

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 53051. Use of Misleading Mark or Label on Container; Injurious or Adulterated Ingredients; and Labeling Requirements.

(a) No licensee shall use or allow the use of any mark or label on the container of any marijuana items which are kept for sale, if the container does not precisely and clearly indicate the nature of its contents or in any way might deceive any customer as to the nature, composition, quantity, age, or quality of such marijuana items. Marijuana items that have been tested and satisfactorily complied with the minimum standards set forth by the Commission shall bear a label that reads: “CERTIFIED”; and whereas, in the absence of a marijuana testing facility or in the absence of testing a marijuana item, marijuana establishments are required to mark or label the marijuana item with a disclaimer that clearly reads: “UNTESTED PRODUCT.” All marijuana items which are kept for sale shall bear a label that reads: “This product has not been evaluated by the FDA.”

(b) The Commission may prohibit any licensee from selling any brand of marijuana items which in its judgment is deceptively labeled or branded as to content, or contains injurious or adulterated ingredients.

(c) The Commission must, by regulation, specify and require marijuana establishments to comply with labeling standards and container standards when selling or distributing marijuana, marijuana extracts, or marijuana products at a marijuana establishment. Furthermore, the Commission may require the delivery of educational materials to consumers who purchase marijuana products. Marijuana products’ labels and containers must include the following:

- (1) The length of time it typically takes for a product to take effect;
- (2) The amount of marijuana the product is considered the equivalent to;
- (3) Ingredients and possible allergens;
- (4) A nutritional fact panel;
- (5) Opaque, child resistant packaging, which must be designed or constructed to be significantly difficult for children under five years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. 1700.20 (1995);
- (6) Marijuana products must be clearly identifiable, when practicable, with a standard symbol indicating that it contains marijuana; and
- (7) The Commission shall define the amount of delta-9 tetrahydrocannabinol that constitutes a single serving in a marijuana product and the marijuana product must clearly indicate the number of servings in the container.

Source: PL 20-66 § 2(151) (Sept. 21, 2018), modified.

Commission Comment: The Commission inserted a comma after “age” and moved the period within the quotations following “PRODUCT” in (a) and struck “and” in (c)(5) pursuant to 1 CMC § 3806(g).