

1 HOUSE BILL 157

2 **56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

3 INTRODUCED BY

4 Andrea Reeb and William "Bill" R. Rehm and Gail Armstrong and
5 Mark Duncan
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10 AN ACT

11 RELATING TO CANNABIS PRODUCT SAFETY; CLARIFYING CANNABIS
12 PACKAGING REQUIREMENTS PERTAINING TO CHILDREN'S SAFETY.
13

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. Section 26-2C-17 NMSA 1978 (being Laws 2021
16 (1st S.S.), Chapter 4, Section 17) is amended to read:

17 "26-2C-17. CANNABIS PRODUCTS--PACKAGING AND
18 LABELING--DIVISION RULEMAKING.--

19 A. Cannabis or cannabis extract included in a
20 cannabis product that is manufactured in compliance with
21 applicable law is not considered to be an adulterant under
22 state law.

23 B. The division shall promulgate rules consistent
24 with industry standards for cannabis products that establish
25 labeling and packaging requirements, including that:

.223217.3

underscoring material = new
~~[bracketed material] = delete~~

1 (1) packages shall be opaque, resealable,
2 child-resistant, compostable and recyclable or made from
3 recycled materials;

4 (2) packages and labels shall not be designed
5 to be appealing to a child and shall not mimic the brand,
6 design, name, logo or colorway of a non-cannabis consumer
7 product of the type that is safe for child consumption;

8 (3) packages and labels shall not use cartoons
9 or symbols or images, including celebrity or celebrity
10 likeness, that are commonly used to market to minors; and

11 [~~3~~] (4) labels shall include:

12 (a) for a package containing only
13 cannabis leaf or flower, the net weight of cannabis in the
14 package;

15 (b) identification of the licensee or
16 licensees that produced or manufactured the cannabis product,
17 the date on which the cannabis was harvested, the type of
18 cannabis product and the date on which the cannabis product was
19 manufactured and packaged;

20 (c) potency and pesticide use;

21 (d) a list of pharmacologically active
22 ingredients;

23 (e) for cannabis products containing
24 non-cannabis ingredients, a list of all ingredients and a
25 disclosure of nutritional information for the product or

.223217.3

1 cannabis extract disclosed in the same manner required under
2 federal law for nutritional labeling for food for human
3 consumption;

4 (f) a warning if nuts or other known
5 allergens are used in the item or in its manufacture;

6 (g) a logo designed by the division that
7 is distinctive in design, color, size and location such that
8 the logo notifies a reasonable person that the package contains
9 cannabis;

10 (h) a warning, including a pictorial
11 representation, that the cannabis product is not safe for child
12 consumption;

13 [~~(h)~~] (i) a warning of possible adverse
14 effects of consumption and the New Mexico poison and drug
15 information center phone number;

16 [~~(i)~~] (j) an expiration date; and

17 [~~(j)~~] (k) other information as required
18 by rules promulgated pursuant to the Cannabis Regulation Act."

19 SECTION 2. EFFECTIVE DATE.--The effective date of the
20 provisions of this act is August 1, 2023.