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February 17, 2022

AS AMENDED

SENATE BILL NO. 1219

By: Bullard

[medical marijuana - requirements for edible medical
marijuana products - effective date]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.18, is amended to read as follows:

Section 427.18. A. An Oklahoma medical marijuana business shall not sell, transfer, or otherwise distribute medical marijuana or medical marijuana product that has not been packaged and labeled in accordance with this section and rules promulgated by the State Commissioner of Health.

B. A medical marijuana dispensary shall return medical marijuana and medical marijuana product that does not meet packaging or labeling requirements in this section or rules promulgated pursuant thereto to the entity who transferred it to the dispensary. The medical marijuana dispensary shall document to whom the item was returned, what was returned and the date of the return or dispose of any usable marijuana that does not meet these requirements in

1 accordance with the Oklahoma Medical Marijuana and Patient
2 Protection Act.

3 C. 1. Medical marijuana packaging shall be packaged to
4 minimize its appeal to children and shall not depict images other
5 than the business name logo of the medical marijuana producer and
6 image of the product.

7 2. A medical marijuana business shall not place any content on
8 a container in a manner that reasonably appears to target
9 individuals under the age of twenty-one (21) including, but not
10 limited to, cartoon characters or similar images.

11 3. Labels on a container shall not include any false or
12 misleading statements.

13 4. No container shall be intentionally or knowingly labeled so
14 as to cause a reasonable patient confusion as to whether the medical
15 marijuana, medical marijuana concentrate, or medical marijuana
16 product is a trademarked product or labeled in a manner that
17 violates any federal trademark law or regulation.

18 5. The label on the container shall not make any claims
19 regarding health or physical benefits to the patient.

20 6. a. All medical marijuana, medical marijuana concentrate
21 and medical marijuana products shall be in a child-
22 resistant container at the point of transfer to the
23 patient or caregiver. For all edible medical
24

1 marijuana products, the child-resistant container
2 shall be clear.

3 b. Edible medical marijuana products in solid or
4 semisolid form shall be in the shape of a marijuana
5 leaf. This subparagraph shall not apply to edible
6 medical marijuana products in liquid form.

7 D. The State Department of Health shall develop minimum
8 standards for packaging and labeling of medical marijuana and
9 medical marijuana products. Such standards shall include, but not
10 be limited to, the required contents of labels to be affixed to all
11 medical marijuana and medical marijuana products prior to transfer
12 to a licensed patient or caregiver, which shall include, at a
13 minimum:

14 1. THC and other cannabinoid potency, and terpenoid potency;

15 2. A statement indicating that the product has been tested for
16 contaminants;

17 3. One or more product warnings to be determined by the
18 Department; and

19 4. Any other information the Department deems necessary.

20 SECTION 2. This act shall become effective November 1, 2022.

21 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
22 February 17, 2022 - DO PASS AS AMENDED
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