e) The product identity shall include a reference to marijuana or hemp, whichever is appropriate.

(f) The product identity for extracts and concentrates must correctly identify the product as either an extract or a concentrate.

(g) The net quantity of contents provided on the principal display panel must be accurate within 0.2 standard deviations for the entire batch. The net quantity of contents provided on the principal display panel must be the average net quantity of contents of packages in a batch.

(e) The net quantity declaration shall be in terms of fluid measure if the item is liquid, or in terms of weight if the item is solid, semi-solid, or viscous.

(f) The net quantity declaration shall be a distinct item separated from other printed label information on all sides by at least a space equal to the height of the lettering used in the declaration. The declaration shall be presented in bold type in the bottom 30 percent of the principal display panel and in lines generally parallel with the base of the container.

(g) If the product is a medical grade cannabinoid product, concentrate or extract processed by a licensee the principal display panel must also include the medical grade symbol.

(h) If the product is an industrial hemp commodity or product processed by a licensee, the principal display must include the hemp symbol in place of the universal symbol.

(4) The THC and CBD amount required to be on a label must be based on the value calculated by the laboratory that did the testing in accordance with OAR 333-064-0100. A registrant or licensee that has more than one laboratory test result for THC or CBD from the same batch may either express the THC or CBD amounts on the label:

(a) As a range, based on the high and low THC and CBD values for each sample that was tested; or

(b) As an average of all the THC values for each sample or an average of all the CBD values for each sample.

(5) The universal symbol:

(a) Must be at least 0.48 inches wide by 0.35 inches high.

(b) May only be used by licensees or registrants.

(c) May be downloaded at www.healthoregon.org/marijuana.

(6) Medical grade symbol. The medical grade symbol must be at least 0.35 inches in diameter and can be downloaded at marijuana.oregon.gov.

(6) Hemp symbol. The hemp symbol must be at least 0.35 inches wide by 0.35 high and can be downloaded on the Commission's website.

(7) A marijuana item or industrial hemp commodity or product may have one or more label panels printed on or affixed to the container or packaging.

(8) A marijuana item or industrial hemp commodity or product that is in a container that because of its size does not have sufficient space for a label that contains all the information required for compliance with these rules:

(a) May, in lieu of a label that has all the information required in OAR 845-025-XXXX, have a label on the container that ~~contains~~holds a marijuana item or industrial hemp commodity or product ~~that and on any packaging that is used to display the marijuana item for sale or transfer to a consumer, patient or designated primary caregiver that~~ includes at least the following:

(A) Information required on a principal display panel, ~~if applicable for the type of marijuana item;~~

(B) Licensee business or trade name and license number or registrant business or trade name and registrant number;

(C) ~~For licensees, package unique identification~~UID ~~number and for registrants, batch or process lot number;~~

(D) Concentration of THC and CBD in the container; and

(E) ~~Required~~The following warnings: "For use only by adults 21 and older. Keep out of reach of children"; and.

(b) Must include all required label information on an outer container or other required label information not listed in subsection (8)(a) of this rule ~~on an outer container or package, or on a leaflet hangtag that accompanies~~attached to the marijuana item or industrial hemp commodity or product.

(c) May:

(A) Use a peel-back or accordion label with the information required in subsection (8)(b) of this rule, if the peel-back or accordion label can be easily identified by a patient or consumer as containing important information.

(B) Use any typed, legible font that is easy to read and contrasts sufficiently with the background and is at least 1/16th of an inch in height based on the lowercase "o" 6-point font for the information listed in paragraph (8)(a)(A) to (D) of this rule.

(9) A marijuana item or industrial hemp commodity or product that is in a container that has a complete surface area available for applying a label that is less than 2 inches squared:

(a) May have a label on the container that holds the marijuana item or industrial hemp commodity or product that includes at least the following:

(A) The information required on a principal display panel;

(B) UID number;

(C) Concentration of THC and CBD in the container;

(D) Licensee or registrant business or trade name and licensee or registrant number; and

(E) A warning that reads: "Keep out of reach of children."

(b) May use a universal symbol on the principal display panel that is at least 0.38 inches wide by 0.25 inches high.

(c) Must include all required label information on an outer container or other required label information not listed in subsection (9)(a) of this rule on a hangtag attached to the marijuana item or industrial hemp commodity or product.

(d) May:

(A) Use a peel-back or accordion label with the information required in subsection (9)(c) of this rule, if the peel-back or accordion label can be easily identified by a patient or consumer as containing important information.

(B) May use any typed, legible font that is easy to read and contrasts sufficiently with the background and is at least 1/16th of an inch in height based on the lowercase "o" for the information listed in paragraph (9)(a)(A) to (E) of this rule.

~~(10) The outer container A marijuana item in a container that is placed in packaging that is~~ used to display the marijuana item or industrial hemp commodity or product for sale or transfer to a consumer, patient, or designated primary caregiver must comply with the labeling requirements in these rules, even if the inner container qualifies for the exception under section (8) or (9) of this rule.

(11) A marijuana item that simultaneously falls within more than one category, for example a product that is both a cannabinoid concentrate and cannabinoid edible, must comply with the labeling requirements that apply to both categories, with the exception of the "DO NOT EAT" warning if the product is intended for human consumption or the "BE CAUTIOUS" warning if the effects of the product are customarily felt immediately.

~~() The THC and CBD amount required to be on a label must be based on the value calculated by the laboratory that did the testing in accordance with OAR 333-064-0100, plus or minus ten percent, except that a label may not have a THC value that exceeds the applicable maximum concentration limit. A registrant or licensee that has more than one laboratory test result for THC or CBD from the same batch may either express the THC or CBD amounts on the label:~~

~~(a) As a range, based on the high and low THC and CBD values for each sample that was tested; or~~

~~(b) As an average of all the THC values for each sample or an average of all the CBD values for each sample.~~

~~(11) If a marijuana item has more than one test batch number, laboratory, or test analysis date associated with the marijuana item that is being sold or transferred, each test batch number, laboratory and test analysis date must be included on a label.~~

(12) If a marijuana item or industrial hemp commodity or product is placed in a package that is being re-used, the old label or labels must be removed and it must have a new label or labels.

(13) A licensee or registrant must have documentation that demonstrates the validity of the calculation of the amount of sodium, cholesterol, protein, sugar, carbohydrates and total fat in a cannabinoid edible and must make that documentation available to the Commission or the Authority upon request.

(14)(a) A marijuana item or industrial hemp commodity or product that contains an ingredient consisting of two or more sub ingredients must either:

(A) Use the common name of the ingredient followed by a parenthetical listing of all ingredients in a descending order of predominance; or

(B) List all sub ingredients as individual ingredients in descending order of predominance.

(b) The list of ingredients must include any substance used in processing, preparing, manufacturing, packaging, or holding the cannabinoid product that is present in the final product, including any cooking or release spray.

(c) The list of ingredients must include the common name of the marijuana or industrial hemp commodity or product used to make the product.

(15) A cannabinoid edible that contains only a single serving may omit the servings per container declaration as long as the label clearly states that the package contains a single serving.

(16) A cannabinoid edible shall use one of the nutrition information formats provided by the Commission to display on the label the amount of calories, sodium, protein, added sugars, cholesterol, total carbohydrates, and total fat per serving, the serving size and number of servings per container and the list of ingredients and potential allergens.

(16) If the container holding the marijuana item or industrial hemp commodity or product does not meet the child resistant standards set out in OAR 845-025-7xxx to 7180, the label must contain the following statement: "This package is not child resistant."

(17) Exit packaging must contain a label that reads: "Keep out of the reach of children."

(18) A cartridge or vaporizing device -containing a cannabinoid or hemp concentrate, extract or product intended for use with an inhalant delivery system as that is defined in ORS 431A.175840 is not required to be labeled in accordance with these rules except that the cartridge or device must have a label with the universal symbol or hemp symbol, as appropriate. All the remaining label requirements must be included on the packaging as required by these rules, that is used to display the cartridge for sale or transfer.

(19) The Commission may require that marijuana items and industrial hemp commodities and products sold at retail by Commission licensees be labeled with a Universal Product Code.

(20) Once a label is approved by the Commission, the label identification number provided by the Commission must be prominently displayed on the label.

(21) If a cannabinoid concentrate or extract contains any added substances, the item shall be labeled under OAR 845-025-7120.

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

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Pre-Approval of Labels

~~(1) A registrant must submit labels for pre-approval in accordance with OAR 845-025-7060 and must keep all records related to the pre-approval process and provide those records at the request of the Authority.~~

~~(2) A registrant may not transfer a marijuana item unless the label has been pre-approved in accordance with OAR 845-025-7060.~~

~~Stat. Auth.: ORS 475B.610~~

~~Stats. Implemented: ORS 475B.610~~

845-025-7040

Marijuana Plant Labeling Requirements

Prior to an immature marijuana plant being sold or transferred to a consumer, patient or designated primary caregiver a tag or label must be affixed to the plant or plant container that has the following information:

(1) Producer's business or trade name and licensee ~~or registrant~~ number;

(2) Business or trade name of licensee ~~or registrant~~ that packaged or distributed the product, if different from the producer;

(3) Name of the strain;

(4) Product identity;

(5) UID number; and

(6) Universal symbol.

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

845-025-7050

Marijuana Seed Labeling Requirements

Prior to marijuana seeds being sold or transferred to a consumer, patient or designated primary caregiver the container holding the seeds must have a label that has the following information:

(1) Producer's business or trade name and licensee ~~or registrant~~ number;

(2) Business or trade name of licensee ~~or registrant~~ that packaged or distributed the product, if different from the producer;

(3) Name of the strain of seed;

(4) Date of harvest;

(5) Number of seeds or net weight in grams and ounces~~U.S. customary and metric units as appropriate;~~

(6) Product identity;

(7) UID number; and

(8) Universal symbol.

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

845-025-7070

Usable Marijuana Labeling Requirements

Prior to usable marijuana being sold or transferred to a consumer, patient or designated primary caregiver the container holding the usable marijuana must have a label that has the following information:

(1) Producer's business or trade name and licensee ~~or registrant~~ number;

(2) Business or trade name of licensee ~~or registrant~~ that packaged or distributed the product, if different from the producer;

(3) ~~For licensees, package unique identification~~UID number ~~and for registrants, harvest lot number;~~

(4) Date of harvest;

(5) Name of strain;

(6) Net weight in grams and ounces~~U.S. customary and metric units;~~

(7) Concentration of THC and CBD, as calculated under OAR 333-064-0100;

~~(8) Activation time expressed in words or through a pictogram;~~

~~(9) Name of the lab that performed any test, any associated test batch number and any test analysis date;~~

(10) Universal symbol;

(11) Product identity; and

(12) For usable marijuana for sale to a consumer, warnings that state:

(a) "For use only by adults 21 and older. Keep out of reach of children."

(b) "~~It is illegal to~~Do not drive a motor vehicle while under the influence of marijuana."

~~(12) For usable marijuana for use by a patient warnings that state:~~

~~(a) "For use by OMMP patients only. Keep out of reach of children."~~

~~(b) "It is illegal to drive a motor vehicle while under the influence of marijuana."~~

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

845-025-7080

Cannabinoid Topical Labeling Requirements

Prior to a cannabinoid topical product being sold or transferred to a consumer, patient or designated primary caregiver the container holding the cannabinoid product must have a label that has the following information:

(1) Processor's business or trade name and licensee ~~or registrant~~ number;

(2) Business or trade name of licensee ~~or registrant~~ that packaged or distributed the product, if different from the processor;

(3) ~~For licensees, package unique identification~~UID number ~~and for registrants, process lot number;~~

(4) Product identity ~~(common or usual name);~~

(5) Date the product was made;

(6) Net weight or volume in U.S. customary and metric units;

(7) Amount suggested for use by the consumer or patient at any one time;

(8) Concentration ~~or amount by weight or volume~~ of THC and CBD in the container (%);

- (9) List of ingredients in descending order of predominance by weight or volume used to process the cannabinoid topical;
 - ~~(10) Activation time, expressed in words or through a pictogram;~~
 - (11) Name of the lab that performed any test, any associated test batch number and any test analysis date;
 - (12) Universal symbol;
 - (13) ~~For licensees, a medical grade symbol if applicable;~~
 - (14) A statement that reads: "This product is not approved by the FDA to treat, cure, or prevent any disease";
 - (15) For cannabinoid topicals for sale to a consumer warnings that state:
 - (a) "For use only by adults 21 and older. Keep out of reach of children."
 - (b) "DO NOT EAT" in bold, capital letters.
 - ~~(16) For cannabinoid topicals for use by a patient warnings that state:

 - (a) "For use by OMMP patients only. Keep out of reach of children."
 - (b) "DO NOT EAT" in bold, capital letters.~~
- Stat. Auth.: ORS 475B.605
 Stats. Implemented: ORS 475B.605

845-025-7090

Cannabinoid Edible Labeling Requirements

Prior to a cannabinoid edible being sold or transferred to a consumer, patient or designated primary caregiver the container holding the edible must have a label that has the following information:

- (1) Processor's business or trade name, place of address, and licensee ~~or registrant~~ number;
- (2) Business or trade name and place of address of licensee ~~or registrant~~ that packaged or distributed the product, if different from the processor;
- (3) Product identity ~~(common or usual name)~~;
- (4) ~~For licensees, package unique identification~~ UID ~~number and for registrants, process lot number~~;
- (5) Date the edible was made;
- (6) Net weight or volume in U.S. customary and metric units;
- (7) Serving size and number of servings per container;
- (8) ~~Concentration or a~~ Amount, in milligrams, by weight or volume of THC and CBD in each serving and in each the container;
- (9) List of all ingredients in descending order of predominance by weight or volume used to process the cannabinoid edible;
- (10) List of potential major food allergens:
 - (a) Using a "contains" statement ~~to summarize~~ list the name of the food source of any the major food allergen ~~information~~ at the end of or immediately adjacent to the ingredient list; or
 - (b) Placing the term for the appropriate major food allergen in parenthesis within the ingredient list after the common or usual name of the ingredient derived from that major food allergen;
- (11) The amount, ~~in grams,~~ of calories, sodium, protein, added sugars, cholesterol, total carbohydrates, and total fat per serving, in grams or milligrams as appropriate;
- (12) If the edible is perishable, a statement that the edible must be refrigerated or kept frozen;
- ~~(13) Name of the lab that performed any test, any associated test batch number and any test analysis date;~~
- (14) Activation time, expressed in words or through a pictogram;
- (15) Universal symbol;
- ~~(16) For licensees, a medical grade symbol if applicable;~~
- (17) A statement that reads: "This product is not approved by the FDA to treat, cure, or prevent any disease";

- (18) For cannabinoid edibles for sale to a consumer warnings that state:
- (a) "For use only by adults 21 and older. Keep out of reach of children."
 - (b) "~~It is illegal to~~Do not drive a motor vehicle while under the influence of marijuana."
 - (c) "BE CAUTIOUS" in bold, capital letters, followed by "Cannabinoid edibles can take up to 2 hours or more to take effect."
- (19) For medical grade cannabinoid edibles for use by a patient, the medical grade symbol and medical warnings that state:
- (a) "For use by OMMP patients only. Keep out of reach of children."
 - (b) "~~It is illegal to~~Do not drive a motor vehicle while under the influence of marijuana."
 - (c) "BE CAUTIOUS" in bold, capital letters, followed by "Cannabinoid edibles can take up to 2 hours or more to take effect."
- (20) For beverages covered by the Oregon Bottle Bill, the label must contain "OR 10¢."
- Stat. Auth.: ORS 475B.605
Stats. Implemented: ORS 475B.605

845-025-7100

Labeling Requirements for Cannabinoid Concentrates and Extracts Labeling Requirements

Prior to a cannabinoid concentrate or extract being sold or transferred to a consumer, patient or designated primary caregiver the container holding the concentrate or extract must have a label that has the following information:

- (1) Processor's business or trade name and licensee ~~or registrant~~ number;
- (2) Business or trade name of licensee ~~or registrant~~ that packaged or distributed the product, if different from the processor;
- (3) ~~For licensees, package unique identification~~UID number ~~and for registrants, process lot number~~;
- (4) Product identity that correctly identifies the item as either a (concentrate or extract);
- (5) Date the concentrate or extract was made;
- (6) Net weight or volume in U.S. customary and metric units;
- (7) ~~If applicable, s~~Serving size and number of servings per container ~~or amount suggested for use by the consumer or patient at any one time~~;
- (8) ~~Concentration or a~~Amount by weight or volume in milligrams of THC and CBD in each ~~amount suggested for use~~servings and in the container;
- (9) Activation time, expressed in words or through a pictogram if the effects are not felt immediately;
- ~~(10) Name of the lab that performed any test, any associated test batch number and any test analysis date;~~
- (11) Universal symbol;
- ~~(12) For licensees, a medical grade symbol if applicable;~~
- ~~(123)~~ A statement that reads: "This product is not approved by the FDA to treat, cure, or prevent any disease";
- ~~(134)~~ For cannabinoid concentrates and extracts for sale to a consumer warnings that state:
 - (a) "For use only by adults 21 and older. Keep out of reach of children."
 - (b) "~~It is illegal to~~Do not drive a motor vehicle while under the influence of marijuana."
 - (c) "DO NOT EAT" in bold, capital letters.
- ~~(145)~~ For medical grade cannabinoid concentrates and extracts for use by a patient, the medical grade symbol and medical warnings that state:
 - (a) "For use by OMMP patients only. Keep out of reach of children."
 - (b) "~~It is illegal to~~Do not drive a motor vehicle while under the influence of marijuana."
 - (c) "DO NOT EAT" in bold, capital letters.

~~(15) If the cannabinoid concentrate or extract contains any added substances, the label shall contain a list of all ingredients in descending order of predominance by weight or volume;~~

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

845-025-7110

Cannabinoid Tincture, Elixir, and Capsule Labeling Requirements

Prior to a cannabinoid tincture being sold or transferred to a consumer, patient or designated primary caregiver the container holding the tincture must have a label that has the following information:

(1) Processor's business or trade name, place of address and license ~~or registrant~~ number;

(2) Business or trade name and place of address of licensee ~~or registrant~~ that packaged or distributed the product, if different from the processor;

(3) Product identity ~~(common or usual name)~~;

(4) ~~For licensees, package unique identification~~ UID number ~~and for registrants, process lot number~~;

(5) Date the ~~product~~ tincture was made;

(6) Net weight or volume in U.S. customary and metric units;

(7) Serving size and number of servings per container;

(8) ~~Concentration or a~~ Amount, in milligrams, by weight or volume of THC and CBD in each serving and in ~~each the~~ container;

(9) List of all ingredients in descending order of predominance by weight or volume used to process the ~~cannabinoid tincture~~ product;

~~(10) Name of the lab that performed any test, any associated test batch number and any test analysis date;~~

(11) Universal symbol;

~~(12) For licensees, a medical grade symbol if applicable;~~

(13) Activation time expressed in words or through a pictogram ~~if the effects are not felt immediately~~;

(14) A statement that reads: "This product is not approved by the FDA to treat, cure, or prevent any disease";

(15) For cannabinoid tinctures and capsules for sale to a consumer warnings that state:

(a) "For use only by adults 21 and older. Keep out of reach of children."

(b) "It is illegal to drive a motor vehicle while under the influence of marijuana."

(c) "BE CAUTIOUS" in bold, capital letters, followed by "Cannabinoid products can take up to 2 hours or more to take effect." (16) For medical grade cannabinoid tinctures and capsules for use

by a patient, the medical grade symbol and medical warnings that state:

(a) "For use by OMMP patients only. Keep out of reach of children."

(b) "It is illegal to drive a motor vehicle while under the influence of marijuana."

(c) "BE CAUTIOUS" in bold, capital letters, followed by "Cannabinoid products ingested by mouth can take up to 2 hours or more to take effect."

Stat. Auth.: ORS 475B.605

Stats. Implemented: ORS 475B.605

845-025-7120

Cannabinoid Products Other than Cannabinoid Edibles, Topicals, Capsules, Elixirs, or Tinctures

Prior to a cannabinoid product other than a cannabinoid edible, topical or tincture not meant to be consumed orally and being sold or transferred to a consumer, patient or designated primary caregiver the container holding the product must have a label that has the following information:

- (1) Processor's business or trade name, ~~and licensee or registrant number, and place of address;~~
 - (2) Business or trade name of licensee, license number, and place of address for licensee or registrant that packaged or distributed the product, if different from the processor;
 - ~~(3) Place of address for the processor and packager, if applicable;~~
 - (4) Product identity ~~(common or usual name);~~
 - (5) ~~For licensees, package unique identification~~ UID ~~number and for registrants, process lot number;~~
 - (6) Date the product was made;
 - (7) Net weight or volume in U.S. customary and metric units;
 - (8) Serving size and number of servings per container;
 - (9) ~~Concentration or a~~ Amount, in milligrams, of by weight or volume of THC and CBD in each serving and in each the container;
 - (10) List of all ingredients in descending order of predominance by weight or volume used to process the cannabinoid product;
 - ~~(11) Name of the lab that performed any test, any associated test batch number and any test analysis date;~~
 - (12) Universal symbol;
 - (13) ~~For licensees, a medical grade symbol if applicable;~~
 - (14) Activation time expressed in words or through a pictogram if the effects are not felt immediately;
 - (15) A statement that reads: "This product is not approved by the FDA to treat, cure, or prevent any disease";
 - (16) For cannabinoid products for sale to a consumer warnings that state:
 - (a) "For use only by adults 21 and older. Keep out of reach of children."
 - (b) ~~"It is illegal to~~ Do not drive a motor vehicle while under the influence of marijuana."
 - (c) "DO NOT EAT" in bold, capital letters.
 - (17) For medical grade cannabinoid products for use by a patient, the medical grade symbol and medical warnings that state:
 - (a) "For use by OMMP patients only. Keep out of reach of children."
 - (b) "It is illegal to drive a motor vehicle while under the influence of marijuana."
 - (c) "DO NOT EAT" in bold, capital letters.
- Stat. Auth.: ORS 475B.605
 Stats. Implemented: ORS 475B.605

845-025-7130

Labeling Requirements for Medical Registrants Registered with the Oregon Health Authority

A person registered with the Authority as a grower, processing site, or dispensary must label a marijuana item for ultimate sale to a patient or caregiver as outlined in 845-025-7000 to 845-025-7180, with the following exceptions:

- (1a) The label must contain the Registrant number instead of the OLCC license number; and
- (2b) The label must contain the medical warning, "For use by OMMP patients only," in place of the consumer warning, "For use only by adults 21 and older".
- (3) The label must contain the name of the lab that performed any test, any associated test batch number and any test analysis date for the final product.

845-025-7140

Labeling Requirements for Industrial Hemp Commodities or Products Intended for Human Consumption or Use

(1) A licensee processing or selling an industrial hemp commodity or product must label the package or container for ultimate sale to a consumer as outlined in 845-025-7000 to 845-025-7180 with the following exceptions:

(a) The principal display panel must contain the hemp symbol instead of the universal symbol;

(b) The label shall contain the following warning in place of the consumer warnings, "This product is derived from hemp and could contain up to 5% THC. Keep out of reach of children."

(c) If the product is a hemp extract, concentrate, topical, or a hemp product other than an edible or tincture, the label shall contain the warning, "DO NOT EAT" in bold, capital letters.

845-025-7150

Wholesaler and Retailer Packaging and Labeling Compliance Requirements

(1) If a wholesaler or a retailer receives a marijuana item or industrial hemp commodity or product that is not packaged or labeled in accordance with **OAR 845-025-7000 to 845-025-7180**, the wholesaler or retailer must notify the Commission and either:

(a) Return the marijuana item or industrial hemp commodity or product to the licensee who transferred the item or product to the wholesaler or retailer ~~the marijuana item. The wholesaler or retailer must document the return and the reason for the return in the tracking system;~~ or

(b) Fix the label by adding a sticker to make the label compliant. If the problem cannot be corrected with a sticker, the item or product must be returned to the licensee who transferred it to the wholesaler or retailer.

(2) If a wholesaler or retailer returns a marijuana item or industrial hemp commodity or product to the licensee who transferred the item or product, the wholesaler or retailer must document the return and the reason for the return in the tracking system.

(2) Sale of a marijuana item that is not packaged and labeled in accordance with **OAR 845-025-7000 to 845-025-7060 and 333-007-0010 to 333-007-0100** is a category III violation.

Statutory/Other Authority: ORS 475B.615

Statutes/Other Implemented: ORS 475B.100, 475B.110 & 475B.615

History:

OLCC 6-2016, f. 6-28-16, cert. ef. 6-29-16

OLCC 3-2015(Temp), f. 12-3-15, cert. ef. 1-1-16 thru 6-28-16

845-025-7160

Packaging and Labeling Pre-approval Process

(1) Prior to a marijuana item or industrial hemp commodity or product being sold to a consumer, a licensee, license applicant or a registrant, if pre-approval is required by the Authority, must submit an application for both package and label pre-approval by the Commission.

(a) The initial submission shall be made electronically if required by the Commission. The licensee, license applicant or registrant must submit a physical prototype upon request by the Commission.

(b) If a license applicant submits packages and labels for pre-approval, final determination for packages and labels will not be made until the applicant has been issued a license.

(2) Except as provided in sections (57) to (79) of this rule, the packaging and labels must be accompanied by the following:

(a) A fee as specified in OAR 845-025-1060; and

(b) Information including but not limited to:

(A) Documentation that the package has been certified for child resistance as defined by 16 CFR 1700 by a qualified third party child-resistant package testing firm.

(B) A picture of and description of the item to be placed in the package.

(3) The Commission will evaluate the packaging and label in order to determine whether:

(a) The packaging:

(A) Has been certified as child resistant by a qualified third party child-resistant package testing firm;

(B) Is attractive to minors or is marketed in a manner attractive to minors;

(C) Contains untruthful or misleading content; and

(D) Will contain a marijuana item or industrial hemp commodity or product that is not compliant with ORS 475B, OAR 333, Divisions 7 and 8, or ~~these rules~~ OAR 845, Division 25.

(b) The label complies with the ~~Authority's~~ labeling rules, OAR 845-025-7000 to 845-025-7180, or any additional labeling requirements in these rules.

(4) The Commission must review the packaging and labeling and notify the licensee, licensee applicant or registrant whether the packaging and labeling is approved, and if not approved, a description of the packaging or labeling deficiencies.

(5) If a licensee or registrant's label or package is deficient, it must correct the deficiencies and resubmit the label or package for pre-approval, but the licensee or registrant is not required to submit an additional fee unless the label or package is found deficient for a second time in which case the licensee must resubmit the packaging or labeling in accordance with section (1) of this rule.

~~(6) If a licensee, licensee applicant or registrant's original packaging is deficient because it is not child resistant, the licensee, applicant or registrant may:~~

~~(a) Correct the deficiencies and resubmit the packaging for pre-approval. The licensee or registrant is not required to submit an additional fee unless the packaging is found deficient for a second time in which case the licensee may resubmit the packaging or labeling in accordance with subsection (1) of this rule; or~~

~~(b) The licensee, licensee applicant or registrant may indicate that they wish to satisfy the requirement that a marijuana item be in a container that is child-resistant by using an approved child-resistant exit package.~~

~~(7) If a licensee or registrant's packaging is deficient for reasons other than child resistance it must correct the deficiencies and resubmit the packaging for pre-approval, but the licensee, applicant or registrant is not required to submit an additional fee unless the packaging is found deficient for a second time in which case the licensee must resubmit the packaging or labeling in accordance with subsection (1) of this rule.~~

(6) A licensee, applicant or registrant may submit packaging and labeling for approval on the same application for a product that may have different flavors, colors or sizes, if the product and packaging is otherwise identical. Applications for approval of packaging and labeling under this section are subject to a single application fee.

(7) Packages and labels that have been previously approved do not need to be resubmitted if the only changes to the packaging or label are:

(a) Changes in the:

(A) Harvest or processing date;

(B) Strain;

(C) Test results;

(D) Net weight or volume; or

(E) ~~Harvest or process lot~~ UID numbers.

(b) The deletion of any non-mandatory label information.

(c) The addition, deletion or change in the:

(A) UPC barcodes or 2D mobile barcodes (QR codes); ~~or~~

(B) Website address, phone number, fax number, or zip code of the licensee or registrant; or

~~(C) Instructions for opening or using child-resistant packages.~~

(d) The repositioning of any label information on the package, as long as the repositioning of label information is consistent with OAR 845-025-7000 to 845-025-7180.

(8) The Commission may publish a list of previously-approved, child-resistant, commercially available packaging. Packaging identified on this list as approved for certain product types does

not need to be submitted for approval if the packaging is identical to the previously-approved package used for the type of product for which it is approved and the packaging does not contain any graphics, pictures or logos.

~~(9) The Commission may publish a list of products whose package and label have has been approved, but require an approved exit package in order to meet the child resistance requirement.~~

~~(10) Labels for marijuana items or industrial hemp commodity or products do not require pre-approval if they are generic labels as defined in OAR 845-025-7000 and contain only the information required by OAR 845-025-7000 to 845-025-7140 and have no graphics, pictures or logos.~~

~~(11) Packages that have not been certified as child-resistant do not require pre-approval. Any package that has not been certified as child-resistant must contain the statement described in OAR 845-025-7030(16).~~

~~(13) Notwithstanding any provisions of this rule, the Commission may permit or require electronic submission of labels and packaging for approval.~~

~~**Statutory/Other Authority:** ORS 475B.610 & 475B.620~~

~~**Statutes/Other Implemented:** ORS 475B.610 & 475B.620~~

~~**History:**~~

~~OLCC 22-2016, f. 12-22-16, cert. ef. 12-27-16~~

~~OLCC 6-2016, f. 6-28-16, cert. ef. 6-29-16~~

~~OLCC 3-2015(Temp), f. 12-3-15, cert. ef. 1-1-16 thru 6-28-16~~

845-025-7170

Packaging and Labeling Prohibited Conduct

~~(4) The Commission may impose a civil penalty for each violation of up to \$500 per day per violation each day one of for any of the following violations occurs:~~

~~(1a) Failure to comply with these rules. Marijuana items and industrial hemp commodities and products for ultimate sale to a consumer must be packaged and labeled according to these rules.~~

~~(2A) It is a violation for a licensee to transferring, selling or offering to sell a marijuana item or industrial hemp commodity or product for ultimate sale to a consumer to another licensee that is if that product is not packaged or labeled in accordance with these rules.~~

~~(B) It is a violation for a licensee to sell or offer for sale a marijuana item or industrial hemp commodity or product that is not packaged or labeled in accordance with these rules.~~

~~(3b) Failing to Licensees must receive package and label approval prior to transferring, selling, or offering for sale a marijuana item or industrial hemp commodity or product that is for ultimate sale to a consumer.~~

~~(4A) It is a violation for a licensee to transferring, selling, or offering for sale a marijuana item or industrial hemp commodity or product that has not received package or label approval.~~

~~(5B) It is a violation for a licensee to selling or offering to sell a marijuana item or industrial hemp commodity or product under a different label or package than what was approved.~~

~~(6) S) It is a violation to selling a marijuana item or industrial hemp commodity or product in a package that is not resealable and continually child-resistant.~~

845-025-7180

Effective Date

~~(1) All marijuana items and industrial hemp commodities and products produced on or after September 4, 2018 must be labeled and packaged according these rules.~~

(2) On and after January 1, 2019, marijuana items and industrial hemp commodities and products with labels approved prior to September 4, 2018, under the previous labeling rules can no longer be sold to a consumer.

DRAFT