

RCW 69.50.346 Labels on retail products. (1) The label on a cannabis product package, including cannabis concentrates, useable cannabis, or cannabis-infused products, sold at retail must include:

- (a) The business or trade name and Washington state unified business identifier number of the cannabis producer and processor;
- (b) The lot numbers of the product;
- (c) The THC concentration and CBD concentration of the product;
- (d) Medically and scientifically accurate and reliable information about the health and safety risks posed by cannabis use;
- (e) Language required by RCW 69.04.480; and
- (f) A disclaimer, subject to the following conditions:
 - (i) Where there is one statement made under subsection (2) of this section, or as described in subsection (5)(b) of this section, the disclaimer must state "This statement has not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."; and
 - (ii) Where there is more than one statement made under subsection (2) of this section, or as described in subsection (5)(b) of this section, the disclaimer must state "These statements have not been evaluated by the State of Washington. This product is not intended to diagnose, treat, cure, or prevent any disease."

(2) (a) For cannabis products that have been identified by the department in rules adopted under RCW 69.50.375(4) in chapter 246-70 WAC as being a compliant cannabis product, the product label and labeling may include a structure or function claim describing the intended role of a product to maintain the structure or any function of the body, or characterize the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading.

- (b) A statement made under (a) of this subsection may not claim to diagnose, mitigate, treat, cure, or prevent any disease.

(3) The labels and labeling may not be:

- (a) False or misleading; or
- (b) Especially appealing to children.

(4) The label is not required to include the business or trade name or Washington state unified business identifier number of, or any information about, the cannabis retailer selling the cannabis product.

(5) A cannabis product is not in violation of any Washington state law or rule of the board solely because its label or labeling contains:

- (a) Directions or recommended conditions of use; or
- (b) A warning describing the psychoactive effects of the cannabis product, provided that the warning is truthful and not misleading.

(6) This section does not create any civil liability on the part of the state, the board, any other state agency, officer, employee, or agent based on a cannabis licensee's description of a structure or function claim or the product's intended role under subsection (2) of this section.

(7) Nothing in this section shall apply to a drug, as defined in RCW 69.50.101, or a pharmaceutical product approved by the United States food and drug administration. [2023 c 365 s 4; 2022 c 16 s 66; 2019 c 393 s 3; 2018 c 43 s 1.]

Construction—2023 c 365: See note following RCW 69.50.326.

Intent—Finding—2022 c 16: See note following RCW 69.50.101.

Intent—2019 c 393: "The legislature intends to allow additional information on the labels and labeling of marijuana [cannabis] products to assist consumers in making purchases of these products.

The legislature declares that labels and labeling should not make any disease claim indicating the product is intended for use in the diagnosis, treatment, cure, or prevention of any disease.

The legislature recognizes that it may be useful for a label or labeling to describe the intended role of a marijuana [cannabis] product that contains nutrients or other dietary ingredients, including herbs and other botanicals, to maintain a structure or function of the body, or characterize the documented mechanism by which the product acts to maintain such structure or function, provided that the claim is truthful and not misleading." [2019 c 393 s 1.]

Effective date—2019 c 393: See note following RCW 69.50.345.