

## House Bill 14-1366 Marijuana Edibles Work Group Report

### **I. Purpose**

- HB14-1366 required the State Licensing Authority (SLA) to convene a stakeholder group to make recommendations on how edible retail marijuana products can be clearly identifiable, and to provide a report on those recommendations to designated committees of the state legislature. The bill also directed the SLA to promulgate rules by January 1, 2016.
- The State Licensing Authority, through the Department of Revenue's (DOR) Marijuana Enforcement Division (MED), convened the group on August 1, 2014 and met four times throughout the working group process.
- The Division used the information collected during the working group process to draft the report, which was submitted to designated committees of the general assembly on January 30, 2015 in accordance with HB14-1366.
- MED viewed its primary role as a facilitator to the working group process and as drafter of the final report.
- DOR/MED aimed to ensure that the underlying issues and recommendations discussed and developed through the working group process were identified, considered and included in the report.

### **II. Summary**

- DOR/MED tasked the working group with considering five key elements while making recommendations
  - I. Protecting from unintentional ingestion
  - II. Ensuring that products are readily identifiable
  - III. Making it clear that products contain marijuana and are not for consumption by children
  - IV. Making it clear that products are safe for consumers
  - V. Utilizing a Universal Symbol
- 15 recommendations and 44 sub-recommendations were presented in the report for consideration by the Colorado General Assembly and were organized into four strategic options.

### **III. The Four Strategic Options**

- Take no action at this time to identify edible marijuana products, allowing time for rules effective October 30, 2014 to be sufficient for the public to identify marijuana products and prevent accidental ingestion.
- Strengthen packaging and labeling requirements for edible marijuana products.
- Identify edible marijuana products outside their packaging by marking, shaping, or coloring all products that can be readily marked, shaped or colored.
- Limit or ban categories of edible marijuana products or particular edible marijuana products if they cannot be rendered clearly identifiable outside their packaging by marking, shaping or coloring.

### **IV. Areas for Clarification**

- Clarification over legislative intent of HB 14-1366 on the following:
  - Whether edible retail marijuana products must be identifiable outside their packaging
  - What should be done regarding edible retail marijuana products that cannot be readily identifiable outside their packaging.
  - Define the term "practicable" as it relates to identifying marijuana products.

### **V. Next Steps**

- The Co-Chairs of the work group request that the General Assembly consider the 4 strategic options presented in the report and indicate through legislation which option(s) should be pursued in the required rulemaking.