



Missouri Department of Health and Senior Services

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Director

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May 29, 2024

Missouri Facility Licensees

RE: Variance from 19 CSR 100-1.120(1)(C)2

On March 8, 2024, pursuant to 19 CSR 100-1.020(1)(A), the Division of Cannabis Regulation (DCR) granted a variance from certain labeling requirements in 19 CSR 100-1.120(1)(C)2. Through the implementation process, DCR determined the addition of per gram measurement related to the cannabinoid percent value to be unnecessary. This revised is noted below, however the variance to display a standard barcode associated with the package tag number has not changed. This variance supersedes the March 8, 2024 variance to 19 CSR 100-1.120(1)(C)2 as follows:

- The licensee may display a standard barcode associated with the package tag number. 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.
- The licensee may list the cannabinoid percent (%) per package values, including Total delta-9-tetrahydrocannabinol (Δ 9-THC) and Total cannabidiol (CBD) on the final marijuana product label if the percent and total calculations were made for the representative sample collected by the testing licensee for mandatory testing.
 - To compliantly list the cannabinoid percentages on the final marijuana product label, a licensee must:
 - Select “**Additional – Mandatory Cannabinoid % and Totals**” at the time the test sample is created in the statewide track and trace system.
 - This should be selected *in addition to* the product’s appropriate “Mandatory” testing category.
 - Include cannabinoid % results on the final marijuana product label directly after the milligrams per serving/dose (mg/serving-dose) for each of the required cannabinoids listed in 19 CSR 100-1.120(1)(C)2.H.
 - Include the following total cannabinoid reporting areas directly below the cannabinoid profile required by 19 CSR 100-1. 120(1)(C)2:
 - Total Δ 9-THC (mg/serving-dose) (%)
 - Total CBD (mg/serving-dose) (%)
 - Licensees are not permitted to send a separate sample to a testing licensee for independent cannabinoid percent and total calculations and include the results on the final marijuana product label.

In order to comply with these variances, a licensee must review the associated FAQs to ensure compliance with the variances and rule. This information may be found at <https://health.mo.gov/safety/cannabis/facility-comms-guidance.php>.

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The Missouri Department of Health and Senior Services’ vision is optimal health and safety for all Missourians, in all communities, for life.

The variance above related to mandatory testing will be effective on June 3, 2024.

DCR has determined the good cause for granting these variances is that licensees may utilize a standard barcode to assist with proper statewide track and trace system tracking requirements of final marijuana product; and licensees may list cannabinoid percentages, including Total Δ 9-THC and Total CBD, to assist patients and consumers with final marijuana product administration.

Thank you,

Andrea Balkenbush, Deputy Director
Division of Cannabis Regulation
Department of Health & Senior Services