



**Washington State
Liquor and Cannabis Board**

Packaging and Labeling Guide

For Medically Compliant and Recreational Marijuana

Version 1.0 – December 2019

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Section 1 – Before you begin

General information

All licensees are required to know, understand and apply product, packaging and labeling laws and rules found in [RCW 69-50](#) and [WAC 314-55](#). This document is meant to help explain the product, packaging, and labeling rules. This guide is not meant to replace a thorough reading of all applicable laws, rules and policies.

The packaging and labeling rules discussed in this document apply to all marijuana items sold to consumers at licensed marijuana retail stores. All marijuana processor licensees must obtain a packaging approval from the WSLCB for all marijuana- infused edible products meant for oral ingestion prior to offering these items for sale to a marijuana retailer.

Each marijuana item must be packaged in a container that conforms to the rule found in WAC 314-55. A “container” is defined as a sealed, hard or soft bodied receptacle in which marijuana is placed and any outer receptacle in intended to display a marijuana item for ultimate sale to a consumer. If there is a product packaged and placed inside of an outer package, both packages are considered “containers”.

Additional requirements from the [Department of Health](#) (DOH), or the [Washington State Department of Agriculture](#) (WSDA) are not covered in this guide. It is important to read and understand all laws, rules and policies for both agencies regarding marijuana products.

For the purpose of this document, a licensee is any person or entity who holds a license issued by the Washington State Liquor and Cannabis Board (WSLCB) under RCW 69-50 and WAC 314-55.

Marijuana infused edible products, packaging and labeling will be reviewed based on their:
Appearance

Similarity to products or words that refer to products that are commonly associated or marketed to persons under the age of twenty-one, and

- Color
- Appearance
- Similarity to products or words that refer to products that are commonly associated or marketed to persons under the age of twenty-one, and

Current rules do not ban any specific edible product type. Products will be approved or denied based on the criteria listed above. If the WSLCB denies a marijuana-infused product, the marijuana processor licensee may request an administrative hearing under chapter [34.05 RCW](#), Administrative Procedure Act.

The approved marijuana infused product list is available on the agency website homepage under our Public Records section. The frequently requested list [Marijuana: Approved Infused Products List](#) is updated monthly.

Review **Section 4 – Definitions** for a full list of terms and definitions.

Section 2 – Packaging and Labeling

Packaging and Labeling

WAC 314-55 requires all licensees who package marijuana infused edible items for ultimate sale to a consumer, patient, or designated provider to have packages and labels approved through the WSLCB prior to products being sold in retail stores.

Any container or packaging containing useable marijuana, marijuana concentrates, or marijuana-infused products must protect the product from contamination and must not impart any toxic or deleterious substance to the useable marijuana, marijuana concentrates, or marijuana-infused product.

All marijuana processors may blend tested useable marijuana from multiple lots into a single package for sale to a marijuana retail licensee so long as the label requirements for each lot used in the blend are met and the percentage by weight of each lot is also included on the label.

All packages must contain complete and compliant labels. Labels can be printed directly on the package, securely affixed to the package or both. All label information must comply with the labeling rule requirements.

When submitting a product, package and/or label for approval, it is important to understand the difference between packaging and labeling. A package is a physical structure that holds and protects the product. The label is all of the text, graphics, pictures, and logos printed on or affixed to the package.

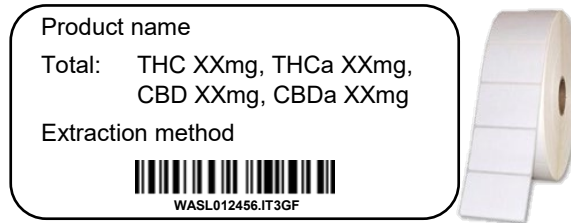
Packaging is the container that holds the marijuana and/or the outer packaging that holds the sealed marijuana.



Labeling is the material affixed to a container or product, which has written or printed information or symbols about the product or item. Information printed directly on a container or article can also be considered labeling.



Bar Code Label or Retailer Label is a label printed with specific information relative to the exact product packaged. Information included on this label varies by licensee. Format of the label is up to licensees.



Packaging

Child Resistant Packaging is defined in WAC 314-55-105 as packaging that is designed or constructed to be significantly difficult for children under five years of age to open, and not difficult for adults to use properly.

The standard for child-resistant packaging is set by the Consumer Product Safety Commission (CPSC). To know if your packaging meets the child resistant requirements, you can request a child resistant certificate from the manufacturer.

Child resistant packaging comes in two forms: (1) single-use; and (2) re-sealable, continually child resistant. A single-use, child-resistant package is one that meets the child-resistance standard for a single use and is child resistant until it is opened. A re-sealable, continually child-resistant package is one that is capable of being resealed after being opened and maintains child-resistant properties throughout the life of the product.



This type of vial is an example of a re-sealable and continually, child resistant package. It remains child resistant packaging for the life of the product.



This is a standard Mylar bag for single-use. Once it is opened, it is no longer child-resistant.



This is a multi-use child resistant Mylar bag. It is re-sealable and remains child resistant packaging for the life of the product.

Package Requirement	Re-sealable & Child Resistant throughout the life of the product	Single-use Child Resistant	Child-Resistant Packaging not required
Type of marijuana product	More than one serving: <ul style="list-style-type: none"> • Edible – solid • Edible – liquid • Tinctures and Capsules • Concentrates 	Single serving: <ul style="list-style-type: none"> • Edible – solid • Edible – liquid • Tinctures and Capsules • Concentrates 	<ul style="list-style-type: none"> • Usable marijuana • Topicals • Extracts • Transdermal patches and suppositories • Immature plants • Seeds

Marijuana Servings and Transaction Limitations

Personal possession limits and transaction limits are detailed in RCW 69.50.360 and 69.50.4013.

For persons age twenty-one and older and qualifying patients or designated providers who are not entered into the medical marijuana authorization database, marijuana serving and transaction limitations are as follows:

- (a) **Single serving.** A single serving of a marijuana-infused product must not exceed ten milligrams active tetrahydrocannabinol (THC), or Delta 9.
- (b) **Maximum number of servings.** The maximum number of servings in any one single unit of marijuana-infused product meant to be eaten or swallowed or otherwise taken into the body is ten servings or one hundred milligrams of active THC, or Delta 9. A single unit of marijuana concentrate cannot exceed one gram.
- (c) **Transaction limits.** A single transaction is limited to:
 - One ounce of useable marijuana;
 - Sixteen ounces of marijuana-infused product meant to be eaten or swallowed in solid form;
 - Seven grams of marijuana-infused extract or marijuana concentrate for inhalation; and
 - Seventy-two ounces of marijuana-infused product in liquid form for oral ingestion or applied topically to the skin; and
 - Ten units of a marijuana-infused product otherwise taken into the body.

All marijuana processor licensees or an employee of a marijuana processor licensee are prohibited from conducting a transaction that facilitates an individual in obtaining more than the personal possession amounts.

For qualifying patients and designated providers who are entered into the medical marijuana authorization database, serving and transaction limits are as follow:

- (a) **Single serving.** Except as provided in chapter 246-70 WAC, a single serving of a marijuana-infused product must not exceed ten milligrams active tetrahydrocannabinol (THC), or Delta 9.
- (b) **Maximum number of servings.** Except as provided in chapter 246-70 WAC, the maximum number of servings in any one single unit of marijuana-infused product meant to be eaten, swallowed or applied is ten servings or one hundred milligrams of active THC, or Delta 9. A single unit of marijuana concentrate cannot exceed one gram.
- (c) **Transaction limitation.** A single transaction by a retail store with a medical marijuana endorsement to a qualifying patient or designated provider who is entered into the medical marijuana database is limited to:
 - Three ounces of useable marijuana;
 - Forty-eight ounces of marijuana-infused product meant to be eaten or swallowed in solid form;
 - Twenty-one grams of marijuana-infused extract or marijuana concentrate for inhalation; and
 - Two hundred sixteen ounces of marijuana-infused product in liquid form meant to be eaten or swallowed.

Serving Size and Measuring Devices

Labels must provide the number of servings in the container, amount per serving and serving size. The serving size is the amount of product that is suggested for a consumer to use. The serving size is NOT the potency of the product. Instead, the serving size should explain to the consumer the amount of product he or she should use to reach a specific potency. The serving size is determined by the processors, but the label must follow the rules regarding concentration limits.

For example, two cookies containing a total of 20 mg THC, a serving size could be noted as one cookie. The concentration limit per serving for an edible is 10 mg THC.

In this example, the label would say, "Serving Size: 1 cookie, Number of Servings per Container: 2."

Liquid edibles with more than one serving must be packaged with a re-sealable closure or cap, and also must include a measuring device such as a measuring cup or dropper. Hash marks on the bottle or package qualify as a measuring device. Servings on the package must clearly enable a person to determine when a single serving has been consumed. Measuring devices must be large enough for the consumer to use as a reliable guide for measuring single servings. Serving size must not be covered or obscured in any way.



IMPORTANT! Failure to include required information on a label may result in the denial of a label application or subject to enforcement action.

The following label requirements apply to all marijuana products. All information, warning statements, and language required in this section must not be covered or obscured in any way.

Organic Labeling

Marijuana products must not be labeled as organic unless permitted by the United States Department of Agriculture in accordance with the Organic Foods Production Act. Products are permitted to use organic ingredients and list them on the packaging and labeling as organic ingredients.

NIST Handbook 130, Uniform Packaging and Labeling Regulation adopted in chapter 16-662 WAC.

Labels must comply with the version of [NIST Handbook 130, Uniform Packaging and Labeling Regulation](#) adopted in chapter [WAC 16-662](#).

Optional Information

Harvest date, "best by" date, and manufactured dates are optional information that may be placed on labels.

Other cannabinoids and terpenes not required to be placed on the label that may be included on the label if:

- The producer or processor has test results from a certified third-party lab to support the claim; and
- The lab results are made available to the consumer upon request.
- Directions or recommended conditions of use.
- Warning that describes the product's psychoactive effect.

Upon Request Materials

Consumers may request the name of the certified lab and quality assurance test results for any marijuana or marijuana product. Retailer must provide the information upon request.

Label Prohibitions

Labels of usable marijuana and marijuana products sold at retail in the State of Washington must not contain any statement, depiction, or illustration that:

- Is false or misleading;
- Promotes over consumption;
- Represents the use of marijuana has curative or therapeutic effects;
- Depicts a child or other person under legal age consuming marijuana; or
- Is especially appealing to persons under twenty-one years of age.

False or Misleading Statements

Title 21, Volume 2, 21 CFR 101.18 Misbranding of food

Among representation on the labeling of food which render such food misbranded is a false or misleading representation with respect to another food or a drug, device, or cosmetic.

A false or misleading statement is one that is either not true, or a statement that implies something about the product or package that is not true. Labels affixed to a container or package containing usable marijuana concentrates, and marijuana infused products sold at retail in Washington State must not:

- Mimic, imply, represent or contain any statement, depiction, illustration, design, brand, or name of a product containing alcohol.
- Be designed similarly to products or words that refer to products that are commonly associated or marketed to persons under twenty-one years of age.
- Have product label designs that mimic or imply that a marijuana product contains alcohol, are false and misleading, and increase public safety risk. Use of the following words or references does not permit the design to mimic or imply the product contains alcohol. Words or references include, but are but not limited to: non-alcoholic, does not contain alcohol, not a beer, not a wine, not a spirit, or 0%ABV

Curative or Therapeutic Effects

Health claims describe a relationship between a substance and a reduced risk of a disease or health related condition. A statement claiming that the product or ingredient(s) in the product can cure, mitigate, or treat any disease or health-related condition cannot be made or implied. Any statement that makes such a claim would be considered a misleading statement and could lead to a denial of a label application or subject to enforcement action.

The labeling of DOH compliant marijuana products may include claims that describe the product's intended role in maintaining a structure or function of the body. The labels may also characterize the documented mechanism by which the product maintains a bodily structure or function.

A marijuana product is not in violation of any state law or administrative rule solely because its label contains directions or recommended conditions of use, or a warning that describes the product's psychoactive effect.

Labels containing a structure or function claim or characterizing the documented mechanism by which the product maintains a bodily structure or function of the body may not claim to diagnose, mitigate, treat, cure, or prevent any disease. In addition, marijuana product label claims may not be false, misleading, or especially appealing to children.

Marijuana product labels that contain a structure or function claim or that characterize the documented mechanism by which the product maintains a bodily structure or function of the body, must include the disclaimer: "This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."

Cannabis for animal use

Marijuana infused edible items cannot be produced, advertised or marketed for animals.

RCW 69.50.101(ff) – Definitions

"Marijuana-infused products" means products that contain marijuana or marijuana extracts, are intended for human use, are derived from marijuana as defined in subsection (y) of this section, and have a THC concentration no greater than ten percent. The term "marijuana-infused products" does not include either useable marijuana or marijuana concentrates.

(y) "Marijuana" or "marihuana" means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include:

- (1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination; or
- (2) Hemp or industrial hemp as defined in RCW 15.140.020, seeds used for licensed hemp production under chapter

[RCW 69.50.575](#) – Cannabis health and beauty aids

(1) Cannabis health and beauty aids are not subject to the regulations and penalties of this chapter that apply to marijuana, marijuana concentrates, or marijuana-infused products.

(2) For purposes of this section, "cannabis health and beauty aid" means a product containing parts of the cannabis plant and which:

- (a) Is intended for use only as a topical application to provide therapeutic benefit or to enhance appearance;
- (b) Contains a THC concentration of not more than 0.3 percent;
- (c) Does not cross the blood-brain barrier; and
- (d) Is not intended for ingestion by humans or animals.

"Marijuana topical" or "topical" means any product containing parts of the cannabis plant that is intended for application to the body's surface including, but not limited to, lotions, ointments, salves, gels, or cream that are not intended for ingestion, inhalation, or insertion by humans or animals.

Marijuana items cannot be packaged in a manner that is especially appealing to children.

"Especially appealing to persons under the age of twenty-one" means a product or label that includes, but is not limited to:

- The use of cartoons;
- Bubble-type or other cartoon-like font;
- A design, brand, or name that resembles a non-cannabis consumer product that is marketed to persons under the age of twenty-one;
- Symbols or celebrities that are commonly used to market products to persons under the age of twenty-one;
- Images of persons under the age of twenty-one;
- Similarities to products or words that refer to products that are commonly associated or marketed to persons under the age of twenty-one.

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

- The use of comically exaggerated features;
- The attribution of human characteristics to animals, plants, or other objects;
- The attribution of animal, plant, or other object characteristics to humans.

Examples are not all inclusive. They are basic examples of the definition of a cartoon.

Non-compliant due to the use of comically exaggerated features.



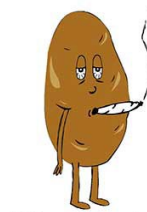
Non-compliant due to the attribution of human characteristics to animals.



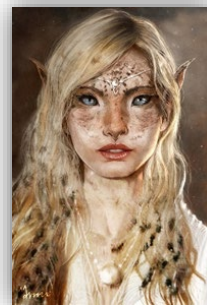
Non-compliant due to the attribution of human characteristics to plants.



Non-complaint due to the attribution of human characteristics to other objects.

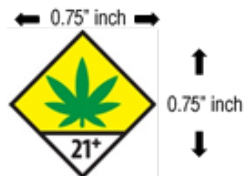


Non-compliant due to the attribution of animal, plant, or other object characteristics to humans.



Required Symbols

Universal symbol



The universal symbol must be of a size not smaller than three-quarters of an inch in height by three-quarters of an inch in width.

All marijuana products sold at retail must be labeled on the principal display panel or front of the product package with the marijuana universal symbol ("universal symbol") created and made available in digital form to licensees without cost by the WSLCB. The digital file for the universal symbol is available on the WSLCB's web site.

The universal symbol must not be altered or cropped in any way other than to adjust the sizing for placement on the principal display panel or front of the product package.

The digital universal symbol is available for download from the WSLCB's web site and print stickers in lieu of incorporating the universal symbol on the label or packaging as required. If a licensee elects to use a universal symbol sticker, the sticker:

- (i) Must meet all requirements of this section; and
- (ii) Must not cover or obscure in any way labeling or information required on marijuana products by WAC 314-55-105.

Not for Kids



The Not for Kids symbol must be of a size to be legible, readily visible by the consumer, and effective to alert consumers and children that the product is not for kids, but must not be smaller than three-quarters of an inch in height by one-half of an inch in width. Requires a black border when placed on a white background.

Marijuana-infused products for oral ingestion sold at retail must be labeled on the principal display panel or front of the product package with the "Not for Kids" warning symbol ("warning symbol") created and made available in digital form to licensees without cost by the Washington poison center (WPC). The warning symbol may be found on the WPC's web site at wapc.org.

The warning symbol must not be altered or cropped in any way other than to adjust the sizing for placement on the principal display panel or front of the product package, except that a licensee must use a black border around the edges of the white background of the warning symbol image when the label or packaging is also white to ensure visibility of the warning symbol.

The digital not for kids symbol is available for download from the WPC and print stickers, or purchase and use a sticker made available by the WPC, in lieu of incorporating the warning symbol on the label or packaging.

Principal Display Panel

The principal display panel is always the front panel of the immediate container or of any outer container or wrapping, which bear(s) the labeling designed to be most prominently displayed, shown, presented, or examined under conditions of retail sale. On a curved surface, it is the front main area and does not wrap around to the sides or the back of the packaging or labeling. Generally the front of the package that contains logo(s) and branding.

"Immediate container" means the external container holding the marijuana product. A package may have more than one principal display panel and, if so, all principal display panels must be properly labeled.

Dotted lines below represent the front of the immediate container(s) and its principal display panel(s):



IMPORTANT! On packages with a hang tag area, licensees may use that portion of the package as the primary display panel to place the required symbol(s) as long as the hang tag portion is not removed when the product is opened.

Package / Label Consultations

WSLCB will review packages and labels before they are submitted to the pre-review process. Licensees that would like feedback can send questions or photographs of a specific package or label to labelapproval@lcb.wa.gov at any time. You will receive a response with feedback regarding whether you should make any changes to your package or label. Please note that the feedback you receive during a consultation is **not an approval**. See **Section 4 Resources** for the complete product, packaging and labeling review and approval process.

Making Changes to Label after Approved

After receiving approval, licensees may want to make changes to a package or label. Changes on approved packaging or labeling needs to be resubmitted to labelapproval@lcb.wa.gov. If changes are minor, list in the email what changes have been made. If compliant, the approval process is expedited. If not compliant, the review process will be the same as an initial submission. The WSLCB is required to maintain records of all marijuana infused edible packaging and labeling available in retail stores.

Still have questions?

If you have more questions regarding packaging and labeling, please visit the WSLCB website: lcb.wa.gov, send an email to labelapproval@lcb.wa.gov or call (360) 664-1620.

Marijuana infused edibles packaging and labeling

Submit each of these items to labelapproval@lcb.wa.gov

- Completed application
- WSDA MIE Endorsement
- WSDA approval of ingredients
- Product image
- Packaging and labeling image
- Retailer/Bar code label image (if applicable)

Containers or packaging containing marijuana edibles in solid or liquid form must protect the product from contamination. Containers or packaging must not impart any toxic or harmful substance to the marijuana infused edibles in solid or liquid form.

Marijuana processors that make marijuana-infused solid or liquid product meant to be ingested orally (marijuana edibles) must obtain a marijuana-infused edible endorsement from the department of agriculture as required under chapter RCW 15-125 and rules adopted by the department to implement that chapter (WAC 16-131).

Marijuana edibles must be packaged:

1. In child resistant packaging consistent with 16 C.F.R. Part 1700, Poison Prevention Packaging Act; or
2. In plastic that is two mil or greater in thickness, heat sealed without an easy-open tab, dimple, corner, or flap that will protect persons under the age of twenty-one from accidental exposure to marijuana edibles in solid form.
3. The outer package is not required to be child resistant if products inside the package.
4. **Marijuana infused liquid edibles** with more than one serving must be packaged with a re-sealable closure or cap, and must include a measuring device such as a measuring cup or dropper. Hash marks on the bottle or package qualify as a measuring device.
5. **Marijuana infused solid edibles** such as capsules, lozenges, and similar products approved by the WSLCB on a case-by-case basis may be packaged loosely within a resealing outer package that is child resistant in accordance with Title 16 C.F.R. 1700 of the Poison Prevention Packaging Act.
6. Marijuana-infused edible products in solid or liquid form must be homogenized to ensure uniform disbursement of cannabinoids. A marijuana processor is limited in the types of food or drinks they may infuse with marijuana [WAC 314-55-077\(9\)](#). Marijuana-infused products that require cooking or baking by the consumer are prohibited. Marijuana-infused products that are similar to commercially available products intended for or that are targeted to persons under twenty one years of age are prohibited.

7. With the exception of the marijuana, all ingredients used in making marijuana-infused products for oral ingestion must be a commercially manufactured food as defined in WAC 246-215-01115.

Labels for marijuana edibles solid and liquid form must clearly and visibly provide all of the following information:

See **Section 4 – Resources** for examples.

1. The business or trade name(s) and the nine digit Washington state unified business identifier (UBI) number(s) of the licensees that produced and processed the marijuana or marijuana product.

These two pieces of information should be listed together on the label. Providing the business or trade name as part of a logo or other branding is not sufficient to meet this requirement. The label must be clearly marked with the identifying information for the licensee(s) or registrant(s) responsible for the product.

2. The lot numbers/unique identifier number generated by the Board's traceability system. This must be the same number that appears on the transport manifest. This information can be a numerical or a barcode including unique identifier number on the label.
3. The serving size and the number of servings contained within the unit. If more than one serving is in a package, the label must prominently display the serving size, the number of servings in the package and the amount of product per serving.

Example: 10 servings | 10mg THC per serving | 1 serving = 1 piece

Processors designate the serving size based on the amount of product in the packaging.

Package not to exceed 100mg THC / maximum serving size 10mg THC.

The serving size must reflect actual number of servings in the packaging and must not include servings listed as: 10 + servings, or approximately 10 servings.

For specific serving and transaction limits, see the **Marijuana Serving and Transaction Limitations** section.

4. Net weight in ounces and grams or volume as applicable.

The net quantity of contents means the amount of product being sold in the container. It can be expressed on the label as either the net weight or the net volume. Weight (dry) displayed in ounces and volume (liquid) displayed in fluid ounces.

The net weight is the gross weight of the final product minus the weight of the packaging and is expressed on the label in both ounces and grams (or milligrams for weights under one gram). A label must include the net weight if the product is a solid, semi-solid, or viscous product.

A standard net weight declaration looks as follows: Net wt. 1.0 g (0.035 oz.)

The net volume is the fluid measure of a liquid product expressed as milliliters and fluid ounces (fluid ounces are different than ounces). A label must include the net volume if the product is a liquid.

5. Total THC (delta-9-tetrahydrocannabinol) meaning the concentration of THC and THCA, total CBD (cannabidiol) meaning the concentration of CBDA and CBD, using the formulas referenced in WAC 314-55-102.

Example: Total THC = 100mg, THCA = 0mg, CBD= 200mg, CBDA= 0mg

Adding THC and CBD (or any other cannabinoid) together for a total milligram amount is incorrect. You must list a total for each and not a grand total for all.

See **Section 4 – Resources** for examples.



IMPORTANT! The total THC and CBD concentration is the total amount in the package. The serving size information reflects the amount per piece. The primary display panel of the package must clearly state the amount of THC and CBD included in the product. Listing the primary cannabinoid on the primary display panel and the secondary cannabinoid on the back of the package is considered false and misleading which is prohibited.

6. Medically and scientifically accurate and reliable information about the health and safety risks posed by marijuana use.
7. The required warning statements currently in WAC 314-55-105 satisfy this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.
8. A list of ingredients in descending order of predominance by weight or volume as applicable and a list of major food allergens as defined in the Food Allergen Labeling and Consumer Protection Act of 2004.

All ingredient items must be listed and submitted to the WSDA for approval, including but not limited to, dietary supplements and botanical terpenes.

Ingredients must be listed verbatim as approved from the WSDA. Failure to do so may cause labeling to be non-compliant and subject to enforcement action.

Changes to approved ingredients in the order as approved requires re-approval from the WSDA. All ingredient approvals are required to be submitted to the WSLCB.

9. If solvents have been used, a statement that discloses the type of extraction method, including any solvents, gases, or other chemicals or compounds used to produce or that were added to the extract must be included. Any item used during the extraction process or that is added to the extract is considered a solvent.

Examples of chemical compounds are as follows:

- Water (H₂O, consisting of 2 hydrogen atoms and one oxygen atom)
- Carbon dioxide (CO₂, consisting of one carbon atom and two oxygen atoms)
- Sodium Chloride (NaCl, consisting of one sodium atom and one chloride atom)
- Methane (CH₄, consisting of one carbon atom and four hydrogen atoms)

10. Warning statements must be listed verbatim on all marijuana infused edible packaging and labeling. Warning statements and symbols must be legible, unobscured, and visible to the consumer inspecting the package. The use of peel back or accordion style labels are prohibited.
 - "Warning – May be habit forming;"
 - "Unlawful outside Washington State;"
 - "It is illegal to operate a motor vehicle under the influence of marijuana;"
 - "Caution: Intoxicating effects may be delayed by 2+ hours."
 - The Not for Kids and Marijuana Universal symbol as provided in WAC 314-55-106
11. Product labeling for marijuana infused edibles identified as compliant marijuana product under [RCW 69.50.375\(4\)](#) and chapter [WAC 246-70](#) may include:
 - A structure or function claim describing the intended role of the product to maintain the structure or any function of the body; or
 - Characterization of the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading.

Any statement made may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

Where there is one or more statement made, or there is a warning describing the psychoactive effects of the marijuana product, provided it is not false or misleading, the disclaimer must state, **"This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."**

12. Pesticide information must be provided with a marijuana product or made available to the consumer purchasing marijuana products. A producer or processor must provide product-specific information, for as long as the product is for sale, through an internet link, web address, or QR code on the product label. A statement disclosing all pesticides applied to the marijuana plants and growing medium during production of the useable marijuana or the base marijuana used to create the concentrate or the extract added to infused products. Listing pesticides as "and/or" is not a clear representation of what pesticide has been used. This would be prohibited.



IMPORTANT! Products that are packaged with outer packaging, require information on both the packaging and container containing marijuana.

See **Section 4 – Resources** for examples.

Medically and scientifically accurate and reliable information

Engrossed substitute senate bill 5298 effective January 1, 2020 requires medically and scientifically accurate information about the health and safety risks posed by marijuana use to be included on all marijuana packaging and labeling.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

Marijuana concentrates packaging and labeling

Containers or packaging containing marijuana concentrates must protect the product from contamination. Containers or packaging must not impart any toxic or harmful substance to the marijuana concentrates.

Marijuana concentrates must clearly and visibly provide:

1. In child resistant packaging consistent with [16 C.F.R. Part 1700, Poison Prevention Packaging Act](#); or
2. In plastic that is two mil or greater in thickness, heat sealed without an easy-open tab, dimple, corner, or flap that will protect persons under the age of twenty-one from accidental exposure to marijuana edibles in solid form.
3. With the exception of the marijuana, all ingredients used in making marijuana-infused products for oral ingestion must be a commercially manufactured food as defined in [WAC 246-215-01115](#).
4. The business or trade name and the nine digit Washington state unified business identifier (UBI) number of the licensees that produced and processed the marijuana or marijuana product.

These two pieces of information should be listed together on the label. Providing the business or trade name as part of a logo or other branding is not sufficient to meet this requirement. The label must be clearly marked with the identifying information for the licensee or registrant responsible for the product.

5. The lot numbers/unique identifier numbers generated by the board's traceability system. This must be the same number that appears on the transport manifest. This information can be a numerical or a barcode including unique identifier number on the label.
6. Net weight in ounces and grams or volume as applicable.

The net quantity of contents means the amount of product being sold in the container. It can be expressed on the label as either the net weight or the net volume. Weight (dry) displayed in ounces and volume (liquid) displayed in fluid ounces.

The net weight is the gross weight of the final product minus the weight of the packaging and is expressed on the label in both ounces and grams (or milligrams for weights under one gram).

A label must include the net weight if the product is a solid, semi-solid, or viscous product.

A standard net weight declaration looks as follows: Net wt. 1.0 g (0.035 oz.)

The net volume is the fluid measure of a liquid product expressed as milliliters and fluid ounces (fluid ounces are different than ounces). A label must include the net volume if the product is a liquid.

7. Total THC (delta-9-tetrahydrocannabinol) meaning the concentration of THC and THCA, total CBD (cannabidiol) meaning the concentration of CBDA and CBD, using the formulas referenced in [WAC 314-55-102](#).

Example: Total THC = 100mg, THCA = 0mg, CBD= 200mg, CBDA= 0mg



IMPORTANT! The total THC and CBD concentration is the total amount in the package. The serving size information reflects the amount per draw. The primary display panel of the package must clearly state the cannabinoids included in the product. Listing the primary cannabinoid on the primary display panel and the secondary cannabinoid on the back of the package is considered false and misleading which is prohibited.

8. Medically and scientifically accurate and reliable information about the health and safety risks posed by marijuana use.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

9. If solvents were used to create concentrate or extract, a statement that discloses the type of extraction method, including in solvents or gases used to create the concentrate.
10. A complete list of any other chemicals, compounds, additives, thickening agents, terpenes, or other substances used to produce or added to the concentrate or extract at any point during production. A copy of the complete list of chemicals, compounds, additives, thickening agents, terpenes, or other substances must be kept and maintained at the facility in which the marijuana concentrates are processed.
11. Warning statements must be listed verbatim on all marijuana concentrate packaging and labeling. Warning statements and symbols must be legible, unobscured, and visible to the consumer inspecting the package. The use of peel back or accordion style labels are prohibited.
 - "Warning – May be habit forming;"
 - "Unlawful outside Washington State;"
 - "It is illegal to operate a motor vehicle under the influence of marijuana;"
 - "Smoking is hazardous to your health."
 - Universal symbol as provided in [WAC 314-55-106](#)

12. Product labeling for marijuana concentrates identified as compliant marijuana product under [RCW 69.50.375\(4\)](#) and chapter [WAC 246-70](#) may include:

- A structure or function claim describing the intended role of the product to maintain the structure or any function of the body; or
- Characterization of the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading.

Any statement made under this subsection may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

Where there is one or more statement made, or there is a warning describing the psychoactive effects of the marijuana product, provided it is not false or misleading, the disclaimer must state, **"This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."**

13. Pesticide information must be provided with a marijuana product or made available to the consumer purchasing marijuana products. A producer or processor must provide the following product-specific information, for as long as the product is for sale, through an internet link, web address, or QR code on the product label. A statement disclosing all pesticides applied to the marijuana plants and growing medium during production of the useable marijuana or the base marijuana used to create the concentrate or the extract added to infused products.



IMPORTANT! See Section 4 – Resources for examples on how to list required information on packaging and labeling.

Medically and scientifically accurate and reliable information

Engrossed substitute senate bill 5298 effective January 1, 2020 requires medically and scientifically accurate information about the health and safety risks posed by marijuana use to be included on all marijuana packaging and labeling.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

Usable marijuana packaging and labeling

Containers or packaging containing marijuana concentrates must protect the product from contamination. Containers or packaging must not impart any toxic or harmful substance to the usable marijuana.

Usable marijuana must clearly and visibly provide:

1. The business or trade name and the nine digit Washington state unified business identifier (UBI) number of the licensees that produced and processed the marijuana or marijuana product.

These two pieces of information should be listed together on the label. Providing the business or trade name as part of a logo or other branding is not sufficient to meet this requirement. The label must be clearly marked with the identifying information for the licensee or registrant responsible for the product.

2. The lot numbers/unique identifier numbers generated by the Board's traceability system. This must be the same number that appears on the transport manifest. This information can be a numerical or a barcode including unique identifier number on the label.

3. Net weight in ounces and grams or volume as applicable.

The net quantity of contents means the amount of product being sold in the container. It can be expressed on the label as either the net weight or the net volume. Weight (dry) displayed in ounces and volume (liquid) displayed in fluid ounces.

The net weight is the gross weight of the final product minus the weight of the packaging and is expressed on the label in both ounces and grams (or milligrams for weights under one gram). A label must include the net weight if the product is a solid, semi-solid, or viscous product. A standard net weight declaration looks as follows: Net wt. 1.0 g (0.035 oz.)

The net volume is the fluid measure of a liquid product expressed as milliliters and fluid ounces (fluid ounces are different than ounces). A label must include the net volume if the product is a liquid.

4. Total THC (delta-9-tetrahydrocannabinol) meaning the concentration of THC and THCA, total CBD (cannabidiol) meaning the concentration of CBDA and CBD, using the formulas referenced in [WAC 314-55-102](#).

Example: Total THC = 100mg, THCA = 0mg, CBD= 200mg, CBDA= 0mg



IMPORTANT! The total THC and CBD concentration is the total amount in the package. The serving size information reflects the amount per draw. The primary display panel of the package must clearly state the cannabinoids included in the product. Listing the primary cannabinoid on the primary display panel and the secondary cannabinoid on the back of the package is considered false and misleading which is prohibited.

5. Medically and scientifically accurate and reliable information about the health and safety risks posed by marijuana use.
The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.
6. The warning statements must be listed verbatim on all usable marijuana packaging and labeling. Warning statements and symbols must be legible, unobscured, and visible to the consumer inspecting the package. The use of peel back or accordion style labels are prohibited.
 - "Warning – May be habit forming;"
 - "Unlawful outside Washington State;"
 - "It is illegal to operate a motor vehicle under the influence of marijuana;"
 - "Smoking is hazardous to your health."
 - Universal symbol as provided in [WAC 314-55-106](#)
7. Product labeling for usable marijuana identified as compliant marijuana product under [RCW 69.50.375\(4\)](#) and chapter [WAC 246-70](#) may include:
 - A structure or function claim describing the intended role of the product to maintain the structure or any function of the body; or
 - Characterization of the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading.

Any statement made under this subsection may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

Where there is one or more statement made, or there is a warning describing the psychoactive effects of the marijuana product, provided it is not false or misleading, the disclaimer must state, **"This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."**

8. Pesticide information must be provided with a marijuana product or made available to the consumer purchasing marijuana products. A producer or processor must provide the following product-specific information, for as long as the product is for sale, through an internet link, web address, or QR code on the product label. A statement disclosing all pesticides applied to the marijuana plants and growing medium during production of the useable marijuana or the base marijuana used to create the concentrate or the extract added to infused products.



IMPORTANT! See Section 4 – Resources for examples on how to list required information on packaging and labeling.

Medically and scientifically accurate and reliable information

Engrossed substitute senate bill 5298 effective January 1, 2020 requires medically and scientifically accurate information about the health and safety risks posed by marijuana use to be included on all marijuana packaging and labeling.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

Marijuana mix packaging and labeling

Containers or packaging containing marijuana mix must protect the product from contamination. Containers or packaging must not impart any toxic or harmful substance to the marijuana mix.

Marijuana mix must clearly and visibly provide:

1. The business or trade name and the nine digit Washington state unified business identifier (UBI) number of the licensees that produced and processed the marijuana or marijuana product.

These two pieces of information should be listed together on the label. Providing the business or trade name as part of a logo or other branding is not sufficient to meet this requirement. The label must be clearly marked with the identifying information for the licensee or registrant responsible for the product.

2. The lot numbers/unique identifier numbers generated by the Board's traceability system. This must be the same number that appears on the transport manifest. This information can be a numerical or a barcode including unique identifier number on the label.
3. Net weight in ounces and grams or volume as applicable.

The net quantity of contents means the amount of product being sold in the container. It can be expressed on the label as either the net weight or the net volume. Weight (dry) displayed in ounces and volume (liquid) displayed in fluid ounces.

The net weight is the gross weight of the final product minus the weight of the packaging and is expressed on the label in both ounces and grams (or milligrams for weights under one gram). A label must include the net weight if the product is a solid, semi-solid, or viscous product. A standard net weight declaration looks as follows: Net wt. 1.0 g (0.035 oz.)

The net volume is the fluid measure of a liquid product expressed as milliliters and fluid ounces (fluid ounces are different than ounces). A label must include the net volume if the product is a liquid.

4. Total THC (delta-9-tetrahydrocannabinol) meaning the concentration of THC and THCA, total CBD (cannabidiol) meaning the concentration of CBDA and CBD, using the formulas referenced in [WAC 314-55-102](#).

Example: Total THC = 100mg, THCA = 0mg, CBD= 200mg, CBDA= 0mg



IMPORTANT! The total THC and CBD concentration is the total amount in the package. The serving size information reflects the amount per draw. The primary display panel of the package must clearly state the cannabinoids included in the product. Listing the primary cannabinoid on the primary display panel and the

secondary cannabinoid on the back of the package is considered false and misleading which is prohibited.

5. Medically and scientifically accurate and reliable information about the health and safety risks posed by marijuana use.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

6. If solvents were used, a statement that discloses the type of extraction method, including any solvents, gases, or other chemicals or compounds used to produce or that were added to the extract. Any item used during the extraction process or that is added to the extract is considered a solvent.
7. Any other chemical or compounds used to produce or added to the concentrate or extract.
8. The warning statements must be listed verbatim on all marijuana mix packaging and labeling. Warning statements and symbols must be legible, unobscured, and visible to the consumer inspecting the package. The use of peel back or accordion style labels are prohibited.

- "Warning – May be habit forming;"
- "Unlawful outside Washington State;"
- "It is illegal to operate a motor vehicle under the influence of marijuana;"
- "Smoking is hazardous to your health."
- Universal symbol as provided in [WAC 314-55-106](#)

9. Product labeling for marijuana mix identified as compliant marijuana product under [RCW 69.50.375\(4\)](#) and chapter [WAC 246-70](#) may include:

- A structure or function claim describing the intended role of the product to maintain the structure or any function of the body; or
- Characterization of the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading.

Any statement made under this subsection may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

Where there is one or more statement made, or there is a warning describing the psychoactive effects of the marijuana product, provided it is not false or misleading, the disclaimer must state, **"This statement has not been evaluated by the State of**

Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."

10. Pesticide information must be provided with a marijuana product or made available to the consumer purchasing marijuana products. A producer or processor must provide the following product-specific information, for as long as the product is for sale, through an internet link, web address, or QR code on the product label. A statement disclosing all pesticides applied to the marijuana plants and growing medium during production of the useable marijuana or the base marijuana used to create the concentrate or the extract added to infused products.



IMPORTANT! See Section 4 – Resources for examples on how to list required information on packaging and labeling.

Medically and scientifically accurate and reliable information

Engrossed substitute senate bill 5298 effective January 1, 2020 requires medically and scientifically accurate information about the health and safety risks posed by marijuana use to be included on all marijuana packaging and labeling.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

Marijuana topicals packaging and labeling

Containers or packaging containing marijuana topicals must protect the product from contamination. Containers or packaging must not impart any toxic or harmful substance to the marijuana topical.

Marijuana topicals must clearly and visibly provide:

1. The business or trade name and the nine digit Washington state unified business identifier (UBI) number of the licensees that produced and processed the marijuana or marijuana product.

These two pieces of information should be listed together on the label. Providing the business or trade name as part of a logo or other branding is not sufficient to meet this requirement. The label must be clearly marked with the identifying information for the licensee or registrant responsible for the product.

2. The lot numbers/unique identifier numbers generated by the Board's traceability system. This must be the same number that appears on the transport manifest.

This information can be a numerical or a barcode including unique identifier number on the label.

3. Net weight in ounces and grams or volume as applicable.

The net quantity of contents means the amount of product being sold in the container. It can be expressed on the label as either the net weight or the net volume. Weight (dry) displayed in ounces and volume (liquid) displayed in fluid ounces.

The net weight is the gross weight of the final product minus the weight of the packaging and is expressed on the label in both ounces and grams (or milligrams for weights under one gram). A label must include the net weight if the product is a solid, semi-solid, or viscous product. A standard net weight declaration looks as follows: Net wt. 1.0 g (0.035 oz.)

The net volume is the fluid measure of a liquid product expressed as milliliters and fluid ounces (fluid ounces are different than ounces). A label must include the net volume if the product is a liquid.

4. Total THC (delta-9-tetrahydrocannabinol) meaning the concentration of THC and THCA, total CBD (cannabidiol) meaning the concentration of CBDA and CBD, using the formulas referenced in [WAC 314-55-102](#).

Example: Total THC = 100mg, THCA = 0mg, CBD= 200mg, CBDA= 0mg



IMPORTANT! The total THC and CBD concentration is the total amount in the package. The serving size information reflects the amount per draw. The primary display panel of the package must clearly state the cannabinoids included in the product. Listing the primary cannabinoid on the primary display panel and the

secondary cannabinoid on the back of the package is considered false and misleading which is prohibited.

5. Medically and scientifically accurate and reliable information about the health and safety risks posed by marijuana use.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

6. A list of all ingredients in descending order of predominance by weight or volume as applicable.

7. The warning statements must be listed verbatim on all marijuana topicals packaging and labeling. Warning statements and symbols must be legible, unobscured, and visible to the consumer inspecting the package. The use of peel back or accordion style labels are prohibited.

- "Unlawful outside Washington State;"
- **"DO NOT EAT"** in bold, capital letters
- Universal symbol as provided in [WAC 314-55-106](#)

8. Product labeling for marijuana topicals identified as compliant marijuana product under [RCW 69.50.375\(4\)](#) and chapter [WAC 246-70](#) may include:

- A structure or function claim describing the intended role of the product to maintain the structure or any function of the body; or
- Characterization of the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading.

Any statement made under this subsection may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

Where there is one or more statement made, or there is a warning describing the psychoactive effects of the marijuana product, provided it is not false or misleading, the disclaimer must state, **"This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."**

9. Pesticide information must be provided with a marijuana product or made available to the consumer purchasing marijuana products. A producer or processor must provide the following product-specific information, for as long as the product is for sale, through an internet link, web address, or QR code on the product label. A statement disclosing all pesticides applied to the marijuana plants and growing medium during

production of the useable marijuana or the base marijuana used to create the concentrate or the extract added to infused products.



IMPORTANT! See Section 4 – Resources for examples on how to list required information on packaging and labeling.

Medically and scientifically accurate and reliable information

Engrossed substitute senate bill 5298 effective January 1, 2020 requires medically and scientifically accurate information about the health and safety risks posed by marijuana use to be included on all marijuana packaging and labeling.

The required warning statements currently in WAC 314-55-105 satisfies this labeling requirement. Should additional medically and scientifically accurate information become available in the future, it will be addressed through the rule making process.

Section 3: Partnering Agencies

Department of Health








What are compliant products?

The medical marijuana law allows for products that may be beneficial for medical use. These products must pass stringent testing set by the Washington State Department of Health and are called “compliant” products because they comply with chapter [WAC 246-70](#).

The goals in developing the product compliance rules were to:

- Create voluntary standards for higher quality products, including mandatory testing for prohibited pesticides, heavy metals and mycotoxins.
- Allow consumers the choice of compliant or regular products.
- Create ratios for high CBD/low THC products that are sales tax-free for any adult.

Marijuana compliant product purchases:

	High THC Compliant	High CBD Compliant	General Use Compliant	Any product available for sale in retail stores with a medical endorsement
Patients and designated providers with recognition card may purchase*				
<u>Any</u> adult consumer may purchase		 +		

* All purchases made by a recognized cardholder are sales tax free

+ Any adult may purchase High CBD compliant sales tax free

All compliant product packaging and labeling must prominently display the following statement: **"This product is not approved by the FDA to treat, cure, or prevent any disease."**

Who can purchase:

Adults age 21 or older. Purchase subject to sales tax.

Qualifying patients age 18 and over or designated providers who are entered into the medical marijuana authorization database and hold a valid medical marijuana recognition card. Sales tax-free purchase.

General use products

A general use product is any marijuana product allowed by the WSLCB, including edibles, flowers and concentrates.

Packaged Servings:

- May be packaged in servings or applications that contain up to 10 mg of active THC.
- A unit must not contain more than 10 servings or applications and must not exceed 100 mg total of active THC.



High CBD products

High CBD products are any marijuana product allowed by the WSLCB, including edibles - except marijuana intended for smoking.

Packaged Servings:

- Concentrates containing not more than 2 percent THC concentration and at least 25 times more CBD concentration by weight.
- Marijuana-infused edible products that contain no more than 2 mg of active THC and at least five times more CBD per serving by weight for solids or volume for liquids.
- Marijuana-infused topical products containing at least five times more CBD concentration than THC concentration.



High THC products

High THC products are marijuana products containing more than 10 mg but not more than 50 mg of active THC per serving or application. Only the following types of marijuana products qualify for High THC classification: capsules, tablets, tinctures, transdermal patches, and suppositories.

Packaged Servings:

- High THC compliant products may be packaged in servings or applications containing up to 50 mg of active THC.
- A unit must not contain more than 10 servings or applications and must not exceed 500 mg total of active THC.



Why can't edible products have 50mg THC?

The concern is about children accidentally eating a high-THC product. We limited those products to the types of things that resemble traditional medical products and are less likely to be taken by a child.

Why can't labels have words and symbols traditionally associated with medicine and pharmacy?

Department of Health do not want to give consumers false impressions that science hasn't yet proved. Besides, general use and high-CBD compliant products are available for patients and non-patients. Different people use the same product for different reasons. We don't want people to think their choices are limited based on labels.

Does compliant product testing require testing for all unapproved pesticides?

There are thousands of unapproved pesticides. Many of those are unlikely to be used on marijuana. The Washington State Department of Agriculture (WSDA) helped the Department of Health determine which unapproved pesticides are most likely to be used. Department of Health requires testing for those.

Why not test for all unapproved pesticides?

Testing for that many pesticides would be very costly and most of the pesticides are unlikely to be used on marijuana. We don't want to make these tested products so expensive that people can't afford them.

Why not test for levels of approved pesticides?

Experts at the WSDA chose the approved pesticides because they have no established tolerance or limit. We chose to test finished concentrates for limits of two allowed pesticides because these two pesticides can reach unacceptable levels when concentrated.

Why test both plant matter at harvest and concentrates for pesticides? Isn't that an unnecessary cost?

Testing is required at harvest for products sold without extraction, such as dry flower. We require testing of concentrates because experts have told us that pesticide levels rise dramatically in concentrates. That means a pesticide may be undetectable in dry flower but detectable in finished concentrates. We want to make sure concentrates with unacceptable levels aren't being sold as compliant products.

Won't growers see the list and know what pesticides will be tested?

Yes, the Department of Health will consult with WSDA and the Washington State Liquor and Cannabis Board (WSLCB) to periodically update and change the list.

What happens to a batch or harvest that doesn't pass pesticide testing?

It must be destroyed. This is also true of recreational products that fail the WSLCB's random tests.

Why don't you require testing for terpenes (compounds in cannabis that affect smell and taste)?

Testing is focused on safety. The levels or types of terpenes don't change a product's safety. We believe terpene testing should be done if the market drives it, and patients should be provided that information, if available, in order to make good choices.

Department of Agriculture

Since implementation of Washington's recreational marijuana law in 2012, the Washington State Liquor and Cannabis Board (WSLCB) had been solely responsible for regulating processors making marijuana-infused edibles, or MIEs. Now WSDA will share that responsibility with the WSLCB.

As of April 1, 2018, the Washington State Department of Agriculture (WSDA) assumes regulatory authority to license and regulate makers of food products that contain marijuana. This requires these processing businesses to apply for a special endorsement on their business licenses.

WSDA's Food Safety Program regulates, inspects and provides technical assistance to food processors regarding product safety issues and now will conduct similar activities with MIE processors. These activities include assessing facility construction, equipment, cleaning and sanitizing practices, allowable products, labeling, and carrying out enforcement and recalls when necessary.

Who can apply?

To add an MIE Processor License Endorsement from WSDA, you must:

- Currently have a WSLCB Marijuana Processor license
- Produce only MIE products at a single facility

You cannot:

- Add MIE products under a Food Processor license
- Process MIE products at a facility that processes non-marijuana food products
- Process non-marijuana food products at a facility that produces MIE products

How to apply:

- Go to the Washington State Department of Revenue Business Licensing Service website
- Login to your licensed Marijuana Processing business account through My DOR
- Follow the steps to add a specialty license endorsement
- Complete and submit the MIE Processor License Endorsement and fee to Department of Revenue
- Complete the MIE Endorsement Application and email it to FoodSafety@agr.wa.gov

What is the cost?

\$895 for the initial endorsement and each annual renewal.

WSDA will base endorsement approval on review of your information. If there are no changes to previously approved ownership, location and products, WSDA will not require an inspection or additional information for this initial application.

WSDA will inspect your facility within the first 12 months of endorsement.

Upon inspection, WSDA may request additional information.

If MIE ownership, facility location or products changes are planned during the licensing period, both WSDA and WSLCB must be notified of the proposed changes.

If you are a first-time MIE Processor applicant with a current WSLCB Marijuana Processor license, contact both WSDA and WSLCB to discuss the initial licensing process.

All recipes/ingredients for marijuana infused products meant for oral ingestion (marijuana edible products) must be approved by the department of agriculture under chapter [16-131 WAC](#).

Licensees must obtain recipe approval from the department of agriculture **prior to** submitting any marijuana edible products, packages, and labels for review and approval by the WSLCB. The recipe/approval of ingredients for any marijuana-infused solid or liquid products meant to be ingested orally must be kept on file at the marijuana processor's licensed premises and made available for inspection by the WSLCB or its designee.

Any the following changes to your approved recipe/ingredients from the WSDA requires you to obtain re-approval from the WSDA.

1. Ingredients
2. Order of predominance by weight or volume of the ingredients
3. A list of major food allergens as defined in the Food Allergen Labeling and Consumer Protection Act of 2004

Ingredients must be listed on the packaging or labeling verbatim as approved by the WSDA.

Section 4: Resources

Product, Packaging and Labeling Review and Approval Process

WSLCB will review all marijuana infused edible submissions within **14 business days** of receipt to ensure submissions are compliant with all applicable laws, rules and policies. Reviews are completed using the **Marijuana Infused Edible Packaging and Labeling Review Checklist**. The following must be submitted with your completed application:

- Photo of the product, package, label, and retail/bar code label (if applicable). The photo(s) provided shall be of sufficient clarity and resolution to enlarge and illustrate all packaging and labeling requirements.
- Recipe/ingredient approval from Washington State Department of Agriculture (WSDA). Ingredients must be listed on the packaging/labeling verbatim as approved.
- MIE Processor License Endorsement from Washington State Department of Agriculture

The WSLCB will review the submission materials and notify the licensee once the submission has been reviewed. If the submission was not approved, the WSLCB will provide a description of all of the package and/or label deficiencies via email. The licensee will have 15 business days to correct the deficiencies and re-submit.

If the WSLCB evaluates the submission a second time and finds that the deficiencies have not been corrected, the licensee will be given an additional 15 business days to correct the deficiencies and re-submit.

If the WSLCB evaluates the submission a third time and finds that the deficiencies have not been corrected, the submission will be denied and withdrawn. The licensee will have to submit a new application once all deficiencies have been corrected.

Upon request of the licensee, a potential non-compliant product, packaging or labeling can be sent forward for final decision. If the WSLCB denies the marijuana-infused product for sale in marijuana retail outlets, the marijuana processor licensee may request an administrative hearing under chapter 34.05 RCW, Administrative Procedure Act.

Check lists

Useable Marijuana Packaging and Labeling Checklist	
Packaging and labeling (PAL) requirements	
<input type="checkbox"/>	Business / Trade name and the nine digit Washington state unified business identifier (UBI) number of the producer and processor
<input type="checkbox"/>	Unique identifier number (lot number)
<input type="checkbox"/>	Net weight in ounces and grams or volume as applicable
<input type="checkbox"/>	Total THC, THC-A, CBD, CBD-A using the formulas referenced in WAC 314-55-102
<input type="checkbox"/>	A statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the usable marijuana or the base marijuana used to create the concentrate or the extract added to infused products. This statement must be provided with a marijuana product or made available to the consumer purchasing marijuana products at retail. A producer or processor may provide this information through an internet link, web address, or QR code on the product label so long as the information particular to that product as required below is maintained and accessible to a consumer for as long as the product is available for sale at retail.
Required warning statements - WAC 314-55-105 (must be listed verbatim)	
<input type="checkbox"/>	Warning - May be habit forming
<input type="checkbox"/>	Unlawful outside Washington State
<input type="checkbox"/>	It is illegal to operate a motor vehicle while under the influence of marijuana
<input type="checkbox"/>	Smoking is hazardous to your health
Required warning symbol - WAC 314-55-106	
<input type="checkbox"/>	Marijuana universal symbol
Product labeling for marijuana useable identified as compliant marijuana product under RCW 69.50.375(4) and chapter 246-70 WAC may include provided that the claim is truthful and not misleading:	
1.	A structure or function claim describing the intended role of the product to maintain the structure or any function of the body
2.	Characterization of the documented mechanism by which the product acts to maintain such structure or function
Product labeling for useable marijuana may include provided that the claim is truthful and not misleading:	
3.	A warning describing the psychoactive effects of the marijuana
Required statement for any structure / function claims or psychoactive effects	

This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease.”

Marijuana Mix Packaging and Labeling Checklist

Packaging and labeling (PAL) requirements	
<input type="checkbox"/>	Business / Trade name and the nine digit Washington state unified business identifier (UBI) number of the producer and processor
<input type="checkbox"/>	Unique identifier number (lot number)
<input type="checkbox"/>	Net weight in ounces and grams or volume as applicable
<input type="checkbox"/>	Total THC, THC-A, CBD, CBD-A using the formulas referenced in WAC 314-55-102
<input type="checkbox"/>	If solvents were used, a statement that discloses the type of extraction method, including any solvents, gases, or other chemicals or compounds used to produce or added to the extract
<input type="checkbox"/>	Any other chemicals or compounds used to produce or were added to the concentrate or extract
<input type="checkbox"/>	A statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the usable marijuana or the base marijuana used to create the concentrate or the extract added to infused products. This statement must be provided with a marijuana product or made available to the consumer purchasing marijuana products at retail. A producer or processor may provide this information through an internet link, web address, or QR code on the product label so long as the information particular to that product as required below is maintained and accessible to a consumer for as long as the product is available for sale at retail.
Required warning statements - WAC 314-55-105 (must be listed verbatim)	
<input type="checkbox"/>	Warning – May be habit forming
<input type="checkbox"/>	Unlawful outside Washington State
<input type="checkbox"/>	It is illegal to operate a motor vehicle under the influence of marijuana
<input type="checkbox"/>	Smoking is hazardous to your health
Required warning symbol - WAC 314-55-106	
<input type="checkbox"/>	Marijuana universal symbol
Product labeling for marijuana mix identified as compliant marijuana product under RCW 69.50.375(4) and chapter 246-70 WAC may include provided that the claim is truthful and not misleading:	
1.	A structure or function claim describing the intended role of the product to maintain the structure or any function of the body
2.	Characterization of the documented mechanism by which the product acts to maintain such structure or function
Product labeling for marijuana mix may include provided that the claim is truthful and not misleading:	
3.	A warning describing the psychoactive effects of the marijuana

Required statement for any structure / function claims or psychoactive effects
“This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease.”

Marijuana Concentrates Packaging and Labeling Checklist	
Packaging and labeling (PAL) requirements	
<input type="checkbox"/>	<p>Packaged in two mil or greater in thickness, heat sealed without an easy-open tab, dimple, corner, or flap that will protect persons under the age of twenty-one from accidental exposure to marijuana concentrates</p>
<input type="checkbox"/>	<p>Business / Trade name and the nine digit Washington state unified business identifier (UBI) number of the producer and processor</p>
<input type="checkbox"/>	<p>Unique identifier number (lot number)</p>
<input type="checkbox"/>	<p>Net weight in ounces and grams or volume as applicable</p>
<input type="checkbox"/>	<p>Total THC, THC-A, CBD, CBD-A using the formulas referenced in WAC 314-55-102</p>
<input type="checkbox"/>	<p>If solvents were used to create concentrate or extract, a statement that discloses the type of extraction method, including in solvents or gases used to create the concentrate</p>
<input type="checkbox"/>	<p>A complete list of any other chemicals, compounds, additives, thickening agents, terpenes, or other substances used to produce or added to the concentrate or extract at any point during production. A copy of the complete list of chemicals, compounds, additives, thickening agents, terpenes, or other substances must be kept and maintained at the facility in which the marijuana concentrates are processed.</p>
<input type="checkbox"/>	<p>A statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the usable marijuana or the base marijuana used to create the concentrate or the extract added to infused products. This statement must be provided with a marijuana product or made available to the consumer purchasing marijuana products at retail. A producer or processor may provide this information through an internet link, web address, or QR code on the product label so long as the information particular to that product as required below is maintained and accessible to a consumer for as long as the product is available for sale at retail.</p>
Required warning statements - WAC 314-55-105 (must be listed verbatim)	
<input type="checkbox"/>	<p>Warning - May be habit forming</p>
<input type="checkbox"/>	<p>Unlawful outside Washington State</p>
<input type="checkbox"/>	<p>It is illegal to operate a motor vehicle while under the influence of marijuana</p>
<input type="checkbox"/>	<p>Smoking is hazardous to your health</p>
Required warning symbol - WAC 314-55-106	
<input type="checkbox"/>	<p>Marijuana universal symbol</p>
Product labeling for marijuana concentrates identified as compliant marijuana product under RCW 69.50.375(4) and chapter 246-70 WAC may include provided that the claim is truthful and not misleading:	
<p>1.</p>	<p>A structure or function claim describing the intended role of the product to maintain the structure or any function of the body</p>

2. Characterization of the documented mechanism by which the product acts to maintain such structure or function
Product labeling for marijuana concentrates may include provided that the claim is truthful and not misleading:
3. A warning describing the psychoactive effects of the marijuana
Required statement for any structure / function claims or psychoactive effects
“This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease.”

Marijuana Infused Edible (Liquid) Packaging and Labeling Checklist		
Submit each of these items to labelapproval@lcb.wa.gov		
<input type="checkbox"/> Completed application	<input type="checkbox"/> WSDA MIE Endorsement	<input type="checkbox"/> WSDA approval of ingredients
<input type="checkbox"/> Product image	<input type="checkbox"/> Packaging and labeling image	<input type="checkbox"/> Retailer/Bar code label image
Packaging and labeling (PAL) requirements		
<input type="checkbox"/>	Liquids with more than one serving must be packaged with a re-sealable closure or cap. Must include a measuring device such as a measuring cup or dropper. Hash marks on the bottle or package qualify as a measuring device	
<input type="checkbox"/>	Business / Trade name and the nine digit Washington state unified business identifier (UBI) number of the producer and processor	
<input type="checkbox"/>	Unique identifier number (lot number)	
<input type="checkbox"/>	Number of servings, the amount of product per serving, serving size. Example: 10 servings 10mg THC per serving 1 serving = 1.2oz	
<input type="checkbox"/>	Net weight in ounces and grams or volume as applicable	
<input type="checkbox"/>	Total THC, THC-A, CBD, CBD-A using the formulas referenced in WAC 314-55-102	
<input type="checkbox"/>	Ingredients and allergens listed verbatim as approved by the WSDA	
<input type="checkbox"/>	Disclose type of extraction method, any solvents, gases, or other chemicals or compounds used	
<input type="checkbox"/>	A statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the usable marijuana or the base marijuana used to create the concentrate or the extract added to infused products. This statement must be provided with a marijuana product or made available to the consumer purchasing marijuana products at retail. A producer or processor may provide this information through an internet link, web address, or QR code on the product label so long as the information particular to that product as required below is maintained and accessible to a consumer for as long as the product is available for sale at retail.	
Required warning statements - WAC 314-55-105 (must be listed verbatim)		
<input type="checkbox"/>	Warning - May be habit forming	
<input type="checkbox"/>	Unlawful outside Washington State	
<input type="checkbox"/>	It is illegal to operate a motor vehicle while under the influence of marijuana	
<input type="checkbox"/>	CAUTION: "Intoxicating effects may be delayed by 2+ hours"	
Required warning symbols - WAC 314-55-106		

<input type="checkbox"/> Marijuana universal symbol <input type="checkbox"/> Not For Kids symbol
Product labeling for marijuana infused edible identified as compliant marijuana product under RCW 69.50.375(4) and chapter 246-70 WAC may include provided that the claim is truthful and not misleading:
<ol style="list-style-type: none"> 1. A structure or function claim describing the intended role of the product to maintain the structure or any function of the body 2. Characterization of the documented mechanism by which the product acts to maintain such structure or function
Product labeling for marijuana infused edible may include provided that the claim is truthful and not misleading:
<ol style="list-style-type: none"> 3. A warning describing the psychoactive effects of the marijuana
Required statement for any structure / function claims or psychoactive effects
<p>"This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."</p>

Marijuana Infused Edible (Solid) Packaging and Labeling Checklist		
Submit each of these items to labelapproval@lcb.wa.gov		
<input type="checkbox"/> Completed application	<input type="checkbox"/> WSDA MIE Endorsement	<input type="checkbox"/> WSDA approval of ingredients
<input type="checkbox"/> Product image	<input type="checkbox"/> Packaging and labeling image	<input type="checkbox"/> Retailer/Bar code label image
Packaging and labeling (PAL) requirements		
<input type="checkbox"/>	Must be in plastic that is two mil or greater in thickness, heat sealed without an easy-open tab, dimple, corner, or flap	
<input type="checkbox"/>	Business / Trade name and the nine digit Washington state unified business identifier (UBI) number of the producer and processor	
<input type="checkbox"/>	Unique identifier number (lot number)	
<input type="checkbox"/>	Number of servings, the amount of product per serving, serving size. Example: 10 servings 10mg THC per serving 1 serving = 1 piece	
<input type="checkbox"/>	Net weight in ounces and grams or volume as applicable	
<input type="checkbox"/>	Total THC, THC-A, CBD, CBD-A using the formulas referenced in WAC 314-55-102	
<input type="checkbox"/>	Ingredients and allergens listed verbatim as approved by the WSDA	
<input type="checkbox"/>	Disclose type of extraction method, any solvents, gases, or other chemicals or compounds used	
<input type="checkbox"/>	A statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the usable marijuana or the base marijuana used to create the concentrate or the extract added to infused products. This statement must be provided with a marijuana product or made available to the consumer purchasing marijuana products at retail. A producer or processor may provide this information through an internet link, web address, or QR code on the product label so long as the information particular to that product as required below is maintained and accessible to a consumer for as long as the product is available for sale at retail.	
Required warning statements - WAC 314-55-105 (must be listed verbatim)		
<input type="checkbox"/>	Warning - May be habit forming	
<input type="checkbox"/>	Unlawful outside Washington State	
<input type="checkbox"/>	It is illegal to operate a motor vehicle while under the influence of marijuana	
<input type="checkbox"/>	CAUTION: "Intoxicating effects may be delayed by 2+ hours"	
Required warning statements - WAC 314-55-106		
<input type="checkbox"/>	Marijuana universal symbol	

<input type="checkbox"/>	Not For Kids symbol
Product labeling for marijuana infused edible identified as compliant marijuana product under RCW 69.50.375(4) and chapter 246-70 WAC may include provided that the claim is truthful and not misleading:	
<ol style="list-style-type: none"> 1. A structure or function claim describing the intended role of the product to maintain the structure or any function of the body 2. Characterization of the documented mechanism by which the product acts to maintain such structure or function 	
Product labeling for marijuana infused edible may include provided that the claim is truthful and not misleading:	
<ol style="list-style-type: none"> 3. A warning describing the psychoactive effects of the marijuana 	
Required statement for any structure / function claims or psychoactive effects	
"This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."	

Marijuana Topicals Packaging and Labeling Checklist

Packaging and labeling (PAL) requirements	
<input type="checkbox"/>	Business / Trade name and the nine digit Washington state unified business identifier (UBI) number of the producer and processor
<input type="checkbox"/>	Unique identifier number (lot number)
<input type="checkbox"/>	Net weight in ounces and grams or volume as applicable, and may not exceed serving and transaction limits as described in WAC 314-55-095
<input type="checkbox"/>	Total THC, THC-A, CBD, CBD-A using the formulas referenced in WAC 314-55-102
<input type="checkbox"/>	List of all ingredients in descending order of predominance by weight or volume as applicable
<input type="checkbox"/>	A statement that discloses all pesticides applied to the marijuana plants and growing medium during production of the usable marijuana or the base marijuana used to create the concentrate or the extract added to infused products. This statement must be provided with a marijuana product or made available to the consumer purchasing marijuana products at retail. A producer or processor may provide this information through an internet link, web address, or QR code on the product label so long as the information particular to that product as required below is maintained and accessible to a consumer for as long as the product is available for sale at retail.
Required warning statements - WAC 314-55-105 (must be listed verbatim)	
<input type="checkbox"/>	Unlawful outside Washington State
<input type="checkbox"/>	DO NOT EAT in bold, capital letters
Required warning symbol - WAC 314-55-106	
<input type="checkbox"/>	Marijuana universal symbol
Product labeling for marijuana topicals identified as compliant marijuana product under RCW 69.50.375(4) and chapter 246-70 WAC may include provided that the claim is truthful and not misleading:	
1.	A structure or function claim describing the intended role of the product to maintain the structure or any function of the body
2.	Characterization of the documented mechanism by which the product acts to maintain such structure or function
Product labeling for marijuana topicals may include provided that the claim is truthful and not misleading:	
3.	A warning describing the psychoactive effects of the marijuana
Required statement for any structure / function claims or psychoactive effects	
"This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."	



WSLCB Licensing
PO Box 43098
3000 Pacific Ave SE
Olympia WA 98504
Phone: (360) 664-1600

Marijuana-Infused Product, Label, and Package Application for New Rules

A marijuana processor licensee must obtain approval from the Washington State Liquor and Cannabis Board (WSLCB) for all marijuana-infused edible products, labeling, and packaging prior to offering these items for sale to a marijuana retailer.

Please complete this form and submit the completed application directly to labelapproval@lcb.wa.gov. For more information please visit lcb.wa.gov. If you have any questions, please contact the Licensing Division at 360-664-1600.

Section 1 - Product, Label and Package Details		
Date	License Number	9 Digit UBI Number
Business Name /Trade Name		
Contact Name		
Email		Phone
Product Name:		Infused Edible <input type="checkbox"/> Solid <input type="checkbox"/> Liquid
Total MG THC	Total MG THC-A	Serving size Amount per Serving
Total MG CBD	Total MG CBD-A	
Net Weight		Servings Per Container/Package
Section 2 – Structure and Function Claims		
My product contains a structure and/or function claim <input type="checkbox"/> Yes <input type="checkbox"/> No (If no, go to Section 3)		
<input type="checkbox"/> My product has completed the additional testing required for Department of Health compliant products .		
<input type="checkbox"/> I attest I have documentation that substantiates the structure and/or function claim(s) made on the packaging and labeling.		
<input type="checkbox"/> The claim(s) made on the packaging and labeling are truthful and not misleading.		
<input type="checkbox"/> I have included this statement on the packaging and labeling "These statements have not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."		
Section 3 - Application Attachments		
The following must be submitted with your completed application:		
<input type="checkbox"/> Photo of the product, package, label, and retail/bar code label (if applicable). The photo(s) provided shall be of sufficient clarity and resolution to enlarge and illustrate all packaging and labeling requirements.		

<input type="checkbox"/> Recipe/ingredient approval from Washington State Department of Agriculture (WSDA). Ingredients must be listed on the packaging/labeling verbatim as approved.	
<input type="checkbox"/> MIE Processor License Endorsement from Washington State Department of Agriculture	
<input type="checkbox"/> I attest my product, packaging and labeling meets requirements outlined in WAC 314-55	
Signature	Date

Net weight

The net quantity of contents should be displayed as a number between 1 and 1000. When choosing a unit, use the following examples. If using a decimal, use no more than three decimal places.

Examples:	500 mg, not 0.5 g	1.96 g, not 1960 mg	750 mL, not 0.75 L
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Net weight or volume should not be expressed in mixed units

Example:	1.5 g, not 1 g 500 mg
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Correct way to list net weight or net volume

Example:	Solid: gram and ounce	Liquid: fl oz. and mL
	NET WT. 13.5 oz. (383g)	NET WT. 12 fl oz. (355 mL)

Business/Trade Name and UBI example


The business or trade name and the nine digit Washington state unified business identifier (UBI) number of the licensees that produced and processed the marijuana or marijuana products.

These two pieces of information should be listed together on the label. Providing the business or trade name as part of a logo or other branding is not sufficient to meet this requirement. The label must be clearly marked with the identifying information for the licensee or registrant responsible for the product.

Examples:	<p>Producer/Processor Tradename UBI No. 603123456 or</p> <p>Producer Tradename UBI No. 603789101 and</p> <p>Processor Tradename UBI No. 603112131</p> <p>Note: You can list the UBI number with or without using "UBI No."</p>
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Unique identifier number (Lot number)

The unique identifier number is generated by the WSLCB's traceability system. This must be the same number that appears on the transport manifest. This information can be a numerical or a barcode including unique identifier number on the label.

Examples:	WASL012456.IT3GFSL	or	 WASL012456.IT3GFS
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Serving size

The label must prominently display the number of servings in the package, the amount of product per serving and the serving size.

All processors designate the serving size based on the amount of product in the packaging not to exceed 100mg THC per packaging or 10mg THC per serving. The serving size must reflect actual number of servings in the packaging and must not include servings such as but not limited to: 10 + servings or approximately 10 servings.

Edible example:	10 servings 10mg THC per serving 1 piece = 1 serving
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Listing Ingredients

List of all ingredients in descending order of predominance by weight or volume used to process the cannabinoid edible. This includes all ingredients and sub ingredients. Ingredients must be listed verbatim as approved from the WSLCB.

For example, in a chocolate chip cookie recipe, the ingredient list may be as follows:
Ingredients: Enriched Flour, Brown Sugar, Chocolate Chips, Cottonseed Oil, Baking Soda, Salt.

However, both enriched flour and chocolate chips are composed of other sub-ingredients. For this example, the chocolate chips are made of cane sugar, chocolate liquor, cocoa butter, milkfat, and soy lecithin and the enriched flour is made of wheat flour, malted barley flour, niacin, iron, thiamin mononitrate, riboflavin, and folic acid. Because these two ingredients have ingredients of their own, you must list all of the ingredients and sub-ingredients in one of two ways:

Option 1 - list any sub ingredients in parenthesis.

Example option 1:	Ingredients: Enriched Flour (Wheat Flour, Malted Barley Flour, Niacin, Iron, Thiamin Mononitrate, Riboflavin, Folic Acid), Brown Sugar, Chocolate Chips (Cane Sugar, Chocolate Liquor, Cocoa Butter, Milkfat, Soy Lecithin), Cottonseed Oil, Baking Soda, Salt.
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Option 2 – list out each ingredient in descending order of predominance by weight or volume.

Example option 2:	Ingredients: Wheat Flour, Malted Barley Flour, Niacin, Iron, Thiamin Mononitrate, Riboflavin, Folic Acid, Brown Sugar, Cane Sugar, Chocolate Liquor, Cocoa Butter, Milkfat, Soy Lecithin, Baking Soda, Salt.
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List of potential major food allergens

All licensees must list major food allergens on the label if the edible contains: Milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, or soybeans as an ingredient.

When labeling allergens, always use the specific food name for nuts, fish or crustacean shellfish and not the category of allergen. For example, use the word “almonds” instead of “tree nuts” in the Contains statement.

List the word "Contains" followed by the name of the food source from which the major food allergen is derived, immediately after or adjacent to the list of ingredients, in a font size that is the same font size used for the list of ingredients.

For example, after the list of ingredients, the following statement would appear: Contains Wheat, Milk, Pecans, Egg, and Soy

Product identity

Product identity is a size reasonably related to the most prominent printed matter on the principal display panel displayed. Examples of product identity are but not limited to: truffle, cookie, tablet, capsule, tincture, soda, or water.

Examples of directions or recommended condition of use

1. Consume 30 minutes prior to your exercise workout
2. Consume after completing exercise workout
3. Consume one hour prior to going to sleep
4. Consume when you wake up in the morning
5. Until you know the effects of this product, consume only half a serving and wait XX minutes before consuming more.

Examples of psychoactive effect

The intent of adding psychoactive effects to packaging and labeling is to say the product is relaxing, or uplifting. If the product has added supplements such as ginseng, energizing could be listed. If lavender was added, calming could be listed.

Structure and Function Claims

For marijuana products that have been identified by the department in rules adopted under RCW 69.50.375(4) in chapter 246-70 WAC as being a compliant marijuana product, the product label and labeling may include a structure or function claim describing the intended role of a product to maintain the structure or any function of the body, or characterize the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading. Statements made may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

Structure/function claims describe the effect that a substance has on the structure or function of the body and do not make reference to a disease.

For dietary supplements, the U.S. Food and Drug Administration (FDA) states: Structure/function claims may describe the role of a nutrient or dietary ingredient intended to affect the normal structure or function of the human body, for example, "calcium builds strong bones." In addition, they may characterize the means by which a nutrient or dietary ingredient acts to maintain such structure or function, for example, "fiber maintains bowel regularity," or "antioxidants maintain cell integrity." General well-being claims describe general well-being from consumption of a nutrient or dietary ingredient. These types of claims are not pre-approved by FDA.

The licensee must have substantiation that the claim is truthful and not misleading.

For more information:

[FDA Structure/Function Claims](#)

[Guidance for Industry: Substantiation for Dietary Supplement Claims Made Under Section 403\(r\) \(6\) of the Federal Food, Drug, and Cosmetic Act](#)

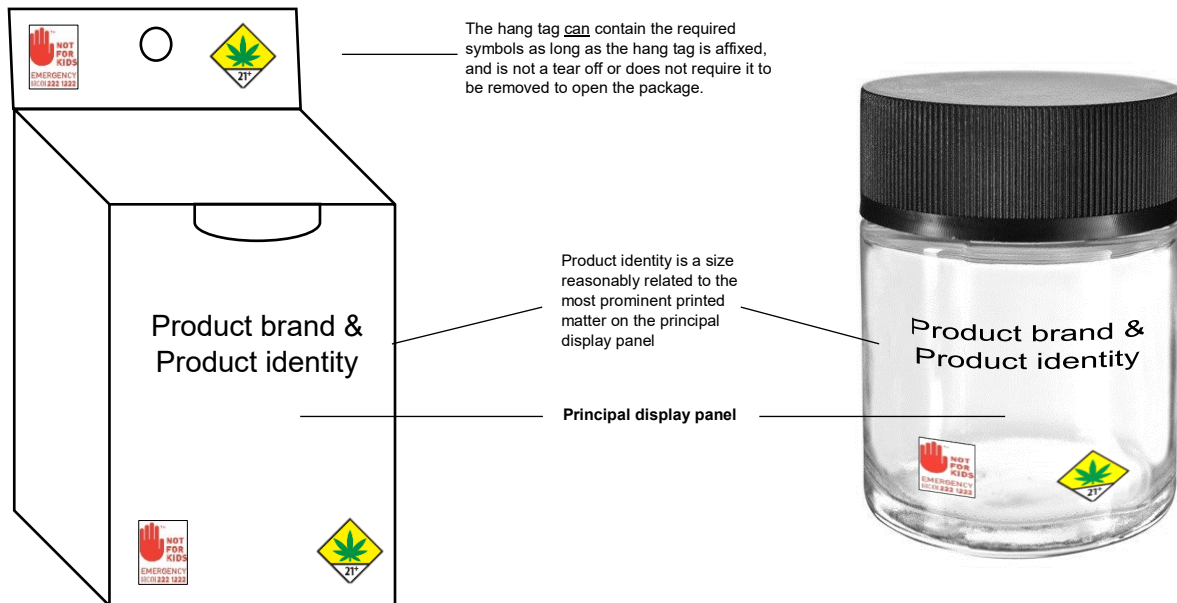
Elements of a label

Information <u>required</u> on primary display panel	Required information that must be clearly and visibly located on the left, right or back panel or a combination thereof
<ol style="list-style-type: none"> 1. Universal symbol 2. Not for Kids symbol (infused edibles only) 	<ol style="list-style-type: none"> 1. Product brand / product identity (recommend to list together) 2. Business / trade name and (UBI) number of the producer and processor (recommend to list together) 3. unique identifier number (lot number) 4. Number of servings, the amount of product per serving, serving size 5. Net weight 6. Total THC, THCA, CBD and CBDA 7. Health and safety risks posed by marijuana use 8. Ingredients and allergens 9. Extraction method 10. Product specific pesticide information 11. Disclose all of the chemicals, compounds, additives, thickening agents, terpenes, or other substances 12. Warning statements 13. Product identified as compliant marijuana product under RCW 69.50.375(4) and chapter 246-70 WAC may include: <ul style="list-style-type: none"> • A structure or function claim • Characterization of the documented mechanism by which the product acts to maintain such structure or function 14. Required statement for structure and function claims: "This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."



IMPORTANT! On all multiple serving products, required information and/or symbols must not be placed on the portion of the packaging and/or labeling that is removed once the package is opened.

Marijuana Packaging and Labeling Guide



Container or package inside an outer package must include the following information:

1. Product brand / product identity (recommend to list together)
2. Number of servings, the amount of product per serving, serving size
3. Net weight
4. Total: THC, THCA, CBD, CBDA
5. Ingredients and allergens

Recommended (not required) on the label:

1. Business / trade name and (UBI) number of the producer and processor (recommend to list together)
2. The unique identifier number (lot number)
3. Extraction method
4. Product specific pesticide information
5. Disclose all of the chemicals, compounds, additives, thickening agents, terpenes, or other substances
6. Warning statements/symbols

Definitions

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 usable marijuana, cannabinoid concentrate or cannabinoid 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 cannabinoid product.
3. **Applicant or marijuana license applicant** means any person or business entity who is considered by the WSLCB as a true party of interest in a marijuana license, as outlined in WAC [314-55-035](#). However, for purposes of determining an application's priority under RCW [69.50.331](#) (1)(a), only the person or business entity that is applying for the license will be considered the applicant.
4. **Batch** means a quantity of marijuana-infused product containing material from one or more lots of marijuana.
5. **Business name or trade name** means the name of a licensed business as used by the licensee on signs and advertising.
6. **Cannabinoid** for the purposes of labeling, means any of the chemical compounds that are the active constituents of marijuana or industrial hemp.
7. **Cartoon** means any drawing or other depiction of an object, person, animal, creature, or any similar caricature that meets any of the following criteria:
 - (i) The use of comically exaggerated features;
 - (ii) The attribution of human characteristics to animals, plants or other objects;
 - (iii) The attribution of animal, plant, or other object characteristics to humans;
 - (iv) The attribution of unnatural or extra-human abilities
8. **Child resistant packaging** means packaging that is used to reduce the risk of poisoning in persons under the age of twenty-one through the ingestion of potentially hazardous items, including but not limited to marijuana concentrates and marijuana infused products.
9. **Consultant** means an expert who provides advice or services in a particular field, whether a fee is charged or not. A consultant who is in receipt of, or has the right to receive, a percentage of the gross or net profit from the licensed business during any full or partial calendar or fiscal year is a true party of interest and subject to the requirements of WAC [314-55-035](#). A consultant who exercises any control over an applicant's or licensee's business operations is also subject to the requirements of WAC [314-55-035](#)(4).

10. **“Container”** 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. Does not mean:
- (1) Inner wrapping or lining;
 - (2) An exit package; or
 - (3) A shipping container used to transfer marijuana items or industrial commodities or products in bulk from one licensee or registrant to another.
11. **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.
12. **Disease** means a condition of the living animal or plant body or of one of its parts that impairs normal functioning and is typically manifested by distinguishing signs and symptoms.
13. **End product** means a marijuana product that requires no further processing prior to retail sale.
14. **Especially appealing to persons under the age of twenty-one** means a product or label that includes, but is not limited to:
- (i) The use of cartoons;
 - (ii) Bubble-type or other cartoon-like font;
 - (iii) A design, brand, or name that resembles a non-cannabis consumer product that is marketed to persons under the age of twenty-one;
 - (iv) Symbols or celebrities that are commonly used to market products to persons under the age of twenty-one;
 - (v) Images of persons under the age of twenty-one; or
 - (vi) Similarities to products or words that refer to products that are commonly associated or marketed to persons under the age of twenty-one.
15. **Harvest** means the marijuana plant material derived from plants of the same strain that were cultivated at the same licensed location and gathered at the same time.
16. **Ingredient** means something that enters into a compound or is a component part of any combination or mixture.
17. **Intermediate product** means marijuana flower lots or other material lots that have been converted by a marijuana processor to a marijuana mix lot, marijuana concentrate or marijuana-infused product that must be or are intended to be converted further to an end product.

18. **Label** a material affixed to a container or product, on which is written or printed information or symbols about the product or item. Information printed directly on a container or article can also be considered labeling.
19. **Licensee** or "**marijuana licensee**" means any person or entity that holds a marijuana license, or any person or entity who is a true party of interest in a marijuana license, as outlined in WAC [314-55-035](#).
20. **Lot** means either of the following:
- (i) The flowers from one or more marijuana plants of the same strain. A single lot of flowers cannot weigh more than five pounds; or
 - (ii) The trim, leaves, or other plant matter from one or more marijuana plants. A single lot of trim, leaves, or other plant matter cannot weigh more than fifteen pounds.
21. **Lozenge** means a marijuana-infused product such as a hard candy, mint, pastille, tablet, or similar type of edible product that is generally swallowed whole, chewed and swallowed, or dissolved in the mouth.
22. **"Major food allergen"** means an ingredient that contains any of the foods or food groups listed in subsections (a) to (h) or an ingredient that contains protein derived from one of the foods listed in subsections (a) to (h)
- (a) Milk;
 - (b) Egg;
 - (c) Fish;
 - (d) Crustacean shellfish;
 - (e) Tree nuts;
 - (f) Wheat;
 - (g) Peanuts; and
 - (h) Soybeans.
23. **Marijuana 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.
24. **Marijuana concentrates** means products consisting wholly or in part of the resin extracted from any part of the plant *Cannabis* and having a THC concentration greater than ten percent, consistent with RCW 69.50.101(z).
25. **Marijuana edible** means a marijuana-infused product as defined in RCW 69.50.101(ff).
26. **Marijuana mix** means an intermediate lot that contains multiple strains of useable marijuana and is chopped or ground so no particles are greater than 3 mm.
27. **Marijuana mix infused** or **mix infused** means an end product that contains marijuana mix and may contain other intermediate products or useable marijuana.
28. **Marijuana mix packaged** or **mix packaged** means an end product containing only marijuana mix and no other product types.

29. **Marijuana strain** means a pure breed or hybrid variety of Cannabis reflecting similar or identical combinations of properties such as appearance, taste, color, smell, cannabinoid profile, and potency.
30. **Marijuana topical or “topical”** means any product containing parts of the cannabis plant that is intended for application to the body’s surface, including, but not limited to lotions, ointments, salves, gels, or cream that are not intended for ingestion, inhalation, or insertion by humans or animals.
31. **Marijuana (Usable)** means dried marijuana flowers consistent with RCW 69.50.101(ww). The term “usable marijuana does not include either marijuana-infused products or marijuana concentrates.
32. **Net volume** means the fluid measure of a liquid product expressed as milliliters and fluid ounces.
33. **Net weight** means the gross weight minus the tare weight of the packaging expressed as ounces and grams or milligrams. “Net weight” as applied to pre-rolled marijuana includes the dried marijuana leaves and flowers, the rolling paper, and the filter or tip.
34. **Package** an object or group of objects wrapped in paper or plastic, or packed in a box.
35. **Pesticide** means, but is not limited to: (a) Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, snail, slug, fungus, weed, and any other form of plant or animal life or virus, except virus on or in a living person or other animal which is normally considered to be a pest; (b) any substance or mixture of substances intended to be used as a plant regulator, defoliant, or desiccant; and (c) any spray adjuvant. Pesticides include substances commonly referred to as herbicides, fungicides, insecticides, and cloning agents.
36. **Plant** means a marijuana plant.
37. **Primary display panel** means the portion(s) of the surface of the immediate container, or of any outer container or wrapping, which bear(s) the labeling designed to be most prominently displayed, shown, presented, or examined under conditions of retail sale.
38. **Processing** means the compounding or conversion of marijuana into cannabinoid products or cannabinoid concentrates or extracts.
39. **Producing** means planting, cultivating, growing, trimming or harvesting marijuana; or drying marijuana leaves and flowers.
40. **Product** means marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products.
41. **Product(s) otherwise taken into the body** means a marijuana-infused product for human consumption or ingestion intended for uses other than inhalation, oral ingestion, or external application to the skin.
42. **Psychoactive means** affecting the mind or behavior

- 43. **RCW** Revised Code of Washington
- 44. **Structure and function claims** mean a description of the role of a marijuana product intended to affect normal structure and function in humans, characterized by the means by which a marijuana product acts to maintain such structure or function, or describe the general well-being from consumption of a marijuana product.
- 45. **THC** means tetrahydrocannabinol and includes both THCA and delta 9 THC.
- 46. **Unified Business Identifier** (UBI) is a 9-digit number issued to individuals and companies doing business in the State of Washington. The applicant must have this number prior to applying for assisted living facility licensure and/or contract.
- 47. **Unit** means an individually packaged marijuana-infused solid or liquid product meant to be eaten or swallowed, not to exceed ten servings or one hundred milligrams of active tetrahydrocannabinol (THC), or Delta 9.
- 48. **Unique identifier number** generated by the board's traceability system. This is the same number that appears on the transport manifest.
- 49. **White Label** - A white label product is a product or service produced by one company that other companies rebrand to make it appear as if they had made it.
- 50. **WSLCB** means the Washington state liquor and cannabis board.