



# Packaging and Labeling Guide

## For Adult-Use (Recreational) Cannabis Flower and Cannabis Products

April 2024



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## **PURPOSE**

This guide provides information about the packaging and labeling requirements for cannabis and cannabis products under the Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act (N.J.S.A. 24:6I-31 et seq.) (the “CREAMM Act”) and Title 17, Chapter 30 (the “Rules”).

All licensees and registrants are required to follow the packaging and labeling rules and to know and understand the rules as found in N.J.A.C. 17:30-16.2 through 17:30-16.6.

## **BACKGROUND**

The Rules sets out requirements pertaining to how cannabis and cannabis products must be packaged and labeled for sale and distribution. Cannabis products must be packaged to be child-resistant, and be labeled with the standard New Jersey State THC warning symbol and the mandatory health warning message. It must include specific product information (e.g. brand name of the cannabis product, class of cannabis, delta-9-tetrahydrocannabinol (THC) and cannabidiol (CBD) information, and license holder information).

These measures aim to reduce the risks of accidental consumption and overconsumption, and reduce the appeal of cannabis products to minors, while providing consumers with the information they need to make informed decisions about using cannabis.

## **SCOPE**

This guide applies to cannabis products currently authorized by the CREAMM Act and the Rules and that are sold or distributed by cannabis businesses licensed by the New Jersey Cannabis Regulatory Commission (the “Commission”).

**DISCLAIMER:** The purpose of this guidance is to clarify and explain the Commission’s understanding of the existing legal requirements under the governing law. This guidance does not impose any additional requirements that are not included in the law and does not establish additional rights for any person or entity.

For consistency and transparency, this guidance document will be updated as required to reflect changes when the governing law or the Commission’s regulations are amended. The updated guidance will be available at the Commission’s website

<https://www.nj.gov/cannabis/businesses/resources/>.

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## **RELEASE FOR DISTRIBUTION**

A cannabis cultivator or manufacturer shall place a legible, permanently affixed label containing the information herein and specified at N.J.A.C. 17:30-16.3 on each package of finished usable cannabis that is ready for sale.

A cannabis cultivator or manufacturer shall only release for distribution and transfer to another cannabis business unusable or usable cannabis that has been properly processed, tested, packaged, sealed, and labeled in accordance with the provisions at N.J.A.C. 17:30-16.2 and 16.3.

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# PACKAGING REQUIREMENTS

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## PACKAGING AREAS [N.J.A.C. 17:30-16.2]

A cannabis cultivator or cannabis manufacturer, as applicable, shall package unusable cannabis for the purposes of manufacturing cannabis items in packaging compliant with the requirements of this subchapter in a secure area connected to the cultivation or manufacturing area in accordance with this section before transfer to another cannabis business.

## SANITATION

- Unusable and usable cannabis and cannabis products shall be handled on food grade stainless steel tables.
- Proper sanitation shall be maintained.
- Proper rodent and bird exclusion practices shall be always employed.

## CONTAINERS

All packaging for cannabis items is required to be:

- fully enclosed
- opaque
- of a single color; and
- light resistant

Each package of unusable or usable cannabis and cannabis product shall be sealed in a closed container, so that the package cannot be opened, and the contents consumed, without the seal being broken. A container for the packaging of cannabis products, as used in this subsection, shall meet United States Pharmacopeia standards (see Containers under Preservation, Packaging, Storage, and Labeling in the General Notices and Requirements, Containers 661, and Containers—Permeation 671)

[http://www.pharmacopeia.cn/v29240/usp29nf24s0\\_uspgn68.html](http://www.pharmacopeia.cn/v29240/usp29nf24s0_uspgn68.html).

A container for the packaging of cannabis products, as used in this section, shall depend on the physical and chemical properties of the cannabis product; container–cannabis interaction is to be considered with substances such as phenolic compounds and sorptive materials (for example, polypeptides and proteins).

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## WEIGHT

### Cultivators

Manufacturing Purposes: There is no weight limit on the amount of unusable or usable cannabis that is sold to another cannabis cultivator or a cannabis manufacturer.

### Retailer Purposes

Where a cannabis cultivator packages usable cannabis flower for sale to a cannabis retailer, such packages may contain any increment up to and including one ounce or 28.35 grams.

## AUTHORIZED FORMS

A cannabis manufacturer shall only package authorized forms of cannabis products, and such packages may contain such amounts in accordance with N.J.A.C. 17:30-11.5.

## SERVING SIZE

### Manufacturer

Each package of finished cannabis or cannabis product, dependent on form shall contain:

Product Type	Active THC	Usable Cannabis
Inhalable		¼ ounce or less*
Ingestible	100 mg or less	
Cannabis	10 mg or less*	

\*or equivalent weight dependent on form;

Each single serving of a cannabis product shall have a cannabinoid concentration that is within 90% -110% of the specified milligram serving size claimed for that cannabis product.

Each single serving shall be demarcated in accordance with N.J.S.A. 24:6I-35.a(8)(g) and N.J.A.C. 17:30-10.5.

## LOGOS

Packaging may contain logos or symbols of a different color or colors.

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## CHILD RESISTANT PACKAGING

The term “child resistant” is defined in Poison Prevention Packaging Act of 1970, 16 CFR Part 1700 as packaging that is designed or constructed to be significantly difficult for children under five years of age to open and not difficult for adults to use properly. All usable cannabis for sale to a consumer, patient, or designated primary caregiver must be packaged in a container that is child resistant as set forth below:

- Be fully enclosed, opaque, of a single color, and light resistant;
- Be able to be resealed in a child-resistant manner unless the package contains a single serving cannabis item; and
- For ingestible products in liquid form with multiple serving units, the container must have a resealing cap or closure.

**It is the responsibility of the licensee to ensure that packaged usable cannabis products meet the child resistant packaging requirements.**

A package is deemed unusable if the seal is broken or the package is opened, except for quality control purposes.

Cannabis businesses shall make a good faith effort to utilize packaging that is biodegradable.

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## LABELING REQUIREMENTS

### GENERAL REQUIREMENTS

All containers must be properly labeled. This includes any container that holds usable cannabis as well as any container used to display a cannabis item for sale.

A label is any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, printed on, or appearing upon or adjacent to a package containing usable cannabis for purposes of branding, decorating, identifying, or giving any information with respect to the item or to the contents of the package.

If a package contains multiple labels or has some information printed directly on the container and the rest of the information on a sticker, all the information is considered part of one label.

**IMPORTANT! The container holding the item must be properly labeled no matter how small it is. Additionally, any outer container must also be properly labeled. The label information required on each label depends on the type of product and the size of the container.**



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## UNIVERSAL SYMBOL

Each package of usable cannabis and cannabis product shall bear a label that complies with N.J.A.C. 17:30-16.3 and shall be affixed with the universal symbol established by the Commission pursuant to N.J.A.C. 17:30-16.6. The standardized cannabis symbol must be displayed on the label of each and every package of flower and cannabis product and is used to inform and warn consumers that the cannabis product contains THC.

All cannabis products sold in the state of New Jersey must be marked, stamped, or otherwise imprinted prominently with the universal symbol – on each single serving of the product if practical, and all packaging.

Downloadable versions of the symbols below for both packaging and product can be found on the Commission’s website at: <https://www.nj.gov/cannabis/businesses/resources/>. The “Standards” document has guidelines for how the symbols are to appear.



# New Jersey Universal Symbol For Adult Use Cannabis



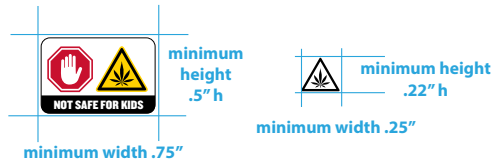
**PACKAGING & LABELING**



**PRODUCT IMPRINT**

## Minimum Size

Packing and Labeling: 0.75" x 0.5"  
Edible Marijuana Product: 0.25" x 0.25"



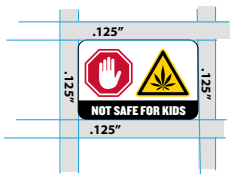
## Clear Space

The NJ Universal Symbol must always have a clear area surrounding it, free from any other element.

To define this area around the symbol, measure the height of the symbol and use a quarter of this measure to create the boundary of clear space.

**PACKAGING & LABELING:** .125"

**PRODUCT IMPRINT:** .0625"



## Background

The icons should be placed on a white or light-colored background. The interior of the icon must remain white as shown. If it must go on a dark background, use the correct symbol for dark backgrounds.

## Restrictions

- Do not re-create or modify the icons in any manner.
- Do not stretch or distort the icons.
- Do not use the icons smaller than the minimum size.
- Do not change the icon colors (Note: Coloring is not required for on-product markings.)
- Do not use the icons on a dark background.

## Required Colors

The Universal Symbol must be reproduced in full color as listed.



### RED:

CMYK: **C** 15% **M** 99% **Y** 93% **K** 5%  
HEX: #c8102e  
PANTONE: 185 C



### YELLOW:

CMYK: **C** 1% **M** 19% **Y** 99% **K** 0%  
HEX: #ffd100  
PANTONE: 109 C



### BLACK:

CMYK: **C** 75% **M** 68% **Y** 67% **K** 90%  
HEX: 000000  
PANTONE: BLACK

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## EXPIRATION DATES

The expiration date is the date after which a usable cannabis product shall not be sold. The expiration date shall be determined from the date the cannabis product is manufactured. After stability testing has commenced pursuant to N.J.A.C. 17:30-19.5, a cannabis manufacturer shall determine the expiration date based on stability testing information. The following are the maximum expiration dates for cannabis products that are packaged in airtight, light-resistant containers and stored at controlled room temperature, unless otherwise indicated.

- For water-containing formulations (prepared from ingredients in solid form), the expiration date shall not be later than 14 days for liquid preparations when stored at cold temperatures between two degrees and eight degrees Celsius (36 degrees and 46 degrees Fahrenheit); and
- For all other formulations and for usable cannabis, the expiration date shall not be later than six months from the manufacture or cultivation date.

## FALSE, MISLEADING, DECEPTIVE LABELING

A cannabis business is not authorized to sell cannabis in a package or with a label that contains any information that is false, misleading, or deceptive or that is likely to create an erroneous impression about the:

- Characteristics, value, quantity, composition, strength, concentration, potency, purity, quality, merit, safety, health effects or health risks of the cannabis; or
- Design, construction, performance, intended use, characteristics, value, composition, merit, safety, health effects or health risks of a cannabis accessory.

The packaging and labeling of cannabis items shall **NOT** contain any:

- Statement, illustration, or image that includes false, deceptive, or misleading statements or promotes over-consumption;
- Resemblance to a trademarked, characteristic, or product-specialized packaging of any commercially available candy, snack, baked good, or beverage;
- Statement, artwork, or design that could reasonably mislead any person to believe that the cannabis item or package contains anything other than cannabis items;
- Seal, flag, crest, coat of arms, or other insignia that could reasonably mislead any person to believe that the cannabis items or package have been endorsed, manufactured, or used by any state, county, or municipality, or any agency thereof;
- Statement, illustration, or image that depicts a child or other person under legal age consuming cannabis items; or
- Statement, illustration, image, cartoon, color scheme, graphic, or feature that might make the cannabis item or package attractive to children.

Examples of images or graphics that are prohibited include, but are not limited to, toys, games, candy, beverages, food products, characters, cartoon characters suggesting the presence of a person under the legal age to purchase cannabis items, or any other depiction designed in any manner to be especially appealing to persons under the legal age to purchase cannabis items.



## **CONSUMER AND PRODUCT INFORMATION**

Each package of usable cannabis and cannabis product shall be affixed with a compliant label by a cannabis cultivator or cannabis manufacturer, as applicable, before transfer to another cannabis business.

Direct printing on the package of, or labels affixed to, unusable cannabis packaged for the purposes of manufacturing shall include the following consumer safety and product information:

- The name, address, license number, telephone number of the cannabis cultivator, and cannabis manufacturer that produced the cannabis item, as applicable;
- Net weight and quantity of the unusable cannabis items contained in the package;
- Production or harvest date;
- Expiration date, consistent with the requirements at N.J.A.C. 17:30-11.8;
- A sequential serial number, batch or lot number, and bar code to identify the batch or lot associated with cultivation or manufacturing, which may be satisfied by use of Metrc tags;
- A list of any other inactive or excipient ingredients besides unusable and usable cannabis or cannabis concentrate used to manufacture a cannabis product or contained within the package;
- A list of all potential allergens contained within the cannabis product;
- Whether the cannabis item requires refrigeration;
- Serving size and the total number of servings contained in the finished cannabis item and

the cannabinoid and terpene profile, in milligrams and as a percentage, of the cannabis item and of a single serving size.

**Example: “The serving size of active THC in this product is X mg. This product contains X servings of cannabis, and the total amount of active THC in this product is X mg.”**

- The cannabinoid profile shall reflect for the consumer the total THC, total CBD, and total CBG in the finished cannabis item:
  - (1) Total THC = (THCA \* 0.877) + delta-9-THC;
  - (2) Total CBD = (CBDA \* 0.877) + CBD; and
  - (3) Total CBG = (CBGA \* 0.878) + CBG
- The strain/cultivar name, listed by scientific terms, if available, and generic or “slang” names; and
- For unusable and usable cannabis, the chemotype, growth method, an indication whether the cannabis was grown using all-organic materials, and a list of any allowable pesticides, fungicides, and herbicides used in cultivation pursuant to N.J.A.C. 17:30-10.9.

## CHEMOTYPES

Chemotypes shall be displayed as:

- "High THC, Low CBD", where the THC to CBD ratio is greater than 5:1 and the total THC percentage is 15 percent or greater; or
- "Moderate THC, Moderate CBD", where the THC to CBD ratio is between 5:1 and 1:5 and the total THC percentage is between five percent and 15 percent; or
- "Low THC, High CBD", where the THC to CBD ratio is less than 1:5 and the total THC percentage is less than or equal to five percent; or

Where unusable or usable cannabis does not conform to one of the three chemotypes, it shall be listed as the closest chemotype determined by mathematical analysis of the ratio of THC to CBD.

## GROWTH METHODS

- Type of growth methods must be noted:
  - Indoor; or
  - Outdoor; or
  - Soil-grown; or
  - Hydroponic; or
  - Aquaponic.

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## LABORATORY TESTING

A summary of the written report detailing the results of the laboratory testing, including, but not limited to:

- Potency of all major cannabinoids detected and listed in the written report;
- A list of major terpenoids detected and listed in the written report;

## SERVING SIZE

### Single Serving

Each single serving of a cannabis product contained in a multiple-serving package shall be marked, stamped or otherwise imprinted with the universal symbol issued by the Commission that indicates that the single serving is a cannabis product.

### Multiple Servings

Packaging for cannabis products sold or displayed for consumers in multiple servings shall include the following statement on the exterior of the package in a printed font that is **no smaller than (10) ten-point Times New Roman, Helvetica or Arial, including capitalization: "INCLUDES MULTIPLE SERVINGS."**

## CONSUMER WARNINGS

Labels affixed to finished cannabis items shall contain the following consumer warnings, as applicable, in no less than six-point font, unless otherwise noted:

- This product contains cannabis;
- This product is intended for use by adults 21 years of age or older and not for resale;
- Keep out of the reach of children;
- There may be health risks associated with the consumption of this product, including for women who are pregnant, breastfeeding, or planning on becoming pregnant;
- Do not drive a motor vehicle or operate heavy machinery while using this product and
- The nationwide toll-free telephone number used to access poison control centers that is maintained in accordance with 42 U.S.C. § 300d-71.

**Poison Control 1-800-222-1222**

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## High Potency Products

The following warning for any cannabis item that contains a total THC percentage greater than 40 percent shall appear complete:

- on the front of the package;
- printed in no less than 10-point font

**“This is a high potency product and may increase your risk for psychosis.”**

## Ingestibles

The following warning for ingestible products shall appear complete:

- on the front of the package;
- printed in no less than 10-point font

**“The intoxicating effects of this product may be delayed by two or more hours.”**

## Electronic Smoking Device

The following warning for electronic smoking devices shall appear complete:

- on the front of the package;
- printed in no less than 10-point font

**“This device has not been evaluated or approved by the Food and Drug Administration.”**

A label containing any statements about the product other than those specified herein shall contain the following statement prominently displayed, and in boldface type:

**“This statement has not been evaluated or approved by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.”**

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# TAX STAMP AND TRACKING

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Currently, Metrc tags meet all tax stamp and tracking requirements.

Every cannabis item shall contain a unique stamp or tag, as prescribed by the Commission, that, at a minimum:

- verifies the cannabis item was cultivated, manufactured, and sold by licensed cannabis businesses;
- tracks the batch(es) and lot(s) with which the cannabis item is associated; and
- allows the Commission to track compliance with sales tax, municipal transfer tax, and social equity excise fees.

The Commission shall utilize the unique stamp or tag to provide the license numbers where the cannabis item was cultivated, manufactured, and sold to consumers who purchase cannabis items. Cannabis businesses shall be responsible for paying any fees, as determined by the Commission, for the unique stamp or tag required by NJAC.17:30-16.4.

## REPORTING

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Any confirmed failure of a cannabis product to meet the standard of acceptable strength, quality, purity, packaging, and labeling shall be reported to the Commission within 24 hours of incident confirmation.

The cannabis business shall submit the label and any required form to the Commission for recordkeeping.

The Commission shall provide a copy of the label to authorized employees of State agencies or local law enforcement agencies, as necessary for these agencies to perform their official duties.

- If a wholesaler or a retailer receives a cannabis product that is not packaged or labeled in accordance with Subchapter 16 of the Commission's regulations, the wholesaler or retailer must notify the Commission and return the cannabis product to the licensee who transferred the cannabis item to the wholesaler or retailer. The wholesaler or retailer must document the return and the reason for the return in the tracking system;
- The sale or transfer of usable or unusable cannabis products that are not packaged and labeled in accordance with Subchapter 16 of the Commission's regulations may result in a notice of violation and corrective action pursuant to N.J.A.C. 17:30-20.4.



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## **EXCEPTIONS**

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Child-resistant packaging requirements shall not apply to any cannabis item obtained from a cannabis retailer or alternative treatment center for immediate, on-premises consumption at that retailer's or center's cannabis consumption area as permitted pursuant to section 28 of P.L.2019, c.153 (C.24:6I-21).

## **ADDITIONAL RESOURCES**

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Edibles Guidance: [nj.gov/cannabis/businesses/resources/](https://nj.gov/cannabis/businesses/resources/)