

2022 ARKANSAS PACKAGING AND LABELING RULES

Medical Only

Sources: Arkansas Alcoholic Beverage Control Medical Marijuana Rules; Arkansas Department of Health Rules and Regulations Governing Medical Marijuana Registration, Testing, and Labeling in Arkansas

MEDICAL MARIJUANA CONTAINERS:

Cultivation facilities and dispensaries shall package all usable medical marijuana in medical marijuana containers which shall:

1. Be sealed, traceable, and food compliant.
2. Be child-proof: a. So that it cannot be opened by a child; or b. So that it prevents ready access to toxic or harmful amounts of the packaged product; and c. So that it meets the testing requirements in accordance with the method described in 16 C.F.R. § 1700.20, as existing on January 1, 2017.

MEDICAL MARIJUANA PACKAGING:

Medical marijuana packages shall not be shaped or designed in a manner that is likely to appeal to minors, including but not limited to: 1. Packaging that is modeled after non-cannabis products primarily consumed by and marketed to children; 2. Packaging that is in the shape of or that depicts an animal, vehicle, person, or character; and 3. Packaging that closely resembles that of familiar food and drink items, including candy.

LABELS FOR USABLE MARIJUANA:

All usable marijuana shall be tagged or labeled with a unique identification number (UID) and entered into the Inventory Tracking System.

Labels must include the following information:

1. Producer's and/or packager's business or trade name and cultivation facility or dispensary number;
2. Unique identification number;
3. Date of harvest;
4. Name of strain;
5. Net weight in U.S. customary and metric units;
6. Concentration of THC and CBD;
7. Activation time expressed in words or through a pictogram;
8. Name of the lab that performed any test, any associated test batch number and any test analysis date;
9. Universal symbol (a symbol has not yet been approved);
10. A warning that states: "For use by qualified patients only. Keep out of reach of children.";
11. A warning that states: "Marijuana use during pregnancy or breastfeeding poses

potential harms.”; and

12. A warning that states: "This product is not approved by the FDA to treat, cure, or prevent any disease".

LABELS FOR CONCENTRATES AND EXTRACTS:

Prior to a cannabinoid concentrate or extract being sold or transferred to a qualifying patient or designated caregiver, the container (and outer packaging, if any) holding the concentrate or extract must have a label that has the following information:

1. Cultivation facility or dispensary’s business or trade name and cultivation facility or dispensary number;
2. Business or trade name of cultivation facility or dispensary that packaged or distributed the product, if different from the cultivation facility or dispensary;
3. A unique identification number;
4. Product identity (concentrate or extract);
5. Date the concentrate or extract was made;
6. Net weight or volume in U.S. customary and metric units; 7. If applicable, serving size and number of servings per container or amount suggested for use by the qualifying patient at any one time;
8. Concentration or amount by weight or volume of THC and CBD in each amount suggested for use and in the container;
9. Activation time, expressed in words or through a pictogram;
10. Name of the lab that performed any test, any associated test batch number and any test analysis date;
11. Universal symbol (a symbol has not yet been approved);
12. Statements that read:

"This product is not approved by the FDA to treat, cure, or prevent any disease";

"DO NOT EAT" in bold, capital letters;

And the following two statements which must be at least 18 point: “Marijuana use during pregnancy or breastfeeding poses potential harms” and;

"For use by qualifying patients only. Keep out of reach of children."

GENERAL LABEL REQUIREMENTS, PROHIBITIONS, EXCEPTIONS:

1. Both the container and the outer packaging must be labeled with a *principal display panel* listing the product identity, net weight, and universal symbol, if applicable.
2. Labels required by these rules must Comply with the National Institute of Standards and Technology (NIST) Handbook 130 (2017), Uniform Packaging and Labeling Regulation, incorporated by reference.
3. Fonts must be in no smaller than 8 point Times New Roman, Helvetica or Arial;
4. Be in English, though it can also be in other languages; and
5. Be unobstructed and conspicuous;
6. Multiple labels may be used;
7. Small containers and packaging must include at least the following: A. Principal display panel information;
- B. Cultivation facility or dispensary business or trade name and cultivation facility or dispensary number;
- C. For cultivation facility or dispensaries, a package unique identification number;
- D. Concentration of THC and CBD; and
- E. Required warnings;

All other required label information must be included either on an outer container or package, or in a leaflet that accompanies the usable marijuana.

8. A label may not be attractive to minors and may not contain any untruthful or misleading statements including unsupported health claims;

9. Usable marijuana that falls within more than one category must comply with the labeling requirements that apply to both categories, with the exception of the "DO NOT EAT" warning if the product is intended for human consumption;
10. The THC and CBD amount required to be on a label must be the value calculated by the laboratory that did the testing;
11. If usable marijuana has more than one test batch number, laboratory, or test analysis date associated with the usable marijuana that is being sold or transferred, each test batch number, laboratory and test analysis date must be included on a label;
12. If usable marijuana is placed in a package that is being re-used, the old label or labels must be removed and it must have a new label or labels.
13. Exit packaging must contain a label that reads: "Keep out of the reach of children."

DISCLAIMER: THESE REQUIREMENTS ARE BELIEVED TO BE ACCURATE, BUT ARE NOT ALL-INCLUSIVE AND ARE SUBJECT TO CHANGE. THEY SHOULD NOT BE RELIED UPON FOR COMPLIANCE WITH ALL LAWS AND REGULATIONS RELATING TO PACKAGING AND LABELING IN ARKANSAS..