

## **Division of Cannabis Regulation**

### **Guidance Document – 08.18.23**

#### **Topic: Packaging and Labeling Compliance Extension**

After receiving feedback from licensees on potential logistical challenges in implementing 19 CSR 100-1.120, the Division of Cannabis Regulation (DCR) will extend the date for compliance from February 1, 2024 to May 1, 2024. Additionally, DCR is allowing dispensary licensees until June 30, 2024, to sell the existing marijuana product that is currently on the market.

DCR is continuing to review questions and feedback from the industry and will be issuing guidance and responses next week.

#### Important Dates and Actions

**August 31, 2023:** Any new final marijuana product, packaging, or labeling design created in a “final packaging” item category in the statewide track and trace system (Metrc) will be required to go through the Item Approval process. Additional clarification provided below on “new final marijuana product”.

**September 1, 2023:** The Item Approval process in Metrc goes live, and any final marijuana product created in a “final packaging” item category will be required to go through the Item Approval process.

**May 1, 2024:** All product produced at licensed facilities must be packaged in compliant packaging prior to transfer to a dispensary facility for sale to patients and consumers. Cultivation and manufacturing licensees shall no longer use any stock packaging that is not in compliance with 19 CSR 100-1.120.

Dispensary licensees that package marijuana product for retail sale shall no longer use any stock packaging that is not in compliance with 19 CSR 100-1.120.

Existing items at a cultivation or manufacturing facility or items that are packaged for retail sale by the dispensary licensee must be destroyed or repackaged into compliant packaging. DCR will discontinue any products in Metrc without an Item Approval number.

**July 1, 2024:** Dispensary licensees must pull all marijuana product that does not have an Item Approval number associated with the product, packaging, and labeling design from dispensary facility shelves. Dispensary licensees may no longer sell these final marijuana products. Additionally, dispensary licensees must have a plan for any remaining marijuana product that is not compliant with 19 CSR 100-1.120. DCR has extended this date from January 31, 2024 to July 1, 2024.

#### What is considered a new final marijuana product starting on September 1, 2023?

Any newly created product line or SKU that the licensee produces on or after September 1, 2023, must go through the preapproval process to verify compliance with 19 CSR 100-1.120 prior to being made available for sale to patients and consumers.

For example, if a licensee currently makes Green Apple gummies, the licensee may continue to make these gummies and use the packaging that the licensee has been using until April 30, 2024, as long as the item is correctly categorized in Metrc prior to September 1, 2023. Each time that Green Apple gummies are produced by the licensee in the final marijuana product stage and have passed mandatory testing, the licensee repackages the marijuana product into the appropriate “final packaging” category that has already been created for the product. If on September 1, 2023, a licensee chooses to begin to

produce a new marijuana product, such as Strawberry gummies, which has not been produced by the licensee before or is not correctly categorized in Metrc, the item will be required to go through the Item Approval process.

Marijuana product included in this grace period is not required to include the Department-issued product packaging approval number on the label, as the packaging has not gone through the Item Approval process for verification of compliance with 19 CSR 100-1.120.

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](mailto:CannabisProductCompliance@health.mo.gov). Licensees can find additional information on our website: <https://health.mo.gov/safety/cannabis/facility-comms-guidance.php>