



**CANNABIS CONTROL BOARD**

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# **GUIDANCE ON PACKAGE LABELING**

**MAY 2022**

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## Introduction

This guidance is provided for Cannabis Establishments seeking to understand their responsibilities related to warning labels, marketing, and branding for packaging cannabis products.

This document is only guidance. Cannabis Establishments should read the related sections of [7 V.S.A. Chapter 33](#) and [Board Rule 2](#) to fully understand packaging requirements.

This should not be taken as legal advice. If cannabis establishments have questions regarding their legal responsibilities, they are encouraged to consult their legal counsel.

## Important References

Vermont law requires that all cannabis and cannabis products sold to consumers meet specific requirements. Those requirements are further outlined in [Board Rule 2](#) and in [7 V.S.A. Chapter 33](#).

### Intra-Supply Chain Packaging vs. Consumer Packaging

Board rules treat packaging within the supply chain (intra-supply chain) and consumer packaging differently. Intra-supply chain packaging is for cannabis and cannabis products that are being transferred between licensees along the supply chain. Consumer packaging is for cannabis and cannabis products that will be sold directly to customers at retail establishments.

### Warning and Symbol Files

Required warning language and symbols are outlined further in this guide. High definition vector files and raster files of the required symbols and the content of the necessary warning label are available on the Cannabis Control Board website in the “warning labels” section of our guidance page: <https://ccb.vermont.gov/guidance>

### Helpful Tool for Evaluating Packaging: Consumer Packaging Checklist

For cannabis establishments evaluating their consumer packaging for compliance with the relevant laws and regulations, a checklist at the end of this document provides guidance on whether packaging is compliant.

## Labeling Requirements for Intra-Supply Chain Packaging

The information in this section is about packaging requirements as a product moves within the supply chain. *It is not about packaging that is intended for sale to consumers.* For example, this section will apply when cannabis flower is transferred from a cultivator to a manufacturer to be made into a tincture. When cannabis or cannabis product will be sold directly to consumers, the Labeling Requirements for Consumer Packaging section will apply.

When products are transferred from one licensee to another within the supply chain, packaging must include the required warning label and symbols, and clearly identify the package contents. For example, the packaging must say the common name of the item, such as flower, tincture, butter, or oil, if that is what is contained within the package. Further, the package must be labeled with the required symbols precisely as prescribed by Rule 2.2.10:



Symbol Size and Color for Intra-Supply Chain Packaging:

For all packaging, the symbols must be at least .5" X .5". The required colors are as follows:

Black: (CMYK) 0,0,0,100

Red: (CMYK) 0,95,100,0

Red: (Pantone) PMS 485

Vector (PDF file – EPS available upon request) and raster (PNG) files of these symbols are available from the [Cannabis Control Board website](#).

Intra-supply chain packaging must not have false or misleading statements. It may not display images that are likely to be appealing to minors or those under 21. Packaging may not use toys, inflatables, movie characters, cartoon characters, child-friendly depictions of food, or other consumables. Packaging may not have any image depicted in any manner likely to be appealing to minors or anyone under 21. More information about avoiding labeling and packaging that appeals to minors appears in section IV. of this guidance.

Each license type has specific requirements for labeling products transferred within the supply chain. Here are the requirements by license type.

For Cultivators, Intra-Supply Chain Packaging Must:

- Prominently display the required warning symbols discussed above (and prescribed in 2.2.10(b))
- Identify the content of the package (i.e., flower, oil, butter, tincture, etc.)
- Be free from false or misleading statements
- Not appeal to persons under 21
- Include the name and registration number of the cultivator
- Include the strain, variety, and potency of the cannabis contained in the package
- Include a “produced on” date, which is the date the cultivator finished producing the cannabis

For Manufacturers, Intra-Supply Chain Packaging Must:

- Prominently display the required warning symbols discussed above (and prescribed in 2.2.10(b))
- Identify the content of the package (i.e., flower, oil, butter, tincture, etc.)
- Be free from false or misleading statements
- Not appeal to persons under 21

For Wholesalers, Intra-Supply Chain Packaging Must:

- Prominently display the required warning symbols discussed above (and prescribed in 2.2.10(b))
- Identify the content of the package (i.e., flower, oil, butter, tincture, etc.)
- Be free from false or misleading statements
- Not appeal to persons under 21

## Labeling Requirements for Consumer Packaging

Cannabis that is for sale to consumers must be packaged in child-deterrent packaging that is reusable and not plastic. Cannabis products that are for sale to a consumer must be packaged in child-resistant, opaque packaging that is reusable and not plastic. A waiver to use packaging that is not plastic may be available under certain conditions. Guidance on packaging materials is available [on the CCB website](#).

To assist Cannabis Establishments that are evaluating their packaging for cannabis and cannabis products that will be sold to consumers, there is a checklist at the end of this guidance document.

There are at least two warning labels and two symbols that must be on products that are packaged for sale to consumers. All cannabis and cannabis products packaged for sale to consumers must include the specific warning labels in Rule 2.2.10. The warning labels must read as they do in the Rule with the exact wording, italics, bolding, and all caps lettering.

1. **Warning Labels:** The first warning label is a narrative health warning that says:

*Cannabis has not been analyzed or approved by the Food and Drug Administration (FDA). For use by individuals 21 years of age and older or registered qualifying patient only. **KEEP THIS PRODUCT AWAY FROM CHILDREN AND PETS. DO NOT USE IF PREGNANT OR BREASTFEEDING.** Possession or use of cannabis may carry significant legal penalties in some jurisdictions and under federal law. It may not be transported outside of the state of Vermont. **The effects of edible cannabis may be delayed by two hours or more.** Cannabis may be habit forming and can impair concentration, coordination, and judgment. Persons 25 years and younger may be more likely to experience harm to the developing brain.*

*It is against the law to drive or operate machinery when under the influence of this product. National Poison Control Center 1-800-222-1222.*

Vector and raster image files of this warning is available from the [Cannabis Control Board website](#). This warning may be printed in 10-point font Times New Roman, Helvetica, Ariel, or another font size easily readable by the average consumer. The language, italics, bolding, and capitalization of words must appear on the package as it appears above and in the Rule. They must be on the outermost part of the consumer packaging; this is sometimes referred to as the marketing level packaging. For example, if a product is packaged in a wrapper, and the wrapped item is packaged in a box with the licensee's branding, the box must contain the above warning label.

The health warning may appear on the packaging in any of the following ways:

- It may be printed directly on the packaging,
  - It may be printed on the inside of a peel-away label that is affixed to the packaging
  - It may be attached with a sticker. If this option is chosen, the sticker must be attached to the packaging in such a way that it cannot be easily peeled off. The sticker may be connected in such a way that it appears like a tag on the packaging.
  - It may be attached in another way that is secure so that the warning label cannot be easily removed from the packaging and that it can be seen clearly by the consumer.
2. All product packaging must also include the following general warning label, including capitalization in at least 10pt font in bolded Times New Roman, Helvetica, or Ariel:

### **KEEP OUT OF REACH OF CHILDREN**

This warning must be prominently displayed on the packaging. It cannot be under a peel away or attached with a tag. Consumers must be able to read this label on the outermost, marketing-level layer of packaging.

3. Finally, products that contain multiple servings must have the following warning label in at least 10pt font in bolded Times New Roman, Helvetica, or Ariel:

### **INCLUDES MULTIPLE SERVINGS**

This warning must be prominently displayed on the packaging. It cannot be under a peel away or attached with a tag. Consumers must be able to read this label at the outermost, marketing level layer of packaging.

#### Symbols:

These warning symbols must also appear on all products packaged for sale to consumers. These symbols must be prominently displayed, clear, and readable by the average consumer. They may not be covered or hidden by branding or artwork on the packaging in any way. They must appear in color, size and content exactly as required by Rule 2.2.10. .



#### Symbol Size and Color for General Packaging:

For all packaging the symbols must be at least .5" X .5" The required colors are as follows:

Black: (CMYK) 0,0,0,100

Red: (CMYK) 0,95,100,0

Red: (Pantone) PMS 485

The symbol must be 25% of the serving's height and width for edible packaging but not less than .25" X .25" for items packaged as a single serving. For example, edibles are separately wrapped in single servings within an outer layer of packaging.

Vector and raster files of these symbols are available from the Cannabis Control Board.

#### **Other Labeling Requirements for Consumer Packaging**

Each license type has specific requirements for labeling packaging that will be sold to consumers. Here are the requirements by license type.

For Cultivators packaging cannabis flower for retail sale or Retailers selling cannabis flower, Product Packaging for Consumers Must:

- Prominently display the required health warning and warning labels and symbols discussed above

- Identify the contents of the package (i.e. flower, shake)
- Be free from false or misleading statements
- Not appeal to persons under 21
- Include the name and registration number of the cultivator
- Include the strain, variety and potency of the cannabis contained in the package
- Include a “produced on” date, which is the date the cultivator finished producing the cannabis
- Include a web address or QR code that links to the test results of the content product packaged

For Manufacturers packaging cannabis products for retail sale or Retailers selling cannabis products, Product Packaging for Consumers Must:

- Prominently display the required health warning and warning symbols discussed above
- Identify the content of the package (i.e. flower, oil, butter, tincture, cookie, water, salve etc.)
- Be free from false or misleading statements
- Not appeal to persons under 21
- Include additional labeling as required for consumable or non-consumable products outlined below.
  - Consumable Products must also:
    - Include the number of 5 milligram or less servings in the package up to a maximum of 50 milligrams per package
    - Ensure that the 5 milligram or less servings are easy for consumers to measure, either by clear and visible markings on the product or by physical separation of the servings
    - Include a “produced on date” that indicates the date that production of the product was finished
    - Include a “best if used by date”
    - Include a statement about the length of time it typically takes for the product to take effect
    - Include a web address or QR code that links to the test results of the content product packaged
  - Include any other relevant requirements for labeling food outlined by the Department of Health for edible or drinkable food products. Non-Consumable Products must also have:
    - A label that indicates the product is not for consumption
    - A list of ingredients used in production, such as scents and additives
    - Warnings of common irritants

For Wholesalers, Product Packaging for Consumers Must:

- Prominently display the required health warning and warning symbols discussed above
- Identify the content of the package (i.e. flower, oil, butter, tincture, flower, lotion etc.)
- Be free from false or misleading statements
- Not appeal to persons under 21
- Include additional labels as required and outlined below

When the packaged item is cannabis flower, meaning it has not been made into another product such as an oil or butter, packaging must include:

- the name and registration number of the cultivator
- the strain, variety and potency of the cannabis flower contained in the package
- a “produced on” date, which is the date the cultivator finished producing the cannabis
- a web address or QR code that links to the test results of the packaged content

When the packaged item is a cannabis product and it is consumable, meaning that it has transformed from flower into something such as an edible or tincture, packaging must :

- Include the number of 5 milligram or less servings in the package up to a maximum of 50 milligrams per package
- Ensure that 5 milligram or less servings are easy for consumers to measure, either by clear and visible markings on the product itself, by physical separation of the servings, or by clear and visible markings on the packaging that allow the consumer to separate the product into measured servings (like a dropper)
- Include a “produced on date” that indicates the date that production of the product was finished
- Include a “best if used by date”
- Include a statement about the length of time it typically takes for the product to take effect
- Include a web address or QR code that links to the test results of the content product packaged
- Include any other requirements for labeling food outlined by the Department of Health for edible or drinkable food products .

When the packaged item is a cannabis product and it is not consumable, meaning that it has transformed from flower into something such as a lotion or salve, packaging must include:

- A label that indicates that the product is not for consumption.
- A list of the ingredients used in production, such as scents and additives and warnings of other common irritants.

## Guidance on Avoiding Labels and Packaging that is Appealing to those under 21

State law requires that labeling and packaging of cannabis and cannabis products not appeal to youth or persons under 21 years of age. Further, Cannabis Control Board Rule 2.2.9 further defines this by stating that cannabis and cannabis products “not use objects, such as toys, inflatables, movie characters, cartoon characters, child-friendly depictions of food or other consumables, or include any other display, depiction, or image designed in any manner likely to be appealing to minors or anyone under 21 years of age.”

This section of guidance is intended to further explain what those restrictions mean.



First, it's important to note that packaging and labeling as discussed in this guidance is not limited to general artwork on a package or label. It also includes any branding or logos that appear on the package or label of cannabis and cannabis products.

To ensure that a package does not appeal to children or those under 21, cannabis establishments should ensure that packaging, labeling, branding and logos do not:

- Depict a person who appears to be under 21 years of age
- Use cartoons, images, objects, or characters that are commonly marketed to children and youth under 21
- Use items that are generally more attractive to children and persons under 21 than to adults.

For the purpose of this guidance, the term cartoon is not meant to describe a particular style of artwork, but rather the content of the artwork. When evaluating whether a package, label, logo, or branding of a package could be a cartoon that appeals those under 21 cannabis establishments should evaluate and ensure that it does not:

- Comically exaggerate typical human features
- Attribute human or superhuman characteristics to animals, plants, or other objects. Cartoons appealing to children often use an anamorphic technique to give animals and inanimate objects, or non-human objects, human identities. To be compliant with rule and law, this should be avoided.
- Use fonts that are typically used to attract the attention of children and youth.

Finally, for cannabis strain names that are similar to items that are commonly marketed to children, it is recommended that cannabis establishments minimize the presence of the strain name on the packaging as not to unintentionally appeal to those under 21. This can be achieved by including in the strain name in a smaller font with the other required labeling as opposed to featuring the strain name on the package.

**For example, these packages would *not* comply with Vermont's labeling and packaging rules and laws for cannabis:**



These packages would comply with Vermont’s labeling and packaging rules and laws for cannabis:



## Guidance on Avoiding False or Misleading Statements

State law requires that cannabis establishments avoid false or misleading statements on labels and packages. This includes in and branding or logos that appear on packaging. To avoid false or misleading statements, cannabis establishments should avoid statements on the packaging, labeling, branding of packaging or logo that:

- Make claims that cannabis has curative effects.
- Associates the use of cannabis with improving physical or physiological performance or a generally improved lifestyle.

## Other General Guidance

Cannabis Establishments are advised to avoid any packaging and labeling artwork or general packaging style that closely resembles something that is trademarked.

To assist cannabis establishments that are evaluating their packaging for cannabis and cannabis products that will be sold to consumers, there is a checklist at the end of this guidance document.

## Cannabis and Cannabis Product Consumer Packaging Guidance Self-Checklist

This checklist is provided as a helpful tool and quick reference. Before using this checklist, it is important to review the Product Labeling Guidance, Cannabis Control Board Rule 2, and the related statutes in 7 VSA chapter 33.

### For All Cannabis Establishments:

Before reaching consumers, our cannabis and cannabis product :

- Is placed in a container prior to reaching retail for consumers
- For cannabis products: is contained in child-resistant, opaque packaging that would be difficult for a child under 5 to open and the cannabis product can not be seen from the outside of the package.
- For cannabis flower: is contained in a child-deterrent package that is tear resistant and would deter a child under 5 from easily opening the package.
- Is placed in packaging that is not plastic and is the packaging.
- Is in a package that is:
  - Labeled with information that does not contain false or misleading information.
  - Labeled with all of the required warning labels and symbols. Each of which is displayed on the package or label as required by and explained in guidance.
  - Designed so that the packaging, label, logo or branding do not appeal to minors or anyone under the age of 21 (Details on how to achieve this are included in the guidance).

### For Cultivators:

Before reaching consumers our packaging and labeling meets all of the requirements outlined for All Cannabis Establishments at the beginning of this check list (above) and is in packaging with a label that:

- Identifies the content of the package (i.e. flower, shake)
- Includes the name and registration number of the cultivator
- Includes the strain, variety and potency of the cannabis contained in the package
- Includes a “produced on” date, which is the date the cultivator finished producing the cannabis
- Includes a web address or QR code that links to the test results of the content product packaged

### For Manufacturers:

Before reaching consumers, the packaging meets all the requirements outlined for All Cannabis Establishments at the beginning of this check list and is in packaging with a label that:

- Identifies the content of the package (i.e. flower, oil, butter, tincture, cookie, water, salve etc.)
- For consumable products also have:
  - the number of 5 milligram or less servings in the package up to a maximum of 50 milligrams per package
  - a “produced on date” that indicates the date that production of the product was finished
  - a “best if used by date”

- a statement about the length of time it typically takes for the product to take effect
- a web address or QR code that links to the test results of the content product packaged
- All the required labeling for edible and drinkable products, if applicable, by the department of health. Especially those that include common allergens such as nuts, soy, and eggs.
- For non-consumable products also have:
  - A label that indicates that the product is not for consumption.
  - A list of the ingredients used in production, such as scents and additives and warnings of other common irritants.

### For Wholesalers:

Before reaching consumers, the packaging meets all the requirements outlined for All Cannabis Establishments at the beginning of this check list and is in packaging with a label that:

- Prominently displays the required warning symbols discussed above
- Identifies the content of the package (i.e. flower, oil, butter, tincture, flower, lotion etc.)
- For cannabis that has not been made into another product such as an oil or butter, includes:
  - The name and registration number of the cultivator
  - The strain, variety and potency of the cannabis contained in the package
  - A “produced on” date, which is the date the cultivator finished producing the cannabis
  - A web address or QR code that links to the test results of the content product packaged
- For cannabis products that are consumable, meaning it has transformed from flower into something like such as an oil, butter, cookie, or juice, packaging and labeling includes:
  - The number of 5 milligram or less servings in the package up to a maximum of 50 milligrams per package
  - A “produced on date” that indicates the date that production of the product was finished
  - A “best if used by date”
  - A statement about the length of time it typically takes for the product to take effect
  - A web address or QR code that links to the test results of the content product packaged
  - All the required labeling for edible and drinkable products, if applicable, by the department of health. Especially those that include common allergens such as nuts, soy, and eggs.
- For cannabis products that are not consumable, meaning that it has transformed from flower into something like such as a lotion or salve, packaging and labeling includes:
  - A label that indicates that the product is not for consumption.
  - The ingredients used in production, such as scents and additives and warnings of other common irritants.

### For Retailers:

Packaging must meet all the requirements outlined for All Cannabis Establishments at the beginning of this check list and is in packaging with a label that:

- Prominently displays the required warning symbols discussed above
- Identifies the content of the package (i.e. flower, oil, butter, tincture, flower, lotion etc.)
- For cannabis that has not been made into another product such as an oil or butter, includes:

- The name and registration number of the cultivator
- The strain, variety and potency of the cannabis contained in the package
- A “produced on” date, which is the date the cultivator finished producing the cannabis
- A web address or QR code that links to the test results of the content product packaged
- For cannabis products that are consumable, meaning it has transformed from flower into something like such as an oil, butter, cookie, or juice, packaging and labeling includes:
  - The number of 5 milligram or less servings in the package up to a maximum of 50 milligrams per package
  - A “produced on date” that indicates the date that production of the product was finished
  - A “best if used by date”
  - A statement about the length of time it typically takes for the product to take effect
  - A web address or QR code that links to the test results of the content product packaged
  - All the required labeling for edible and drinkable products, if applicable, by the department of health. Especially those that include common allergens such as nuts, soy, and eggs.
- For cannabis products that are not consumable, meaning that it has transformed from flower into something like such as a lotion or salve, packaging and labeling includes:
  - A label that indicates that the product is not for consumption.
  - The ingredients used in production, such as scents and additives and warnings of other common irritants.