§701. Labeling and packaging

1. Labeling requirements. Adult use cannabis and adult use cannabis products to be sold or offered for sale by a licensee to a consumer in accordance with this chapter must be labeled with the following information, as applicable based on the cannabis or cannabis product to be sold:

A. The license numbers of the cultivation facility, the products manufacturing facility and the cannabis store where the adult use cannabis or adult use cannabis product was cultivated, manufactured and offered for sale; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. An identity statement and universal symbol; [PL 2017, c. 409, Pt. A, §6 (NEW).]

C. Health and safety warning labels as required by rules adopted by the office after consultation with the Department of Health and Human Services, Maine Center for Disease Control and Prevention; [PL 2023, c. 679, Pt. B, §122 (AMD).]

D. The batch number; [PL 2017, c. 409, Pt. A, §6 (NEW).]

E. A net weight statement; [PL 2017, c. 409, Pt. A, §6 (NEW).]

F. Information on the THC potency of the cannabis or cannabis product and the potency of such other cannabinoids or other chemicals in the cannabis or cannabis product, including, but not limited to, cannabidiol. If a licensee chooses to retest any cannabis or cannabis product for potency in accordance with section 503, subsection 4-A, the licensee shall include the THC potency information of the cannabis or cannabis product from the retest results. For edible cannabis products, the information required pursuant to this paragraph must be consistent with section 703, subsection 1, paragraphs F and F-1; [PL 2023, c. 679, Pt. B, §122 (AMD).]

G. Information on the amount of THC and cannabidiol per serving of the edible cannabis product. The information required pursuant to this paragraph must be consistent with section 703, subsection 1, paragraph F and F-1 and contain the number of servings per package; [PL 2023, c. 679, Pt. B, §122 (AMD).]

H. Information on gases, solvents and chemicals used in cannabis extraction; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

I. Instructions on route of administration; [PL 2023, c. 679, Pt. B, §122 (AMD).]

J. For adult use cannabis products:

(1) The amount of cannabis concentrate per serving of the product, as measured in grams or milligrams, and the amount of cannabis concentrate per package of the product, as measured in grams or milligrams;

(2) A list of ingredients and possible allergens; and

(3) A recommended use date or expiration date; [PL 2023, c. 679, Pt. B, §122 (AMD).]

K. For edible cannabis products, a nutritional fact panel; and [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

L. Any other information required by rule by the office. [PL 2023, c. 679, Pt. B, §122 (AMD).] [PL 2023, c. 679, Pt. B, §122 (AMD).]

2. Packaging requirements. Adult use cannabis and adult use cannabis products to be sold or offered for sale by a licensee to a consumer in accordance with this chapter must be packaged in the following manner, as applicable based on the cannabis or cannabis product to be sold.

A. Adult use cannabis and adult use cannabis products must be prepackaged in child-resistant and tamper-evident packaging or must be placed in child-resistant and tamper-evident packaging at the final point of sale to a consumer. [PL 2023, c. 679, Pt. B, §122 (AMD).]

B. [PL 2023, c. 679, Pt. B, §122 (RP).]

C. Packaging for liquid adult use cannabis products that contain more than one serving must include an integral measurement component that measures one serving of the adult use cannabis product and a child-resistant cap or closure. [PL 2023, c. 679, Pt. B, §122 (AMD).]

D. [PL 2023, c. 679, Pt. B, §122 (RP).]
[PL 2023, c. 679, Pt. B, §122 (AMD).]

3. Other approved labeling and packaging. Adult use cannabis and adult use cannabis products to be sold or offered for sale by a licensee to a consumer in accordance with this chapter may include on the label or the packaging of the cannabis or cannabis product:

A. A statement of compatibility with dietary practices; [PL 2017, c. 409, Pt. A, §6 (NEW).]

B. Depictions of geometric shapes or cannabis leaves; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

C. Use of the terms "organic," "organically cultivated" or "organically grown" in accordance with requirements regarding the use of such terms as adopted by rule by the office; and [PL 2023, c. 679, Pt. B, §122 (AMD).]

D. Any other information that has been preapproved by the office pursuant to subsection 5 or information that is not prohibited. [PL 2023, c. 679, Pt. B, §122 (AMD).]
[PL 2023, c. 679, Pt. B, §122 (AMD).]

4. Labeling and packaging prohibitions. Adult use cannabis and adult use cannabis products to be sold or offered for sale by a licensee to a consumer in accordance with this chapter:

A. May not be labeled or packaged in violation of a federal trademark law or regulation or in a manner that would cause a reasonable consumer confusion as to whether the cannabis or cannabis product was a trademarked product; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. May not be labeled or packaged in a manner that targets minors or contains subject matter or an illustration that targets minors; [PL 2023, c. 679, Pt. B, §122 (AMD).]

C. May not be labeled or packaged in a manner that obscures identifying information on the label or uses a false or deceptive label; [PL 2017, c. 409, Pt. A, §6 (NEW).]

D. May not be sold or offered for sale using a label or packaging that depicts a human, animal or fruit; and [PL 2017, c. 409, Pt. A, §6 (NEW).]

E. May not be labeled or packaged in violation of any other labeling or packaging requirement or restriction imposed by rule by the office. [PL 2023, c. 679, Pt. B, §122 (AMD).]
[PL 2023, c. 679, Pt. B, §122 (AMD).]

5. Voluntary labeling and packaging approval. A licensee may submit to the office a request for approval of any labeling or packaging the licensee intends to use. The request must include the following information as applicable:

A. A digital or physical sample of the label for which approval is requested or a physical sample of any package for which approval is requested; [PL 2023, c. 679, Pt. B, §122 (NEW).]

B. A description of any additional labels that will be affixed to the label or package and the information contained on these additional labels; and [PL 2023, c. 679, Pt. B, §122 (NEW).]

C. Any additional information required on an approval request form provided by the office and available on the office's publicly accessible website. [PL 2023, c. 679, Pt. B, §122 (NEW).]

The office may not refuse to review any voluntary request for approval. The office may deny any label or package it determines does not comply with this chapter or the rules adopted pursuant to this chapter. Within 30 days of submission of the request, the office shall issue a written decision either approving or denying the request, including the reason for denial, if applicable. If the request is approved, the office may not take any enforcement action of any kind against the licensee solely for using the approved labeling or packaging.
[PL 2023, c. 679, Pt. B, §122 (NEW).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2021, c. 558, §§2, 3 (AMD). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. B, §122 (AMD).

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