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To: Current and Prospective AUCP Licensees  
From: Director John Hudak, Office of Cannabis Policy  
Date: April 22, 2024  
Subject: Guidance for the Implementation of Revised Universal Symbol Standards on Edible Adult Use Cannabis Products

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### Background

P.L. 2023, ch. 641 (*Emergency, Law without Signature, April 21, 2024*), *An Act to Change the Requirement for Edible Cannabis Products to Be Stamped or Embossed on Each Serving with a Universal Symbol*, makes statutory changes to how the universal symbol may be marked on or otherwise affixed to servings of edible adult use cannabis products. That law also designates certain edible cannabis products as “impracticable” to individually mark with the universal symbol.

The following guidance provides Adult Use Cannabis Program (AUCP) licensees with information about how to comply with these revised universal symbol standards, which are effective as of April 21, 2024 in accordance with the emergency enactment of P.L. 2023, ch. 641.

### Guidance

In accordance with guidance previously issued by the Office of Cannabis Policy (OCP), that was subsequently incorporated into the rules governing the AUCP, OCP has historically found potato and corn chips, popcorn, pretzels, and loose granola “per se impracticable” to mark with the universal symbol required on each serving of an edible cannabis product. This is because the shape, size, and/or texture of those products is inconsistent and cannot be standardized.

That list of edible cannabis products deemed per se impracticable to mark with the universal symbol has now been defined in statute with the addition of one product—gummies. This means that **adult use cannabis gummies no longer need to be individually marked with the universal symbol**. Therefore, the complete list of edible adult use cannabis products **not** required to have the universal symbol on each individual serving is as follows:

- (1) Potato and corn chips
- (2) Popcorn
- (3) Pretzels
- (4) Loose granola
- (5) Gummies

All other packaging and labeling requirements continue to apply to the products listed above. This includes the requirement that the universal symbol be affixed to the marketing layer of the label and the requirement that product or exit packaging be child resistant and tamper evident.

All other edible adult use cannabis products must maintain the universal symbol on each individual serving. However, licensees now have additional options for how they affix the universal symbol on each serving. Individual servings can be **individually wrapped in a wrapper that is marked with the universal symbol**, which may be useful for products such as taffy, caramels, lollipops, or baked goods. Individual servings can also be **packaged in blister packs that are marked with the universal symbol**, which may be useful for products such as pills, capsules, and tablets.

Examples of these new packaging options are included below for reference. Please keep in mind that except for those five products deemed per se impracticable, all edible adult use cannabis products must bear the universal symbol on **either the wrapper, blister pack, or food product**.



***Individual wrappers** (for demonstration purposes only); if using this option, each serving must be marked with the universal symbol on either the product or the wrapper.*



***Blister packs** (for demonstration purposes only); if using this option, each serving must be marked with the universal symbol on either the product or the flat side of the blister pack.*

All other [requirements related to the universal symbol](#) still apply, regardless of whether it is marked on an individual product, wrapper, or blister pack. This includes the universal symbol measuring at least 25 percent of the serving's height and width, but not less than ¼ inch by ¼ inch. Furthermore, regardless of whether the universal symbol is stamped, embossed, wrapped, or otherwise affixed, the universal symbol must be distinguishable and easily recognizable when it is actually affixed to the edible cannabis product. This means that licensees must ensure that the universal symbol remains distinguishable and easily recognizable if the cannabis product is placed in a wrapper or blister pack.

### Conclusion

Following the emergency adoption of P.L. 2023, ch. 641, adult use cannabis gummies no longer need to be individually stamped, embossed, or otherwise marked with the universal symbol as they have been added to the list of products deemed per se impracticable to mark. Potato and corn chips, popcorn, pretzels, and loose granola continue to be on the list of products that are considered per se impracticable. Please note that while these products are not *required* to have a

universal symbol on each serving, nothing in this guidance should be construed to prohibit the use of the universal symbol on those products if a licensee so chooses.

As an alternative for marking all other edible adult use cannabis products with the universal symbol on each serving, licensees can instead put the universal symbol on wrappers or blister packs. Each individual serving must continue to be marked the universal symbol, but it can be on either that serving's individual wrapper *or* the cannabis product itself.

Packaging and labeling requirements continue to apply to all edible adult use cannabis products, including product or exit packaging being child resistant and tamper evident with the universal symbol affixed to the marketing layer of the product label. Licensees with questions regarding this guidance should contact OCP's Compliance Team at [Compliance.OCP@maine.gov](mailto:Compliance.OCP@maine.gov).

Over the coming weeks, OCP will continue to issue guidance related to legislative changes as a result of the second regular session of the 131<sup>st</sup> Legislature. While P.L. 2023, ch. 641 is the only cannabis-related bill that had emergency enactment this session, the Office will clearly communicate all details related to the implementation and timing of all other changes enacted during this past legislative session, including adoption of the major substantive rules governing the adult use program.