

Labeling Requirements for Marijuana Products in Colorado



July 2014

Since retail sales of marijuana and marijuana-infused products began in Colorado in 2014, efforts to ensure the safety and encourage the safe consumption of these products have been ongoing. In 2013, the state of Colorado established a working group to develop regulations concerning labeling, packaging and product specifications. These requirements were formally adopted in March 2014. A working group led by the Colorado Department of Revenue's Marijuana Enforcement Division is tasked with addressing emerging issues specifically related to the labeling and packaging of marijuana edibles and products.

Colorado law requires that each package or container of retail marijuana, retail marijuana product, and retail marijuana concentrate includes necessary and relevant information for consumers, does not include health and physical benefits claims, is easily accessible to consumers, and is clear and noticeable.

Packaging Requirements

While there are slight differences in the labeling requirements for each category of marijuana product, all include identical parameters that mandate the type of packaging for retail marijuana products.

Every marijuana product sold must leave the store in a package or container that is child-resistant. If the marijuana product packaging is not child-resistant, the retail marijuana store must place that container within an exit package that is child resistant. "Child-resistant" means special packaging that is:

- a. Designed or constructed to be significantly difficult for children under five years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. 1700.20 (1995) and ASTM classification standard D3475-13, <http://www.astm.org/Standards/D3475.htm>

- b. Opaque so that the product cannot be seen from outside the packaging;
- c. Closable for any product intended for more than a single use or containing multiple servings, and
- d. Labeled properly (see below)

Identification and consumer warning labels must be affixed to every individual container of retail marijuana, marijuana infused product, or marijuana edible. Among the three types of products, marijuana edibles have the most extensive consumer warning statements included with each purchase.

Required Label Information

Every retail marijuana store must ensure the following information is affixed to every container holding a retail marijuana product:

- a) The license number of the retail marijuana cultivation facility(-ies) where the marijuana used to produce the product was grown;
- b) The Production Batch Number(s) assigned to the retail marijuana concentrate used to produce the product;
- c) The license number of the retail marijuana product's manufacturing facility;
- d) The production batch number(s) assigned to the retail marijuana product;
- e) The license number of the retail marijuana store that sold the retail marijuana product to the consumer;
- f) A statement about whether the container is child-resistant;
- g) The Identity Statement and Standardized Graphic Symbol of the retail marijuana store that sold the product to the consumer. A licensee may elect to have its Identity Statement also serve as its Standardized Graphic Symbol for purposes of complying with this rule. The licensee shall maintain a record of its Identity Statement and Standardized Graphic Symbol and make such information available to the State Licensing Authority upon request;
- h) The date of sale to the consumer;

- i) **The following warning statements:**
 - i. "There may be health risks associated with the consumption of this product."
 - ii. "This product is intended for use by adults 21 years and older. Keep out of the reach of children."
 - iii. "This product is unlawful outside the State of Colorado."
 - iv. "This product is infused with marijuana."
 - v. "This product was produced without regulatory oversight for health, safety, or efficacy."
 - vi. "The intoxicating effects of this product may be delayed by two or more hours."
 - vii. "There may be additional health risks associated with the consumption of this product for women who are pregnant, breastfeeding, or planning on becoming pregnant."
 - viii. "Do not drive a motor vehicle or operate heavy machinery while using marijuana."
- j) The Universal Symbol, indicating that the container holds marijuana, which must be no smaller than ¼ of an inch by ¼ of an inch;
- k) A clear set of instructions for proper usage for non-edible retail marijuana products;
- l) A complete list of all nonorganic pesticides, fungicides, and herbicides used during the cultivation of the retail marijuana used to produce the product; and
- m) A complete list of solvents and chemicals used in the creation of any retail marijuana concentrate used in the product.

Additionally, each container holding an edible retail marijuana product must include the following information.

- a) Ingredient list including all ingredients used to manufacture the edible retail marijuana product which may include a list of any potential allergens contained within.
- b) Statement regarding required refrigeration if the retail marijuana product is perishable.
- c) Serving size statement that reads "The standardized serving size for this product includes no more than ten milligrams of active THC."
- d) Statement of expiration date.

A dietary restriction label and nutritional fact panel are optional items to include on the marijuana product label. Potency tests for all edible marijuana products have been required since May 1, 2014. If an environmental contaminant test is performed, the retail marijuana store has an obligation to include a label indicating the results of this test. Currently environmental contaminant tests are not required and the capacity to perform such tests is limited. If a contaminant test has not been performed then there is a requirement to state that: "The marijuana product contained within this package has not been tested for contaminants."

The State of Colorado has made great effort to address potential concerns with the consumption and regulated sale of retail marijuana products and is being proactive with continued efforts. These regulations were drafted and adopted to protect the public health and safety of retail marijuana consumers.

Sources:

[Labeling, Packaging, and Product Safety--R 1000 Series. Colorado Department of Revenue, March 2, 2014.](#)

[Retail Marijuana Rules and Definitions. Colorado Department of Revenue, March 2, 2014.](#)