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AB-1529 Cannabis vaporizing cartridges: universal symbol. (2019-2020)

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Assembly Bill No. 1529

CHAPTER 830

An act to add Section 26122 to the Business and Professions Code, relating to cannabis, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 12, 2019. Filed with Secretary of State October 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1529, Low. Cannabis vaporizing cartridges: universal symbol.

Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), approved by the voters at the November 8, 2016, statewide general election, regulates the cultivation, distribution, transport, storage, manufacturing, testing, processing, sale, and use of marijuana for nonmedical purposes by people 21 years of age and older. The existing Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. The existing MAUCRSA imposes specified labeling requirements on cannabis and cannabis products, including requiring specified disclosures on the packaging and label of the product.

This bill would implement the labeling requirements of AUMA by requiring a cannabis cartridge or integrated cannabis vaporizer, as defined, to bear an established universal symbol that is not smaller than $\frac{1}{4}$ inch wide by $\frac{1}{4}$ inch high and would require that the symbol be engraved, affixed with a sticker, or printed in black or white.

AUMA authorizes the Legislature to amend by majority vote certain provisions of the act to implement specified substantive provisions, provided that the amendments are consistent with, and further the purposes and intent of, AUMA.

This bill would declare that its provisions implement specified substantive provisions of AUMA and are consistent with, and further the purposes and intent of, AUMA.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 26122 is added to the Business and Professions Code, to read:

26122. (a) A cannabis cartridge or integrated cannabis vaporizer that contains cannabis or a cannabis product shall bear the universal symbol described in paragraph (7) of subdivision (c) of Section 26130. The universal symbol shall be visible on the cannabis cartridge or integrated cannabis vaporizer and shall not be smaller than one-quarter inch wide by one-quarter inch high. The universal symbol shall be engraved, affixed with a sticker, or printed in black or white.

(b) For purposes of this section, the following definitions shall apply:

(1) "Cannabis cartridge" means a cartridge containing cannabis oil that is intended to be affixed to an electronic device that heats the oil and creates an aerosol or vapor.

(2) "Integrated cannabis vaporizer" means a singular device that contains both cannabis oil and an integrated electronic device that creates an aerosol or vapor.

SEC. 2. The Legislature finds and declares that Section 1 of this act, adding Section 26122 to the Business and Professions Code, implements Section 6.1 of the Control, Regulate and Tax Adult Use of Marijuana Act of 2016 and is consistent with, and furthers the purposes and intent of, that act as stated in Section 3 of that act.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

The burden on businesses to comply with recently adopted regulations on the size of the universal symbol required on vaporizer cartridges and guidance directing businesses to apply stickers to make products compliant or sell the product prior to June 30, 2019, creates a major disruption in the commercial cannabis marketplace, jeopardizing the sale of otherwise compliant cannabis products, reducing tax revenue to the state.