

JAN 25 2017

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# A BILL FOR AN ACT

RELATING TO MANUFACTURED MARIJUANA PRODUCTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 329D-1, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By adding a new definition to be appropriately inserted  
4 and to read:

5 "Edible manufactured marijuana product" means any  
6 manufactured marijuana product that is a baked product pursuant  
7 to section 329D-10(a)(9) or dairy product pursuant to section  
8 329D-10(a)(10)."

9 2. By amending the definition of "manufactured marijuana  
10 product" to read:

11 "Manufactured marijuana product" means any [~~capsule,~~  
12 ~~lozenge, oil or oil extract, tincture, ointment or skin lotion,~~  
13 ~~pill, transdermal patch, or pre-filled and sealed container used~~  
14 ~~to aerosolize and deliver marijuana orally, such as an inhaler~~  
15 ~~or nebulizer, that has been] product that may be manufactured  
16 using marijuana [~~, or any other products as specified by the~~  
17 ~~department] pursuant to section [~~329D-10(a)(9).~~] 329D-10."~~~~



1 SECTION 2. Section 329D-9, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 " [f] §329D-9 [f] **Manufacturing of medical marijuana**  
4 **products.** (a) Any medical marijuana dispensary licensed by the  
5 department pursuant to this chapter shall be permitted to  
6 manufacture marijuana products; provided that the dispensary  
7 shall also obtain any other state or county permits or licenses  
8 that may be necessary for a particular manufacturing activity.

9 (b) The department shall establish health, safety, and  
10 sanitation standards regarding the manufacture of manufactured  
11 marijuana products[-]; provided that manufactured marijuana  
12 products shall only be manufactured in a commercial kitchen or  
13 other suitable facility that is not part of an inhabited home;  
14 provided further that any individual participating in the  
15 manufacture of a manufactured marijuana product shall:

16 (1) Wash their hands thoroughly prior to handling the  
17 product;

18 (2) In the case of an edible manufactured marijuana  
19 product, wear gloves when manufacturing or packaging  
20 the product.



1 (c) A manufacturer of a manufactured marijuana product  
2 shall calculate the equivalent physical weight of the marijuana  
3 that is used to manufacture the product and shall make the  
4 equivalency calculations available to the department and to a  
5 consumer of the manufactured marijuana product.

6 (d) The department shall authorize no more than eight  
7 companies to partner with medical marijuana dispensaries  
8 licensed pursuant to this chapter to participate in the  
9 manufacture of edible manufactured marijuana products; provided  
10 that each company partnering with a dispensary under this  
11 subsection shall:

12 (1) Have a demonstrated history of not less than twenty  
13 years manufacturing baked goods or confectionary  
14 products; and

15 (2) Obtain any other state or county permits or licenses  
16 that may be necessary for a particular manufacturing  
17 activity.

18 (e) No person who suffers from any symptom associated with  
19 an acute gastrointestinal illness or who is infected with a  
20 communicable disease that is transmissible through foodstuffs



1 shall participate in the manufacture of an edible manufactured  
2 marijuana product."

3 SECTION 3. Section 329D-10, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) The types of medical marijuana products that may be  
6 manufactured and distributed pursuant to this chapter shall be  
7 limited to:

- 8 (1) Capsules;
- 9 (2) Lozenges;
- 10 (3) Pills;
- 11 (4) Oils and oil extracts;
- 12 (5) Tinctures;
- 13 (6) Ointments and skin lotions;
- 14 (7) Transdermal patches;
- 15 (8) Pre-filled and sealed containers used to aerosolize  
16 and deliver marijuana orally, such as with an inhaler  
17 or nebulizer; [and]
- 18 (9) Baked products, including but not limited to baked  
19 bars, brownies, cakes, and cookies; and
- 20 ~~[-9-]~~ (10) Other products as specified by the  
21 department [-]; provided that the department:



1            (A) Shall not authorize any product that requires  
2            refrigeration or heat for safe storage or prior  
3            to consumption; and

4            (B) May authorize ice cream or any other dairy  
5            product upon approval of a hazard analysis and  
6            critical control points plan pertaining to  
7            preparation and storage of the product."

8            SECTION 4. Section 329D-11, Hawaii Revised Statutes, is  
9            amended to read as follows:

10            "~~§~~329D-11~~§~~ **Advertising and packaging.** (a) The  
11            department shall establish standards regarding the advertising  
12            and packaging of marijuana and manufactured marijuana products;  
13            provided that the standards, at a minimum, shall require the use  
14            of packaging that:

- 15            (1) Is child-resistant and opaque so that the product  
16            cannot be seen from outside the packaging;
- 17            (2) Uses only black lettering on a white background with  
18            no pictures or graphics;
- 19            (3) Is clearly labeled with the phrase "For medical use  
20            only";



- 1 (4) Is clearly labeled with the phrase "Not for resale or  
2 transfer to another person";
- 3 (5) Includes instructions for use and "use by date";
- 4 (6) Contains information about the contents and potency of  
5 the product;
- 6 (7) Includes the name of the production center where  
7 marijuana in the product was produced, including the  
8 batch number and date of packaging;
- 9 (8) Includes a barcode generated by tracking software; and
- 10 (9) In the case of a manufactured marijuana product, [a  
11 listing] includes a:
- 12 (A) Listing of the equivalent physical weight of the  
13 marijuana used to manufacture the amount of the  
14 product that is within the packaging, pursuant to  
15 section 329D-9(c) [-];
- 16 (B) Clearly labeled warning stating that the product:
- 17 (i) Is a medication that contains marijuana, and  
18 is not a food;
- 19 (ii) Should be kept away from children; and
- 20 (iii) Contains nuts or other known allergens, if  
21 applicable; and



1            (C) Date of manufacture.

2           (b) Any capsule, lozenge, or pill containing marijuana or  
3 its principal psychoactive constituent tetrahydrocannabinol  
4 shall be packaged so that one dose, serving, or single wrapped  
5 item contains no more than ten milligrams of  
6 tetrahydrocannabinol; provided that no manufactured marijuana  
7 product that is sold in a pack of multiple doses, servings, or  
8 single wrapped items, nor any containers of oils, shall contain  
9 more than a total of one hundred milligrams of  
10 tetrahydrocannabinol per pack or container.

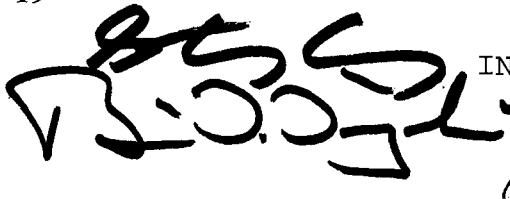
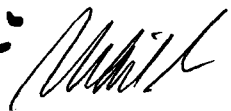
11           (c) All manufactured marijuana products shall be  
12 individually wrapped at the original point of manufacture."

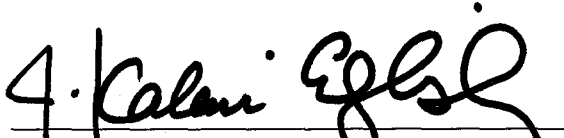



13           SECTION 5. This Act does not affect rights and duties that  
14 matured, penalties that were incurred, and proceedings that were  
15 begun before its effective date.

16           SECTION 6. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18           SECTION 7. This Act shall take effect upon its approval.

19

 INTRODUCED BY: 

SB. NO. 1149

A handwritten signature in black ink, appearing to read "Arvinder Singh". The signature is written in a cursive style with a large, stylized initial "A" and "S".



# S.B. NO. 1149

**Report Title:**

Medical Marijuana; Manufactured Marijuana Products; Edibles; Handling; Packaging

**Description:**

Expands the range of manufactured medical marijuana products that may be produced and sold to include certain edible products. Authorizes eight companies to partner with medical marijuana dispensaries to produce manufactured marijuana products, subject to certain conditions. Establishes requirements for manufacturing, handling, and packaging manufactured marijuana products.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

