



**COLORADO**  
Department of Revenue  
Enforcement Division - Marijuana  
455 Sherman Street, Suite 390  
Denver, CO 80203

April 14, 2016

**INDUSTRY-WIDE BULLETIN: 16-09**

**RE: MED Medical and Retail Marijuana Business Licensees Participation in 420 Related Events**

Dear Colorado Marijuana Industry Members:

As a MED Medical or Retail Marijuana Business Licensee, business owner or occupational licensee, you hold a *privileged* license that requires you to operate your facility and conduct business strictly within the parameters set forth in statute, which include mandates provided by the:

- Colorado Constitution, Articles XVII and XVIII;
- Colorado Revised Statutes (C.R.S.), Titles 12, 18 and 25;
- Colorado Code of Regulations (CCR) 221-1 and 221-2; and
- Local authority ordinances within whose jurisdiction you operate.

The Marijuana Enforcement Division (MED) and other law enforcement agencies are responsible for ensuring our licensees fully comply with all statute and regulation, *and* make every effort to ensure public safety. With April 20<sup>th</sup> fast approaching, we wanted to reiterate some important compliance information because we receive a number of inquiries each year.

- Visitors to Restricted or Limited Access areas of any MED licensed marijuana commercial business or establishment must be twenty-one years of age:
  - each individual must provide proof of age at the time of the visit;
  - each individual must wear a visitor identification badge;
  - each individual must be logged into the facilities visitor log; and
  - ***at all times*** visitors must at be escorted by a current occupationally licensed employee of the facility they are visiting (no more than five visitors may be escorted by a single employee).

It is also important to note that a licensee cannot receive consideration or compensation for permitting a visitor to enter a Restricted or Limited Access area – CCR 212 1 M 301 and CCR 212 2 R 301.

- MED Medical and Retail Marijuana Business Licensee must always be committed to ensuring individuals that do not meet statutory criteria, *or are unable to provide legitimate proof* that they meet statutory criteria, to purchase Medical or Retail Marijuana ***are not*** allowed into Limited Access areas or sold any marijuana or marijuana infused products. During this busy time of year, business owners and staff must be hyper-vigilant and make sure that only individuals with *legitimate* proof that they are ***twenty-one years of age*** or a ***Medical Marijuana Registry Member*** are allowed to enter limited access areas in your facility and of course re-confirm their identification at the time of any marijuana or marijuana product purchase.

- It is also imperative that no marijuana or marijuana infused products are consumed on any licensed premises. Keep in mind that *any paraphernalia* that has been *used* to consume marijuana should not be brought to the licensed premises as it may be viewed as evidence of on-site consumption CCR 221 – 1 and 2.
- All advertising efforts for the business must abide by state and local laws and regulations, and may not use false or misleading information or images that appeal to minors CCR – M 1101 and R 1102. Additionally, Retail Marijuana business licensees are prohibited from participating in advertisements or marketing campaigns with a high likelihood of reaching minors (anyone under the age of twenty-one) CCR 221-2 R – 1100 series. These mandates apply to licensee regardless of whether or not the advertisement is located on the licensed premises or off-site.

A primary focus of the MED, other law enforcement agencies and the industry as a whole, is to prevent the diversion of legally cultivated marijuana out of states or to individuals that do not meet the statutory criteria to consume either medical or retail marijuana. Use of Retail Marijuana by anyone under the age of twenty-one is of particular concern during 420 events. Please review the following compliance tips discussing your business or establishment-related activities that take place *off-site* of your licensed premises. Help us reduce the risk of your facility’s products falling into the hands of minors:

- Statute clearly mandates that marijuana produced within the regulated system must remain in the closed system (and may only be transported between MED licensed premises) until final sale to a patient or customer. To be clear, *no owner or employee may enjoy the privileges provided by a MED business license (the ability to lawfully cultivate, process and sell marijuana within the state of Colorado) at any off-premises site.*
- DO NOT transport Medical Marijuana or Retail Marijuana or marijuana infused products from a licensed premise to *any location that* is not another MED licensed premise – this does not include marijuana or marijuana infused products that are legitimately purchased for personal consumption.
- Medical or Retail Marijuana business owners or employees may not use personally purchased marijuana or infused marijuana products as a means to avoid the intent of the statute and regulation prohibiting off-premises display and sale of marijuana.

The MED is committed to ensuring the public’s safety and we will hold both business and individual MED licensees accountable for violations of *state and local authority* statutes and regulations. Failure to abide by statute and regulation may result in a range of sanctions, up to and including the suspension or revocation of MED-issued business or occupational license, in addition to criminal charges, penalties, and sanctions.

Thank you for your support and cooperation.

Regards,



Jim Burack  
 Director  
 Marijuana Enforcement Division