



Compliance Tip

November 4, 2016

Topic: Placement of Universal Symbol

[Applicable Rules:](#) 1CCR 212-1 M1000 Series and 1CCR 212-2 R100 Series

MED has received inquiries requesting clarification of the provisions in the 1000 series of Medical and Retail Rules that state "The Universal Symbol ... must be located on the front of the packaging..."

Due to the diversity of products and marketing approaches, packaging and labeling designs are understandably diverse. All package and labeling of medical and retail marijuana must comply with regulatory language. The Universal Symbol is a critical component of consumer and child safety protections, and enforcement of this requirement is a public safety priority for MED.

Because the new Universal Symbol is intended to be clearly viewed by the consumer, or third party coming into contact with the product, the front-facing exposure requirement for the symbol is self-evident. The inclusion of the word 'front' in the packaging and labeling rules is intended to affirm that the symbol should be clearly visible and conspicuous, in order to place the consumer or other party on notice of the contents of the product. It should be construed according to the plain meaning of the word, by a reasonable person. The Webster's definition of front means "the forward part or surface of something: the part of something that is seen first, or a place, position, or area that is most forward or is directly ahead."

MED will of course review multiple factors to ascertain compliance by all Licensees. The factors may include, but are not limited to, adherence to the plain meaning of 'front' and customary consumer packaging practices, the challenges associated with different types of packaging such as a cylindrical package, and methods of consumer display such as what sides are typically positioned to the public.

MED will focus its compliance and enforcement resources through consideration of these factors, while also taking into account demonstrated good faith and clear intent to comply.

Licensees are responsible for ensuring they are compliant with applicable statute and rules. This Compliance Tip is not intended to be all-inclusive and may not include all statutes and rules applicable to the Topic. Further, the Division is not able to provide you with legal advice. If you have any legal questions, please consult with an attorney.

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