

SENATE No. 1077

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to marijuana product packaging and labeling.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/24/2017</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/24/2017</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>2/2/2017</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/1/2017</i>

SENATE No. 1077

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1077) of Jason M. Lewis, Joseph D. McKenna, Richard J. Ross, Steven Ultrino and others for legislation relative to marijuana product packaging and labeling. Marijuana Policy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to marijuana product packaging and labeling.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 4 of chapter 94G of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking subsections (9) and (10).

3 SECTION 2. Chapter 94G of the General Laws is hereby amended by inserting after
4 section 14 the following sections:-

5 Section 15. (a) The commission shall establish packaging requirements for marijuana and
6 marijuana products. Packaging for marijuana and marijuana products shall be:

7 (1) opaque;

8 (2) colored grey;

9 (3) child-resistant; and

10 (4) devoid of cartoon characters or bright colors, and shall not be designed in a way that
11 is especially appealing to minors.

12 (b) The commission shall establish labeling requirements for marijuana and marijuana
13 products which shall include:

14 (1) a symbol or other easily recognizable mark indicating that the package contains
15 marijuana;

16 (2) an identification of the marijuana cultivator who produced the marijuana;

17 (3) an identification of the marijuana product manufacturer who produced the marijuana
18 product and an identification of the marijuana cultivator who produced the marijuana used to
19 make the marijuana product;

20 (4) the amount of delta-9 tetrahydrocannabinol in a package of marijuana or marijuana
21 product expressed as a percentage of volume;

22 (5) a “best by” date;

23 (6) the number of servings in a package and a list of ingredients and possible allergens;

24 (7) a legal warning that it is a violation of federal law to carry marijuana or marijuana
25 product outside of the commonwealth;

26 (8) a standard health warning developed by the department of public health; and

27 (9) marijuana products shall be marked with a symbol or other easily recognizable mark
28 indicating that the product contains marijuana so that it is identifiable when removed from
29 packaging.

30 Section 16. (a) A marijuana cultivator or marijuana product manufacturer shall obtain
31 approval from the commission for all marijuana product labeling and packaging prior to offering
32 these items for sale to a marijuana retailer. The marijuana cultivator or marijuana product
33 manufacturer shall submit a photo of the product, labeling, and packaging to the commission for
34 approval.

35 (b) A decision shall be sent to the marijuana cultivator or marijuana product manufacturer
36 within 5 working days from the receipt of the required information.

37 (c) If additional information or detail is necessary to make a decision, the commission
38 shall request that information within 5 working days of the submission requesting additional
39 information. In said case, the commission will receive an additional 5 working days to make a
40 decision from the receipt of the additional information requested from the marijuana cultivator or
41 marijuana product manufacturer.

42 (d) If the commission denies the product, label, or packaging, a notice of denial shall be
43 sent to the marijuana cultivator or marijuana product manufacturer with an explanation of the
44 denial and the marijuana establishment's right to appeal.

45 (e) The commission may stop the sale of any marijuana product that poses an immediate
46 threat to the public in the interest of the public health of the commonwealth.