

*Proposed*

## Consumer Safety Labeling & Packaging Requirements

### for Legislation Implementing

### Colorado Regulate Marijuana Like Alcohol Act of 2012

- I. IN ADDITION TO ALL OTHER LICENSURE REQUIREMENTS, A RETAIL MARIJUANA STORE PURSUANT TO SECTION 16 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION SHALL NOT SELL, TRANSFER OR GIVE AWAY ANY MARIJUANA OR MARIJUANA PRODUCT UNLESS:
- A. IT HAS A LABEL WITH:
1. THE NAME, LICENSE NUMBER AND PLACE OF BUSINESS OF THE MARIJUANA CULTIVATION FACILITY WHERE THE MARIJUANA WAS GROWN;
  2. IF THE MARIJUANA OR MARIJUANA PRODUCT WAS PROCESSED BY A MARIJUANA PRODUCT MANUFACTURING FACILITY, THAT FACILITY'S NAME, LICENSE NUMBER AND PLACE OF BUSINESS;
  3. A UNIQUE SERIAL NUMBER AND/OR BAR CODE THAT WILL MATCH THE PRODUCT WITH THE MCF'S BATCH AND, IF APPLICABLE, THE MPMF'S BATCH, SO AS TO FACILITATE WARNINGS OR RECALLS;
  4. THE DATE OF FINAL PACKAGING OF THE MARIJUANA OR MARIJUANA PRODUCT;
  5. THE NET QUANTITY OF MARIJUANA CONTAINED;
  6. THE WORDS: "WARNING: THIS PRODUCT CONTAINS MARIJUANA" OR SUBSTANTIALLY SIMILAR TEXT;
  7. A SAFETY CERTIFICATION FROM A LICENSED MARIJUANA TESTING FACILITY WHICH REPORTS:
    - a) ALL ACTIVE INGREDIENTS THAT CONSTITUTE AT LEAST ONE (1) WT. % OF THE MARIJUANA IN THE PRODUCT, TO ALWAYS INCLUDE:
      - (1) DELTA 9-TETRAHYDROCANNABINOL (THC);
      - (2) CANNABIDIOL (CBD);

- b) A PASS/FAIL RATING BASED ON A MICROBIOLOGICAL ANALYSIS THAT WAS COMPLETED IMMEDIATELY PRIOR TO FINAL PACKAGING;
- c) A PASS/FAIL RATING BASED ON A CHEMICAL RESIDUE ANALYSIS THAT WAS COMPLETED IMMEDIATELY PRIOR TO FINAL PACKAGING; AND
- d) NAME, LICENSE NUMBER AND PLACE OF BUSINESS OF MTF AND DATE FINAL ANALYSIS WAS COMPLETED.

8. SUCH OTHER INFORMATION NECESSARY TO COMPLY WITH STATE OR LOCAL LABELING REQUIREMENTS FOR SIMILAR PRODUCTS NOT CONTAINING MARIJUANA, INCLUDING, BUT NOT LIMITED TO, THE COLORADO FOOD PROTECTION ACT; COLORADO COTTAGE FOODS ACT; AND THE COLORADO RETAIL FOOD RULES AND REGULATIONS.

B. THE LABEL IS PRINTED ON, OR SECURELY ATTACHED TO, THE EXTERIOR OF A CONTAINER OF MARIJUANA OR A MARIJUANA PRODUCT.

C. IT IS SOLD IN A SEALED, TAMPER-EVIDENT CONTAINER THAT IS CHILD-RESISTANT, OPAQUE AND WHICH COMPLIES WITH THE DEFINITIONS AND THE REQUIREMENTS OF THE POISON PREVENTION PACKAGING ACT OF 1970, 15 U.S.C. SECTIONS 1471 TO 1476.

D. MARIJUANA AND MARIJUANA PRODUCTS SHALL NOT BE LABELED "ORGANIC" UNLESS ORGANICALLY GROWN, PRODUCED, PROCESSED, MANUFACTURED AND CERTIFIED BY THE COLORADO DEPARTMENT OF AGRICULTURE ORGANIC CERTIFICATION PROGRAM.

E. ALL MARIJUANA AND MARIJUANA PRODUCTS SHALL BE PROCESSED, PACKAGED AND LABELED ACCORDING TO THE US FOOD AND DRUG ADMINISTRATION'S "CURRENT GOOD MANUFACTURING PRACTICE IN MANUFACTURING, PACKAGING, LABELING, OR HOLDING OPERATIONS FOR DIETARY SUPPLEMENTS" RULE.

II. SAFETY CLAUSE. THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THIS ACT IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, AND SAFETY.