

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1219

By: Bullard

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6 AS INTRODUCED

7 An Act relating to medical marijuana; amending 63
8 O.S. 2021, Section 427.18, which relates to packaging
9 and labeling requirements; modifying requirements for
10 edible medical marijuana products; and providing an
11 effective date.

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

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

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

20 B. A medical marijuana dispensary shall return medical
21 marijuana and medical marijuana product that does not meet packaging
22 or labeling requirements in this section or rules promulgated
23 pursuant thereto to the entity who transferred it to the dispensary.
24 The medical marijuana dispensary shall document to whom the item was

1 returned, what was returned and the date of the return or dispose of
2 any usable marijuana that does not meet these requirements in
3 accordance with the Oklahoma Medical Marijuana and Patient
4 Protection Act.

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

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

13 3. Labels on a container shall not include any false or
14 misleading statements.

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

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

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

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

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

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

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

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

20 4. Any other information the Department deems necessary.

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

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