



COLORADO

Department of Revenue

Enforcement Division - Marijuana
1707 Cole Blvd., Suite 300
Lakewood, CO 80401

February 16, 2018

INDUSTRY-WIDE BULLETIN: 18-03

RE: NEW PACKAGING AND LABELING RULES AND EFFECTIVE DATES

Dear Marijuana Industry Stakeholders:

This Industry-Wide Bulletin is intended to inform licensees about rules and upcoming changes regarding packaging and labeling requirements, and does not replace each licensee's responsibility to read and comply with all applicable laws and rules.

These rule revisions are a product of an extensive stakeholder engagement process over the past year that began with direction by the General Assembly to undertake a comprehensive review of our labeling framework. The State Licensing Authority subsequently determined during rulemaking in 2016 that stakeholder involvement would be critical to success. As a result, the Marijuana Enforcement Division delayed immediate formal rulemaking in favor of a more deliberate and thoughtful process that resulted in convening stakeholders with diverse perspectives to participate in a series of focus group meetings from late 2016 to mid-2017. Stakeholder participation in these focus groups, followed by rulemaking work groups, offered significant contributions to the regulatory developments referenced herein. The Division owes a debt of gratitude to those who contributed their time to this effort that has simplified packaging and labeling rules and enhanced compliance, and ultimately contributed to enhanced public health and safety. We remain committed to ongoing collaboration with stakeholders as we identify additional opportunities for improvement.

On January 1, 2018, the M and R 1000-1 Series Rules establishing labeling, packaging, and product safety requirements for medical and retail marijuana, concentrate, and product, became effective (hereinafter referred to as the "**New 1000-1 Series Rules**"). Note that the previously established M and R 1000 Series Rules for packaging, labeling, and product safety (hereinafter referred to as the "**Preceding 1000 Series Rules**") remain effective until June 30, 2018.

Between January 1, 2018 and June 30, 2018, licensees have the option of fully complying with either the New 1000-1 Series Rules or the Preceding 1000 Series Rules. However, beginning July 1, 2018, the Preceding 1000 Series Rules are repealed, and compliance with the New 1000-1 Series Rules is mandatory, as provided below:



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Medical Marijuana-Infused Products Manufacturers, Retail Marijuana Products Manufacturing Facilities, Optional Premises Cultivation Operations, and Retail Marijuana Cultivation Facilities:

- Beginning **July 1, 2018**, Medical Marijuana-Infused Products Manufacturers, Retail Marijuana Products Manufacturing Facilities, Optional Premises Cultivation Operations, and Retail Marijuana Cultivation Facilities are prohibited from transferring medical or retail marijuana, concentrate, or product (“Inventory”) packaged or labeled pursuant to the Preceding 1000 Series Rules. On July 1, 2018, all Inventory transferred by Medical Marijuana Businesses and Retail Marijuana Establishments shall be packaged and labeled pursuant to the New 1000-1 Series Rules.

Medical Marijuana Centers and Retail Marijuana Stores:

- Beginning **July 1, 2018**, Medical Marijuana Centers and Retail Marijuana Stores shall not purchase or take possession of Inventory that is packaged or labeled pursuant to the Preceding 1000 Series Rules.
- **Limited Center and Store Sales Period** - Until **July 1, 2019**, Medical Marijuana Centers and Retail Marijuana Stores may sell Inventory labeled pursuant to the Preceding 1000 Series Rules **only if** the Inventory was transferred to, and accepted by, the Medical Marijuana Center or Retail Marijuana Store prior to July 1, 2018 (this limited duration of permissible Medical Marijuana Center and Retail Marijuana Store sales are hereinafter referred to as the “Limited Center and Store Sales Period”).¹

The Limited Center and Store Sales Period is offered to further facilitate industry transition to compliance with the New 1000-1 Series Rules. The Limited Center and Store Sales Period is also intended to maintain collective efforts to protect public safety and reduce risks of public harm by identifying a date certain by which all labels are required to display consistent information. After July 1, 2019, under no circumstances may a Medical Marijuana Center or Retail Marijuana Store sell Inventory labeled pursuant to the Preceding 1000 Series Rules.

Any Medical Marijuana Business or Retail Marijuana Establishment in possession of non-compliant Inventory shall follow waste disposal procedures pursuant to Rules M and R 307, 1 CCR 212-1 and 1 CCR 212-2.

¹ The Limited Center and Store Sales Period applies to Inventory that complies with all other relevant statutes and rules. For example, the Limited Center and Store Sales Period shall not apply to Medical Marijuana-Infused Product or Retail Marijuana Product that has exceeded its expiration date such that it is no longer fit for consumption.



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New 1000-1 Series Rules Summary

Permanent Medical and Retail Marijuana Rules, effective January 1, 2018, established new and amended defined terms (see Rules M and R 103 for full definitions) applicable to packaging and labeling of Inventory, including but not limited to the following:

- Container
- Exit Package
- Marketing Layer
- Child-Resistant
- Transfer

The New 1000-1 Series Rules consist of three packaging and labeling rules: (1) Rules M and R 1001-1 establish minimum requirements for packaging and labeling prior to transfer to a Medical Marijuana Business or Retail Marijuana Establishment; (2) Rules M and R 1002-1 establish minimum requirements for packaging and labeling prior to transfer to a patient or consumer; and (3) Rules M and R 1003-1 establish additional labeling requirements based on the intended use of Inventory. Please note that **Attachments A and B** included with this Industry Bulletin are intended to provide general compliance guide regarding the New 1000-1 Series Rules.

A complete copy of the Medical Marijuana Rules, 1 CCR 212-1, and Retail Marijuana Rules, 1 CCR 212-1 are accessible at the Division's website at the following link:
<https://www.colorado.gov/pacific/enforcement/med-rules>

Please be aware that the information contained in this Industry Bulletin and associated attachments does not represent legal advice or replace a licensee's responsibility to read, understand, and maintain full compliance with all relevant statutes and rules.

James Burack
Director
Marijuana Enforcement Division



M 1000-1 Series Packaging and Labeling Requirements
Transfers to Medical Marijuana Businesses

Licensees are responsible for ensuring they are compliant with applicable statutes and rules. The information reflected herein is not all-inclusive and may not reference all statutory and rule content relevant to the topic. Licensees should consult all applicable statutes and rules in addition to this summary document.

Medical Marijuana Flower, Trim, and Concentrate	
Packaging	
	Container (need not be Child-Resistant), in an amount not to exceed 10 lbs.
Labeling - Container	
	License No. of Cultivation where medical marijuana was grown
	Assigned Harvest Batch No(s). or Production Batch No(s)
	If applicable, license No. of Cultivation that produced Water-Based Concentrate
	If applicable, license No. of Manufacturer that produced the Concentrate
	Net contents
	Potency test results
	Nonorganic Pesticides disclosure

Medical Marijuana Infused-Product	
Prior to Transfers to a Medical Marijuana Business Other Than a Medical Marijuana Center	
Packaging	
	Container (need not be Child-Resistant)
Labeling - Container	
	License No. of Cultivation where the medical marijuana was grown
	License No. of Manufacturer that produced the Infused-Product
	Assigned Production Batch No(s).
	Net contents
	Potency test results
	Nonorganic Pesticide disclosure

Medical Marijuana Infused-Product	
Prior to Transfers to a Medical Marijuana Center	
Packaging	
	Child-Resistant Container
Labeling - Container	
	All information required by Rules M 1002-1 and 1003-1 (Transfers to Patients)

Medical Marijuana Seeds and Immature Plants	
Packaging - Seeds	
	Container (need not be Child-Resistant), in an amount not to exceed 10 lbs.
Packaging - Immature Plants	
	Receptacle (need not be Child-Resistant)
Labeling – Container/Receptacle	
	License No. of Cultivation



**M 1000-1 Series Packaging and Labeling Requirements
 Transfers to Patients**

Licensees are responsible for ensuring they are compliant with applicable statutes and rules. The information reflected herein is not all-inclusive and may not reference all statutory and rule content relevant to the topic.

Licensees should consult all applicable statutes and rules in addition to this summary document.

All Categories	
Labeling - Container AND Marketing Layer	
	Font size no smaller than 1/16 of an inch
	Not designed to appeal to children
	No false or misleading statements
	Does not cause reasonable confusion regarding trademarked products or violate any federal trademark law or regulation
	No health or benefit claims
	Use of English language (may include additional accurate foreign language translation)
	Unobstructed and conspicuous
	"Candy" or "Candies" prohibited unless in the Licensee's Identity Statement

Medical Marijuana Flower and Trim, and Concentrate	
Packaging - Flower and Trim	
	Container, in an amount not to exceed the sales limit *If the Container is not Child-Resistant, a Child-Resistant Exit Package is required
Packaging - Concentrate	
	Child-Resistant Container
Labeling - Container AND Marketing Layer	
	License No. of Cultivation where the medical marijuana was grown
	If applicable, license No. of Cultivation that produced Water-Based Concentrate
	If applicable, license No. of Manufacturer that produced the Concentrate
	Assigned Harvest Batch No(s). or Production Batch No(s).
	Statement of net contents
	Universal Symbol (front display, no smaller than ½ in. x ½ in.)
	"Contains Marijuana. Keep away from children." (directly below Universal Symbol)
	Potency statement (bold font and enclosed or highlighted) <ul style="list-style-type: none"> ➤ Inhaled Product Intended Use – See 1003-1(B)(2), 1 CCR 212-1 ➤ Oral Consumption Intended Use – See 1003-1(B)(3), 1 CCR 212-1
	If applicable, solvent list
	Nonorganic Pesticide disclosure
	If applicable, ingredient list, including major allergens (milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat and soybeans)
	Statement of Intended Use(s)
	Patient registration No.
Labeling – Additional Requirements for Container AND Marketing Layer	
Oral Consumption Intended Use	
	Expiration/use-by date
	Production date (may be included in Batch No.)
	If perishable, statement regarding refrigeration



Labeling - Container OR Marketing Layer	
	License No. of Medical Center that sold the flower, trim, or Concentrate to the patient
	Date of sale
	Patient registration No.
	“This product was produced without regulatory oversight for health, safety, or efficacy.”
	“This product complies with testing requirements.” or “This product has not been tested.”
	“There may be long term physical or mental health risks from use of marijuana, including additional risks for women who are or may become pregnant or are breastfeeding. Use of marijuana may impair your ability to drive a car or operate machinery.”
	Additional warning statement based on intended use: <ul style="list-style-type: none"> ➤ Oral Consumption Intended Use - “The intoxicating effects of this product may be delayed by up to 4 hours.”

Medical Marijuana-Infused Product	
Packaging	
	Child-Resistant Container (if Edible Medical Marijuana-Infused Product with multiple portions, Child-Resistant Container must be Re-sealable)
Labeling - Container AND Marketing Layer	
	License No. of Cultivation where the marijuana was grown
	License No. of Manufacturer that produced the Infused-Product
	Assigned Production Batch No(s).
	Statement of net contents
	Universal Symbol (front display, no smaller than ½ in. x ½ in.)
	“Contains Marijuana. Keep away from children.” (directly below Universal Symbol)
	Ingredient list, including major allergens (milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat and soybeans)
	Potency statement (bold font and enclosed or highlighted) <ul style="list-style-type: none"> ➤ Inhaled Product Intended Use – See 1003-1(B)(2)(a)-(b) ➤ Oral Consumption Intended Use – See 1003-1(B)(3)(a) ➤ Skin and Body Products Intended Use – See 1003-1(B)(4)(a)-(b)
	If applicable, solvent list
	Nonorganic Pesticides disclosure
	Statement of intended use(s)
Labeling – Additional Requirements for Container AND Marketing Layer	
Oral Consumption Intended Use	
	Expiration/use-by date
	Production date
	If perishable, statement regarding refrigeration
Labeling – Additional Requirements for Container AND Marketing Layer	
Skin and Body Products Intended use	
	Expiration/use-by date
	Production date



Labeling - Container OR Marketing Layer	
	License No. of Medical Center that sold to the patient
	Date of sale
	Patient Registration No.
	“This product was produced without regulatory oversight for health, safety, or efficacy.”
	“This product complies with testing requirements.” or “This product has not been tested.”
	“There may be long term physical or mental health risks from use of marijuana, including additional risks for women who are or may become pregnant or are breastfeeding. Use of marijuana may impair your ability to drive a car or operate machinery.”
	Additional warning statements based on intended use: <ul style="list-style-type: none"> ➤ Oral Consumption Intended Use - “The intoxicating effects of this product may be delayed by up to 4 hours.”

Medical Marijuana Seeds and Immature Plants	
Packaging - Seeds	
	Container *If the Container is not Child-Resistant, a Child-Resistant Exit Package is required
Packaging – Immature Plants	
	Receptacle (need not be Child-Resistant)
Labeling - Container/Receptacle	
	License No. of Cultivation where the seed producing plant or Immature plant was grown
	License No. of Medical Center that sold to the patient
	Universal Symbol (front display, no smaller than ½ in. x ½ in.)
	“Contains Marijuana. Keep away from children.” (directly below Universal Symbol)
	Statement of net contents (for seeds only)
	Date of sale
	Patient registration No.
	Nonorganic Pesticide disclosure
	“This product was produced without regulatory oversight for health, safety, or efficacy.”
	“There may be long term physical or mental health risks from use of marijuana, including additional risks for women who are or may become pregnant or are breastfeeding. Use of marijuana may impair your ability to drive a car or operate machinery.”



R 1000-1 Series Packaging and Labeling Requirements
Transfers to Retail Marijuana Establishments

Licensees are responsible for ensuring they are compliant with applicable statutes and rules. The information reflected herein is not all-inclusive and may not reference all statutory and rule content relevant to the topic. Licensees should consult all applicable statutes and rules in addition to this summary document.

Retail Marijuana Flower, Trim, and Concentrate	
Packaging	
	Container (need not be Child-Resistant), in an amount not to exceed 10 lbs.
Labeling - Container	
	License No. of Cultivation where the marijuana was grown
	Assigned Harvest Batch No(s). or Production Batch No(s).
	If applicable, license No. of Cultivation that produced Water-Based Concentrate
	If applicable, license No. of Manufacturer that produced the Concentrate
	Net contents
	Potency test results

Retail Marijuana Product	
Transfers to a Retail Marijuana Establishment Other Than a Retail Marijuana Store	
Packaging	
	Container (need not be Child-Resistant)
Labeling - Container	
	License No. of Cultivation where the marijuana was grown
	License No. of Manufacturer that produced the Product
	Assigned Production Batch No(s).
	Net contents
	Potency test results
Retail Marijuana Product	
Transfers to a Retail Marijuana Store	
Packaging	
	Child-Resistant Container
Labeling - Container	
	All information required by Rules R 1002-1 and 1003-1 (Transfers to Consumers)

Retail Marijuana Seeds and Immature Plants	
Packaging - Seeds	
	Container (need not be Child-Resistant), in an amount not to exceed 10 lbs.
Packaging - Immature Plants	
	Receptacle (need not be Child-Resistant)
Labeling – Container/Receptacle	
	License No. of Cultivation



R 1000-1 Series Packaging and Labeling Requirements
Transfers to Consumers

Licensees are responsible for ensuring they are compliant with applicable statutes and rules. The information reflected herein is not all-inclusive and may not reference all statutory and rule content relevant to the topic.

Licensees should consult all applicable statutes and rules in addition to this summary document.

All Categories	
Labeling - Container AND Marketing Layer	
	Font size no smaller than 1/16 of an inch
	Not designed to appeal to children
	No false or misleading statements
	Does not cause reasonable confusion regarding trademarked products or violate any federal trademark law
	No health or benefit claims
	Use of English language (may include additional accurate foreign language translation)
	Unobstructed and conspicuous
	"Candy" or "Candies" prohibited unless in the Licensee's Identity Statement

Retail Marijuana Flower and Trim, and Concentrate	
Packaging - Flower and Trim	
	Container, in an amount not to exceed the sales limit *If the Container is not Child-Resistant, a Child-Resistant Exit Package is required
Packaging - Concentrate	
	Child-Resistant Container
Labeling - Container AND Marketing Layer	
	License No. of Cultivation where the marijuana was grown
	If applicable, license No. of Cultivation that produced Water-Based Concentrate
	If applicable, license No. of Manufacturer that produced the Concentrate
	Assigned Harvest Batch No(s). or Production Batch No(s).
	Statement of net contents
	Universal Symbol (front display, no smaller than ½ in. x ½ in.)
	"Contains Marijuana. Keep away from children." (directly below Universal Symbol)
	Potency statement (bold font and enclosed or highlighted) <ul style="list-style-type: none"> ➤ Inhaled Product Intended Use – See 1003-1(B)(2), 1 CCR 212-2 ➤ Oral Consumption Intended Use – See 1003-1(B)(3), 1 CCR 212-2
	If applicable, solvent list
	If applicable, ingredient list, including major allergens (milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat and soybeans)
	Statement of Intended Use(s)
Labeling – Additional Requirements for Container AND Marketing Layer	
Oral Consumption Intended Use	
	Expiration/use-by date
	Production date
	If perishable, statement regarding refrigeration



Labeling - Container OR Marketing Layer	
	License No. of Retail Store that sold to the consumer
	Date of sale
	“This product was produced without regulatory oversight for health, safety, or efficacy.”
	“This product complies with testing requirements.”
	“There may be long term physical or mental health risks from use of marijuana, including additional risks for women who are or may become pregnant or are breastfeeding. Use of marijuana may impair your ability to drive a car or operate machinery.”
	Additional warning statement based on intended use: <ul style="list-style-type: none"> ➤ Oral consumption Intended Use - “The intoxicating effects of this product may be delayed by up to 4 hours.”

Retail Marijuana Product	
Packaging	
	Child-Resistant Container: <ul style="list-style-type: none"> ➤ Non-Edible – does not exceed the sales limitation ➤ Single-Serving Edible – Child-Resistant Container for each serving, with each serving not to exceed 10 mg. active THC ➤ Bundled Single-Serving Edible – Child-Resistant Container for each serving, which may be bundled into a Marketing Layer not to exceed 100 mg. active THC ➤ Multiple-Serving Edible – Child-Resistant, Re-sealable Container, not to exceed 100 mg. active THC ➤ Single-Serving Liquid Edible – Child-Resistant Container for each serving, with each serving not to exceed 10 mg. active THC ➤ Multiple Serving Liquid Edible – Single package structure must achieve Child-Resistant properties and accurate pouring measurements of each serving, with each serving not to exceed 10 mg. active THC per serving and 100 mg. per Container; measurement component must be within Child-Resistant cap or closure and is not a separate component
Labeling - Container AND Marketing Layer	
	License No. of Cultivation where the marijuana was grown
	License No. of Manufacturer that produced the infused-product
	Assigned Production Batch No(s)
	Statement of net contents
	Universal Symbol (front display, no smaller than ½ in. x ½ in.)
	“Contains Marijuana. Keep away from children.” (directly below Universal Symbol)
	Ingredient list, including major allergens (milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat and soybeans)
	Potency statement (bold font and enclosed or highlighted) <ul style="list-style-type: none"> ➤ Inhaled Product Intended Use – See 1003-1(B)(2)(a)-(b) ➤ Oral Consumption Intended Use – See 1003-1(B)(3)(a) ➤ Skin and Body Products Intended Use – See 1003-1(B)(4)(a)-(b)
	If applicable, solvent list
	Statement of Intended Use(s)



Labeling – Additional Requirements for Container AND Marketing Layer Oral Consumption Intended Use	
	Expiration/use-by date
	Production date
	If perishable, statement regarding refrigeration
Labeling – Additional Requirements for Container AND Marketing Layer Skin and Body Products Intended use	
	Expiration/use-by date
	Production date
Labeling - Container OR Marketing Layer	
	License No. of Retail Store that sold to the consumer
	Date of sale
	“This product was produced without regulatory oversight for health, safety, or efficacy.”
	“This product complies with testing requirements.”
	“There may be long term physical or mental health risks from use of marijuana, including additional risks for women who are or may become pregnant or are breastfeeding. Use of marijuana may impair your ability to drive a car or operate machinery.”
	Additional warning statement based on intended use: <ul style="list-style-type: none"> ➤ Oral consumption Intended Use - “The intoxicating effects of this product may be delayed by up to 4 hours.”

Retail Marijuana Seeds and Immature Plants	
Packaging - Seeds	
	Container *If the Container is not Child-Resistant, a Child-Resistant Exit Package is required
Packaging – Immature Plants	
	Receptacle (need not be Child-Resistant)
Labeling - Container/Receptacle	
	License No. of Cultivation where the seed producing plant or Immature plant was grown
	License No. of Retail Store that sold to the consumer
	Universal Symbol (front display, no smaller than ½ in. x ½ in.)
	“Contains Marijuana. Keep away from children.” (directly below Universal Symbol)
	Statement of net contents (for seeds)
	Date of sale
	“This product was produced without regulatory oversight for health, safety, or efficacy.”
	“There may be long term physical or mental health risks from use of marijuana, including additional risks for women who are or may become pregnant or are breastfeeding. Use of marijuana may impair your ability to drive a car or operate machinery.”