

§703. Other health and safety requirements and restrictions; rules

1. Requirements and restrictions for edible cannabis products. In addition to all other applicable provisions of this subchapter, edible cannabis products to be sold or offered for sale by a licensee to a consumer in accordance with this chapter:

A. May be manufactured in geometric shapes or in the shape of a cannabis leaf; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. Must be manufactured in a manner that results in the cannabinoid content within the product being homogeneous throughout the product or throughout each element of the product that has a cannabinoid content; [PL 2017, c. 409, Pt. A, §6 (NEW).]

C. Must be manufactured in a manner that results in the amount of cannabis concentrate within the product being homogeneous throughout the product or throughout each element of the product that contains cannabis concentrate; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

D. Must have a universal symbol stamped or embossed on each serving of the product, except that the department may determine by rule that, for a particular type of product, such stamping or embossing is impracticable and is not required; [PL 2019, c. 491, §5 (AMD).]

E. May not be manufactured in the distinct shape of a human, animal or fruit; [PL 2017, c. 409, Pt. A, §6 (NEW).]

F. May not contain more than 10 milligrams of THC per serving of the product and may not contain more than 200 milligrams of THC per package of the product, with an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount of THC allowed under this paragraph, the allowable variance rate must be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3; [PL 2023, c. 396, §19 (AMD).]

F-1. May, except as provided in paragraph F, have the amount or potency of cannabinoids calculated using an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount or potency of cannabinoids allowed under this paragraph, the allowable variance rate may be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3; [PL 2021, c. 558, §5 (NEW).]

G. May not contain additives that are:

(1) Toxic or harmful to human beings;

(2) Specifically designed to make the product more addictive or that are misleading to consumers; or

(3) Specifically designed to make the product appeal particularly to a person under 21 years of age; and [PL 2017, c. 409, Pt. A, §6 (NEW).]

H. May not involve the addition of cannabis to a trademarked food or drink product, except when the trademarked product is used as a component of or ingredient in the edible cannabis product and the edible cannabis product is not advertised or described for sale as containing the trademarked product. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]
[PL 2023, c. 396, §19 (AMD).]

2. Health and safety rules. The department shall adopt labeling, packaging and other necessary health and safety rules for 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. Rules adopted pursuant to this subsection must establish mandatory health and safety standards applicable to the cultivation of adult

use cannabis, the manufacture of adult use cannabis products and the packaging and labeling of adult use cannabis and adult use cannabis products sold by a licensee to a consumer. Such rules must address, but are not limited to:

A. Requirements for the storage, warehousing and transportation of adult use cannabis and adult use cannabis products by licensees; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. Sanitary standards for cannabis establishments, including, but not limited to, sanitary standards for the manufacture of adult use cannabis and adult use cannabis products; and [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

C. Limitations on the display of adult use cannabis and adult use cannabis products at cannabis stores. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]
[PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2019, c. 491, §5 (AMD). PL 2021, c. 558, §§4, 5 (AMD).
PL 2021, c. 669, §5 (REV). PL 2023, c. 396, §19 (AMD).

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