



May 20, 2022

INDUSTRY-WIDE BULLETIN: 22-01

RE: Requirement of Expiration Dates for Vaporizer Delivery Devices - Effective July 1, 2022

Dear Marijuana Industry Stakeholders:

This Industry-Wide Bulletin is intended to remind Licensees about upcoming changes regarding labeling requirements for Vaporizer Delivery Devices and Pressurized Metered Dose Inhalers.

On October 7, 2020, the State Licensing Authority adopted [Colorado Marijuana Rules](#), which included a new provision that expressly states that expiration dates will be required on labels for all Vaporizer Delivery Devices and Pressurized Metered Dose Inhalers **effective July 1, 2022**.

***MED Rule 3-335(M)** - Effective July 1, 2022, a Regulated Marijuana Products Manufacturer that produces a Vaporizer Delivery Device or Pressurized Metered Dose Inhaler shall establish an expiration date upon which the Vaporized Delivery Device or Pressurized Metered Dose Inhaler will no longer be fit for consumption. The Licensee shall determine the expiration date by conducting potency and contaminant testing pursuant to Rules 4-120 and 4-125 on the final Vaporizer Delivery Device or Pressurized Metered Dose Inhaler prior to Transfer to ensure the Vaporizer Delivery Device or Pressurized Metered Dose Inhaler can pass potency and contaminant testing prior to the established expiration date.*

The Division is providing the following guidance regarding the timeline for compliance with expiration date labeling requirements on Vaporizer Delivery Devices and Pressurized Metered Dose Inhalers:

- **Regulated Marijuana Products Manufacturers:** Beginning **July 1, 2022**, Regulated Marijuana Product Manufacturing Facilities *may not* Transfer Vaporizer Delivery Devices or Pressurized Metered Dose Inhalers that do not comply with expiration date requirements in the Colorado Marijuana Rules, 1 CCR 212-3.
 - The expiration date established by the Regulated Marijuana Products Manufacturer must be based on testing data and shall not be arbitrarily assigned.
 - For any Vaporizer Delivery Device or Pressurized Metered Dose Inhaler Transferred to Regulated Marijuana Stores prior to **July 1, 2022**, to the extent the Vaporizer Delivery Device or Pressurized Metered Dose Inhaler labels do not already include an expiration date, the Division encourages the Manufacturer to make the relevant expiration dates available on its website for patients and consumers.
- **Regulated Marijuana Stores:** Beginning **July 1, 2022**, Medical and Retail Marijuana Stores *may not* take possession of Vaporizer Delivery Devices or Pressurized Metered Dose Inhalers that do not comply with the expiration date requirement. However, any Vaporizer Delivery Devices or Pressurized Metered Dose Inhalers that were Transferred to Regulated Marijuana Stores *prior* to **July 1, 2022**, and that do not comply with the expiration date requirement may be Transferred to patients and consumers through **December 31, 2022**.
 - On or after **January 1, 2023**, a Medical or Retail Marijuana Store *shall not* Transfer non-compliant Vaporizer Delivery Devices or Pressurized Metered Dose Inhalers.

The State Licensing Authority's adoption of this rule language was based on recommendations by the [Science & Policy Work Group](#) and is intended to further protect public health and safety by enhancing product safety of Vaporizer Delivery Devices and Pressurized Metered Dose Inhalers.

Please be aware that the information contained in this Industry Bulletin and associated links do not represent legal advice or replace a licensee's responsibility to review and comply with statutes and rules, the full set of which can be found on the [MED Rules](#) webpage.