



OKLAHOMA MEDICAL  
MARIJUANA AUTHORITY  
**LABELING &  
PACKAGING  
GUIDE**

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# INTRODUCTION

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This guide is intended to provide information regarding the labeling and packaging of medical marijuana and medical marijuana products. Proper labeling and packaging ensures consumers are informed about what they are purchasing and helps to prevent unintended use. The information provided in this guide does not, and is not intended to, constitute legal advice; instead, all information in this guide is for general informational purposes only. Readers of this guide should contact their attorney to obtain advice with respect to any particular facts or circumstances. The information provided in this guide may be subject to change.

Please note that business licensees involved in the packaging and labeling of food containing medical marijuana may also need to comply with other laws relating to the manufacturing, handling, labeling, and/or packaging of food. This may include, but is not limited to, the following:

- [63 O.S. § 1-1101 et seq.](#)
- [OAC 310:257](#) (Food Establishments)
- [OAC 310:260](#) (Good Manufacturing Practice Regulations)

Laws that govern OMMA’s labeling and packaging requirements include the following:

- [63 O.S. § 420 et. seq.](#)
- [63 O.S. § 427.1 et seq.](#)
- [OAC 310:681](#)

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# DEFINITIONS

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## Advertising

The act of providing consideration for the publication, dissemination, solicitation, or circulation of visual, oral, or written communication to induce directly or indirectly any person to patronize a particular medical marijuana business or to purchase any particular medical marijuana or medical marijuana products. "Advertising" includes marketing but does not include packaging and labeling.

## Batch Number

A unique numeric or alphanumeric identifier assigned prior to any testing or sale to allow for inventory tracking and traceability.

## Child-Resistant

Packaging that is: (A) Designed or constructed to be significantly difficult for children under five (5) years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. 1700.15 (1995) and 16 C.F.R. 1700.20 (1995); (B) Opaque so that the outermost packaging does not allow the product to be seen without opening the packaging material; and (C) Re-sealable to maintain its child-resistant effectiveness for multiple openings for any product intended for more than a single use or containing multiple servings.

## Food

Has the same meaning as set forth in 63 O.S. § 1-1101 and the Oklahoma Administrative Code ("OAC") 310:257-1-3 ("food" means (1) articles used for food or drink for man, (2) chewing gum, and (3) articles used for components of any such article") and set forth in OAC 310:260-1-6 ("food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption").

## Harvest Batch

A specifically identified quantity of usable medical marijuana, no greater than ten (10) pounds, that is uniform in strain, cultivated utilizing the same cultivation practices, harvested at the same time from the same location, and dried or cured under uniform conditions.

## Label

Carries the same definition as set forth in 63 O.S. § 1-1101 and "means a display of written, printed, or graphic matter upon the immediate container of any article; and a requirement made by or under authority of this article that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if there be any, of the retail package of such article, or is easily legible through the outside container or wrapper."

## Lot

The food produced during a period of time indicated by a specific code.

## Medical marijuana

Marijuana that is grown, processed, dispensed, tested, possessed, or used for a medical purpose.

## Medical Marijuana Concentrate

A substance obtained by separating cannabinoids from any part of the marijuana plant by physical or chemical means, so as to deliver a product with a cannabinoid concentration greater than the raw plant material from which it is derived.

## Medical Marijuana Product

Product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a qualified patient, including but not limited to oils, tinctures, edibles, pills, topical forms, gels, creams, and other derivative forms.

## Oklahoma Uniform Symbol

The image, established by the Oklahoma State Department of Health and made available to business licensees, indicating the package contains marijuana and must be printed at least one-half inch in size by one-half inch in size in color.

## Package or Packaging

Any container or wrapper that a commercial establishment may use for enclosing or containing medical marijuana or medical marijuana products, except that "package" or "packaging" shall not include any carry-out bag or other similar container.

## Production batch

(A) Any amount of medical marijuana concentrate, not to exceed ten (10) pounds, of the same category and produced using the same extraction methods, standard operating procedures, and an identical group of harvest batch of medical marijuana; and  
(B) Any amount of finished medical marijuana product, not to exceed ten (10) pounds, of the same exact type, produced using the same ingredients, standard operating procedures, and same production batch of medical marijuana concentrate or same harvest batch of medical marijuana.

## Terpenoids

Isoprenes that are the aromatic compounds found in cannabis, including, but not limited to: limonene, myrcene, pinene, linalool, eucalyptol,  $\Delta$ -terpinene,  $\beta$ -caryophyllene, caryophyllene oxide, nerolidol and phytol.

## THC

Tetrahydrocannabinol, which is the primary psychotropic cannabinoid formed by decarboxylation of naturally tetrahydrocannabinolic acid, which generally occurs by exposure to heat.

# PROHIBITED ACTS

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## **PACKAGING & LABELS**

Business licensees shall not sell, transfer, or otherwise distribute medical marijuana and medical marijuana products that are not packaged and labeled in accordance with the Oklahoma Medical Marijuana and Patient Protection Act (OMMPPA), 63 O.S. § 427.1 et seq., and the Oklahoma Administrative Code (OAC) 310:681. Dispensaries shall return or refuse to accept any medical marijuana or medical marijuana products that are not packaged and labeled in accordance with the OMMPPA or OAC 310:681.

- Labels, packages, and containers shall not be attractive to minors and shall not contain any content that reasonably appears to target children, including toys, cartoon characters, and similar images. Packages should be designed to minimize appeal to children and shall not depict images other than the business name logo of the medical marijuana producer and image of the product.
- Packages and labels shall not contain any false or misleading statements.
- No medical marijuana or medical marijuana products shall be intentionally or knowingly packaged or labeled so as to cause a reasonable patient confusion as to whether the medical marijuana or medical marijuana product is a trademarked product.
- No medical marijuana or medical marijuana products shall be packaged or labeled in a manner that violates any federal trademark law or regulation.
- Packages and labels shall not make any claims or statements that the medical marijuana or medical marijuana products provide health or physical benefits to the patient.

## **ADVERTISING**

Business licensees shall not engage in, circulate, or otherwise cause the dissemination of advertising that contains any materials prohibited under Oklahoma law and OAC 310:681

Advertising for medical marijuana and medical marijuana products shall not contain any statements, illustrations, or other material that is:

- Deceptive, false, or misleading.
- Promotes overconsumption.
- Represents that the use of marijuana has curative or therapeutic effects.
- Depicts a child or other person under legal age to consume marijuana.
- Depicts objects such as toys, cartoons, cartoon characters, or similar images, which suggest the presence of a child, or any other depiction designed in any manner to be especially appealing to children or other persons under eighteen (18) years of age to consumer marijuana.
- Has any manner or design that would be especially appealing to children or other persons under eighteen (18) years of age.

# MEDICAL MARIJUANA AND MEDICAL MARIJUANA PRODUCTS

## Principal display panel

The part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale. (Typically the front or top of the package)

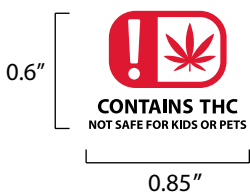
## Information panel

The part of the label immediately contiguous and to the right of the principal display panel as observed by an individual facing the principal display panel.

### REQUIRED INFORMATION:

- THC potency
- Terpenoid potency
- The following government warning statements for labeling:
  - "This product has been tested for contaminants."
  - "Women should not use marijuana or medical marijuana products during pregnancy because of the risk of birth defects."
  - "Keep out of reach of children."
- Oklahoma Uniform Symbol

All packages and individually packaged product units, including but not limited to those from bulk packaging, must contain the Oklahoma Uniform Symbol (or universal symbol) in clear and plain sight. The universal symbol must be printed no smaller than 1/2 inch x 1/2 inch (recommended .06" x .085") in size and be red in color with black text.



*Recommended Size, no smaller than .6"x0.85" in size.*

*DO NOT change the color, font or language of the symbol.*

**RED COLOR:**  
CMYK - 0/100/85/6 | RGB - 223/24/49

[DOWNLOAD THE SYMBOL](http://omma.ok.gov/thc-universal-symbol) <http://omma.ok.gov/thc-universal-symbol>

### CHILD-RESISTANT PACKAGING

All medical marijuana and medical marijuana products must be packaged in child-resistant packages containers at the point of sale or other transfer to a patient, a patient's parent or legal guardian if patient is a minor, or a caregiver. Child-resistant packaging:

- Must be designed or constructed to be significantly difficult for children under five (5) years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. 1700.15 (1995) and 16 C.F.R. 1700.20 (1995).
- Opaque so that the outermost packaging does not allow the product to be seen without opening the packaging material.
- Resealable to maintain its child-resistant effectiveness for multiple openings for any product intended for more than a single use or containing multiple servings.

### RECOMMENDATIONS

- Display information clearly and legibly.
- Use English and at least 6-point font.
- Ensure all required labeling is displayed on the outer layer of packaging.
- Small packaging that makes it difficult to fit required information on the outer layer may use an information panel to include some of the required information. Examples include: hangtags, peel-back labels, and inserts.

*Note: QR codes, websites and other methods that separate the information from the product are not acceptable types of supplemental labeling.*

# FOOD CONTAINING MEDICAL MARIJUANA PRODUCTS

## Principal display panel

The part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale. (Typically the front or top of the package)

## Information panel

The part of the label immediately contiguous and to the right of the principal display panel as observed by an individual facing the principal display panel.

## REQUIRED INFORMATION:

In addition to the requirements set forth on page 5, food containing medical marijuana must include:

- Name of product/food
- Name and address of business
- Batch number
- Lot code
- The following government warning statement for labeling:
  - “Women should not use marijuana or medical marijuana products during pregnancy because of the risk of birth defects or while breastfeeding.”
- Ingredients list
- Cannabis ingredients list
- Net quantity, weight of contents
- THC dosage in milligrams per unit
- Food allergen information
- Nutrition labeling (if required under 21 CFR § 101.9) (Nutrient content, health, qualified health and structure/function claims must comply with the Food and Drug Administration (FDA) Food Labeling Guide)
- The following government warning statement for packaging:
  - “For accidental ingestion call 1-800-222-1222.”

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*Dispensaries and processors licensed by the OMMA are required to obtain a food license if they produce or sell any edible medical marijuana products. This license is not obtained through OMMA. For information on how to obtain your food license, please review the [Food Licensing Fact Sheet](#) or visit: [food.health.ok.gov](http://food.health.ok.gov).*