

REGULATION 12

PACKAGING AND LABELING OF CANNABIS PRODUCTS

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12.010 Requirements for single packages.

1. Unless preparing bulk packages only for delivery to another cannabis establishment and not for sale to a consumer, a cannabis establishment that packages cannabis or cannabis products must individually package, label and seal the cannabis or cannabis products in a single package for sale. A cannabis sales facility shall only sell cannabis or cannabis products in a single package which must not contain:

- (a) More than 1 ounce (28.35 grams) of usable cannabis.
- (b) For a cannabis product sold as a capsule, more than 100 milligrams of THC per capsule or more than 800 milligrams of THC per package.
- (c) For a cannabis product sold as a tincture, more than 800 milligrams of THC.
- (d) For a cannabis product sold as an edible cannabis product, more than 100 milligrams of THC.
- (e) For a cannabis product sold as a topical product, a concentration of more than 6 percent THC or more than 800 milligrams of THC per package.
- (f) For a cannabis product sold as a suppository or transdermal patch, more than 100 milligrams of THC per suppository or transdermal patch or more than 800 milligrams of THC per package.
- (g) For any other cannabis product, more than 800 milligrams of THC.

2. An edible cannabis product must be packaged in a manner which indicates the number of servings of THC in the product, measured in servings of a maximum of 10 milligrams of THC per serving, and include a statement that the edible cannabis product contains cannabis and its potency was tested with an allowable variance of plus or minus 15 percent of the allowable limit.

3. For cannabis or cannabis products that are intended to be sold to a consumer, the text used on all labeling must be printed in at least 8-point font and may not be in italics.

12.015 Requirements for edible cannabis products, products in solid or liquid form, usable cannabis and concentrated cannabis or cannabis products.

1. Any edible product containing cannabis must:

- (a) Be clearly and unambiguously packaged as cannabis with the words “THIS IS A CANNABIS PRODUCT” in bold type that clearly identifies that the product contains cannabis;
- (b) Be packaged in a manner which is not modeled after a brand of products primarily consumed by or marketed to children;
- (c) Be presented in packaging which does not contain an image of a cartoon character, mascot, action figure, balloon or toy, except that such an item may appear in the logo of the cannabis product manufacturing facility which produced the product; and
- (d) Not be packaged or marketed as candy.

2. When sold at a cannabis sales facility, any cannabis or cannabis product must be packaged in opaque, child-resistant packaging in accordance with 16 C.F.R. Part 1700 and the standards specified in subsection 3 or 4. The child-resistant packaging must maintain its effectiveness for multiple openings before leaving the cannabis sales facility with the consumer.

3. Except as otherwise provided in subsection 4, cannabis products in solid or liquid form must be packaged in:

- (a) Plastic which is 4 mils or more in thickness; or
- (b) If the product is in liquid form, a food-grade container.

4. Edible Cannabis products in liquid form containing more than 10 milligrams THC must be packaged using a resealable cap in a container that:
 - (a) Clearly demarks each serving of cannabis in a way that enables a reasonable person to intuitively determine how much of the product constitutes a single serving of THC; and
 - (b) Includes a device that allows a reasonable person to intuitively measure and serve a single serving of THC.→ The portion of such a container that demarks each serving of cannabis need not be opaque.
5. Any container or packaging containing usable cannabis, concentrated cannabis or cannabis products must protect the contents from contamination and must be of a food grade material.
6. An edible cannabis product must be sealed in a container which is not transparent and sold in packaging which is opaque.
7. Each single serving in a multiple-serving edible cannabis product must be physically demarked in a way that enables a reasonable person to intuitively determine how much of the edible cannabis product constitutes a single serving. Each demarked serving must be easily separable in a manner that allows an average person who is 21 years of age or over to physically separate, with minimal effort, an individual serving of the edible cannabis product.
8. If an edible cannabis product is of a kind that is impracticable to clearly demark each serving of cannabis or to make each serving easily separable, the edible cannabis product must:
 - (a) Contain not more than 10 milligrams of THC per unit of sale; or
 - (b) Be sold in a package that contains more than one individually wrapped single-serving edible cannabis product.

12.020 Stamp or mold required for edible cannabis products; exception.

1. Except as otherwise provided in subsection 3, each single-serving edible cannabis product and each individual serving containing not more than 10 milligrams of THC of a multiple-serving edible cannabis product must be stamped or molded with a symbol approved by the Board to indicate that the product contains cannabis.
2. An edible cannabis product that is impractical to stamp or mold with a symbol, including, without limitation, bulk goods or powders, each individual serving must be individually wrapped with the warning symbol on the wrapper exemption from stamping or molding product must be requested on a form prescribed by the Board.
3. An edible cannabis product in liquid form which is packaged as required by NCCR 12.015 need not be stamped or molded as described in this section.

12.025 Requirements for labeling products “organic.” A cannabis cultivation facility or cannabis product manufacturing facility shall not label usable cannabis, concentrated cannabis or cannabis products as “organic” unless the cannabis plants and all ingredients used are produced, processed and certified in a manner that is consistent with the national organic standards established by the United States Department of Agriculture in accordance with the Organic Foods Production Act of 1990, 7 U.S.C. §§ 6501 et seq.

12.030 Cannabis cultivation facility: Required labeling before sale of cannabis to another cannabis establishment.

1. A cannabis cultivation facility shall label all cannabis before it sells the cannabis to another cannabis establishment and shall securely affix to the package a label that includes, without limitation, in legible English:

- (a) The name of the cannabis establishment and its license number;
- (b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment registration certificate of the cultivation facility operated by the dual licensee;
- (c) The batch number;
- (d) The lot number;
- (e) The date of final harvest;
- (f) The date of final testing;
- (g) The date on which the product was packaged;
- (h) The cannabinoid profile and potency levels and terpenoid profile of the top three terpenes as determined by the cannabis testing facility, which may include the potential total THC but must not include any other calculated level of THC;
- (i) The quantity of cannabis being sold;
- (j) A warning that states: “THIS PRODUCT CONTAINS CANNABIS”; and
- (k) A warning that states: “Keep out of Reach of Children.”

2. The label required by subsection 1 for a container or package containing usable cannabis sold by a cannabis cultivation facility must be in substantially the following form:

<p>T&M NURSERY License Number: 123 456 789 001 0001 Registration Certificate Number: 543 210789 000 0100 (if applicable)</p> <p>THIS PRODUCT CONTAINS CANNABIS Keep out of Reach of Children</p> <p>Batch Number: 1234</p> <p>Lot Number: 1234</p> <p>Final Harvest Date: 01/01/2020</p> <p>Final Testing Date: 01/15/2020 Packaged on: 01/17/2020 Best if used by: 03/17/2020</p> <p>16.7% THC 1.5% CBD 0.3% CBN Myrcene 5.6 mg/g Limonene 5.1 mg/g Valencene 3.5 mg/g</p> <p>Net Weight: 2 lbs.</p>
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12.035 Cannabis product manufacturing facility: Required labeling of cannabis products before sale to retail store.

1. A cannabis product manufacturing facility shall label all cannabis products before it sells the cannabis products to a cannabis sales facility or another cannabis product manufacturing facility and shall include on the packaging or securely affix to the package a label that includes, without limitation, in legible English and in a manner which must not mislead consumers:

- (a) The name of the cannabis establishment and its license number;
- (b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment registration certificates of the facility for the production of edible cannabis products or cannabis-infused products, as defined in Title 56 of NRS, operated by the dual licensee;
- (c) The production run number;
- (d) A warning that states: "Keep out of reach of children."
- (e) The date of production;
- (f) The date of final testing;
- (g) The date on which the product was packaged;
- (h) The cannabinoid profile and potency levels and terpenoid profile of the top three terpenes as determined by the cannabis testing facility,
- (i) If the product is perishable, the expiration date;
- (j) The total amount of THC in the cannabis product, measured in milligrams;
- (k) The total amount of THC in each serving of the edible cannabis product and a notice that the actual amount of THC may be within 15 percent of the stated amount;
- (l) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343;
- (m) The net weight of the product;
- (n) If concentrated cannabis was added to the product or if the product consists solely of concentrated cannabis, a disclosure of the type of extraction process used and any solvent, gas or other chemical used in the extraction process or any other compound added to the concentrated cannabis;
- (o) If the product is an edible cannabis product other than extracts and tinctures, the serving size; and
- (p) A warning that states: "THIS PRODUCT CONTAINS CANNABIS."

2. The label required by subsection 1 for a container or package containing concentrated cannabis or edible cannabis products sold by a cannabis product manufacturing facility must be in substantially the following form:

<p>TK's Cannabis Products License Number: 123 456 789 001 0001 Registration Certificate Number: 543 210789 000 0010 (if applicable)</p> <p>Production Run Number: 1234</p> <p>THIS PRODUCT CONTAINS CANNABIS</p> <p>Keep out of Reach of Children</p> <p>Produced on: 01/01/2020 Final Testing Date: 01/15/2020 Packaged on: 01/17/2020 Best if used by: 03/17/2020 Cannabinoid profile: Terpenoid profile:</p> <p>Total THC content: THC content per serving +/- 15%: This product contains concentrated cannabis produced with butane.</p> <p>Ingredients: Wheat, Sugar, Milk Chocolate Allergy Warning: Peanuts, Tree Nuts, Eggs, Wheat, Soy Net Weight: 100mg</p>
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12.040 Cannabis sales facility: Required labeling of usable cannabis.

1. A cannabis sales facility must affix to each container or package containing usable cannabis sold at retail, if not already included on the container or package, a label which must include, without limitation:

- (a) The business or trade name and the license number of the cannabis cultivation facility that cultivated and sold the usable cannabis;
- (b) If the cannabis cultivation facility is operated by a dual licensee, the number of the medical cannabis establishment registration certificate of the cultivation facility operated by the dual licensee;
- (c) The batch number;
- (d) The lot number;
- (e) The date and quantity sold, including the net weight measured in ounces and grams or by volume, as appropriate;
- (f) The name and address of the cannabis sales facility;
- (g) The cannabinoid profile and potency levels and terpenoid profile as determined by the cannabis testing facility, which may include the potential total THC but must not include any other calculated level of THC;
- (h) A warning that states: "This product may have intoxicating effects and may be habit forming;"

- (i) The statement: “This product may be unlawful outside of the State of Nevada”;
 - (j) The date on which the cannabis was harvested;
 - (k) A warning that states: “THIS PRODUCT CONTAINS CANNABIS”; and
 - (l) A warning that states: “Keep out of Reach of Children.”
2. The label required by subsection 1 for a container or package containing usable cannabis sold at retail must be in substantially the following form:

MM’s Plant Emporium
License Number: 123 456 789 001 0001
Registration Certificate Number: 543 210789 000 0010
(if applicable)

THIS PRODUCT CONTAINS CANNABIS
Keep out of Reach of Children
Batch #: 1234
Lot #: 1234
Final harvest: 01/01/2020

by
We Care Cannabis sales facility
123 Main Street, Carson City, NV 89701

WARNING:
This product may have intoxicating effects and may be habit forming.

16.7% THC 1.5% CBD 0.3% CBN
Myrcene 5.6 mg/g Limonene 5.1 mg/g Valencene
3.5 mg/g

Net Weight: .25 ounces (7 grams)

This product may be unlawful outside the State of Nevada.

12.045 Cannabis sales facility: Required labeling of cannabis products.

1. A cannabis sales facility must affix to each container or package containing cannabis products sold at retail and affix to or include with each container or package containing concentrated cannabis or cannabis products sold at retail a label which must not mislead consumers and must include, without limitation:
- (a) The business or trade name and the license number of the cannabis product manufacturing facility that extracted and sold the concentrated cannabis or manufactured and sold the product;
 - (b) If the cannabis product manufacturing facility is operated by a dual licensee, the number of the medical cannabis establishment registration certificate of the facility for the production of edible cannabis products or cannabis-infused products operated by the dual licensee;

- (c) The production run number that accounts for all lot numbers of all cannabis used to extract the concentrated cannabis or create the product, as recorded in the inventory control system of the cannabis product manufacturing facility that sold the concentrated cannabis or product;
- (d) The name and address of the cannabis sales facility;
- (e) The date on which the concentrated cannabis was extracted or the product was manufactured;
- (f) The date on which the concentrated cannabis or product was packaged;
- (g) If the product is perishable, a suggested use-by date;
- (h) The cannabinoid profile and potency levels and terpenoid profile of the product, as determined by the cannabis testing facility that tested the product;
- (i) The measurements of THC included on the label must include only the delta-9-tetrahydrocannabinol in the cannabis product, measured in milligrams THC;
- (j) The total amount of THC in each serving of the product and a notice that the actual amount of THC in each serving may be within 15 percent of the stated amount;
- (k) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343.
- (l) The concentration of THC in the product, measured in milligrams;
- (m) The net weight of the cannabis or cannabis product;
- (n) A warning that states: “Caution: When eaten or swallowed, the intoxicating effects of this product may be delayed by 2 or more hours”;
- (o) If concentrated cannabis or a cannabis extract was added to the product, a disclosure of the type of extraction process and any solvent, gas or other chemical used in the extraction process, or any other compound added to the concentrated cannabis or the cannabis extract;
- (p) A warning that states: “This product may have intoxicating effects and may be habit forming”;
- (q) A warning that states: “Keep out of Reach of Children”
- (r) A statement that: “This product may be unlawful outside of the State of Nevada”; and
- (s) A warning that states: “THIS PRODUCT CONTAINS CANNABIS.”

2. The label required by subsection 1 for a container or package containing concentrated cannabis or cannabis products sold at retail must be in substantially the following form:

<p>We Care Cannabis Sales Facility 123 Main Street, Carson City, NV 89701</p> <p>THIS PRODUCT CONTAINS CANNABIS</p> <p>Date Sold: 3/27/2020</p> <p>Cookie Net Weight: 2 ounces (56 grams) Produced on: 1/1/2020 Final Testing Date: 1/15/2020 Packaged on: 1/17/2020 Best if used by: 6/3/2020 Cannabinoid profile: Terpenoid profile: THC content per serving +/- 15%:</p> <p>CAUTION: When eaten or swallowed the intoxicating effects of this product can be delayed by <u>2 or more</u> hours. <u>Keep out of Reach of Children</u></p> <p><u>This product may be unlawful outside the State of Nevada.</u></p> <p>Manufactured at: KC's Kitchen License Number: 321654987101 0401 Registration Certificate Number: 543 210789 000 0010 (if applicable)</p> <p>Production Run #5463</p> <p>INGREDIENTS: Flour, Butter, Canola Oil, Sugar, Chocolate, Cannabis, Strawberries</p> <p>CONTAINS ALLERGENS: Milk, Wheat</p> <p>Contains cannabis extract processed with butane. Contains concentrated cannabis produced with CO₂.</p> <p>WARNING: This product may have intoxicating effects and may be habit forming.</p>
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12.050 Cannabis sales facility: Required disclosures and warnings.

1. A cannabis sales facility must provide with all usable cannabis sold at retail accompanying material that discloses any pesticides applied to the cannabis plants and growing medium during production and processing.
2. A cannabis sales facility must provide with all usable cannabis and cannabis products sold at retail a written notification which contains the following warnings:
 - (a) That cannabis and cannabis products must be kept out of the reach of children;

- (b) That cannabis and cannabis products can cause severe illness in children;
 - (c) That allowing children to ingest cannabis or cannabis products or storing cannabis or cannabis products in a location which is accessible to children may result in an investigation by an agency which provides child welfare services or criminal prosecution for child abuse or neglect;
 - (d) “THE INTOXICATING EFFECTS OF CANNABIS MAY BE DELAYED BY 2 HOURS OR MORE AND USERS OF CANNABIS PRODUCTS SHOULD INITIALLY INGEST A SMALL AMOUNT OF THE PRODUCT CONTAINING NO MORE THAN 10 MILLIGRAMS OF THC, THEN WAIT AT LEAST 2 HOURS BEFORE INGESTING ANY ADDITIONAL AMOUNT OF THE PRODUCT”;
 - (e) “This product may have intoxicating effects and may be habit forming. Smoking is hazardous to your health”;
 - (f) “Ingesting cannabis or cannabis products with alcohol or other drugs, including prescription medication, may result in unpredictable levels of impairment and a person should consult with a physician before doing so”;
 - (g) “There may be health risks associated with consumption of this product”;
 - (h) “Pregnant women should consult with a physician before ingesting cannabis or cannabis products”;
 - (i) “Cannabis or cannabis products can impair concentration, coordination and judgment. Do not operate a vehicle or machinery under the influence of cannabis or cannabis products”; and
 - (j) “Ingestion of any amount of cannabis or cannabis products before driving may result in criminal prosecution for driving under the influence.”
3. The text used on all accompanying material and warnings must be printed in at least 12-point font and may not be in italics.

12.055 Cannabis cultivation facility, cannabis product manufacturing facility and cannabis sales facility: Required labeling. Each cannabis cultivation facility, cannabis product manufacturing facility and cannabis sales facility shall:

1. Use for labeling all cannabis and cannabis products the standard label described in NCCR 12.010 and 12.030 to 12.045, inclusive;
2. Exercise strict control over labeling materials issued for use in labeling operations for cannabis and cannabis products;
3. Carefully examine labeling materials issued for a batch for identity and conformity to the labeling specified in the applicable production or control records; and
4. Have and follow written procedures describing in sufficient detail the control procedures employed for the issuance of labeling.

12.060 Cannabis cultivation facility, cannabis product manufacturing facility and cannabis sales facility: Examination of products during finishing operations; collection of representative sample of units; recording of results. Each cannabis cultivation facility, cannabis product manufacturing facility and cannabis sales facility shall:

1. Examine packaged and labeled products during finishing operations to provide assurance that the containers and packages have the correct labels;
2. Collect a representative sample of units at the completion of finishing operations and ensure that the samples are visually examined for correct labeling; and
3. Record the results of the examinations performed pursuant to subsections 1 and 2 in the applicable production or control records.

12.065 Cannabis treated with radiation. If any cannabis or cannabis product has been treated with radiation at any time, any and all packaging of the irradiated cannabis or cannabis product must include labeling that contains the following statement: “NOTICE: This product contains ingredients that have been treated with irradiation” in bold lettering, along with the Radura symbol as used by the U.S. Food and Drug Administration.