



Liquor and Cannabis Board Interim Policy BIP-05-2018

Subject: Implementation of Cannabis Packaging and Labeling Rules Changes

Effective Date: June 7, 2018

Ending Date: January 1, 2019

Approved:



Jane Rushford, Chair



Ollie Garrett, Board Member



Russ Hauge, Board Member

Purpose:

This Interim Policy details the requirements and allowances the WSLCB will use to allow licensees to “phase-in” the new packaging and labeling rule requirements to allow flexibility in implementation and reduce impacts and costs on the industry prior to the January 1, 2019, effective date where all new requirements must be followed. Changes to cannabis packaging and labeling rules were brought to the Board for adoption on May 2, 2018.

The WSLCB is using this approach as we understand that packaging and labeling requirements changes pose impacts to the industry logistically, as well as the understanding that many processors purchase large quantities of packaging and labeling materials at a time to reduce costs (approximately 6 months on average). This approach will allow licensees to “phase-in” packaging and labeling that adheres to the new requirements as they cycle through existing inventory. Additionally, other optional allowances are provided to assist in reducing costs related to processes required for labeling retailer business/trade name and UBI on packages and impacts on label “real estate.”



Policy Statement:

Effective January 1, 2019, licensees **MUST** use new packaging and labeling rule requirements as adopted by the Board on May 2, 2018.

Effective June 7, 2018, licensees may use the following options to “phase-in” the new packaging and labeling requirements.

Licensees may choose to use current rule requirements or new rule requirements, but must use all the requirements under each scheme (cannot combine elements of both requirements), with the following exceptions:

- Licensees may choose not to include the following optional information under either the current rule requirements or the new rule requirements:
 - o Retailer business/trade name and UBI
 - o Harvest date (where required in current rules)
 - o “Best by” date
 - o Manufactured date
- The above items were selected as optional requirements under the new rule requirements because this information can be gathered from data in the traceability system. Additionally, inclusion of unique identifiers in the traceability system and on labels will allow the WSLCB and licensees to trace products back to their source in cases where a recall may be necessary without the above information included on the label.
- Licensees may still choose to include the above information on labels under either the current rule requirements or the new rule requirements.

Licensees may not submit marijuana-infused edible (liquids and solids) products, packaging, and labeling for review and approval by the WSLCB using the new packaging and labeling requirements until June 7, 2018.

The June 7, 2018, date was selected to allow time for licensees to become familiar with the new requirements, as well as allow time for the changes to statute allowing the retailer business/trade name and UBI to be removed from labels to become effective on June 6, 2018 (see [HB 2474](#)). It is also consistent with the standard effective date for rules being effective at least 31 days after adoption unless a later date is otherwise provided by the Board.



The above approach will also allow both the current rule requirements and the new rule requirements, with the effective dates noted, to appear simultaneously on the listing for [WAC 314-55-105](#) (marijuana packaging and labeling rules) and [WAC 314-55-106](#) (marijuana product symbol requirements) on www.leg.wa.gov. This will provide licensees with the necessary information to comply with either current rule requirements or new rule requirements and ease costs and logistics impacts in transitioning to the new requirements.

The WSLCB is also preparing checklists for marijuana-infused edible products, at a minimum, for both current rule requirements and new rule requirements, which will be made available on the WSLCB website at www.lcb.wa.gov. As part of this rulemaking project, the WSLCB is working to create more resources and guidance materials for packaging and labeling for licensees, as well as process improvements to the marijuana-infused edibles product, packaging, and labeling review program.