

SUMMARY OF PROPOSED CHANGES

REGULATIONS FOR CANNABIS MANUFACTURING

The California Department of Public Health (CDPH) published proposed regulations on July 13, 2018, the first step in the formal rulemaking process. The proposed rules are similar to the emergency regulations currently in effect, but contain some changes and clarifications made in response to questions and feedback from the public.

Summary of Changes in the Proposed Regulations

Product Classifications

Provides clarification about which products are classified as edibles and which are classified as concentrates. Specifies that orally-dissolving cannabis products (such as solid sublinguals, lozenges and mouth strips) are classified as edibles. Defines “tablets” as concentrates intended to be swallowed whole and that contain no added flavorings or sweeteners.

THC Limits

Allows orally-dissolving edibles intended for sale only in the medicinal market to contain up to 500 milligrams of THC per package, provided that these products contain no more than 10 mg THC per serving as required by statute and are marked “MEDICAL USE ONLY.”

Child-Resistant Packaging

Allows statutory requirements for child-resistant packaging to be fulfilled using exit packaging at retail, rather than individual product packaging.

Labeling of Flower

Clarifies and establishes basic labeling requirements for flower. Permits flower to be labeled with percentages of cannabinoid content, rather than milligrams.

Labeling of Trace Amounts of THC and CBD

Permits products with trace amounts of THC or CBD to be labeled “<2 mg.”

Labeling of Multi-Layered Product Packaging

Establishes labeling requirements for inner layers of packaging when the container of a cannabis product can be separated from the outer layer of packaging.

Shared-Use Facilities

Increases the maximum gross annual revenue under which a business can hold a Type S license from \$500,000 to \$1 million.

Labor Law Violations

Requires disclosure of violations of labor standards during the application process and if a violation occurs during the license period

Temporary Licenses

Clarifies that no new temporary licenses will be issued on or after January 1, 2019, and temporary licenses with expiration dates after December 31, 2019, will be valid until they expire.

To view the proposed regulations or learn more about the rulemaking process, visit www.cdph.ca.gov/mcsb/rulemaking.

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