

STATE OF COLORADO

DEPARTMENT OF REVENUE
State Capitol Annex
1375 Sherman Street, Room 409
Denver, Colorado 80261
Phone (303) 866-5610
Fax (303) 866-2400



John W. Hickenlooper
Governor

Colorado Department of Revenue Marijuana Enforcement Division

Barbara J. Brohl
Executive Director

Emergency Rules:

Revised Rules, Retail Marijuana, 1 CCR 212-2

R 1004.5 – Packaging and Labeling Requirements of a Retail Marijuana Product by a Retail Marijuana Products Manufacturing Facility

R 1006.5 – Packaging and Labeling of Retail Marijuana Product by a Retail Marijuana Store

Statement of Emergency Justification and Adoption

Pursuant to sections 24-4-103 and 12-43.4-202, C.R.S, I, Barbara J. Brohl, Executive Director of the Department of Revenue and State Licensing Authority, hereby adopt the aforementioned revised Retail Marijuana Rules, which are attached hereto.

Section 24-4-103(6), C.R.S., authorizes the State Licensing Authority to issue an emergency rule if the State Licensing Authority finds that the immediate adoption of the rule is imperatively necessary to comply with a state law or for the preservation of public health, safety, or welfare and compliance with the requirements of section 24-4-103, C.R.S., would be contrary to the public interest

I find that the immediate adoption of these revised rules is necessary to comply with the statutory mandates of the Retail Marijuana Code and to properly regulate and control the cultivation, manufacture, distribution, and sale of retail marijuana.

Statutory Authority

The statutory authority for the revised retail marijuana rules is found at subsections 12-43.4-202(2)(b), 12-43.4-202(3)(a)(VII), and 25-4-1614(3)(a), C.R.S. Authority also exists in the Colorado Constitution at Article XVIII, Subsection 16(5)(a)(VI).

Purpose

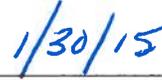
The primary purpose necessitating the revisions to 1 CCR 212-2 on an emergency basis is to help the State Licensing Authority effectively regulate the retail marijuana industry. The retail marijuana industry is subject to new packaging and labeling requirements on February 1, 2015. The permanent rules, which were adopted in September, 2014, contained potentially confusing language, which could render enforcement and compliance unnecessarily difficult. In addition, certain language was inadvertently left out of the permanent rules, which could adversely affect the State Licensing Authority's ability to effectively regulate the retail marijuana industry. Consequently, these rules are needed on a temporary, emergency basis in order to ensure the regulated community has clear guidance about the governing

regulations. If these rules were not adopted, there would be the potential for confusion in the industry and a lapse in regulatory oversight. Adoption of these rules will clarify the requirements related to packaging and labeling and ensure proper regulation of the retail marijuana industry.

These emergency rules are effective immediately upon adoption. The versions of Rules R 1004.5 and 1006.5, 1 CCR 212-2, that were adopted in September, 2014 and were to become effective February 1, 2015, are hereby repealed and replaced by the attached emergency rules. These emergency rules will remain in effect until replaced by permanent rules.



Barbara J. Brohl
Executive Director
Colorado Department of Revenue
State Licensing Authority



Date