

CANNABIS PACKAGING AND LABELING REGULATIONS

CANNABIS PACKAGING AND LABELING REGULATIONS²

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Citation

1. This Regulation may be cited as the Cannabis Packing and Labeling Regulations.

Interpretation

2. In this Regulation –

“**Act**” means the Cannabis & Industrial Hemp Act, No. [] of 2024;

“**allergen**” means any protein from any of the following foods, or any modified protein, including any protein fraction, that is derived from peanuts, eggs, milk, soybeans, wheat or triticale, sesame seeds, mustard seeds, crustaceans, molluscs, fish or nuts including almonds, Brazil nuts, cashews, hazelnuts, macadamia nuts, pecans, pine nuts, pistachios or walnuts;

“**batch**” or “**lot**” means a specific quantity of homogenous cannabis or cannabis product.

“**batch or lot number**” means an alphanumeric code or designation used for reference to a specific batch or lot;

“**bulk cannabis**” means raw cannabis flower or other part of the plant in excess of 30 grams sold by a licenced cultivator to the holder of a Central Trading Entity License.

“**cannabis accessory**” has the same meaning as in the Cannabis & Industrial Hemp Act, No. [] of 2024;

“**cannabis goods**” means cannabis, cannabis products and cannabis accessories that contains cannabis;

“**cannabis product**” has the same meaning as in the Cannabis & Industrial Hemp Act, No. [] of 2024;

“**cannabis**” has the same meaning as in the Cannabis & Industrial Hemp Act, No. [] of 2024;

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“certificate of recognition” means a holder of a Certificate of Recognition of a Central Trading Licence as established under the Act.

“child-resistant” means a package or container that is constructed in such a way that it reduces the chances of being easily opened by a child;

“Class Two Cannabis” means medical cannabis prescribed in the Cannabis & Industrial Hemp Act, No. [] of 2024;

“durable life date” means the date until which the unopened food product retains its freshness and quality. It is not an indicator of food safety;

“edible cannabis” means a cannabis product intended to be used orally, in whole or in part, for human consumption. For purposes of these Regulations, "edible cannabis " includes tinctures and cannabis products that dissolve or disintegrate in the mouth.

“expiry date” means the date, expressed at minimum as a year and month, that is the end of the stability period of a cannabis product.

“industrial hemp” means a plant or part of a plant of the genus cannabis, whether growing or not growing, with —

(a) a delta-9 tetrahydrocannabinol concentration not exceeding 0.3 per cent on a dry-weight basis, per volume or weight of a cannabis product; or

(b) a combined per cent of delta-9 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus cannabis, regardless of moisture content;

and not intended for human consumption.

“manufactured cannabis product” means cannabis or cannabis products that are processed by a holder of manufacturing licence that is intended to be sold or distributed;

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“Minister” means minister with responsibility for commerce.

“packaging” or **“package”** means anything that any food, drug, cosmetic or device is wholly or partly contained, placed or packed;

“person” has the same meaning as in the Cannabis & Industrial Hemp Act, No. [] of 2024;

“potential to convert CBDA into CBD” means the maximum amount of CBD that would be attained if CBDA was converted into CBD without any further degradation of CBD.

“potential to convert THCA into THC” means the maximum amount of THC that would be attained if THCA was converted into THC without any further degradation of THC.

“pre-processed cannabis” means raw cannabis flower or other part of the cannabis plant which has not gone through processing or manufacturing save and except segmenting or breaking into separate batches or lots.

“pre-roll” means any combination of the following wrapped in rolling paper: flower, shake, leaf, or kief that is obtained from accumulation in containers or sifted from loose, dry cannabis with or without a mesh screen or sieve.

“recognized laboratory” means a laboratory that is recognized by the Minister of Health for cannabis testing as outlined in the Act.

“recall” means any action to correct or remove a cannabis or cannabis product from sale and distribution, and includes –

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- (a) the act of contacting persons within the cannabis supply chain in order to send the cannabis product back if a non-conformance is found with a requirement set out in the Cannabis Regulations;
- (b) notifying the public of a problem or potential problem with the cannabis or cannabis product;

“Regulated Substances Authority” means the Regulated Substances Authority established under the Regulated Substances Act, No. [26] of 2023

“THC” has the same meaning as in the Cannabis & Industrial Hemp Act, No. [] of 2024;

“THCA” has the same meaning as in the Cannabis & Industrial Hemp Act, No. [] of 2024;

Application

- 3. These Regulations apply to the packaging and labeling of cannabis and cannabis products cultivated or manufactured in Saint Lucia that is intended for human consumption.

Non-application

- 4. These Regulations do not apply to industrial hemp or holders of industrial hemp licences.

PART 1

PACKAGING OF CANNABIS AND CANNABIS PRODUCTS

General packaging requirements

- 5. –(1) A holder of a cannabis licence or Central Trading Entity License shall not sell or distribute a cannabis goods unless the applicable requirements as prescribed in this regulation have been met.

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- (2) Failure to meet the requirements for packaging set out in these Regulations is a Class B Offence.
- (3) A package that is used to contain a cannabis good, other than a cannabis plant or cannabis plant seed shall comply with the following requirements –
 - (b) be opaque or translucent;
 - (c) shall prevent the contamination of the cannabis and shall not expose the product to any toxic or harmful substances;
 - (d) keep the cannabis dry, in the case of dried cannabis, or a cannabis accessory that contains dried cannabis;
 - (e) have a security feature that is tamper-evident and provides reasonable assurance to the consumer that it has not been opened prior to receipt;
 - (f) must not be capable of emitting a scent;
 - (g) be child-resistant as prescribed in section 6, but senior citizen friendly; and
 - (h) must not contain more than the equivalent of 30 g of dried cannabis or the prescribed Class One Medicinal Cannabis Limit as determined in accordance with the Act for Class One Medicinal Cannabis, or in the case of Class Two Medicinal Cannabis, more than the prescribed amount
- (2) The container or packaging of a cannabis plant seed –
 - (a) is not required to be in child-resistant packaging prior to sale or distribution;
 - (b) must keep the cannabis plant seeds dry;

Child-resistant packaging requirements

- 6. –(1) Pursuant to section 5, of these Regulations child-resistant packaging shall –

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- (a) be child-resistant for the life of the product in the case of edible cannabis products.
 - (b) notwithstanding, subsection (a) package that contains more than a single serving is not required to be child-resistant if each individual serving is packaged in child-resistant packaging.
 - (c) cannabis goods that are intended to be inhaled or applied topically may employ packaging that is only child-resistant until first opened, if the package is labeled with the statement: “This package is not child-resistant after opening.”
- (2) A package is considered child-resistant if –
- (a) the product contains a single serving, and –
 - (i) sealed in a bottle with a pry-off, metal crown or cork-style bottle cap bottle;
 - (ii) the package contains a cannabis product as described in subsection (1)(b) and is at least 0.1 mm thick and heat-sealed without an easy-open tab, dimple, corner, or flap, or
 - (b) the package adheres to the requirements of one of the following standards, namely,
 - (i) the *Code of Federal Regulations* (United States), Title 16, Section 1700.15, entitled *Poison prevention packaging standards*;
 - (ii) the Canadian Standards Association Standard CAN/CSA-Z76.1-M90, entitled *Recloseable Child-Resistant Packages*, published January 1990;
 - (iii) the European Standard EN 28317:1992, entitled *Child-resistant packaging — Requirements and testing procedures for recloseable packages*, as adopted by the European Committee for Standardization on October 30, 1992, recognized by the British Standards Institution, and effective February 15, 1993 and by the Association française de normalisation, and

effective December 20, 1992, and which reiterates fully the international standard ISO 8317:1989;

PART 2

LABELING OF CANNABIS AND CANNABIS PRODUCTS

General labeling provisions

7. –(1) All cannabis goods that are being sold or distributed shall contain a label that is applied to the container in which the cannabis good is packaged as prescribed in these Regulations.
- (2) A label shall be visible, unobstructed and conspicuous with the intent that it is readily discernible under the customary conditions of purchase and use.
- (3) All specified label information shall be located on the outside of a finished cannabis good container.
- (4) The label must be applied in a manner that it cannot be easily removed from the immediate container.

Labeling of bulk cannabis

8. (1) The label for a package of bulk cannabis shall be in printed format in a type size no smaller than 6 point and include the following information:
 - (a) the contact information and address of the cultivator or entity which packaged or from which the cannabis is obtained;
 - (b) the class of cannabis, as prescribed in Schedule 1;
 - (c) lot number and if applicable batch number of the cannabis;
 - (d) date harvested;
 - (e) date of packaging for sale;

- (f) the net weight of the cannabis in the package;
- (g) the standardized cannabis symbol prescribed in Schedule 2;

the following statement in bold print – “GOVERNMENT WARNING: THIS PACKAGE CONTAINS MEDICAL CANNABIS, A CLASS A CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN . ONLY PERSONS WITH A CANNABIS LICENCE AS SPECIFIED IN THE CANNABIS & INDUSTRIAL HEMP ACT OF SAINT LUCIA IS ALLOWED TO POSSESS THIS PACKAGE. PLEASE USE WITH EXTREME CAUTION”

(2)

Labeling of cannabis for export

9. A holder of a licence which allows for the export of cannabis goods must not export cannabis unless it meets the requirements prescribed in section 8, the Regulations specific to Export and any other relevant Regulations.

Requirements for labeling of pre-processed cannabis and cannabis products

10. –(1) The label for a pre-processed cannabis and manufactured cannabis product shall include an informational panel which shall be in printed format in a type size no smaller than 6 point and include the following information:
 - (a) the contact information of the following –
 - (i) in the case of cannabis plant, parts thereof or cannabis plant seed, the holder of a cultivation licence that cultivated the cannabis plant or cannabis plant seed, or;
 - (ii) in the case of any other cannabis product, the holder of the manufacturing licence that manufactured the product;

- (b) the class of cannabis as prescribed in Schedule 1;
- (c) the classification or type of the cannabis good in terms of its common name or in terms of its function;
- (d) the intended use and instructions, if applicable, such as the method of consumption or application, and any preparation necessary prior to use;
- (e) with regard to the cannabis product –
 - (i) the brand name;
 - (ii) the batch or lot number, preceded by one of the following designations –
 - (a) “Lot number”;
 - (b) “Lot no.”;
 - (c) “Lot”;
 - (d) “(L)”;
 - (iii) the recommended storage conditions;
 - (iv) the packaging date, and;
 - (v) the expiry date as prescribed in section 10;
- (f) the following warning “GOVERNMENT WARNING: THIS PRODUCT CONTAINS CANNABIS, A CLASS A CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN. CANNABIS PRODUCTS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. THE INTOXICATING EFFECTS OF CANNABIS PRODUCTS MAY BE DELAYED UP TO TWO HOURS. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS PRODUCTS IMPAIRS

YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE WITH EXTREME CAUTION”;

- (g) the standardized cannabis symbol, as prescribed in Schedule 2, shall be affixed to the container of a cannabis good;
- (h) the cannabinoid content after issuance of a regulatory compliance testing Certificate of Analysis for the batch as prescribed in Cannabis Testing and Laboratory Regulations;
- (i) the number of units;
- (j) the net weight or net volume, in grams or milliliters, respectively and –
 - (i) the net weight or volume in each unit, if applicable;
- (k) a list of all product ingredients in descending order of predominance by weight or volume –
 - (i) for an edible cannabis product –
 - (a) include the amount, in grams or milligrams of sodium, sugar, carbohydrates and total fats per serving, in the case of edible cannabis products, and;
 - (b) shall include the words “cannabis-infused” or “cannabis infused” immediately above the class of the product in bold type and a text larger than the text size used for the class of the product.
 - (ii) for a topical cannabis product the word “parfum” or “aroma”, may be inserted at the end of the list of ingredients to indicate that an ingredient has been added to the cannabis topical to produce a fragrance or flavour.
- (l) if any product ingredient contains sub ingredients, the list shall –

- (i) include, in parentheses, the common name of the ingredient followed by a supplementary listing, of all ingredients in descending order by weight or volume, or
 - (ii) list of all sub ingredients as individual ingredients in descending order of predominance, except in the case of (iii);
 - (iii) list the names of any artificial colorings contained in the product;
 - (iv) the name of any food allergen that is present, shall be listed separately with the word “contains” followed by a list of applicable major food allergens including flavoring, coloring or an incidental additives that bears or contains a major food allergen.
- (2) In the case of pre processed cannabis, the label for a package of pre-processed cannabis may provide one of the following provisions instead or in addition to the provisions of Section 10 (1) (f) in print format in a type size no smaller than 6 point:
- (a) CANNABIS PRODUCTS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT.
 - (b) THE INTOXICATING EFFECTS OF CANNABIS PRODUCTS MAY BE DELAYED UP TO TWO HOURS.
 - (c) CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL.

(d) CONSUMPTION OF CANNABIS PRODUCTS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY.

(3) In the case of dispensing of Class Two Medicinal Cannabis all relevant restrictions and parameters set out in the relevant legislation shall apply, as well as the statements

–

(a) “FOR MEDICAL USE ONLY” if the package is a Class Two Cannabis product;

(b) “ONLY TO BE USED AS LICENSED MEDICAL PRACTITIONER REGISTERED UNDER THE CANNABIS & INDUSTRIAL HEMP ACT”

(4) In the case of dispensing of Cannabis by a veterinary surgeon for use by an animal all relevant restrictions and parameters set out in the relevant legislation shall apply, as well as the notice-

“ONLY TO BE USED AS DIRECTED BY A LICENSED VETERINARY SURGEON”

Brand name

11. The brand name, specified in section 11(1)(e)(i) must meet the following requirements –

(a) it must be in a type size that is smaller than or equal to the type size used for the government warning message;

(b) it must be displayed only once, or if the immediate container holding the cannabis good is separable from the outermost packaging, such as a container placed inside of a box, the immediate container and box may both include the brand name.

Expiry date

12. –(1) The label of a cannabis good, other than edible cannabis must not include an expiry date unless the holder of the licence for manufacturing has data that establishes the stability

period of the cannabis product after being packaged and stored under its recommended storage conditions, and –

(a) in the case of dried cannabis, fresh cannabis, cannabis extracts or cannabis topicals

–

(i) the expiry date must coincide with the stability period for which the cannabis maintains not less than 80% and not more than 120% of its THC content and CBD content, and;

(ii) the microbial and chemical contaminants it contains or has on it remain within the limits as prescribed in the Limits for Residues and Contaminants for Cannabis Regulations.

(2) In the case of edible cannabis, the durable life date must be shown on the label of the container in which the edible cannabis is packaged, if the edible cannabis has a durable life of 90 days or less.

(3) The holder of a manufacturing licence must –

(a) include a statement that no expiry date has been determined, if the expiry date has not been established, as prescribed in subsection (1).

Standardized cannabis symbol

13. –(1)The standardized cannabis symbol, under Schedule 2 must –

(a) be obtained from the RSA in the form of an electronic file;

(b) appear on the upper left 25% of the label;

(c) meet the following requirements –

(i) be at least 1.27 cm by 1.27 cm in size –

- (a) in the case of a cannabis vape cartridge or integrated cannabis vaporizer,
 - shall bear the standardized symbol in a size no smaller than 0.06 cm by 0.06 cm in dimension that is engraved, printed or affixed with a sticker
 - (ii) be displayed with a white board of at least 2 points on all sides, and;
 - (iii) must not be altered or cropped in any way other than to adjust the sizing for placement and –
 - (a) be proportional in dimensions if a change is made to the size of the symbol.
- (2) Any illustration, such as a sign, mark, symbol, representation or design, that closely resembles the standardize cannabis symbol, must not appear on any container or packaging in which a cannabis product is contained so that it is not mistaken for the standardized cannabis symbol.

Cannabinoid content

- 14.** –(1) All packages containing manufactured cannabis goods for sale or distribution shall be labeled with the cannabinoid content consistent with the results of a regulatory compliance testing Certificate of Analysis for the batch as prescribed in Cannabis Testing and Laboratory Regulations and these Regulations.
- (2) Cannabinoid content label shall –
- (a) include the following information –
 - (i) the quantity of THC, in each unit, preceded by “THC per unit”;
 - (ii) the quantity of THC, that each unit could yield, taking into account the potential to convert THCA into THC, preceded by “Total THC per unit”;
 - (iii) the quantity of CBD, in each unit, preceded by “CBD per unit”;

- (iv) the quantity of CBD, that each unit could yield, taking into account the potential to convert CBDA into CBD, preceded by “Total CBD per unit”;
 - (v) the quantity of any other cannabinoid if greater than 0.99 Total THC or Total CBD, preceded by “Total x per unit” where x is the other cannabinoid.
- (3) The information in subsection (2) shall be presented, in the case of –
 - (i) dried or fresh cannabis, in grams per serving and grams per package;
 - (ii) edible cannabis, in milligrams per serving and milligrams per package;
 - (iii) topical cannabis, in milligrams per package;
 - (iv) topical extract, in in milligrams per package;
 - (v) cannabis good is not expressed in discrete units, it may be expressed in milligrams per grams per package;
- (4) Packages of infused pre-rolls shall be labeled with either –
 - (a) the cannabinoid content in milligrams, or;
 - (b) the cannabinoid content of the dried flower expressed as a percentage and the added cannabinoid content in milligrams;
- (5) Nothing in this section precludes the labeling of terpenes or additional cannabinoid content on the cannabis goods, provided that the information is verified by the Certificate of Analysis.

Maximum quantity of THC on label for Class One Cannabis

- 15.** –(1) Pursuant to the Act, the maximum quantity of THC that is permitted for packaged Class One cannabis goods that are intended for ingestion or nasal, rectal or vaginal use must not exceed the amount prescribed by the Minister.

Small container

- 16.** –(1) In the case of a cannabis good with an immediate container that is too small for all the required information to be displayed on its label as prescribed in these Regulations –
- (a) a label that extends beyond the exterior display surface, or;
 - (b) a peel-back label, or;
 - (c) an accordion label may be applied to the container.

Labeling restrictions

- 17.** A cannabis goods label shall not contain any of the following –
- (a) the same or similar registered trademark of Saint Lucia, unless consent is given by whom consent is to be given in writing for use of the name in whole or in part;
 - (b) content that is designed to be attractive to individuals under the age of 21, as specified in the Act;
 - (c) any health-related statements that are misleading or untrue. Any health-related statement must be substantiated by well-designed studies, conducted in a manner which is consistent with generally recognized scientific procedures and principles.
 - (d) any statement or indication that the cannabis product is associated with an alcoholic beverage as prescribed in the Advertising and Marketing Regulations [];
 - (e) any statement or indication that the cannabis product is associated with a tobacco product prohibited or restricted by the Advertising and Marketing Regulations []

Releasing of finished cannabis products

- 18.** Cannabis Class One products shall not be sold or transferred to a licensed dispensary unless the cannabis goods are in their final form and packaged and labeled for sale.

Cannabis levy stamp

19. Where required under the Cannabis Levy Regulations, all finished cannabis shall bare the cannabis levy stamp.

Retention of documentation and information

20. The holder of a manufacturing licence must retain the documents, if an expiry date is included on a package as prescribed in section 11.

Misbranded cannabis products

21. –(1) A cannabis good shall be deemed misbranded if its labeling contains –
- (a) false or misleading information;
 - (b) any of the restrictions listed in section 17
- (2) A cannabis good shall be deemed misbranded if its labeling does not contain the required applicable information prescribed in these Regulations.

22. Offenses

Failure to meet the requirements for packaging set out in these Regulations is a Class B Offence.

Schedule 1

Table 1: Classes of Cannabis

Item	Class of Cannabis
1	dried cannabis
2	fresh cannabis
3	cannabis plants
4	cannabis plant seeds
5	edible cannabis
6	cannabis extracts
7	cannabis topicals

Schedule 2



Figure 1: Standardized Cannabis Symbol

*Note – if the above symbol is approved by the RSA, it should be made available in png and jpg format in high resolution.