



# Packaging and Labeling Rules

Washington State Liquor and Cannabis Board (WSLCB)

March 2018



# Rulemaking Overview

The WSLCB has heard from industry that labeling requirements are too onerous, while others state that the labels are difficult to read, or are confusing.

The WSLCB has been engaged in a project to look at packaging and labeling requirements to clarify, streamline, and make necessary changes to rules.

The WSLCB convened a work group of industry members, the Department of Health, and the Washington Poison Center over much of 2017 to gather information and receive feedback on packaging and labeling rules requirements.

These proposed rules are a product of what was learned from this work group and other states that regulate marijuana, as well as through consumer surveys. These proposed changes also aim to create more clarity and organization in the rules and include many technical changes to ensure packaging and labeling rules are effective.



# Labeling Reqs. for All Products

## Current Rules

- “This product contains marijuana”
- “This product may be unlawful outside of Washington state”
- “This product has intoxicating effects and may be habit forming”
- Concentration of THC (total THC and activated THC-A) and CBD (total CBD and activated CBD-A)
- Business/Trade Name and UBI of producer, processor, and retailer
- 16 digit inventory ID
- Net weight in ounces and grams or volume as appropriate
- Accompanying materials – affixed or given separately to customer

## Proposed Rules

- “Warning- May be habit forming”
- “Unlawful outside Washington State”
- “It is illegal to operate a motor vehicle while under the influence of marijuana”
- Business/Trade Name and 9 digit UBI of producer and processor
- Unique identifier generated by traceability
- Electronic format, including URL/QR code, option for accompanying materials
- Universal Symbol



# Marijuana Edibles

## In Current Rules and Proposed Rules:

- List of all ingredients and major food allergens as defined in the Food Allergen Labeling and Consumer Protection Act
- All ingredients in descending order of predominance by weight/volume as applicable
- Any solvents, gases, chemicals, and/or compounds used to create or added to extract used to create the product
- If solvents were used to create the extract, list extraction method



# Marijuana Edibles – Addtl. Reqs.

## Current Rules

- Date manufactured;
- Best by date;
- Serving size and # of servings in unit
- "Caution: When eaten or swallowed, the intoxicating effects of this drug may be delayed by two or more hours."
- "This product contains marijuana"
- NOT FOR KIDS Warning Symbol

## Proposed

- Serving size and # of servings in unit
- "CAUTION: Intoxicating effects may be delayed by 2+ hours"
- NOT FOR KIDS Warning Symbol
- Optional: Date manufactured and best by date



# Useable Marijuana / Mix

## Current Rules

- Date of harvest
- Statement disclosing all pesticides used applied to the marijuana plants and growing medium during production and processing

## Proposed Rules

- “Smoking is hazardous to your health”

\*Pesticides disclosure required in accompanying materials to reduce redundancy



# Marijuana Concentrates

- If solvents were used to create, a statement that discloses the type of extraction method, including any solvents or gases used to create the concentrate or extract
- Any other chemical or compounds used to produce or added\* to the concentrate or extract

\*This means anything that was added to the extract other than cannabis and the solvent/extraction method



# Topicals

- “**DO NOT EAT**” – Bold font, capital letters
- All ingredients in descending order of predominance by weight/volume as applicable





# Optional Label Information

- Harvest date
- Best by date
- Manufactured date
- Other cannabinoids and terpenes may be included on the label if:
  - The producer/processor has test results from a certified lab to support the claim
  - The test results are made available to a consumer upon request



# Required Accompanying Materials

## Current Rules

- “Warning: This product has intoxicating effects and may be habit forming. Smoking is hazardous to your health”
- “There may be health risks associated with consumption of this product”
- “Should not be used by women who are pregnant or breast feeding”
- “For use only by adults twenty-one and older. Keep out of reach of children”
- “Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under the influence of this drug”
- Statement disclosing all pesticides used applied to the marijuana plants and growing medium during production and processing

## Proposed Rules

- Statement disclosing all pesticides used applied to the marijuana plants and growing medium during production and processing
- Accompanying materials may be given to consumers via electronic format, including using a URL or QR code on the label.



# Proposed Universal Symbol

- Required on all products
- Notifies consumer or any person viewing that the product is or contains marijuana
- Consumer Surveys
- Takes the place of the following warnings:
  - “This product contains marijuana”
  - “For use only by adults twenty-one and older”
- Minimum size matches NOT FOR KIDS symbol for visibility
- NOT FOR KIDS symbol only required on edibles



10pt text

.5" x .75" .75" x .75"



## Other Universal Symbols



Colorado



Oregon



**CA**

California



Michigan



Canada



# Proposed Packaging Adjustments

- Allows certain infused solid edible products such as lozenges and capsules and other similar products on a case by case basis to be packaged loosely (not individually wrapped) in a resealable child resistant exterior package.
- Requires infused liquid edible products in packages with more than one serving be resealable, but do not have to be child resistant due to challenges with packaging carbonated liquids.
- Only infused liquid edibles in packages containing a single serving may be packaged with a non-resealable closure, such as a crown-style cap.



## Additional Proposed Rules

- Enhanced definition providing additional clarity for what is considered “especially appealing to children.”
- Creation of a new definition for the term “cartoon.”
- The WSLCB is working with DOH to explore potential signage requirements for other warning statements not on the label at retail locations separately, similar to requirements for liquor licensees.



**Thank you**