



# ***MEDICAL & RECREATIONAL MARIJUANA PACKAGING AND LABELING GUIDE 2.0***

Updated August 2016

---



This document is meant to help explain the packaging and labeling rules. However, this guide should not replace a thorough reading of the rules.

## TABLE OF CONTENTS

<u>Topic</u>	<u>Page Numbers</u>
Activation Time	7, 26
Approved Packages	5, 16
Attractive to Minors	3, 7, 14, 26
Cartoon	3, 26, 27
Changes after Approval	5, 22, 23
Child-resistant packaging	3, 4, 5, 14, 15, 24
Definitions	2, 26-29
Exit packages	4, 5, 15, 27
False or misleading statements	3, 7, 11, 12, 15
Generic Label Examples	16-22
Health Claims	7, 12
Label Checklist	16-22
Labeling	6-13
Organic	3, 7, 12
Packaging	2-5
Pre-Approval Process	2, 5, 8, 14, 23
Principal Display Panel	6-8, 10, 12, 13, 15-17, 21, 29
Retailer Responsibilities	5
Re-use of packages	5
Third-Party Testing Firm List	24-25
Universal Symbol	6-9, 13, 15, 17, 21, 29

## BEFORE YOU BEGIN

\*\* The packaging and labeling rules discussed in this document apply to marijuana items that are for ultimate sale to a consumer, patient, or designated primary caregiver. They do not apply to lab sampling or bulk transfers of product from one licensee to another. For the rules governing those types of transfers, refer to OAR 845-025-7700. \*\*



For the purposes of this document, the following terms are defined as follows:

**Licensee** - any person who holds a license issued by the Oregon Liquor Control Commission (OLCC) under ORS 475B.070 (Production license), 475B.090 (Processor license), 475B.100 (Wholesale license), 475B.110 (Retail license), or 475B.560 (Laboratory license).

**Registrant** - means a person registered with the Oregon Health Authority (OHA) under ORS 475B.420, 475B.435, or ORS 475B.450.

**Applicant** - a person who is in the process of applying to be a licensee or registrant. Applicants cannot receive package or label approval until they become a licensee or registrant.

Please take a look at the **Definitions** section for a full list of term definitions.

***The OHA and OLCC may have additional requirements that are not covered in this guide so it is important to read the rules. This guide is not a replacement for reading the rules.***



## PACKAGING

### General Requirements

Each marijuana item must be packaged in a container that conforms to the rules found in OAR 845-025-7000 through 845-025-7060. A "container" is a sealed, hard or soft-bodied receptacle in which a marijuana item is placed. OAR 845-025-7060 requires all licensees and registrants who package marijuana items for ultimate sale to a consumer, patient, or designated primary caregiver to get all packages and labels approved through the OLCC pre-approval process (see Pre-approval Process Section). If the marijuana item is produced by an OLCC licensee, the package and label must be approved before any marijuana item is sold to a consumer.

## Marijuana Packaging and Labeling Guide

If the marijuana item is produced by an OHA registrant, the package and label must be approved before the **October 1, 2016** compliance date in order to continue to be sold to a patient or designated primary caregiver on and after **October 1, 2016**.

**Packages must protect the marijuana items they hold.** Containers and packaging that hold marijuana items must protect those items from contamination and must not expose the marijuana item to any toxic or harmful substance. See OAR 845-025-7020.



**Packages cannot contain false or misleading statements.** A false or misleading statement is one that is either not true or a statement that implies something about the product that is not true. For example, making a claim that the product treats or cures a disease, when there is no significant scientific information to back that claim up would be a misleading statement. Similarly, labeling your product or product ingredients as "organic" when they have not properly certified would also be a misleading statement. See the sections on Organic and Health Claims for more information.

**Marijuana items cannot be packaged in a manner that is attractive to minors.** Any of the following items would be considered "attractive to minors:"



*Both images are "cartoons." The penguin (above) has comically-exaggerated features, and the winged character (below) displays unnatural or extra-human abilities.*



- (1) Cartoons;
- (2) Designs, brands, or names that resemble a non-cannabis product that is typically marketed to minors;
- (3) Symbols or celebrities that are commonly used to market products to minors would be considered "attractive to minors;" or
- (4) Images of minors.

A "cartoon" is any drawing or depiction of an object, person, animal, creature or any similar caricature that:

- (1) Uses comically-exaggerated features;<sup>i</sup>
- (2) Attributes human characteristics to animals, plants or other objects; or
- (3) Attributes unnatural or extra-human abilities, such as imperviousness to pain or injury, X-ray vision, tunneling at very high speeds, or transformation (i.e. Superheroes).<sup>ii</sup>

A package holding a marijuana item cannot appear similar to any consumer product that is typically marketed towards minors or use the same types of

symbols that are used to market products to children.

**All marijuana items, except plants and seeds, must be sold in child-resistant packages.** All child-resistant packages must be tested and certified as meeting 16 CFR 1700 by a qualified, third-party testing firm. Child-resistant packages come in two forms: single-use and resealable, continually child-resistant. A single-use, child-resistant package is one that meets the child-resistance standard until it is opened. A resealable, continually child-resistant package is one that is capable of being resealed after being opened and maintains its child-resistance throughout the life of the product.



*This photo is an example of a single-use package.*

## Marijuana Packaging and Labeling Guide

If the marijuana item being sold is a marijuana plant or marijuana seeds, no child-resistant packages are required. If the marijuana item is (1) a cannabinoid product that contains 15 mg of THC or less or (2) only usable marijuana, the item can be packaged in a single-use, child-resistant package. If the item is a cannabinoid product that contains more than 15 mg of THC or if the item is an extract or concentrate, the item must be packaged in a resealable, continually child-resistant package. The marijuana item may be placed directly in a container that meets the child-resistance standard or the container may be placed in an approved child-resistant, exit package. See Table Below.

Type of Packaging Required	Re-sealable & Child-Resistant throughout Life of the Product	Child-Resistant when Product Leaves Store	Child-Resistant Packaging Not Required
Type of Marijuana Item Sold	<ul style="list-style-type: none"> <li>• Edibles, Topicals, or Tinctures with more than 15mg of THC.</li> <li>• Concentrates and Extracts</li> </ul>	<ul style="list-style-type: none"> <li>• Edibles, Topicals, or Tinctures with 15mg or less of THC.</li> <li>• Usable Marijuana</li> </ul>	<ul style="list-style-type: none"> <li>• Immature Plants</li> <li>• Seeds</li> </ul>

### Child-Resistant Packaging

The term “child resistant” is defined in OAR 845-025-7000 as packaging that is designed or constructed to be significantly difficult for children under five years of age to open and not difficult for adults to use properly. Under OAR 845-025-7020, all marijuana items for sale to a consumer, patient, or designated primary caregiver, except for plants and seeds, must:

- (1) Be packaged in a container that is child-resistant as certified by a qualified third party child-resistant package testing firm;
- (2) If the marijuana item is an edible, topical, or tincture that contains more than 15 mg of THC, or if the marijuana item is an extract or concentrate, the item must be packaged in a container or placed in an exit package that is capable of being resealed and made child resistant again after it has been opened, as certified by a qualified third party child-resistant package testing firm.



*This photo is an example of a resealable, child-resistant package.*

The standard for child-resistant packaging is set by the Consumer Product Safety Commission (CPSC). To determine whether a package meets the standard for child-resistance, a third-party testing firm follows the testing procedure found in [16 CFR 1700.20](#). If a package has been tested by a qualified firm, proof of certification must be provided to the OLCC before the OLCC can approve the package as meeting the child-resistant standard.

The CPSC maintains a [list of testing firms](#). A copy of that list can be found in the [Child-Resistant Testing Firms](#) section. The OLCC does not endorse any of the firms listed.

### Exit Packaging

OAR 845-025-7000 defines “exit package” as “a sealed container provided at the retail point of sale in which any marijuana items already within a container are placed.” Exit packages can be used to add child resistance to a container that is not child resistant on its own. All marijuana items, except plants and seeds, must leave the dispensary or retail store in a child-resistant container. Marijuana items can be displayed in the store in non-child resistant packages but must be placed in child-resistant exit packages at the point of sale. Multiple products can be placed in the same exit package at the point of sale. Exit packages may also be reused as long as they are re-sealable and remain child resistant throughout the life of the product.



All exit packages must be approved by the OLCC Pre-approval Process. The fee for approval is \$100 per package. Once the OLCC begins accepting applications and approving packages, any package on the approved list may be used without additional approval. When certain changes are made to an approved package or label, the new package and / or label must be resubmitted to the OLCC. See the [Pre-Approval Process](#) section for more information.

Pursuant to OAR 333-007-0090, all exit packaging must contain a label that reads: "Keep out of the reach of children" in at least 8 point Times New Roman, Helvetica, or Arial font. An exit package that has only this required warning printed on it without any additional text, graphics, logos, or pictures, would have a generic label and would not require OLCC label pre-approval. However, if the exit package contained any logos, pictures, graphics, or additional text not required by rule, the label would not be generic and would need to be submitted for label pre-approval with an additional \$100 fee.

The exit package may be provided by the producer, processor, or wholesaler that packaged the marijuana item for sale to a consumer, patient, or designated primary caregiver or the retail store or dispensary where the marijuana item is sold. Regardless who provides the exit package, it must be approved for use by the OLCC.

#### Retailer / Dispensary Responsibility

The retailer or dispensary is responsible for making sure that products that require a child-resistant exit package leave the retail store in one. If the container holding the marijuana item is child resistant and on the OLCC approved list, it does not need an exit package. However, if the item is not in a child-resistant package, the retailer or dispensary is responsible for making sure that the marijuana item leaves the store in an OLCC-approved exit package.

### Re-using Packaging

Only packaging that is resealable and continually child-resistant may be re-used. If a marijuana item is placed in a package that is being re-used, the old label or labels must be removed, and the package must have a new label or labels attached to it. Additionally, any packaging that is being re-used cannot contaminate the marijuana items and must not expose the item to any toxic or deleterious substances.

# LABELING

## General Requirements

A label is any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon or adjacent to a package containing a marijuana item for purposes of branding, identifying, or giving any information with respect to the item or to the contents of the package.

**Each marijuana product type has specific requirements that must be included on the label.** The label requirements for each product type can be found in OAR 333-007-0010 through 333-007-0100. All labeling requirements outlined in the rules is considered required information that must be included on the product's label. Failure to include required information on a label may result in the denial of a label application. For a checklist of the specific requirements for each product type, go to the Label Checklist Section. Regardless of the product type, all labels must follow the same general requirements.

### **All the required information on a label must:**

1. Be in at least 8 point Times New Roman, Helvetica Or Arial font, although the font can be larger;
2. Be in English, but the information can be included in other languages; and
3. Be unobstructed and conspicuous, meaning that all required information must be visible on the outside of the package.

### **Additionally, every label must contain:**

1. A principal display panel as defined by OAR 333-007-0020. (See the Principal Display Panel Section for more information).
2. The universal symbol (at least 0.48 inches wide by 0.35 inches tall); and
3. All of the information required by rule for the specific product type (plant, seed, usable marijuana, edible, topical, concentrate, extract, or tincture).



Universal Symbol  
minimum size.

**Non-required information can be in any font or size.** Only three fonts can be used to display the required information. Any information that is required must be no smaller than 8 point font. Additional information that is not required by rule may be in any font type and size as long as that text complies with the rest of the rules.

**A package may have more than one label panel attached or affixed to it.** Label information can be printed directly on the package, affixed to the package (i.e. with glue or as a sticker), or embossed or blown into the package.

**If your product falls into one or more categories that item must comply with the labeling requirements for both categories.** For example, a concentrate that can also be consumed like an edible must have the labeling requirements for both concentrates and edibles, with the



*This photo shows a package with two label panels. The text of the panel on the left is horizontal while the text of the panel on the right is vertical.*

## Marijuana Packaging and Labeling Guide

exception of the "DO NOT EAT" warning because the product is intended for human consumption and the "BE CAUTIOUS" warning if the effects of the product are customarily felt immediately.

**Testing information for all laboratories and tests must be included on the label.** If a marijuana item was tested by more than one lab or has more than one test batch number and / or test analysis date associated with it, each lab, test batch number, and test analysis date must be included on the label. For example, if one lab tests for THC concentration and a different lab tests for pesticides, the information for both labs and tests must be included on the label. (See example of lab information on the right.) Similarly, if a first test fails and a subsequent re-test passes, the information for both tests must be included on the label.

Licensed Lab One # 125879658245125874563258 Date Tested: 06/20/16
Licensed Lab Two, # 569856741236589754120369 Date Tested: 07/01/16

*Every lab name, batch test number, and test date that is associated with the product must be included on the label.*

The THC and CBD concentrations must be the value calculated by the laboratory that did the testing in accordance with OAR 333-064-0100.

### Label Prohibitions

A label may not:

1. Contain any untruthful or misleading statements, including incorrectly using the term "organic" or making an unsubstantiated health claim; or
2. Be attractive to minors, as defined in OAR 845-025-7000.

### Activation Time

Activation time is the amount of time it is likely to take for an individual to begin to feel the effects of ingesting or inhaling a marijuana item. Activation time may be expressed in words or through a pictogram. If a user will begin to feel the effects right away, the activation time can be listed as immediate. If the product has a delayed reaction, the licensee or registrant can determine what the activation time is for their particular product. To show activation time on a label, you may simply state, "Activation Time: Immediate" or you may use a pictogram (See example on right), as long as the pictogram is clear and easily understood.



*Pictogram Example.*

Cannabis Oil Concentrate	
THC: 900 mg CBD: 1500 mg	
Growing Green, LLC, 1000026J04D UID 1A4018297310677118742955	
<b>DO NOT EAT.</b> For use by adults 21 and older. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana.	
1 fl oz (29.6 ml)	

*The above example of the information required on a small container label.*

### Small Containers

Under OAR 333-007-0090, if the container holding the marijuana item is too small to fit all of the required label information, a licensee or registrant may put at least the following information on the container label:

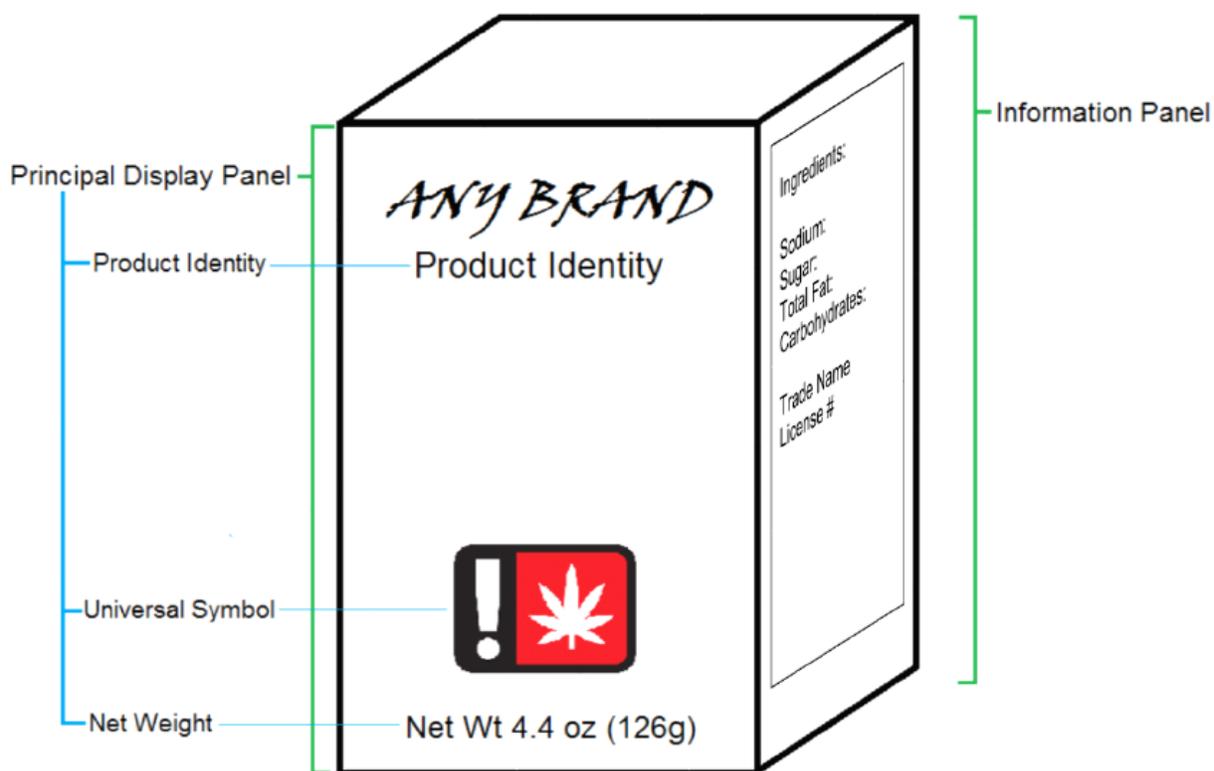
1. Principal display panel that includes the net weight, universal symbol, and product identity;
2. Licensee or registrant business or trade name and licensee or registrant number;
3. For licensees, package unique identification number and for registrants, batch or process lot number;
4. Concentration of THC and CBD; and
5. Required warnings.

**All required information must be in at least 8 point Arial, Helvetica, or Times New Roman font.** The remaining required information must be included on an outer package or container or on a leaflet or tag that accompanies the marijuana item. If an outer package is used, all of the information required by rule must be on the outer container, even if some of the information is already included on the inner container. In other words, if a small container is packaged inside a larger container, the outer container must have a full label.

## Elements of a Label

### **Principal Display Panel**

The principal display panel is defined as the part of a label on a package or container that is most likely to be displayed, presented, shown or seen under customary conditions of display for sale or transfer, generally the front of the package. For most marijuana items, three items must appear on the principal display panel: (1) the universal symbol; (2) the net weight or quantity; and (3) the product identity.



### Product Identity

The product identity is the common or usual name of the product. This is a descriptive name for the product and not a fanciful name or the brand name of the product. For example, on a package of Starburst®, the name “Starburst®” is the brand name of the candy, and the term “fruit chews” is the product identity. (See Definitions section for definitions of concentrate and extract.)

### Universal Symbol

The universal symbol was created by the Oregon Health Authority and may only be used on the label of a product that is going through the pre-approval process or has received approval from the OLCC. The universal symbol



*Universal Symbol*

## Marijuana Packaging and Labeling Guide

indicates that the product contains marijuana. The universal symbol must be on the principal display panel and must be at least 0.48 inches wide by 0.35 inches tall. The universal symbol must be red, black, and white and cannot be changed from how it appears in the example to the right.

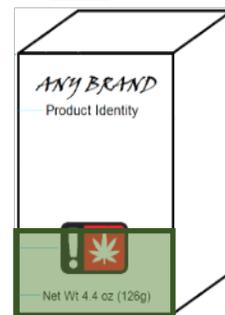
Beginning on October 1, 2016, all registrants must include the universal symbol on the label of every marijuana item. Registrants may use the universal symbol on their labels prior to October 1st, but only if their products conform with the labeling requirements found in OAR 333-007-0010 through 333-007-0100. Registrants must have all labels approved in time for the October 1, 2016 compliance deadline.

For recreational licensees, the universal symbol is required on all labels. Additionally, licensees must receive OLCC approval for all labels prior to any sale to a consumer. (See the [Pre-Approval Process](#) section for more information)

The universal symbol may be downloaded at [www.healthoregon.org/marijuana](http://www.healthoregon.org/marijuana).

### Net Weight

The net weight is the gross weight of the final product minus the weight of the packaging. Except on plant labels, the net weight should appear in the bottom 30 % of the principal display panel and generally parallel to the base of the container. The area surrounding net quantity shall be free of printed information.



*The shaded green area is the bottom 30% of the principal display panel where the net weight should be displayed.*

### *Displaying Net Weight*

For all marijuana items, except plants, net weight must be listed in both the US Customary Units and the International System of Units (SI Units). When both are required, use the following units:

<i>US Customary</i>	<i>SI Units</i>
Weight (dry) displayed in ounces or pounds	Weight (dry) displayed in grams or milligrams
Volume (liquid) displayed in fluid ounces	Volume (liquid) displayed in milliliters

Net weight should be displayed as a number between 1 and 1000. When choosing a unit, use the following examples. If using a decimal, use no more than three decimal places.

Examples:

500 mg, not 0.5 g

1.96 g, not 1960 mg

750 mL, not 0.75 L

Net weight should not be expressed in mixed units.

Example:

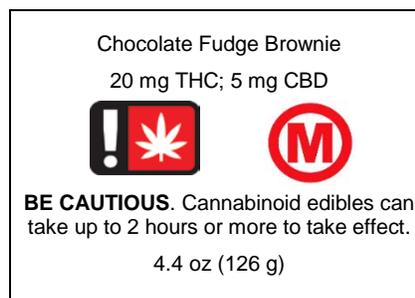
1.5 g, not 1 g 500 mg

### **Medical Grade Symbol**

The medical grade symbol was established by the Oregon Health Authority and made available to licensees. The medical grade symbol is a symbol that is **used only by licensees** that produce cannabinoid products, concentrates, or extracts that have a THC concentration that is above the recreational concentration limit.



*Medical grade symbol*



*Example of a principal display panel showing how the medical grade symbol can be used.*

The medical grade symbol is used only on products sold at OLCC licensed retail stores. Products that contain a medical grade symbol can only be sold or transferred to a designated primary caregiver or patient, for use by a patient. Licensees who want to produce medical grade products must follow the requirements set out in OAR 845-025-3300, as well as the rest of the rules.

The medical grade symbol must appear on the principal display panel and be at least 0.35 inches in diameter.

#### **RECREATIONAL THC CONCENTRATION**

Marijuana Item Type	Maximum THC per serving	Maximum THC per container
Edibles	5 mg	50 mg
Topicals	N/A	6%
Tinctures	N/A	1,000 mg
Capsules	10 mg	100 mg
Concentrates or Extracts	N/A	1,000 mg

#### **MEDICAL THC CONCENTRATION**

Marijuana Item Type	Maximum THC per serving	Maximum THC per container
Edibles	N/A	100 mg
Topicals	N/A	6%
Tinctures	N/A	4,000 mg
Capsules	100 mg	4,000 mg
Suppositories	100 mg	4,000 mg
Transdermal Patches	100 mg	4,000 mg
Concentrates or Extracts	N/A	4,000 mg

\*\* To see the actual tables, see [Table 1](#) (OAR 333-007-0210) and [Table 2](#) (OAR 333-007-0220).

### **Additional Edible Labeling**

For cannabinoid edibles, it is required that the following information be placed on the label:

1. *List of all ingredients* in descending order of predominance by weight or volume used to process the cannabinoid edible.
2. *The amount, in grams, of sodium, sugar, carbohydrates and total fat per serving.* A licensee or registrant must have documentation that demonstrates the validity of the calculation of the amount of sodium, sugar, carbohydrates and total fat in a cannabinoid edible and must make that documentation available to the Commission or the Authority upon request.
3. *If the edible is perishable, a statement that the edible must be refrigerated or kept frozen.* If the edible is not perishable, no statement is needed.

## Marijuana Packaging and Labeling Guide

### 4. List of potential major food allergens.

A licensee or registrant must list major food allergens on the label if the edible contains:

- Milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, or soybeans as an ingredient or
- Any ingredient that contains protein derived from: milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, or soybeans.

Licensees and registrants must label major food allergens in one of two ways.

The first option is to include the name of the food source in parenthesis following the common or usual name of the major food allergen in the list of ingredients whenever the name of the food source of the major allergen does not appear elsewhere in the ingredient statement.

For example:

Ingredients: Enriched flour (**wheat** flour, malted barley, niacin, reduced iron, thiamin mononitrate, riboflavin, folic acid), sugar, partially hydrogenated **soybean** oil, and/or cottonseed oil, high fructose corn syrup, whey (**milk**), **eggs**, vanilla, natural and artificial flavoring) salt, leavening (sodium acid pyrophosphate, monocalcium phosphate), lecithin (**soy**), mono-and diglycerides (emulsifier)

In the example above, the major food allergens are in bold to highlight their location. However, the allergens do not need to be in bold on an edible label.

The second option is to use the word "Contains" followed by the name of the food source from which the major food allergen is derived, immediately after or adjacent to the list of ingredients, in a font size that is the same font size used for the list of ingredients.

For example, after the list of ingredients, the following statement would appear:

Contains Wheat, Milk, Egg, and Soy

### Gluten-Free

Gluten is the protein that occurs naturally in wheat, rye, barley, and crossbreeds of these grains. Although certain grains may contain gluten, some grains can be made gluten-free. An ingredient that has been derived from a gluten-containing grain can be labeled as "gluten-free" if it has been processed to remove the gluten and use of that ingredient results in the presence of less than 20 parts per million (ppm) gluten in the food. The "gluten-free" claim is a voluntary one, however, licensees and registrants who decide to use this term are responsible for using the claim in a truthful and not misleading manner, and for complying with the requirements established by the U.S. Food and Drug Administration.



Gluten-free means that the food either is inherently gluten free or does not contain an ingredient that is: (1) a gluten-containing grain (e.g. Spelt wheat); (2) derived from a gluten-containing grain that has not been processed to remove gluten (e.g. Wheat flour); or (3) derived from a

## Marijuana Packaging and Labeling Guide

gluten-containing grain that has been processed to remove gluten (e.g. Wheat starch), if the use of that ingredient results in the presence of 20 parts per million (ppm) or more gluten in the food. Any presence of gluten in the food must be less than 20 ppm.

### Organic

Licensees and registrants that want to label their products as organic must follow strict requirements. First, if a licensee or registrant wants to make a claim that a product or its ingredients are organic, the product or certain ingredients need to be certified as organic. If it is not certified, the licensee or registrant cannot make any organic claim on the principal display panel or use the



USDA organic seal anywhere on the package. Doing so will be considered misleading and could result in a denial of the label approval request. To learn more about organic certification, please contact the Oregon Department of Agriculture at 503.986.4550.



Example of consumer product using the "Made with Organic" statement.

### *"Made with organic \*\*\*" statement*

Licensees and registrants that want to label their products with the "Made with organic \*\*\*" statement must contain at least 70 percent certified organic ingredients (not including salt or water). These products may contain up to 30 percent of allowed non-organic ingredients. (See [National list of Allowed and Prohibited Substances](#)) All ingredients must be produced without GMOs or other prohibited substances. If a product meets these requirements, its label may include a statement such as "made with organic wheat" that lists the specific organic products. The generic statement, "made with organic ingredients" is not allowed. The organic ingredients also must be identified in the ingredient list. Additionally, the label must identify the USDA-accredited certifying agent on the information panel.

### *Specific Ingredient Listings*

If the product contains less than 70 percent organic contents, the specific organic ingredients may be listed in the ingredient statement. You may only, on the information panel, identify the certified organic ingredients as organic and the percentage of organic ingredients. Licensees and registrants cannot include the USDA organic seal anywhere or use the word "organic" on the principal display panel.

### Health Claims

Health claims describe a relationship between a food substance and a reduced risk of a disease or health-related condition. Health claims are regulated and evaluated by the U.S. Food and Drug Administration. OAR 333-007-0090 prohibits the use of a health claim that is not supported by the totality of publicly available scientific evidence (including evidence from well-designed studies conducted in a manner which is consistent with generally recognized scientific procedures and principles), and for which there is significant scientific agreement, among experts qualified by scientific training and experience to evaluate such claims. A statement claiming cure, mitigation, or treatment of disease cannot be made. Any statement that makes such a claim would be considered a misleading statement and could lead to a denial of a label application.

### **Additional Labeling Requirements**

National Institute of Standards and Technology (NIST) Handbook 130 (2016)

The NIST Handbook has been incorporated by reference into the labeling rules. The NIST Handbook provides uniform packaging and labeling regulations. You can find the NIST Handbook here: <http://www.nist.gov/pml/wmd/pubs/upload/iva-pkglblgreg-16-h130-final.pdf>

### **Hemp**

Products derived from industrial hemp, as defined in ORS 571.300, may be sold in OLCC licensed retail locations if they are packaged, labeled, and tested in accordance with the OLCC rules. This means that hemp products must follow all of the package and label requirements including displaying the universal symbol on the principal display panel. The warning for a hemp label can be altered to say "For use by adults 21 and older. Keep out of reach of children." Additionally, the "BE CAUTIOUS" warning is also not required for edible products made from products derived from industrial hemp.

Products derived from industrial hemp cannot be sold in medical dispensaries.

### **Additional Prohibitions**

In addition to the packaging and labeling rules, both the OHA and OLCC prohibit the sale or transfer of marijuana items that are likely to appeal to minors because of its shape, design, or flavor. This includes:

- Products that are modeled after non-cannabis products primarily consumed by and marketed to children;
- Products in the shape of an animal, vehicle, person or character;
- Products made by applying cannabinoid concentrates or extracts to commercially available candy or snack food items; or
- Products that contain dimethyl sulfoxide (DMSO).

Additionally, a processor may not treat or otherwise adulterate a medical or recreational cannabinoid product, concentrate, or extract with any additives that would increase potency, toxicity, or addictive potential, or that would create an unsafe combination with other psychoactive substances. The prohibited additives include, but are not limited to, nicotine, caffeine, or chemicals that increase carcinogenicity.

Cannabinoid products may be added to an item that has naturally occurring caffeine (such as coffee or chocolate) but cannabinoid products cannot be added to an item that contains artificial or added caffeine (such as a caffeinated soda or energy drink).

## PRE-APPROVAL PROCESS

Licensees and registrants who are packaging marijuana items for ultimate sale to a consumer, patient, or designated caregiver must have the packages and labels reviewed and approved by the OLCC. This applies to both medical and recreational products.

Licensees must apply for and receive approval from the OLCC before selling a marijuana item to a consumer.

Registrants must apply for and receive approval from the OLCC by October 1, 2016. Only marijuana items with approved packages and labeling may be transferred to dispensaries after October 1, 2016.

Only licensees, registrants, and applicants can apply for pre-approval. Package or label approval will not be given until the applicant has a license or is properly registered with the OHA. The initial application for the pre-approval process may be made online but the licensee or registrant may be required to submit a physical prototype, if requested by the OLCC.

### Before Applying

Determine what your package is and what your label is. A package is a container. It includes both inner and outer containers. If your marijuana item is packaged in a bag that is put inside of a box, both containers will be considered packages.

The label is any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon or adjacent to a package containing a marijuana item for purposes of branding, identifying, or giving any information with respect to the item or to the contents of the package.



*Both items above are examples of packages.*

### Application Checklist

An application for approval must include:

1. Completed online application
2. Correct fee
3. For packages, documentation that the package has been certified for child resistance by a qualified third-party package testing firm
4. Clear photograph of the package
5. Clear photographs of all label panels (scale must be provided)
6. Description of the marijuana item that will be sold in the package
7. Clear photograph of the marijuana item that will be sold in the package

Once you have submitted a complete application and paid the fee, the Commission will evaluate the packaging and label in order to determine whether:

#### **The packaging:**

1. Has been certified as child resistant by a qualified third party child-resistant package testing firm;
2. Is not marketed in a manner attractive to minors;

## Marijuana Packaging and Labeling Guide

3. Does not contain any untruthful or misleading content;
4. Contains a marijuana item that is not compliant with the rest of the rules.

### The label:

1. Is in at least 8 point Times New Roman, Helvetica or Arial font;
2. Is unobstructed and conspicuous, meaning that all required information must be visible on the outside of the package.
3. Has a principal display panel
4. Has a universal symbol that is the at least the minimum size;
5. Complies with the OHA's labeling rules, OAR 333-007-0010 to 333-007-0100.

The OLCC will review the submission materials and notify the licensee, licensee applicant, or registrant whether or not the package and/or label have been approved. If the application was not approved, the OLCC will provide a description of all of the package and/or label deficiencies. The licensee, applicant, or registrant will have 30 days to correct the deficiencies and re-submit the materials. No additional fee is necessary for the first resubmission. If the OLCC evaluates the submission a second time and finds that the deficiencies have not been corrected, the application will be denied and the licensee, registrant, or applicant will have to submit a new application and pay an additional fee.



If a licensee, registrant, or applicant's original packaging is deficient because it is not child resistant, the licensee, registrant, or applicant may:

1. Correct the deficiencies and resubmit the packaging for pre-approval; or
2. Notify the OLCC that they wish to satisfy the child-resistant requirement by using a child-resistant exit package that has been certified or is on the pre-approved list.

Correcting the deficiencies of a package means either getting the package certified as meeting the child-resistance standards by a qualified third-party testing firm or changing the package to one that has previously been certified.

A licensee, registrant, or applicant may submit multiple variants of packaging and labeling for approval on the same application for a product that may have different flavors, colors, or sizes as long as the product and packaging are otherwise identical. Applications for approval of packaging and labeling are subject to a single application fee.

### Fee

The application fee for packaging and labeling pre-approval is **non-refundable**. It is the responsibility of the applicant to check the list of approved packages prior to applying to make sure that the package isn't already approved. Additionally, if an applicant submits payment and the applicant's license or registration gets denied, the packaging and labeling application fee will not be refunded.

The fee for a new application is \$100 for each package and \$100 for each label. If a licensee was submitting one package and one label for approval, the fee would be \$200. If a licensee or registrant wants to use a package that is on *the* approved list, that licensee or registrant would not need to submit a separate application.

### Approved Packages

Once the OLCC begins to approve packages, the list of approved packages will be published on the OLCC website. Once a package is on the approved list, a licensee or registrant may use it without seeking additional packaging approval.

### Label Checklist and Generic Label Examples

A **generic label** is a label that contains only the required information listed in the rule and has no graphics, pictures, or logos. Generic labels do not need to be submitted to the OLCC for approval.

The chart below provides the required information for each product type and an example of a generic label. Keep in mind that these are only examples - generic labels do not have to list information in exactly the same way. As you can see below, only the required information appears on the label. The required information can appear on more than one panel. If using more than one panel, please remember that the principal display panel is the portion of the label that is most likely to be seen when on display for sale.

The generic labels are only examples. The names and information are fake.

#### MARIJUANA PLANT

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer's business / trade name</li> <li><input type="checkbox"/> Licensee <b>or</b> registrant number</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> Strain name</li> <li><input type="checkbox"/> Product Identity</li> </ul>	<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>Growing Green, LLC 1000026J04D</p>  <p>Hindu Kush Marijuana Plant</p> </div>

Net weight is not required for a marijuana plant label.

#### MARIJUANA SEED

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer's business / trade name</li> <li><input type="checkbox"/> Licensee <b>or</b> registrant number</li> <li><input type="checkbox"/> Strain Name</li> <li><input type="checkbox"/> Product Identity</li> <li><input type="checkbox"/> Harvest date</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> Number of seeds <b>or</b> net weight (Could have also used, "10 Seeds" or "10 Count")</li> </ul>	<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p>Growing Green, LLC 1000026J04D</p> <p>Hindu Kush Marijuana Seeds Harvested on 6/9/16</p>  <p>600 mg (0.021 oz)</p> </div>

## USABLE MARIJUANA

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer's business / trade name</li> <li><input type="checkbox"/> Licensee <b>or</b> registrant number</li> <li><input type="checkbox"/> UID number or Harvest lot number</li> <li><input type="checkbox"/> Harvest date</li> <li><input type="checkbox"/> Strain name</li> <li><input type="checkbox"/> Product Identity</li> <li><input type="checkbox"/> Net weight in U.S. customary &amp; metric units</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD</li> <li><input type="checkbox"/> Activation Time</li> <li><input type="checkbox"/> Name of lab that performed any test</li> <li><input type="checkbox"/> Any associated test batch number</li> <li><input type="checkbox"/> All test analysis dates</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> Required Warnings (see section following the checklist)</li> </ul>	<div style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">Hindu Kush Usable Marijuana UID1A4018297310677118742955 Harvested on 6/11/16</p> <p style="text-align: center;">THC 15.26% CBD 1.05% Activation Time: Immediate</p> <p style="text-align: center;">For use by adults 21 and older. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana.</p> <div style="text-align: center;">  </div> <p style="text-align: center;">4 g (0.141 oz)</p> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px; display: flex; justify-content: space-between;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">             Licensed Lab, 100006635287465212589254 Tested on 6/20/16         </div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">             Growing Green, LLC, 1000026J04D         </div> </div>

In this example, there are two label panels instead of one. The principal display panel is the panel on the left. When the product is displayed on the shelf, this is the panel that will be seen by the consumer, patient, or designated primary caregiver. Note that the principal display panel contains the universal symbol, the product identity, and the net weight. Also note that the net weight is on the bottom 30% of the label and the area surrounding the net weight is free of text. Any required information can appear on a secondary label except for the information that must be on the principal display panel. The side label panel can be oriented vertically instead of horizontally.



### CANNABINOID TOPICAL

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE		
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer’s business / trade name</li> <li><input type="checkbox"/> Licensee <b>or</b> registrant number</li> <li><input type="checkbox"/> UID or Process lot number</li> <li><input type="checkbox"/> Product Identity</li> <li><input type="checkbox"/> Date product was made</li> <li><input type="checkbox"/> Net weight <b>or</b> volume in both US (lb./oz.) and the metric scale (g/L)</li> <li><input type="checkbox"/> Amount suggested for use by consumer at any one time</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD in container</li> <li><input type="checkbox"/> List of ingredients in descending order of predominance by weight or volume</li> <li><input type="checkbox"/> Activation Time</li> <li><input type="checkbox"/> Name of lab that performed any test</li> <li><input type="checkbox"/> Any associated test batch number</li> <li><input type="checkbox"/> All test analysis dates</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> Required Warnings (see below on this page)</li> <li><input type="checkbox"/> The words “<b>DO NOT EAT</b>” in bold, capital letters</li> <li><input type="checkbox"/> A statement that reads: “This product is not approved by the FDA to treat, cure, or prevent any disease.”</li> <li><input type="checkbox"/> For licensees, a medical grade symbol, if applicable</li> </ul>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">                     Skin Balm                       THC 6% CBD                      10%                       Apply to skin as needed.   <b>DO NOT EAT</b>                       For use by adults 21 and older.                      Keep out of reach of children.                         3 fl oz (89 ml)                 </td> <td style="width: 50%; padding: 5px;">                     Ingredients: Beeswax, Coconut Oil, Hemp Oil, Cannabis extract, Vitamin E, Honey, Vanilla Extract                       This product is not approved by the FDA to treat, cure, or prevent any disease.                       Activation Time: No effects felt                       1A4018297310677118742955                      Product made on 6/11/16                       Lab Name, Test Date 6/20/16                      100006635287465212589254                       Growing Green, LLC, 1000026J04D                      1234 Main Avenue, Portland, OR                      97223                 </td> </tr> </table>	Skin Balm  THC 6% CBD 10%  Apply to skin as needed.  <b>DO NOT EAT</b>  For use by adults 21 and older. Keep out of reach of children.   3 fl oz (89 ml)	Ingredients: Beeswax, Coconut Oil, Hemp Oil, Cannabis extract, Vitamin E, Honey, Vanilla Extract  This product is not approved by the FDA to treat, cure, or prevent any disease.  Activation Time: No effects felt  1A4018297310677118742955 Product made on 6/11/16  Lab Name, Test Date 6/20/16 100006635287465212589254  Growing Green, LLC, 1000026J04D 1234 Main Avenue, Portland, OR 97223
Skin Balm  THC 6% CBD 10%  Apply to skin as needed.  <b>DO NOT EAT</b>  For use by adults 21 and older. Keep out of reach of children.   3 fl oz (89 ml)	Ingredients: Beeswax, Coconut Oil, Hemp Oil, Cannabis extract, Vitamin E, Honey, Vanilla Extract  This product is not approved by the FDA to treat, cure, or prevent any disease.  Activation Time: No effects felt  1A4018297310677118742955 Product made on 6/11/16  Lab Name, Test Date 6/20/16 100006635287465212589254  Growing Green, LLC, 1000026J04D 1234 Main Avenue, Portland, OR 97223		

The warning on a topical label is slightly different and does not include the reference to driving a motor vehicle.

Medical topical product: “For use by OMMP patients only. Keep out of reach of children.”

Recreational topical product: “For use only by adults 21 and older. Keep out of reach of children.”

**CANNABINOID EDIBLE**

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer’s business / trade name</li> <li><input type="checkbox"/> Licensee <b>or</b> registrant number</li> <li><input type="checkbox"/> Place of Address</li> <li><input type="checkbox"/> Product Identity</li> <li><input type="checkbox"/> UID number or process lot number</li> <li><input type="checkbox"/> Date product was made</li> <li><input type="checkbox"/> Net weight <b>or</b> volume in both US (lb./oz.) and the metric scale (g/L)</li> <li><input type="checkbox"/> Serving size <b>and</b> number of servings per container</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD in each serving</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD in the entire container</li> <li><input type="checkbox"/> List of all ingredients in descending order of predominance by weight or volume</li> <li><input type="checkbox"/> List of potential major food allergens, if appropriate</li> <li><input type="checkbox"/> Amount, in grams, of sodium, sugar, carbohydrates, and total fat, per serving</li> <li><input type="checkbox"/> If perishable, a statement that edible must be refrigerated/frozen</li> <li><input type="checkbox"/> Activation Time</li> <li><input type="checkbox"/> Name of lab that performed any test</li> <li><input type="checkbox"/> Any associated test batch number</li> <li><input type="checkbox"/> All test analysis dates</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> Required Warnings (see section following the checklist)</li> <li><input type="checkbox"/> <b>“BE CAUTIOUS”</b> in bold, capital letters, followed by “Cannabinoid edibles can take up to 2 hours or more to take effect.”</li> <li><input type="checkbox"/> A statement that reads: “This product is not approved by the FDA to treat, cure, or prevent any disease.”</li> <li><input type="checkbox"/> For licensees, a medical grade symbol, if applicable</li> </ul>	<div style="border: 1px solid black; padding: 10px; margin-bottom: 10px;"> <p style="text-align: center;">6 Shortbread Cookies</p> <p style="text-align: center;">UID 1A4018297310677118742955 Made on 6/11/16</p> <p><b>BE CAUTIOUS.</b> Cannabinoid edibles can take up to 2 hours or more to take effect.</p> <p style="text-align: center;">THC: 5mg/serving; 40m/container CBD: 2mg/ serving; 16mg/ container</p> <p style="text-align: center;">Growing Green, LLC, 1000026J04D 1234 Main Avenue, Portland, OR 97223</p> <div style="text-align: center;">  </div> <p style="text-align: center;">4.4 oz (126 g)</p> </div> <div style="border: 1px solid black; padding: 10px;"> <p>Serving Size 1 Cookie (26 g) <b>Ingredients:</b> Servings per Container 6 Wheat Flour, Butter, Sugar, Wheat Starch, Cannabis Concentrate, Salt.</p> <p><u>Amount per Serving</u> Total Fat 5g Sodium 170mg Total Carbohydrate 24g Sugar 8g</p> <p><b>Contains:</b> Milk, Wheat</p> <p>Licensed Lab, 100006635287465212589254, 6/20/16</p> <p>This product is not approved by the FDA to treat, cure, or prevent any disease.</p> <p>For use by adults 21 and older. Keep out of reach of children.</p> <p>It is illegal to drive a motor vehicle while under the influence of marijuana.</p> </div>

## CANNABINOID CONCENTRATES AND EXTRACTS

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer’s business / trade name</li> <li><input type="checkbox"/> Licensee <b>or</b> registrant number</li> <li><input type="checkbox"/> UID or process lot number</li> <li><input type="checkbox"/> Product Identity</li> <li><input type="checkbox"/> Date product was made</li> <li><input type="checkbox"/> Net weight <b>or</b> volume in both US (lb./oz.) and the metric scale (g/L)</li> <li><input type="checkbox"/> Serving size and number of servings per container <b>or</b> amount suggested for use by consumer at any one time</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD in amount suggested for use <b>and</b> in the container</li> <li><input type="checkbox"/> Activation Time</li> <li><input type="checkbox"/> Name of lab that performed any test</li> <li><input type="checkbox"/> Any associated test batch number</li> <li><input type="checkbox"/> All test analysis dates</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> Required Warnings (see section following the checklist)</li> <li><input type="checkbox"/> The words “<b>DO NOT EAT</b>” in bold, capital letters</li> <li><input type="checkbox"/> A statement that reads: “This product is not approved by the FDA to treat, cure, or prevent any disease.”</li> <li><input type="checkbox"/> For licensees, a medical grade symbol, if applicable</li> </ul>	<div style="border: 1px solid black; padding: 10px;"> <p>CO2 Cannabis Oil Concentrate Cartridge</p> <p>Activation Time: Immediate                      THC: 6 mg/serving; 900 mg/container                      CBD: 10 mg/serving; 1500 mg/container</p> <p>Growing Green, LLC                      License Number: 1000026J04D                      UID 1A4018297310677118742955                      Product Made on 6/11/16</p> <p><b>DO NOT EAT.</b> For use by adults 21 and older. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana. This product is not approved by the FDA to treat, cure, or prevent any disease.</p> <p>Suggested serving size is one 5-second draw. Each cartridge provides about 150 servings with a 5 second draw.</p> <p>Lab Name, Test Date 6/20/16                      100006635287465212589254</p> <div style="text-align: right;">  </div> <p>1 fl oz (29.6ml)</p> </div>

**CANNBINOID TINCTURE**

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer’s business / trade name</li> <li><input type="checkbox"/> Licensee <b>or</b> registrant number</li> <li><input type="checkbox"/> Place of Address</li> <li><input type="checkbox"/> Product Identity</li> <li><input type="checkbox"/> UID or process lot number</li> <li><input type="checkbox"/> Date product was made</li> <li><input type="checkbox"/> Net weight <b>or</b> volume in both US (lb./oz.) and the metric scale (g/L)</li> <li><input type="checkbox"/> Serving size <b>and</b> number of servings per container</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD in each serving</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD in the entire container</li> <li><input type="checkbox"/> List of all ingredients in descending order of predominance by weight or volume</li> <li><input type="checkbox"/> Activation Time</li> <li><input type="checkbox"/> Name of lab that performed any test</li> <li><input type="checkbox"/> Any associated test batch number</li> <li><input type="checkbox"/> All test analysis dates</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> A statement that reads: “This product is not approved by the FDA to treat, cure, or prevent any disease.”</li> <li><input type="checkbox"/> Required Warnings (see section following the checklist)</li> </ul>	<div style="border: 1px solid black; padding: 10px; margin-bottom: 10px;"> <p style="text-align: center;">Cannabis Tincture                      UID 1A4018297310677118742955                      Made on 6/11/16</p> <p style="text-align: center;">THC 15.26% CBD 1.05%</p> <p><b>BE CAUTIOUS.</b> Cannabinoid edibles can take up to 2 hours or more to take effect.</p> <p style="text-align: center;">THC: 5mg/serving; 40mg/container                      CBD: 2mg/ serving; 16mg/ container</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p style="text-align: center;">Growing Green, LLC, 1000026J04D                      1234 Main Avenue, Portland, OR 97223</p> <p style="text-align: center;">1 fl oz (30 ml)</p> </div> <div style="border: 1px solid black; padding: 10px;"> <p><b>Ingredients:</b>                      Cannabis flower, grain alcohol, chicory, orange, anise.</p> <p style="text-align: center;">Serving Size: one dropper (1 ml);                      Servings per Container: 30</p> <p>Licensed Lab, Date Tested: 6/20/16                      100006635287465212589254</p> <p>This product is not approved by the FDA to treat, cure, or prevent any disease.</p> <p>For use by adults 21 and older. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana.</p> </div>

There are two label panels for this example. As long as the universal symbol, net weight, and product identity appear on the principal display panel, the rest of the information may appear anywhere on the label.

## WHOLESALE PACKAGING EXAMPLE

REQUIRED INFORMATION	GENERIC LABEL EXAMPLE
<ul style="list-style-type: none"> <li><input type="checkbox"/> Producer’s business / trade name</li> <li><input type="checkbox"/> Producer’s license number</li> <li><input type="checkbox"/> Wholesaler’s business / trade name</li> <li><input type="checkbox"/> Wholesaler’s license number</li> <li><input type="checkbox"/> UID number or Harvest lot number</li> <li><input type="checkbox"/> Harvest date</li> <li><input type="checkbox"/> Strain name</li> <li><input type="checkbox"/> Product Identity</li> <li><input type="checkbox"/> Net weight in U.S. customary &amp; metric units</li> <li><input type="checkbox"/> Concentration of THC <b>and</b> CBD</li> <li><input type="checkbox"/> Activation Time</li> <li><input type="checkbox"/> Name of lab that performed any test</li> <li><input type="checkbox"/> Any associated test batch number</li> <li><input type="checkbox"/> All test analysis dates</li> <li><input type="checkbox"/> Universal symbol</li> <li><input type="checkbox"/> Required Warnings (see section following the checklist)</li> </ul>	<div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%;"> <p>Hindu Kush - Usable Marijuana</p> <p>UID1A4018297310677118742955 Harvested on 6/11/16</p> <p>THC 15.26% CBD 1.05% Activation Time: Immediate</p> <p>Licensed Lab, 100006635287465212589254 Tested on 6/20/16</p> <p>Produced by: Growing Green, LLC, 1000026J04D Packaged by: Wholesaler Co., Inc., 10000546L55</p> <div style="display: flex; align-items: center; margin: 10px 0;">  <p>For use by adults 21 and older. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana.</p> </div> <p>4 g (0.141 oz)</p> </div>

Note that this example includes both the producer’s business name and license number as well as the wholesaler’s business name and license number.

### **Required warnings**

Medical warning: For use by OMMP patients only. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana.

Recreational warning: For use only by adults 21 and older. Keep out of reach of children. It is illegal to drive a motor vehicle while under the influence of marijuana.

### **Package / Label Consultations**

The OLCC will review packages and labels before they are submitted to the pre-approval process. Any licensee, registrant, or applicant that would like feedback can send questions or photographs of their package or label to [marijuana.packaging@oregon.gov](mailto:marijuana.packaging@oregon.gov) at any time. You will receive a response with feedback regarding whether you should make any changes to your package or label. Please note that the feedback you receive during a consultation is not approval, and you will need to apply through the OLCC pre-approval process when it becomes available. After August 1, 2016, OLCC staff will be reviewing applications so it may take additional time to receive feedback.

### **Making Changes to Label after approved**

After receiving approval, a licensee or registrant may want to make changes to a package or label. If any of the following items are changed on the label, the label **does not** need to be resubmitted:

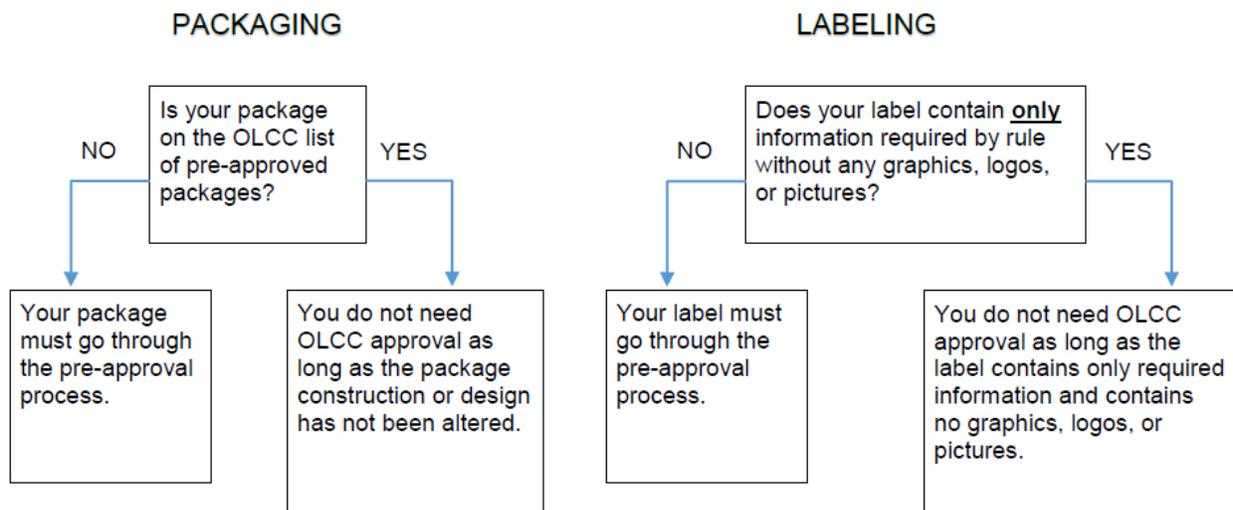
1. Harvest or processing date;
2. Strain name;
3. Test results;
4. Net weight or volume; or
5. Harvest or process lot number

If any non-mandatory label information is deleted or there is an addition, deletion, or change in the UPC or 2D mobile barcode, website address, phone number, fax number, or zip code of a licensee or registrant, the label **does not** need to be resubmitted. Additionally, if any of the label information is repositioned, the label **does not** need to be resubmitted as long as the repositioning is consistent with the labeling rules.

If any other change is made, a licensee or registrant must resubmit the label and / or package changes with a \$25 fee.

### **WHEN PACKAGE OR LABEL APPROVAL IS REQUIRED**

To determine whether you need to apply for approval, ask yourself the following questions:



### **STILL HAVE QUESTIONS?**

If you have more questions regarding packaging and labeling, please visit the OLCC website: [marijuana.oregon.gov](http://marijuana.oregon.gov). You can also send an email to [marijuana.packaging@oregon.gov](mailto:marijuana.packaging@oregon.gov) or call (503) 872-5459.

## **CHILD-RESISTANT TESTING FIRMS**

Most of the companies on the following list of testing firms were pulled from the Consumer Product Safety Commission (CPSC) website. **THE OLCC AND CPSC DO NOT APPROVE, CERTIFY, OR ENDORSE ANY OF THESE FIRMS.**

Tread Global  
4340 Harlan Street  
Denver, CO 80033  
www.treadglobal.com

Bird Dog Marketing Group LLC  
3125 Nolt Road  
Lancaster, PA 17601  
Contact: Mark D. Perkins  
(717) 615-9022  
David Hipple  
(717) 475-9751  
www.birddogmarketinggroup.com

IVM Institut VerpackungsMarktforschung GmbH  
Friedrich-Seele-Str. 20  
38122 Braunschweig  
Germany  
+49(0)531-28509245  
fax: 0049-5371-5947-999< ;/span>  
www.ivm-childsafe.de  
contact: Dr. Rolf Abelmann  
rolf.abelmann@ivm-childsafe.de  
+49(0)531-28509247

BITNER Associates, Inc.  
1001 Forest Trail  
Sugar Grove, IL 60554  
Contact: John Bitner, CPP  
(630) 880-0030  
e-mail: [john.bitner@jbitner.com](mailto:john.bitner@jbitner.com)

Laboratoire National d'Essais  
29 Avenue Roger Hennequin  
78197 Trappes Cedex  
France  
Contact: Bernard Picque  
33 1 30 69 10 54  
Fax: 33 1 30 69 12 34  
e-mail: [bernard.picque@lne.fr](mailto:bernard.picque@lne.fr)

Burford Research Consultants  
Burford House, Dean Lane  
Cookham Dean  
Berkshire SL6 9AQ  
United Kingdom  
Contact: Hugo Cawthorne  
+44 (0) 1628 898616  
e-mail: [info@burfordresearch.com](mailto:info@burfordresearch.com)

Maritz Market Research  
1355 North Highway Drive  
Fenton, Missouri 63099  
(800) 325 3338

Cambridge Materials Testing Limited  
6991 Millcreek Drive, Unit #13  
Mississauga, Ontario  
L5N 6B9  
Contact: Frank Mangiardi / Derek Wild  
(905) 812-3856

Milford Consulting Associates  
80 Ocean Avenue  
Milford, CT 06460  
Contact: Gerald Cavallo, Ph.D.  
(203) 876 0948

Child Related Research, Inc.  
448 East Winchester Street, Suite 140  
Murray, UT 84107  
Contact: Cindee Green  
email: [cgreen@crr.net](mailto:cgreen@crr.net)  
(801) 904-3893

National Child Resistant Testing, Inc.  
610 W. Cuming St.  
Lincoln, NE 68521  
Contact: Chris Novosad  
(ph) 402-438-0216  
(fax) 402-438-0217  
e-mail: [info@nationalcrt.com](mailto:info@nationalcrt.com)

Davies Development and Testing Ltd  
Halghton Mill  
Whitchurch Road  
Bangor-on-Dee  
Wrexham LL13 0BN  
United Kingdom  
Contact: Stephen Wilkins  
+44 (0)1978 780978  
Fax: +44 (0)1978 780805 e-  
mail: [stephenandwendy@mac.com](mailto:stephenandwendy@mac.com)

pacAGEnRx, Inc.  
1001 Forest Trail  
Sugar Grove, IL 60554  
Contact: Debbie Brooks  
(708) 738 - 5598  
e-mail: [john@pacAGEnRx.com](mailto:john@pacAGEnRx.com)

## Marijuana Packaging and Labeling Guide

Forensic Packaging Concepts, Inc.  
380 River Bend Way  
Del Rio, TN 37727-0070  
Contact: Jack Rosette, Ph.D.  
(423) 613-0911  
(888) 818-0091  
Fax: (423) 625-0911

Perritt Laboratories  
145 So. Main Street  
P.O. Box 147  
Hightstown, N.J. 08520-0147  
Contact: Richard Ward  
(609) 443 4848  
e-mail: rward@perrittlab.com  
www.perritt.com

Gene Miller Testing Service  
524 Wheatfield Drive  
Lititz, PA 17543  
Contact: David S. Hipple  
717-581-6602 (Fax) 717-581-1762

Promatura Group  
142 Highway 30  
Oxford, MS 38655  
Contact: Margaret Wylde, Ph.D.  
(662) 234-0158

Great Lakes Marketing  
The Executive Building  
3103 Executive Parkway  
Toledo, Ohio 43606 1311  
Contact: Lori Dixon, Ph.D.  
(419) 534 4700  
e-mail: ldixon@greatlakesmarketing.com

Sunbeam Packaging Services  
12518 Oak Gate Road  
Evansville, Indiana 47725  
Contact: Jeff Minette  
(812) 204-3945  
Fax 812-867-5322  
e-mail: jminnette@sunbeampackaging.com

Home Arts Guild Research Center  
35 E. Wacker Drive  
Chicago, Illinois 60601  
Contact: Roy Roberts  
(312) 726 7406

Walker Information  
3939 Priority Way South Drive  
Indianapolis, IN 46240  
(317) 843-8680

International Research Services  
222 Grace Church Street  
Port Chester, NY 10573  
Contact: Edward Boisits, Ph.D.  
(914) 937-6500

## DEFINITIONS

**"Activation time"** means the amount of time it is likely to take for an individual to begin to feel the effects of ingesting or inhaling a marijuana item.

**"Attractive to minors"** means packaging, labeling and marketing that features:

- (1) Cartoons;
- (2) A design, brand or name that resembles a non-cannabis consumer product of the type that is typically marketed to minors;
- (3) Features symbols or celebrities that are commonly used to market products to minors.

**"Cannabinoid"** means any of the chemical compounds that are the active constituents of marijuana.

**"Cannabinoid concentrate"** means a substance obtained by separating cannabinoids from marijuana by:

- (1) A mechanical extraction process;
- (2) A chemical extraction process using a nonhydrocarbon-based solvent, such as vegetable glycerin, vegetable oils, animal fats, isopropyl alcohol or ethanol;
- (3) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure, or
- (4) Any other process authorized by the OHA or OLCC rules.

**"Cannabinoid edible"** means food or potable liquid into which a cannabinoid concentrate or extract or the dried leaves or flowers of marijuana have been incorporated.

**"Cannabinoid extract"** means a substance obtained by separating cannabinoids from marijuana by:

- (1) A chemical extraction process using a hydrocarbon-based solvent, such as butane, hexane or propane; or
- (2) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, if the process uses high heat or pressure.

**"Cannabinoid product"** means a cannabinoid edible or any other product intended for human consumption or use, including a product intended to be applied to a person's skin or hair, that contains cannabinoids or the dried leaves or flowers of marijuana.

**"Cannabinoid product"** does not include:

- (1) Usable marijuana by itself;
- (2) A cannabinoid concentrate or extract by itself; or
- (3) Industrial hemp, as defined in ORS 571.300.

## Marijuana Packaging and Labeling Guide

**"Cannabinoid tincture"** means a solution of alcohol, cannabinoid concentrate or extract, and perhaps other ingredients intended for human consumption or ingestion, and that is exempt from the Liquor Control Act under ORS 471.035.

**"Cannabinoid topical"** means a cannabinoid product intended to be applied to skin or hair.

**"Cartoon"** means any drawing or other depiction of an object, person, animal, creature or any similar caricature that satisfies any of the following criteria:

- (1) The use of comically exaggerated features;
- (2) The attribution of human characteristics to animals, plants or other objects, or the similar use of anthropomorphic technique; or
- (3) The attribution of unnatural or extra-human abilities, such as imperviousness to pain or injury, X-ray vision, tunneling at very high speeds or transformation.

**"CBD"** means cannabidiol.

**"Child resistant"** means designed or constructed to be significantly difficult for children under five years of age to open and not difficult for adults to use properly.

**"Consumer":**

- (1) means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale; or
- (2) Means a patient or designated primary caregiver receiving a transfer from a medical marijuana dispensary.

**"Commission"** means the Oregon Liquor Control Commission.

**"Container"** means a sealed, hard or soft-bodied receptacle in which a marijuana item is placed prior to being sold to a consumer.

**"Date of harvest"** means the date the mature marijuana plants in a harvest lot were removed from the soil or other growing media. If the harvest occurred on more than one day, the "date of harvest" is the day the last mature marijuana plant in the harvest lot was removed from the soil or other growing media.

**"Exit Package"** means a sealed container provided at the retail point of sale in which any marijuana items already within a container are placed.

**"Generic Label"** means a label that contains only the required information listed in the rules and has no graphics, pictures, or logos.

**"Harvest lot"** means marijuana that is uniform in strain, cultivated utilizing the same growing practices and harvested at the same time.

**"Human consumption"** means to ingest, generally through the mouth, food, drink or other substances such that the substance enters the human body but does not include inhalation.

**"Licensee"** means any person who holds a license issued under ORS 475B.070 (Production license), 475B.090 (Processor license), 475B.100 (Wholesale license), 475B.110 (Retail license), or 475B.560 (Laboratory license).

**"Major food allergen"** means an ingredient that is one of the five foods listed in subsections (1) to (5) of this section, or from one of the three food groups listed in subsections (6) to (8) of this section, or is an ingredient that contains protein derived from one of the following:

- (1) Milk;
- (2) Egg;
- (3) Fish;
- (4) Crustacean shellfish;
- (5) Tree nuts;
- (6) Wheat;
- (7) Peanuts; and
- (8) Soybeans.

**"Marijuana"** means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. "Marijuana" does not include industrial hemp, as defined in ORS 571.300.

**"Marijuana item"** means marijuana, usable marijuana, a cannabinoid product or a cannabinoid concentrate or extract.

**"Medical grade cannabinoid product, cannabinoid concentrate or cannabinoid extract"** means a cannabinoid product, cannabinoid concentrate or cannabinoid extract that has a concentration of THC that is permitted under ORS 475B.625 in a single serving of the cannabinoid product, cannabinoid concentrate or cannabinoid extract for a patient.

**"Medical grade symbol"** means the image established by the Authority and made available to licensees indicating the cannabinoid product, concentrate or extract may only be sold or transferred to a designated primary caregiver or patient, for use only by a patient.

**"Medical marijuana dispensary"** means a facility registered under ORS 475B.450.

**"Net weight"** means the gross weight minus the tare weight of the packaging.

**"Package unique identification number"** mean the unique identification number that was generated by the Commission's seed to sale tracking system at the time the

## Marijuana Packaging and Labeling Guide

marijuana item was packaged and labeled for sale to the consumer, patient, or designated primary caregiver.

**"Place of address"** means the name, mailing address, city, state and zip code of the processor who made the cannabinoid edible.

**"Principal display panel"** means the part of a label on a package or container that is most likely to be displayed, presented, shown or seen under customary conditions of display for sale or transfer.

**"Processing"** means the compounding or conversion of marijuana into cannabinoid products or cannabinoid concentrates or extracts.

**"Process lot"** means:

- (1) Any amount of cannabinoid concentrate or extract of the same type and processed at the same time using the same extraction methods, standard operating procedures and batches from the same or different harvest lots; or
- (2) Any amount of cannabinoid products of the same type and processed at the same time using the same ingredients, standard operating procedures and batches from the same or different harvest lots or process lots of cannabinoid concentrate or extract.

**"Producing"** means:

- (1) Planting, cultivating, growing, trimming or harvesting marijuana; or
- (2) Drying marijuana leaves and flowers.

**"Product identity"** means a truthful or common name of the product that is contained in the package.

**"Registrant"** means a person registered with the Authority under ORS 475B.420, 475B.435, or ORS 475B.450.

**"THC"** means tetrahydrocannabinol and has the same meaning as delta-9 THC.

**"Unique identification number"** means the tracking number provided by Metrc.

**"Universal symbol"** means the image, established by the Authority and made available to licensees and registrants, indicating the marijuana item contains marijuana.

**"Usable marijuana"** means the dried leaves and flowers of marijuana. "Usable marijuana" does not include:

- (1) The seeds, stalks and roots of marijuana; or
- (2) Waste material that is a by-product of producing or processing marijuana.

### ATTRIBUTION

---

<sup>i</sup> <sup>i</sup> Cartoon Penguin Clip Art by Vladimir Zuñiga available at [www.foca.tk](http://www.foca.tk) under a Creative Commons Attribution 3.0 license, <https://creativecommons.org/licenses/by/3.0/us/>. No changes were made.

<sup>ii</sup> PFalcon72 by Storn available at <http://story-games.com/forums/discussion/4631/game-art-art-from-and-for-games/p4> under a Creative Commons Attribution-NonCommercial-ShareAlike 2.5 License, <http://creativecommons.org/licenses/by-nc-sa/2.5/>. No changes were made.