

PACKAGING & LABELING GUIDE

Version 1.0 - January 2024



MISSISSIPPI
MEDICAL
CANNABIS
PROGRAM



MISSISSIPPI
MEDICAL
CANNABIS
PROGRAM

BEFORE YOU GET STARTED

General Information

The following guidance is provided by the Mississippi Medical Cannabis Program to help licensed medical cannabis establishments better understand and follow state laws and regulations governing the labeling and packaging of medical cannabis products. All licensees are obligated to know, understand, and comply with the product packaging and labeling rules found in Section 15, Part 22, Subpart 6 of the Mississippi Administrative Code.

This document is not legal advice and should not replace a thorough reading of all applicable laws, regulations, and rules governing the Medical Cannabis Program. Rather, it is simply a tool intended to support awareness of the packaging and labeling requirements that apply to medical cannabis products dispensed in Mississippi.





PACKAGING & LABELING REQUIREMENTS FOR ALL ITEMS

All packages must contain complete and compliant labels. Labels can be printed directly on the package, securely affixed to the package or both. All label information must comply with the labeling rule requirements.

In order to ensure compliance with labeling rules and regulations, we recommend submitting packaging and/or labeling for approval through the following form. This form can also be found on our website, www.mmcp.ms.gov.

MMCP Packaging and Labeling Approval Form

When submitting a product, package and/or label for approval, it is important to understand the difference between packaging and labeling. A package is a physical structure that holds and protects the product. The label is all the text, graphics, pictures, and logos printed on or affixed to the package

Packaging is any container or wrapper that a medical cannabis establishment uses to enclose the medical cannabis or medical cannabis products. Any “package” or “packaging” cannot not include any carry-out bag or other similar container.



Labeling or a “label” is the display of written, printed or graphic matter on the immediate container of any product containing medical cannabis.

Labeling is the material affixed to a container or product, which has written or printed information or symbols about the product or item. Information printed directly on a container or article can also be considered labeling.





MISSISSIPPI
MEDICAL
CANNABIS
PROGRAM

A BREAKDOWN OF THE REQUIREMENTS

All usable medical cannabis that is retail-ready and/or in final form, is required to meet the following packaging, labeling, and container requirements.



Labels, packages, and containers should not be attractive to minors and cannot contain any content that appears to target or appeal to children.

Packages must contain a warning label that reads: “KEEP OUT OF REACH OF CHILDREN”.

Packages should be designed to minimize appeal to children and cannot depict images other than the business name and logo of the medical cannabis establishment.



“Appears to target or appeal to children” means a product or label that includes, but is not limited to:

- The use of toys and/or cartoons;
- Bubble-type or other cartoon-like font;
- A color scheme, image, graphic, theme or feature that would appear to be enticing or appealing to children.

The images below are basic examples of non-compliant cartoon images, fonts, graphics, and themes that should not be used for packaging and/or labeling.





MISSISSIPPI
MEDICAL
CANNABIS
PROGRAM



Packages and labels cannot contain product names related to candy or candies or any spellings thereof (e.g., kandy, kandies, etc.). Packages and labels also cannot contain or feature images that look like candy.

All products should be packaged or labeled in a manner to **NOT** intentionally or knowingly cause a patient to be confused as to whether the medical cannabis or medical cannabis product is a trademarked product or any commercially available candy, snack, baked good or beverage.



These examples are images of products with packaging and/or labeling that are not compliant and would cause reasonable confusion to a consumer due to the relation to trademarked products or commercially available products.



MISSISSIPPI
MEDICAL
CANNABIS
PROGRAM



Product packaging and labeling cannot indicate claims or statements that the medical cannabis or medical cannabis products provide health or physical benefits to the patient.

Below are a few, but not limited to all, claims or statements that should not be used on product packaging and/or labeling.

Antifungal properties • Antibacterial properties
Heartburn and gastric reflux relief • Stress relief
Anti-inflammation • Antioxidant properties
Mood-boosting properties • Inhibition of tumor growth



Product packaging and labeling cannot contain the logo of the Department or any seal, flag, crest, coat of arms, or other insignia that would mislead any person to believe the product has been endorsed, manufactured, or used by any state, county, or municipality or agency.



Cannabis products containing over 30% THC must be labeled as 'Extremely Potent'.



PACKAGING

Opaque Packaging

All product packaging must be completely opaque. This means the product contained within the packaging cannot be seen from the outside of the package.

Child Resistant Packaging

Child Resistant Packaging is packaging that is designed or constructed in a way to be significantly difficult for children under five years of age to open, and not be too difficult for normal adults to use properly.

The packaging must be resealable to maintain its child-resistant effectiveness for multiple openings by the patient. The standard for child-resistant packaging is set by the Consumer Product Safety Commission (CPSC). To know if your packaging meets the child resistant requirements, you can request a child resistant certificate from the manufacturer.

There are two forms of child-resistant packaging: (1) **single-use**; and (2) **re-sealable, continually child resistant**.

Single-use child-resistant packages meet the child-resistance standard for a single use and are child resistant until opened.



This is an example of a standard Mylar bag for single-use. The package is no longer child-resistant once it has been opened.



Re-sealable, continually child-resistant packages may contain multiple servings and are capable of being resealed after being opened and maintains child-resistant effectiveness throughout the life of the product.



A Mylar multi-use child-resistant bag is an example of re-sealable, continually child-resistant packaging. It has the capability of being re-sealed and remains child-resistant for the duration of the life of the product.



This type of vial is an example of a re-sealable and continually, child resistant package. It remains child resistant packaging for the life of the product.



PACKAGE REQUIREMENT BASED ON PRODUCT TYPE OF MEDICAL CANNABIS



All edible products must be packaged in a resealable package or container that meets the effectiveness specifications outlined in 16 CFR 1700.15, to the extent that such laws, rules, regulations do not conflict with the Mississippi Medical Cannabis Act, if the product contains more than one serving.

LABELING

The following chart provides the information that must be contained on all labeling of usable medical cannabis or medical cannabis products as specified in product packaging and labeling rules found in Section 15, Part 22, Subpart 6 of the Mississippi Administrative Code.

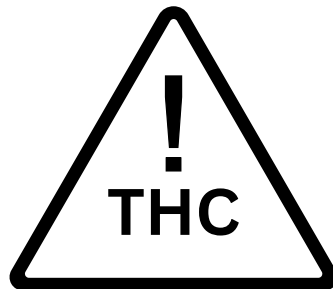
| Label Must Contain: |
|--|
| Name of Product |
| Batch Number/Name <i>This will be the harvest batch name for bud/flower shake/trim and/or production batch name for other items.</i> |
| Unique Identifier <i>The METRC tag number of the package being manifested to dispensaries.</i> |
| Net Quantity or Weight of Contents <i>This is required to be in the bottom 1/3rd of the display panel.</i> |
| Length of Time to Take Effect <i>The amount of time it typically takes for the product to take effect should be indicated on the package and/or label.</i> |
| Disclosure of Ingredients and Possible Allergens |
| Nutrition Panel (ingested products) |
| Amount THC and CBD <i>This information is obtained and verified by the test results/COA.</i> |
| Terpenoid Profile (if applicable) |
| Notice of Potential Harm Caused by Consuming Cannabis |
| The Mississippi Standard THC symbol |



Labeling Requirements for Edible Products

Labeling for all edible products must include the following information:

1. Serving size and total servings per container.
2. Statement advising the products potency was tested with an allowable variance +/- 10%.
3. A nutritional fact panel in the current format.
4. The Mississippi Standard symbol indicating the product contains cannabis.

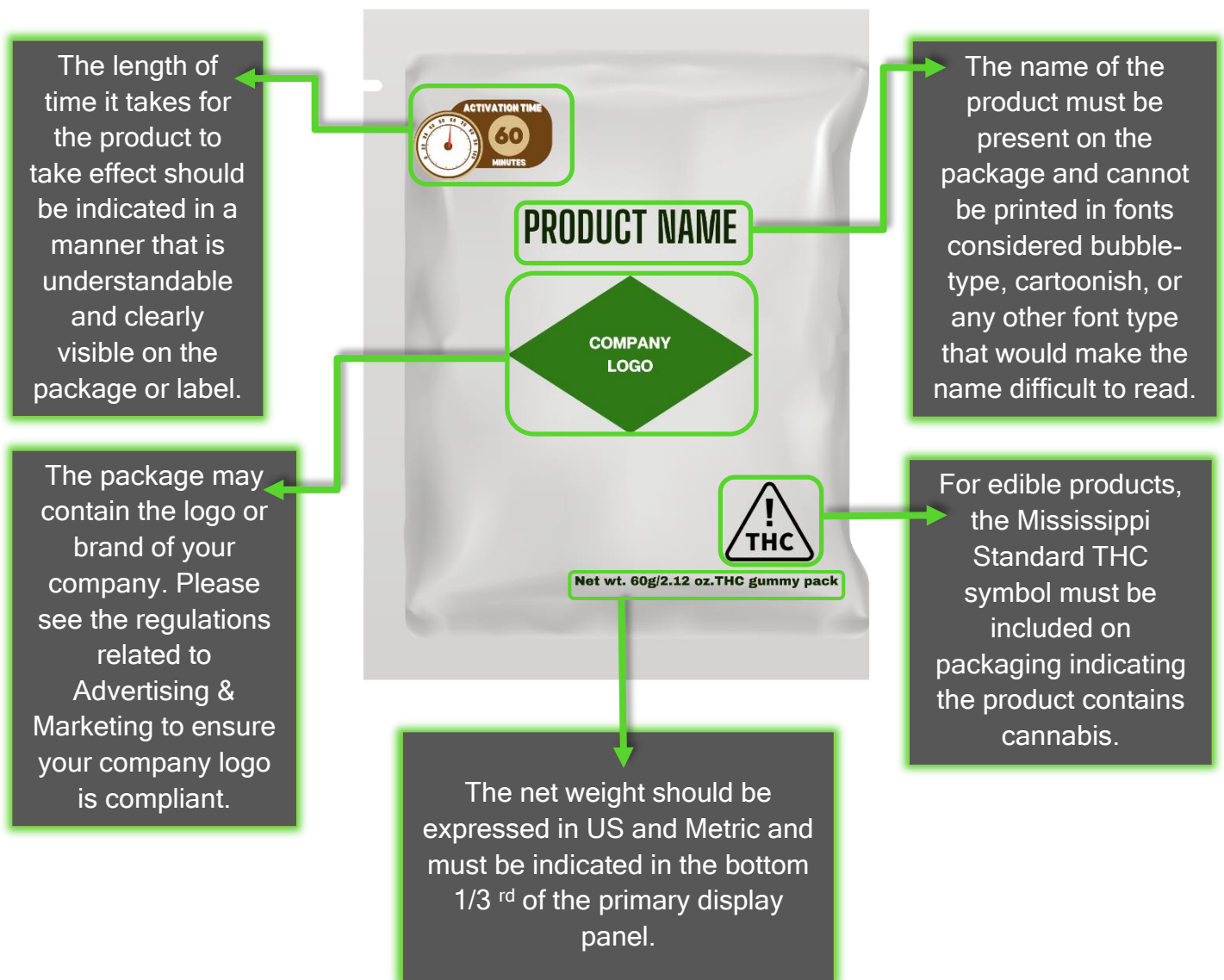


MSDH Food Manufacturing Regulations require conformity with the requirements of the Fair Packaging and Labeling Act. 15 USC Ch. 39 and some referenced sections of the 21CFRSubpartB. These requirements are listed below:

1. Common and usual name of the food.
2. Net weight expressed in US and Metric, indicated in the bottom 1/3rd of primary display panel.
3. Listing ingredients (including sub ingredients) in descending order of predominance by weight.
4. Facility name, street address, city, state, zip code.



The image below shows the front of a generic packaging and labeling example for edibles and includes the required information referenced on the previous pages.





This is a sample of the back of a package containing infused edible gummies. This is a generic example of packaging and labeling created to show an option for formatting the required information as referenced above.

**We have provided a more in-depth break down of each section contained on the back of this package below.*





A Nutrition Facts panel is required for products that are meant to be ingested. To ensure the formatting of your facility's nutrition fact panel is compliant, we have provided this link → [Nutrition Facts Label | FDA](#) to the FDA's website.

Through the link you will find additional nutrition facts panel formatting options for your packaging and labeling. When applicable, the nutrition facts panel will need to include the number of servings per container and the serving size.

Ingredients used in making the product must be disclosed on the packaging. As you can see, the ingredients provided for this sample are those that may potentially be used in making infused edible gummies.

Possible allergens must also be disclosed.

NUTRITION FACTS

10 Servings Per Container

Serving Size 1pc (6g)

Amount Per Serving

Calories 25

% Daily Value *

| | |
|------------------------|-----|
| Total Fat 0g | 0% |
| Saturated Fat 0g | 0% |
| Trans Fat 0g | 0% |
| Cholesterol 0mg | 0% |
| Sodium 0mg | 0% |
| Total Carbohydrates 6g | 2% |
| Dietary Fiber 0g | 0% |
| Total Sugars 6g | 0% |
| Added Sugars 6g | 13% |
| Protein 0g | |
| Vitamin D 0mg | 0% |
| Calcium 0mg | 0% |
| Iron 0.0 mg | 0% |
| Potassium 0mg | 0% |

*The % Daily Value (DV) tells you how much a nutrient in a serving of food contribute to a daily diet, 2,000 calories, a day is used for general nutrition advice.

Ingredients:

Corn Syrup, Sugar, Water, Gelatin, Citric Acid, Natural and Artificial Flavors, Coconut Oil, and THC Oil.

This product may contain:

Milk, Egg, Soy, Peanuts, Sulphates, Red Dye #40



*The potency of this product was tested with an allowable variance +/- 10%

The product packaging and/or labeling is required to include a statement that the products potency was tested with an allowable variance +/- 10%.



**THIS PRODUCT IS
EXTREMELY POTENT**

All products containing over 30% THC **MUST** have a warning on the package and/or label advising the product is "Extremely Potent".



All labels must include the product name in manner that makes it clear as to what type of product is contained in the package.

Example:
(Sour Cherry Gummies 100mg THC pack)

As required in the Fair Packaging and Labeling Act 15 USC Ch. 39 and 21CFRSubpartB, the facility's name, license number, and address must be provided on the product label.

The license number listed should match the licensee who produced the item, has the COA and is responsible for recall issues.”

CUSTOM STRAIN OR PRODUCT NAME

PACKING DATE: 01/01/24

BEST BY DATE: 01/2025

Batch No. MC Kush - 10.01.2023

UIN/Product No. ABCDEF012345670000012345

Packaged by:

Licensee Name (License No.)

123 Anywhere St. Somewhere, MS 12345

THC: 9.13mg per serving

CBD: 0.0mg

Terpenes: 0.05mg

The amounts of THC, CBD, and Terpenes profile should accurately reflect the information provided on the COA (Certificate of Analysis) provided by the testing facility from the product's testing results when tested in final form.

*Terpene profiles should be indicated on the product labeling when applicable.



Batch Number

A Batch No. is required on all product labels for packages containing cannabis. The batch number that is used will depend on the product type.

- The Harvest Batch No. will be used on the label for all bud/flower or shake/trim packages.
- The Production Batch No. will be used for all other product types,

CUSTOM STRAIN OR PRODUCT NAME
PACKING DATE: 01/01/24
BEST BY DATE: 01/2025

Batch No. MC Kush - 10.01.2023
UIN/Product No. ABCDEF012345670000012345

Packaged by:
Licensee Name (License No.)
123 Anywhere St. Somewhere, MS 12345

THC: 9.13mg per serving
CBD: 0.0mg
Terpenes: 0.05mg

Unique Identification Number

The unique identification number or UID, is required on all package labels containing cannabis. The UID that should be used on the label, regardless of the product type, will be the Metrc tag number of the package being manifested to dispensaries.



The labeling for each package must have specific warnings indicated. While some warnings may only apply to specific product types/categories, the two main required warnings for all products are:

- “KEEP OUT OF REACH OF CHILDREN”; and,
- Notice of the potential harm caused by consuming cannabis.

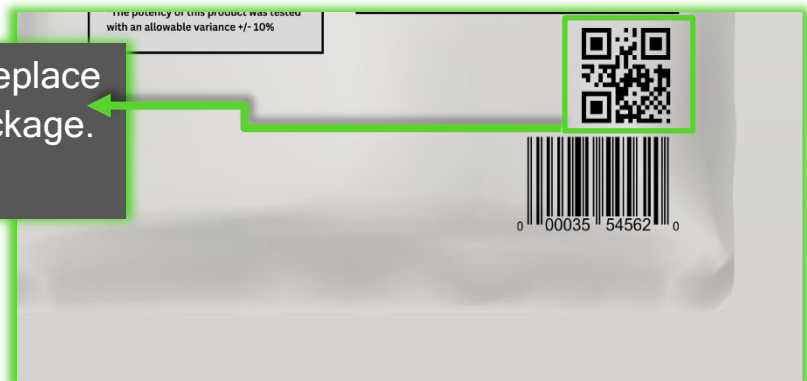
WARNING

KEEP OUT OF REACH OF CHILDREN. THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE CONSUMPTION OF THIS PRODUCT.

For topicals and suppositories, an additional warning must be included on the label based on the specific type of product.

- All topical labels are required to include the statement, “FOR TOPICAL APPLICATION - DO NOT EAT OR SMOKE”.
- All labels for suppositories, which are a sub-category of topicals, are required to include the statement, “FOR RECTAL/VAGINAL APPLICATION - DO NOT EAT OR SMOKE”.

The use of a QR code does not replace the label requirements on the package.





MISSISSIPPI
MEDICAL
CANNABIS
PROGRAM

Contact Information for Questions

For questions reach out to the Compliance Officer for your facility or call our office 601-206-1540.

Please reach out to the MSDH Food Manufacturing Team at mfgfoods@msdh.ms.gov or 601-213-7463 for MS Food Manufacturing packaging and labeling questions.