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CHAPTER 3

QUALITY CONTROL & TESTING

3.1 PURPOSE, DEFINITIONS

3.1.1 Purpose of this Chapter

The purpose of this Chapter is to establish certain quality control and laboratory testing requirements for Cannabis Products sold within the Band's Territory and the minimum standards for the packaging and labeling of Commercial Cannabis sold on, to, and from the Band's Territory.

3.1.2 Definitions

All capitalized terms used in this Chapter shall have the meanings given to those terms in the Bois Forte Cannabis Regulatory Ordinance, also referred to from time to time as the "Ordinance."

In addition, the following terms used throughout this Chapter shall have the following meanings:

(1) "Artificially Derived Cannabinoid" means a Cannabinoid extracted from Hemp or a Cannabis Derivative with a chemical makeup that is changed after Extraction to create a different Cannabinoid or other chemical compound by applying a catalyst other than heat or light, including but not limited to any tetrahydrocannabinol created from cannabidiol.
(2) "Cannabis Product" includes Adult Use Cannabis Products, Adult Use Cannabis Flower, Adult Use Cannabis Edibles, and Adult Use Cannabis Concentrate, as defined in Section 1.2 of the Ordinance.
(3) "Cannabis Waste" means any discarded material that contains cannabis, and any Cannabis Product that is perished, returned, tampered with, non-conforming, or abandoned.
(4) "CBD" refers to the chemical compound Cannabidiol.
(5) "Certificate of Analysis" or "COA" means the test results for each Batch tested by an Independent Third-Party Laboratory certifying that it complies with the testing standards established in Section 3.2.
(6) "Child-Resistant" means: (a) any Package that has been certified as child-resistant under the requirements of the Poison Prevention Packaging Act of 1970 Regulations (16 C.F.R. § 1700.15(b)(1)) (Rev. July 1995); (b) a bottle sealed with a pry-off, push and turn, metal crown, or cork-style bottle cap, provided that the bottle contains only a single serving; or (c) plastic Packaging that is at least four mils thick and heat-sealed without an easy-open tab, dimple, corner, or flap.
(7) "Final Form" refers to Cannabis Product that is packaged and labeled as it will be sold at retail to a consumer.

(8) “Independent Third-Party Laboratory” means a third-party scientific laboratory certified by the International Organization for Standardization IEC 17025 standards, or any successor or replacement thereof, and which is capable of conducting potency and quality assurance testing on Cannabis Product or Marijuana in accordance with the requirements of these Regulations and the Ordinance.

(9) “Industrial Sale” means the sale of Cannabis Product not in Final Form, none of which may be sold without further processing or manufacturing.

(10) “Jurisdiction of Destination” means the jurisdiction of the commercial purchaser of the Cannabis Product packaged and labeled for sale under Section 3.4-3.6.

(11) “Package” or “Packaging” means any box, wrapping, bag, or other container.

(12) “Pre-Roll” means any combination of the following rolled in paper, Cannabis Flower, shake, leaf, or kief that is obtained from accumulation in containers or sifted from loose Cannabis Flower or leaf with a mesh screen or sieve.

(13) “Required Cannabinoid Content Labeling: means: (a) for Adult Use Cannabis Edibles and Adult Use Cannabis Concentrate for which the manufacturer has established serving designations, THC and CBD content expressed in milligrams per serving and milligrams per Package; (b) for topical Adult Use Cannabis Products and Adult Use Cannabis Concentrates without serving designations, THC and CBD content expressed in milligrams per Package; (c) for Adult Use Cannabis Flower (including non-infused Pre-Rolls), total THC content expressed as a percentage; and (d) for infused Pre-Rolls, the Cannabinoid content in milligrams or the Cannabinoid content of the dried Adult Use Cannabis Flower expressed as a percentage and the added Cannabinoid content in milligrams.

(14) “Source of Origin” means the foreign cannabis business licensee or Band cannabis business licensee from where the Adult Use Cannabis Product was delivered to the retail licensee. If the retail licensee and Band cannabis business licensee are the same person, then the Source of Origin is the retail licensee.

(15) “Standard Operating Procedures” or “SOP” means a set of written instructions that describes the step-by-step process that licensees must take to properly perform a routine activity at a Community Cannabis Facility to ensure safety, efficiency, and compliance with the Ordinance and these Regulations.

(16) “Tamper-Evident” means that the Packaging is sealed so that the contents cannot be accessed without obvious destruction of the seal upon initial opening.

(17) “THC” refers to the chemical compound tetrahydrocannabinol.

3.2 LABORATORY TESTING; POTENCY AND QUALITY CONTROL TESTING

3.2.1 Periodic Review of Laboratory Testing Standards

The Commission acknowledges that Cannabis testing methods and standards are dynamic and will continue to improve with technological advancement and consumer response in the local market. The Commission shall review the testing standards set forth herein at least once per year to determine if revisions are warranted to reflect industry improvement and protect consumer safety.

3.2.2 Quality Control Standards

All Adult Use Cannabis Products, Cannabis Flower, Cannabis Edible's, and Cannabis Concentrate that are purchased or sold by a Band licensed cannabis business must be tested by an Independent Third-Party Laboratory for potency and quality in accordance with this section prior to such purchase or sale.

3.2.3 Laboratory Requirements

(1) The Commission shall maintain and provide to any licensee, upon request, a list of Independent Third-Party Laboratories approved for testing Commercial Cannabis pursuant to the Ordinance and these Regulations.
(2) Any Independent Third-Party Laboratory that is licensed by the Minnesota Department of Health to test either medical or recreational Cannabis shall be deemed to be automatically approved as an Independent Third-Party Laboratory.
(3) The Commission shall only approve Independent Third-Party Laboratory's that adhere to the following minimum standards:
    a. The Independent Third-Party Laboratory shall maintain accreditation by the International Organization for Standardization IEC 17025 standards, maintain standard operating procedures, and shall be capable of producing validations reports for testing the following:
        i. Cannabinoid concentrations;
        ii. Foreign material, insects, and larvae;
        iii. Microbial impurities;
        iv. Mycotoxins;
        v. Heavy metals;
        vi. Residual pesticides;
        vii. Moisture content and water activity; and
        viii. Residual solvents.
    b. The Independent Third-Party Laboratory must maintain standard operating procedures for sampling of Cannabis Product.
    c. The Independent Third-Party Laboratory must have a chain of custody policy to ensure accurate and honest testing.
    d. The Independent Third-Party Laboratory must be capable of producing COA's that clearly show the results of each test required under Subsection 3.2.7 in accordance with the COA requirements of Subsection 3.3.1.

3.2.4 Licensee Responsible for Compliance

(1) Licensees shall be responsible for ensuring compliance with the laboratory testing standards of this Section 3.2 commensurate with the Commercial Cannabis Activity permitted by the respective licensee(s).
(2) For licensees purchasing Adult Use Cannabis Products in their Final Form, the licensee shall review the COA provided as part of the required delivery documentation and shall only accept the Commercial Cannabis if the COA clearly

demonstrates that it has passed all tests required under Section 5 of the Ordinance and Section 3.2 of these Regulations.

(3) For licensees purchasing Adult Use Cannabis Products in substantially Final Form, the licensee shall review the COA provided as part of the required delivery documentation and shall only accept the Cannabis Product if the COA clearly demonstrates that it has passed all tests required under Section 5 of the Ordinance and Section 3.2 of these Regulations.
    a. If any additional ingredients are added to or combined with the Cannabis Product purchased in substantially Final Form prior to Resale, the licensee shall collect samples of each batch and send them to an Independent Testing Laboratory in accordance with this Section.
    b. For example, if Cannabis Flower is acquired as bulk sale for manufacturing into Pre-Rolls, the Pre-Rolls do not require additional testing. On the other hand, if Cannabis Concentrate is acquired as bulk sale for manufacturing into gummies, the gummies would require additional testing.

(4) For licensee's that cultivate, process, extract, or manufacture Adult Use Cannabis Products within the Band's Territory for wholesale, industrial sale, or bulk sale, the licensee shall collect samples of each batch and send them to an Independent Testing Laboratory in accordance with Section 3.2 prior to sale, unless such processing or manufacturing is conducted in accordance with a license endorsement that specifically excludes the need for secondary testing.

(5) Licensee's that intend to sell Cannabis Product to businesses outside of the Band's Territory must ensure that, in addition to meeting the testing requirements of Subsection 3.2.7 below, the Cannabis Product must comply with all testing regulations established by the State of Minnesota.

3.2.5 Standard Operating Procedures for Cannabis Testing

Licensees that are responsible for collecting samples and sending them to an Independent Third-Party Laboratory for potency and quality testing under Section 3.2 shall adopt written SOP's that at minimum shall include:

(1) Procedures for training personnel to collect samples from batches for testing.
(2) Procedures for collecting samples.
(3) Procedures for labeling samples, which shall at minimum include:
    a. Collection date
    b. Cannabis Product type;
    c. Batch Number;
    d. Batch Size; and
    e. The amount of THC per package or per serving, as applicable.
(4) Procedures for ensuring that all samples collected are securely transferred to an Independent Third-Party laboratory in accordance with the Independent Third-Party laboratory's chain of custody policy.
(5) Procedures for failed test results, including retesting.
(6) At the time of sampling for the testing, the Band Cannabis Licensee must make the entire harvest or process lot available to the employee assigned for sample collection.

(7) Two (2) employees of the Band Cannabis Licensee shall be physically present for the sampling process and to ensure representative samples are taken from throughout the lot.
(8) Sampling of the lot shall take place in a designated sample area within the Licensee's facility.
(9) The Band Cannabis Licensee will collaborate with testing licensees to create a chain of custody record that includes at least the following information:
    a. The sending facility's license number;
    b. The legal name, address, and contact information of the Licensee sending the Cannabis product for testing;
    c. The testing facility's license number;
    d. The legal name, address, and contact information of the testing licensee;
(10) For each lot to be sampled—
    a. The cannabis product category;
    b. The cannabis product tag number;
(11) Total mass of the harvest or process lot;
(12) For infused products, the number of units for sale in the cannabis process lot;
    a. The cannabis product sample tag number;
    b. Total mass of the cannabis harvest or process lot sample;
    c. For infused products, the number of units sampled of the cannabis process lot;
    d. Identification of the test or tests requested.
(13) Violation of sampling requirements or manipulation of samples may result in fines up to five thousand dollars ($5,000) and suspension or revocation of a license, or other appropriate enforcement action in the discretion of the Commission.

3.2.6 Representative Sample Sizes for Cannabis Tests

All testing of Adult Use Cannabis Products shall be conducted on a representative sample of the batch in accordance with the cannabis business's SOP's, which shall at minimum comply with the following:

(1) For bulk Adult Use Cannabis Flower, the representative sample size for each batch shall be at least 0.35% of the total dry weight, and shall conform with the following sampling process:

Batch Size (lbs)	**Randomly Collected Number of Increments Per Sample**
≤ 5	3
5.1-10	8
10.1-20	16
20.1-30	23
30.1-40	29
40.1-50	34

*sample size shall not exceed 50 lbs.
*for Adult Use Cannabis Flower at least 25 grams shall be provided for sampling.

(2) For Adult Use Cannabis Concentrate, Cannabis Edibles, and other Cannabis Products that have been processed or manufactured in Final Form, the sampling process for each Batch shall conform with the following:

Batch Size (units)	Randomly Collected Number of Increments Per Sample
≤ 50	3
51-150	4
151-500	5
501-1200	8
1201-3200	13
3201-10000	20
10001-35000	32
35001-150000	50

*sample size shall not exceed 150,000 units.
*for Cannabis Product other than Cannabis Flower, at least 14 grams shall be provided for sampling.

3.2.7 Testing Procedures and Pass Limits

The following describes the procedures by which the Independent Third-Party Laboratory shall complete each test set forth in Chapter 5 of the Ordinance.

(1) **Cannabinoid Concentrations.** The Independent Third-Party Laboratory shall analyze at least 0.5 grams of the representative sample and test the potency by milligrams per gram (mg/g) for dry-weight, or milligrams per milliliter (mg/mL) for volume, for the total sample size, per package, and per serving, where applicable, for each of the following:
   a. THC;
   b. Tetrahydrocannabinolic acid;
   c. CBD
   d. Cannbidolic acid; and
   e. Artificially Derived Cannabinoids.

For any sample type that would be ignited (flower material, vape oils) by a user, the total THC and total CBD shall be reported as well, utilizing the decarboxylation conversion factor of the acidified forms of the cannabinoid of interest. Artificially Derived Cannabinoids are prohibited from any Cannabis Products.

(2) **Foreign Material, Insects, and Larvae**. The Independent Third-Party Laboratory shall either examine the representative sample or grind the representative sample into a fine homogenate prior to taking the aliquots necessary for analysis, and it shall meet quality assurance standards if it does not exceed the following limits:
   a. Shall be mostly free of sand, soil, cinder, and dirt;
   b. Not more than ¼ of the total sample contains any imbedded foreign material; and
   c. Insects or larvae shall not exceed (1) insect fragment, one (1) hair, or one (1) count mammalian excreta per (3) grams.
   d. Not more than 2.0% of other foreign matter (powdery mildew, mold, mites, hair, dirt, etc.).

(3) **Microbial Impurities.** The Independent Third-Party Laboratory shall analyze at least one (1) gram of the representative sample, and it shall meet quality assurance standards if it does not exceed the following impurity limits:
   a. Salmonella is not detected in one (1) gram;
   b. E. Coli is not detected in one (1) gram;
   c. Shiga toxin-producing *Escherichia coli* is not detected in one (1) gram;
   d. *Salmonella spp.* Is not detected in one (1) gram;
   e. L. monocytogenes is not detected in one (1) gram;
   f. Pathogenic Aspergillus species A. fumigatus, A. flavus, niger, or A. terreus is not detected in one (1) gram;
   g. Not more than 100,000 CFU/g of mold and yeast is detected in one (1) gram;
   h. Not more than 150 CFU/g of bile tolerant gram negative bacteria is detected in one (1) gram.

(4) **Mycotoxins** The Independent Third-party Laboratory shall analyze at least 0.5 grams of the representative sample, and it shall meet quality assurance standards if it does not exceed the following mycotoxin limits:

Aflatoxins	**Action limits (ng/g)**
Total aflatoxin G1	6.0
Total aflatoxin G2	3.0
Total aflatoxin B1, B2	3.0
Ochratoxin	
Total ochratoxin A	20

(5) **Heavy Metals.** The Independent Third-party Laboratory shall analyze at least 0.5 grams of the representative sample, and it shall meet quality assurance standards if it does not exceed the following limits for heavy metals:

Heavy Metal	**Action Level Limit (µg/kg wet)**
Arsenic	250
Cadmium	100

Lead	100
Mercury	100
Total Chromium	100

(6) **Residual Pesticides.** The Independent Third-Party Laboratory shall analyze at least 0.5 grams of the representative sample, and it shall meet quality assurance standards if it does not exceed the following limits for residual pesticides:

Analyte	**Action Level Limit (µg/g)**
Acetamiprid	0.16
Aldicarb	0.16
Azoxystrobin	0.16
Bifenazate	0.16
Bifenthrin	0.16
Boscalid	0.16
Carbaryl	0.16
Carbofuran (Furadan)	0.16
Chlorantraniliprole	0.16
Clofentezine	0.16
Cypermethrin	0.16
Diazinon	0.16
Dichlorvos	0.16
Dimethoate	0.020
Dursban	0.16
Ethoprop(hos)	0.16
Etofenprox	0.16
Etoxazole	0.16
Fenoxycarb	0.16
Fenpyroximate	0.16
Flonicamid	0.16

Imazalil	0.16
Imidacloprid	0.16
Kresoxim-methyl	0.16
Malathion	0.16
Methiocarb	0.16
Methiocarb	0.16
Methomyl	0.16
Myclobutanil	0.16
Naled	0.16
Oxamyl	0.16
Permethrin	0.16
Phosmet	0.020
Piperonyl butoxide	0.16
Prallethrin	0.16
Propiconazole	0.16
Propoxur	0.16
Pyridaben	0.16
Pyrthrin I	0.040
Pyrthrin II	0.020
Spinosad	0.16
Spiromesifen	0.16
Spirotetramat	0.16
Spiroxamine	0.16
Thiacloprid	0.16
Thiamethoxam	0.16
Trifloxystrobin	0.16

(7) **Moisture Content and Water Activity.** The Independent Third-party Laboratory shall analyze at least 0.5 grams of the representative sample, and it shall meet quality assurance standards if the water activity does not exceed 0.65 Aw for dried flower, or a rate of 0.85 Aw of Consumable Product.

(8) **Residual Solvents.** The Independent Third-Party Laboratory shall analyze at least 0.25 grams of the representative sample, and a sample shall meet quality assurance standards if it does not exceed the following limits for residual solvents or processing chemicals:

Residual Solvent or Processing Chemical	**Failure Level for Marijuana (inhalation) (ppm)**	**Failure Level for Cannabis Concentrates or Marijuana Infused Products (ppm)**
1,2 - Dichloroethane	> 2	> 5
Acetone	> 750	> 5000
Acetonitrile	> 60	> 410
Benzene	> 1	> 2
Butanes (all isomers)	> 800	> 5000
Chloroform	> 2	> 60
Ethanol	> 1000	> 5000
Ethyl acetate	> 400	> 5000
Ethyl ether	> 500	> 5000
Ethylene Oxide	> 5	> 50
Heptane	> 500	> 5000
n-Hexane (all isomers)	> 50	> 290
Isopropyl alcohol	> 500	> 5000
Methanol	> 250	> 3000
Methylene chloride	> 125	> 600
n-Pentane (all isomers)	>750	> 5000
Propane	> 2100	> 5000
1-Propanol	202 µg/ml	
Toluene	> 150	> 890
Trichloroethylene	> 25	> 80

Total Xylenes (orthometa-, para-)	> 150	> 2170

3.3 TEST RESULTS

3.3.1 COA Requirements

A test shall only be considered conclusive upon the issuance of a COA by an Independent Third-Party Laboratory, which shall at minimum include:

(1) Detailed testing results;
(2) Testing methods;
(3) Worksheets, forms, pictures, notes, or any other relevant documentation necessary to appropriately explain sampling or testing methods; and
(4) A dated signature from the Independent Third-party Laboratory director or authorized management approving the report.

3.3.2 Failed Tests

Any Cannabis Product that fails the testing requirements shall be considered unsuitable for purchase or Sale.

(1) A cannabis business with a failed test result shall notify the Commission immediately upon receipt of a failed test result, shall quarantine the batch in accordance with its SOP's, and either:
    a. Dispose of the failed batch as Cannabis Waste; or
    b. Submit for a retest in accordance with Subsection 3.3.4 below.
(2) If any Cannabis Product fails a random sampling test conducted by the Commission, the Commission shall issue a notice to the Band cannabis facility, and to the Licensee who supplied the Cannabis Product to immediately suspend all sales on, to, or from the Band's Territory of the entire batch associated with the failed sample. The notice shall state that the Licensee who supplied the Cannabis Product shall either:
    a. Dispose of the failed batch as Cannabis Waste; or
    b. Request one (1) retest in accordance with Subsection 3.3.4 below. The Commission shall quarantine the batch in accordance with Subsection 3.3.5 below, and upon the conclusion of the retest, either release the batch back to the licensee for sale, or dispose of the batch as Cannabis Waste.

3.3.3 Retests

Any licensee that is affected by a failed test result is entitled to submit the batch for one (1) retest upon notification to the Commission, or, in the case of a failed random sampling test, that the Commission conduct one (1) additional random sample test form the Batch associated with the failed sample, at the expense of the Person requesting the retest. If the additional sample passes the retest, a third test shall be performed at the Commissions' expense and the results of that test shall be conclusive as to the suitability of the batch for sale.

3.3.4 Storage, Disposal, and Return of Quarantined and Non-Conforming Cannabis Product

Cannabis Product that fails quality testing standards shall be stored in a secure location established by the Commission for such purpose until such time as it is:

(1) Determined by the Commission as suitable to be returned to the licensee for sale;
(2) Provided to law enforcement; or
(3) Disposed as Cannabis Waste.

For the avoidance of doubt, non-conforming Cannabis Product, if to be used as evidence in a hearing, may be stored in accordance with these Regulations until the matter associated with the hearing has been finally determined. Reports shall be prepared documenting receipt, determination, and disposition of non-conforming Cannabis Product and provided to the Commission.

3.4 PACKAGING AND LABELING FOR INDUSTRIAL SALE

3.4.1 Requirements for the Packaging and Labeling of Cannabis Product for Industrial Sale

(1) Cannabis businesses packaging and labeling Cannabis Product intended for Industrial Sale shall do so in accordance with the requirements for Industrial Sale packaging and labeling in the Jurisdiction of Destination.
(2) If the Jurisdiction of Destination is the Band, Cannabis Product intended for Industrial Sale shall be packaged and labeled in accordance with the requirements for bulk sale.

3.5 PACKAGING AND LABELING FOR BULK SALE

3.5.1 Requirements for the Packaging and Labeling of Cannabis Product for Bulk Sale Generally

(1) Cannabis businesses packaging and labeling Cannabis Product intended for Bulk Sale shall do so in accordance with the requirement for Bulk Sale packaging and labeling of the Jurisdiction of Destination.
(2) If the Jurisdiction of Destination is the Band, Cannabis Product intended for Bulk Sale shall be packaged and labeled in accordance with Subsection 3.5.2.

3.5.2 Requirements for the Packaging and Labeling of Cannabis Product for Bulk Sale Within the Band's Territory

(1) The packaging used to transport bulk Cannabis or Cannabis Products shall protect the Cannabis or Cannabis Products from contamination and shall not expose the cannabis or cannabis products to any toxic or harmful substance.
(2) Packages of bulk cannabis or cannabis products shall be labeled with the following:
    a. The type or common name of the Commercial Cannabis contained therein;
    b. The batch number of the Cannabis Product
    c. The ingredients of the Cannabis Product, including as list if nuts, or any other known allergens are used; and

d. The net weight or count of the Cannabis Product.

3.6 PACKAGING AND LABELING FOR RESALE

3.6.1 Requirements for the Packaging and Labeling of Cannabis Product for Resale

Cannabis Businesses Packaging and labeling Cannabis Product intended for Resale shall do so in accordance with the requirements for Retail packaging of the Jurisdiction of Destination.

3.7 PACKAGING AND LABELING FOR RETAIL

3.7.1 Packaging Requirements for Adult Use Cannabis Product Available for Retail Sale

(1) Adult Use Cannabis Product sold to retail customers must be packaged as required by this Section 3.7 and Section 6.1 of the Bois Forte Cannabis Regulatory Ordinance.
(2) Adults Use Cannabis Product sold to retail customers must be:
    a. Pre-packaged in Packaging that is Child-Resistant, Tamper-Evident and opaque; or
    b. Placed in packaging or a container that is plain, Child-Resistant, Tamper-Evident, and opaque at the final point of sale to a customer.
(3) For Adult Use Cannabis Product that is packaged in a manner that includes more than a single serving, each serving must be indicated by scoring, wrapping, or other indicators designating the individual serving size.
(4) Adult Use Cannabis Edibles containing more than a single serving must be in Packaging that is resealable.

3.7.2 Packaging Prohibitions for Adult Use Cannabis Product Available for Retail Sale

(1) Adult Use Cannabis Product sold to retail customers must not:
    a. Be packaged in a manner that bears a reasonable resemblance to any commercially available product that does not contain Cannabinoids;
    b. Imitate any Package used for products typically marketed to children;
    c. Contain colors, imagery, or figures that would make it attractive to children;
    d. Be designed specifically to appeal to persons under 21 years of age;
    e. Use Packaging containing or coated with a perfluoroalkyl substance; or
    f. For Adut Use Cannabis Edibles, use Packaging that contains any material that is not approved by the United States Food and Drug Administration for use in food Packaging.

3.7.3 Additional Requirements for Child-Resistant Packaging

(1) The Packaging for Adult Use Cannabis Edibles, orally consumed Adult Use Cannabis Concentrate and Cannabis-containing suppositories shall be Child-Resistant for the life of the product. A Package that contains more than a single serving is not required to be Child-Resistant if each individual serving is packaged in Child-Resistant Packaging.
(2) Adult Use Cannabis Product intended to be inhaled and Adult Use Cannabis Product that is applied topically may utilize Packaging that is child-resistant only until first

opened, if the Package is labeled with the statement: "This package is not child-resistant after opening."

3.7.4 Labeling Requirements for Adult Use Cannabis Product Available for Retail Sale

(1) All Adult Use Cannabis Product Sold to Retail customers must be labeled as required by this Subsection 3.7.4 and Section 6.2 of the Bois Forte Cannabis Regulatory Ordinance.
(2) A label required under this subsection or the Ordinance shall be unobstructed and conspicuous so that it can be read by the customer.
(3) All required label information shall be located on or affixed to the outside Packaging, or be easily legible through the outermost Packaging, provided that more than one label may be utilized on the outside of the Packaging if doing so will make the required label information more accessible to the customer.
(4) All required label information shall be in a type size no smaller than 6-point font.
(5) Adult Use Cannabis Flower sold to retail customers must have a label that contains at least the information listed in Section 6.2.A of the Bois Forte Cannabis Regulatory Ordinance.
(6) Adult Use Cannabis Concentrate and Edibles (including beverages) sold to retail customers must have affixed on the packaging or container of the cannabis product a label that contains the information listed in Section 6.2.B. of the Bois Forte Cannabis Regulatory Ordinance.

3.7.5 Labeling Prohibitions for Adult Use Cannabis Product Available for Retail Sale

No Adult Use Cannabis Product shall be labeled or marketed as a drug or medicine capable of diagnosing, preventing, treating, or curing any disease or health condition, or as a food or dietary supplement.

3.7.6 Additional Required Information

(1) All cannabis retail facilities must provide customers with the following information:
    a. Factual information about impairment effects and the expected timing of impairment effects, side effects, adverse effects, and health risks of cannabis products;
    b. A statement that customers and patients must not operate a motor vehicle or heavy machinery while under the influence of Cannabis Products;
    c. Resources customers and patients may consult to answer questions about Cannabis Products, and any side effects and adverse effects;
    d. Contact information for the poison control center and a safety hotline or website for customers to report and obtain advice about side effects and adverse effects of Cannabis Flower, Cannabis Products, lower-potency hemp edibles and hemp-derived consumer products; and
    e. Substance use disorder treatment options.
(2) A Cannabis Retail Facility may provide the information required in Subsection 3.7.6(1) above by:

a. A label affixed to the Cannabis Product;
b. Posting the information in a conspicuous location within the public areas of the Cannabis Retail Facility; or
c. Providing the information on a separate document or pamphlet provided to customers when the customer purchases the Cannabis Product.