

Division of Cannabis Regulation

Guidance Document – 08/21/2024

Topic: Information Regarding Packaging and Labeling Deadline – September 1, 2024, and FAQs REVISED

On September 1, 2023, the Division of Cannabis Regulation (DCR) implemented the Item Approval process per 19 CSR 100-1.120(2). This process requires licensees to submit all final marijuana product designs, packaging designs, and label designs to DCR for a compliance review with 19 CSR 100-1.120(1), prior to use. The Item Approval process is in place to ensure licensees design and produce final marijuana products in a manner that protects public health.

Beginning September 1, 2024, licensees must produce, package, and label all final marijuana product in DCR approved designs prior to transfer to a dispensary facility for sale to patients and consumers. Licensees shall discontinue and stop packaging final marijuana product in any packaging not approved for compliance with 19 CSR 100-1.120. On September 1, 2024, dispensary licensees may not accept any product not expressly approved to do so as outlined in rule and included in this guidance.

On September 1, 2024, DCR will discontinue any items in a “final packaging” item category that have not been submitted and approved for compliance with 19 CSR 100-1.120. DCR will not discontinue any items submitted for review. Additionally, licensees should discontinue any marijuana product items no longer produced by their facility. This will not affect items in dispensary facility inventory prior to September 1, 2024.

As a reminder, all final marijuana product available for retail sale must be in a “final packaging” item category in Metrc. Licensees circumventing the preapproval process may be in violation of 19 CSR 100-1.120(2) and subject to a notice of violation, fine, or other penalties.

Dispensary licensees have until October 31, 2024, to sell or distribute any unapproved final marijuana product inventory. No unapproved final marijuana product will be sold beginning November 1, 2024. On November 1, 2024, dispensary licensees have the following options to address remaining unapproved inventory:

- Destroy any marijuana product in non-compliant packaging;
- Transfer the marijuana products back to the originating facility to have the product repackaged into approved compliant packaging; or
- Transfer marijuana product as permitted by rule to be produced or manufactured into a new final marijuana product.

Licensees repackaging final marijuana product into approved packaging shall **not** mandatory test the product again. Additional mandatory testing is not allowed per 19 CSR 100-1.110(6)(J).

Marijuana product transferred to another licensee for further processing **must** complete mandatory testing on the new final marijuana product as required by 19 CSR 100-1.110.

DCR continues to consider feedback from licensees and work through Item Approval process efficiencies to improve processing times. Item approval timeframes are outlined in 19 CSR 100-1.120(2). Licensees may assist DCR in improving processing times by ensuring each item approval application is complete prior to submission. DCR may deny incomplete applications.

Can dispensary licensees add a barcode to a marijuana product for inventory and transactional purposes?

On March 8, 2024 (revised on May 29, 2024), DCR issued a variance to allow a licensee to display a standard barcode on final marijuana product compliance labels. The standard barcode must be associated with the package tag number in the licensee's inventory. Licensees who choose to include the use of a standard barcode on the compliance label must designate space for its inclusion on the item approval application. The barcode must be directly next to, or under the required statewide track and trace system tag number associated with the mandatory testing results for the final marijuana product as required by 19 CSR 100-1.120(1)(C)2.F; or directly next to, or under the final marijuana product source package tag number allowed through the August 18, 2023 variance, if a licensee chooses to include this information.

After barcode approval, any licensee may use the designated space to affix a standard barcode; including affixing a new barcode to the standard barcode affixed by the originating licensee.

The standard barcode may not cover or obstruct the visibility of any other information required on the compliance label required by rule or chosen by the licensee to include by variance, such as terpene results or cannabinoid potency by percent. Additional information on the variance from 19 CSR 100-1.120(1)(C)2 may be located [here](#).

See below for an example:

Ingredients: Fresh Frozen [Strain] Marijuana

Servings / Doses: 100

Best if used by: mm/dd/yyyy

Produced By: MAN0000##

Tested By: TES0000##

Testing Tag: 1A40000000000B000000000000

Source Tag: 1A40000000000B000000000000

(FPO)

Standard Barcode Here

Total Weight of Marijuana: 1 gram

Cannabinoids (per serving /dose):

D9-THC: ## mg / serving-dose (##%)

D9-THCA: ## mg / serving-dose (##%)

CBD: ## mg / serving-dose (##%)

CBDA: ## mg / serving-dose (##%)

CBN: ## mg / serving-dose (##%)

THCV: ## mg / serving-dose (##%)

CBDV: ## mg / serving-dose (##%)

D8-THC: ## mg / serving-dose (##%)

Total D9-THC: ## mg / serving-dose(##%)

Total CBD: ## mg / serving-dose (##%)

Terpenes:

[Terpene 1]: ##%

[Terpene 2]: ##%

[Terpene 3]: ##%

Instructions: Heat serving of concentrate and inhale vapor.

Length of effect: Effects may last 1-4 hours

Product Approval Number: #####

Flavor / Strain: [Strain]

Warning: Cognitive and physical impairment may result from the use of marijuana. Keep out of reach of children.

What do dispensary licensees need to know about verifying that final marijuana product is in approved packaging?

Beginning September 1, 2024, licensees shall only receive final marijuana product whose product, packaging, and label designs have been approved by DCR.

DCR approved final marijuana product can be identified as follows:

- In Metrc:
 - Items will be listed in a “final packaging” item category.
 - Item names will be identified with an approval number immediately before the item name.
- Physical packaging:
 - An approval number will be included on the compliance label and match the approval number before the item name in Metrc

Any final marijuana product that cannot be identified as provided above shall not be accepted into a licensee’s inventory. The only exceptions are as follows:

- Dispensary licensees may accept unapproved dried, unprocessed marijuana from cultivation or microbusiness wholesale facilities for use in creating prerolls or for dispensing directly to consumers or qualifying patients in custom amounts, also known as deli-style.
- Dispensary licensees may receive unapproved final marijuana product from another dispensary licensee until October 31, 2024.

For questions or feedback regarding packaging, labeling, and product design; compliance; or the Item Approval process, please contact the Product Compliance Team by email at CannabisProductCompliance@health.mo.gov. Licensees may find additional information on our website: <https://health.mo.gov/safety/cannabis/facility-comms-guidance.php>.