

**House Bill 14-1366 Work Group
Legislative Report Recommendation Form**

1. Work Group Sponsor (s): Julie Hope Dooley

2. Describe the Recommendation:

Reconfigure the Universal symbol so that it is meaningful for the consumers as well as parents/adults. Also, the current language required on the labels has some lengthy and non-essential verbage that needs to be adjusted, removed or altered for the safety of all concerned. Finally, adult & children education needs to begin immediately to inform the public of the new legal products available as well as how best to keep adults/kids safe from unintentional ingestion of cannabis in any form.

3. Which portion or portions of House Bill 14-1366 does this recommendation address (underline all those that apply)? All of the below....

- a. Protect people from the unintentional ingestion of edible retail marijuana products.
- b. Ensure that edible retail marijuana products are readily identifiable by the general public.
- c. Makes it clear that the product is not for consumption by children.
- d. Makes it clear that the product is safe for consumers.
- e. Utilize a universal symbol.

4. Please summarize the rationale for the recommendation – why is it important?

The product would be more easily identifiable as a marijuana product by including a revised Universal Symbol, while also instructing the consumer for safe storage and keeping out of reach/site from children. With the label revisions, clear instructions and safety can become the priority on the package. Education should begin immediately to encourage awareness of the new Universal symbol as well as other pertinent information for a caregiver/parents and children.

5. Describe how your recommendation addresses the rulemaking guiding principles of being transparent, operable, defensible and systematic for the licensees as well as the Marijuana Enforcement Division.

This recommendation is the only solution that fits all of the guiding principles, as it allows transparency by being a universally recognized image for determining that the product inside the package contains marijuana. It is operable by all manufacturers as it does not require re-working the food production process, rather creates a single, clearly identifiable method for labeling will aid in overall regulation. It is defensible as it does not violate the unreasonably impracticable directive found in the Colorado Constitution. It is systematic in that all MED field officers will be able to easily identify whether the product is in compliance.

6. What stakeholders, other than licensees and the Marijuana Enforcement Division, would be positively or negatively impacted by this recommendation? Please explain the impact.

All stakeholders would be positively affected by this recommendation. All licensed marijuana manufacturers will simply revise their labels to reflect new Universal symbol, new label revisions and even add a website to go to for education. (should the state create a common location for this information).

7. What issue or issues does your recommendation resolve? (Please identify the issues)

By creating a recognizable symbol throughout the world, the issue of whether or not a marijuana infused product can be identified as such is completely resolved. By editing the label that communicates how to store the product safely, edible retail marijuana products should become safer for the general public. As the CDPHE and Dr. Bajij noted, the best method to reduce accidental ingestion are child resistant packaging and safe storage. Creating an education campaign will also help prevent accidental ingestion.

8. Is there a dissenting voice on the working group concerning this recommendation? If yes, please provide a summary of the minority opinion about this recommendation.

SMART Colorado will want the product itself to be marked in some way, however, HB1366 did not direct the working group to specifically determine a way to change the product itself to make it identifiable. As stated above, CDPHE and Dr. Bajij illustrated that for truly accidental ingestions, the shape, size, color or smell of any product does not dissuade young children from ingesting the product. The information provided clearly that labeling and instruction for the consumers is the most effective method for preventing accidental ingestion.

9. Are you aware of any statutory authority or regulation that supports the basis of this recommendation? If yes, please include it here.

Article XVII, section 16 of the Colorado Constitution. CRS 12-43.4-202

- 10. Is the implementation of your recommendation dependent on another decision or action? If yes, specifically what actions or decisions are required before this recommendation can be implemented?** By statute, the MED must present this recommendation to the Colorado General Assembly by Feb. 2015. From there, either the legislature can take the recommendation and introduce it as a proposed bill, for insertion into the Colorado Revised Statutes, or accept the MED will promulgate a rule based on the recommendation of the working group.

- 11. Will the recommendation have a cost to implement? If yes, please explain the reason for the cost and provide an estimate.** Yes, the manufacturers will pay for the labels to be revised including the new Universal Symbol as well as new/revised language. The cost to the Division will be to redesign the universal symbol as well as develop and promote a new educational campaign.

- 12. Provide an estimate of how long it would take to implement the recommendation.** 3-6 months after the presentation to the Colorado General Assembly, depending on whether the legislature determines that a change to statute is necessary or the promulgation of a rule is required. Licensee should be given 6-9 months to re-design labels, order new labels, place on products and sell thru all existing inventories. Education program needs to start immediately with existing funds that are available from the current sales of retail marijuana products.