

Part 128

Part 128 - Adult-Use Packaging and Labeling

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§ 128.1 Definitions.

For purposes of Part 128 and Part 129 of this Title, the following terms shall have the following meanings:

(a) Advertise or **[A]**a advertising means the process of disseminating advertisements in any manner or by any means.

(b) *Advertisement* means any sign, publication, video, use of a brand representative, or any other form of media for the purpose of causing, directly or indirectly, the

purchase or use of a brand or any cannabis or cannabis product or service.

Advertisements include **[including,]** but are not limited to: websites, social media, print media, broadcast media, TV, radio, streaming media, out of home media, **[outdoor signs,]** merchandise, discounts, coupons, points-based reward systems, customer loyalty programs, bundled discounts, event sponsorship, brand representatives, street art, murals, and **[digital]**electronic communications.

(c) *Attractive to individuals under twenty-one* means a cannabis product's label**[ing]**, package**[ing]**, advertisement, advertising, **[and] or** marketing that is pleasing or appealing to, or targets, [persons] individuals under the age of twenty-one by using or including, among other things:

(1) Cartoons or mascots;

[(2) Bubble-type or other cartoon-like font;

(3) Bright colors that are "neon" in appearance;]

(2[4]) Similarities to products, or words that refer to products that are commonly associated with, or marketed in a manner so as to be attractive to, individuals under the age of twenty-one, including but not limited to, any imitation of food, candy, soda, drinks, cookies, or cereal (with the exception of using the name of a

cultivar[or licensee, including the licensee’s doing business as name]), in labeling, packaging, advertising, or marketing;

(3[5]) Terms “candy” or “candies” or variants in spelling such as “kandy” or “kandeez” (with the exception of cultivar names [or a licensee’s name, entity name, or doing business as name]);

(4[6]) Symbols, images, characters, public figures, phrases, toys, or games that are commonly used to market products to individuals under the age of twenty-one; [or]

(5[7]) Images of individuals who could reasonably appear to be under the age of twenty-one, unless the individual is at least twenty-five years of age; or

(6) audio that may be attractive to individuals under the age of twenty-one, including but not limited to audio using children’s voices or cartoon voices.

[(d) *Board* means the Cannabis Control Board of New York State as established by Article 2 of the Cannabis Law.]

(d) *Billboard* means an outdoor advertisement that: (1) has a total area of more than 55 square feet if situated within a 100 yard radius of the licensed premises, permitted showcase event or other event being

sponsored by a licensee; or (2) has a total area of more than 16 square feet if situated more than one 100 yards from the entrance to the licensed premises, permitted showcase event or other event being sponsored by a licensee;

(e) *Brand or Branding* means the name, entity name, or doing business as name, registered trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other identifiable marker that identifies one adult-use cannabis licensee or adult-use cannabis licensee's cannabis products or any cannabis products or services as distinct from those cannabis products or services of other adult-use cannabis licensees and is used in, among other things, any packaging, labeling, advertisement, advertising or marketing.

(f) *Brand representative* means any individual compensated or directed by a licensee authorized to cultivate, process or distribute adult-use cannabis, to provide information and education about a specific brand or cannabis product.

(g[f]) *Certificate of analysis* means a certified report from a cannabis laboratory that meets the requirements of Part 130 of this Title.

(h[g]) *Child-resistant* means special packaging for sale to a consumer that is:

(1) designed or constructed to be significantly difficult for children under five years of age to open and not difficult for adults to use properly as defined by sections 1700.15 and 1700.20 of Title 16 of the Code of Federal Regulations[, as it relates] relating to [Commercial Practices, of the Codes of Federal Regulations section 1700.15 for] Poison Prevention Packaging Standards; and [Title 16, as it relates to Commercial Practices, of the Codes of Federal Regulations section 1700.20 for Testing Procedure for Special Packaging, as amended from time to time, and]

(2) follows the packaging standards set forth in Title 16, as it relates to Commercial Practices, of the Codes of Federal Regulations [S]section 1700.15 and the testing procedure set forth in Title 16, as it relates to Commercial Practices, of the Codes of Federal Regulations section 1700.20.

(i[h]) *Date of expiration* means the date prior to which an unopened cannabis product fails to meet[s] applicable standards of identity, potency, and quality at the time of use, as determined by appropriate data, subject to any storage conditions stated on the labeling.

(i[i]) *Edible* means a product, containing either cannabis or concentrated cannabis and other ingredients, intended for use or consumption through ingestion, including sublingual or oral absorption.

(**k**) *Exit package* means a receptacle into which cannabis products within a retail package are placed at the retail point of sale. **[The exit package is optional.]**

(**l**) *Health claim* means any claim on the retail package or marketing layer or in the marketing or advertising of a cannabis product, that expressly or by implication, including, but not limited to, by "third party" references, written statements (e.g., a brand name including a term such as "heart"), symbols (e.g., a heart symbol), or branding, characterizes the relationship of any cannabis product to a disease or health-related condition or symptom. Implied health claims include those statements, symbols, branding, advertisements, or other forms of communication that suggest, within the context in which they are presented, that a relationship exists between the presence or level of a substance in the cannabis product to a disease or health-related condition or symptom.

[(l) Licensee means an individual or an entity who has been granted a license or registration for any activity under article 4 of the Cannabis Law.]

(m) *Lot unique identifier or lot number or bar code* means **[any]** **the** distinctive combination of letters, numbers, or symbols, or any combination of them, from which the complete history of cultivation, manufacturing, processing, testing, custody, distribution or recall of a lot of cannabis or a cannabis product can be determined.

(n) *Marketing* means the process of identifying consumers' needs and addressing such needs through advertisements.

(o) *Marketing layer* means packaging in addition to the retail packaging that is the outermost layer visible to the consumer at the point of sale. **[The marketing layer is optional, but if used it shall be labeled according to the requirements in this Part.]**

(p) *Market value* means the minimum retail price of a cannabis product, which is one and a half (1.5) times the wholesale price paid by the retailer for the products and units that are being discounted.

(q) *Net quantity* means the total net weight or net volume of the cannabis product minus the weight of the packaging and expressed in metric units, as follows:

(1) if the product is a solid, semi-solid, or viscous product not otherwise listed in this subsection, including but not limited to whole cannabis flower, the net weight shall be expressed in grams, or milligrams for weights under one gram;

(2) if the product is a pre-roll or a multi-pack of pre-rolls, the net weight shall include all cannabis components including, but not limited to, the dried cannabis and any concentrates added to the product (e.g. kief, hash, cannabis extract, or other concentrates) and be expressed in grams, or milligrams for weights under one gram, and the net weight shall not include the rolling paper, filter tip, or other non-cannabis components;

(3) if the product is in liquid form, the net volume shall be expressed in milliliters; or

(4) if the product is a vaporization cartridge or single-use pen, the net weight of the cannabis oil or concentrate shall be the net volume prior to that oil or concentrate's placement in the vaporizer, cartridge, pen, pod, or other device and shall be expressed in grams.

(r[p]) *Non-consumer package* means any container or wrapping used solely for the transport of cannabis or cannabis products in bulk between licensees **[and, particularly], including, but not limited to,** a package intended solely for wholesale distribution and not final retail sale.

[(q) *Office* means the Office of Cannabis Management as established by Article 2 of the Cannabis Law.]

(**s[r]**) *Phytocannabinoid* means any of the chemical compounds, excluding terpenes or any other compounds **[set forth]** identified by the **[O]**office, that are the active principles of **C[c]**annabis sativa **L**, including, but not limited to, tetrahydrocannabinol (THC) and cannabidiol (CBD). *Phytocannabinoid* **[and]** does not include synthetic cannabinoids as that term is defined in subdivision (g) of schedule I of section **[thirty-three hundred six]**3306 of the Public Health Law.

(**t[s]**) *Plastic* means a synthetic material that is made from linking monomers through a chemical reaction to create a polymer chain that can be molded or extruded at high heat into various solid forms that retain their defined shapes during their life cycle and after disposal.

(**u[t]**) *Post-consumer recycled content* means new material produced using material resulting from the recovery, separation, collection and reprocessing of material that would otherwise be disposed of or processed as waste and that was originally sold for consumption. **[It]** *Post-consumer recycled content* does not include post-industrial material, or material generated by means of combustion, incineration, pyrolysis, gasification, solvolysis, chemical recycling, and any high-heat or conversion process.

(**v[u]**) *Principal packaging display panel* means the panel of the retail package or the marketing layer that the processor intends to be displayed at retail.

(w[v]) *Resealable* means a package that maintains its child-resistant effectiveness, [as well as] while also preserving the integrity of cannabis products contained within, for multiple servings.

(x[w]) *Retail package* or retail packaging means a sealed, hard or soft-bodied, child-resistant receptacle in which the cannabis product shall be placed before distribution for retail sale. Retail package does not mean: (1) inner wrapping or lining; (2) an exit package; or (3) a non-consumer package used to transfer cannabis from one licensee to another.

(y[x]) *Reusable packaging* is packaging made from durable material that is designed to be used repeatedly for [a number of] multiple use cycles, is safe for washing and sanitizing, and is capable of being recycled at the end of use, with the exception of ceramic products.

(z) Sign means and includes any billboard, poster, placard, design, device, statuette, or graphic display, whether printed, painted or electric, bearing the name, trade name, trademark, insignia, symbol or product slogan of a licensee or the trade name, trademark, insignia, symbol, design or label of a brand of cannabis or cannabis products. Outdoor sign shall mean and include: any sign not located inside the licensee's brick and mortar premises; or any sign on any window or door of the brick-and-mortar

premises not intended to be viewed from within the premises shall be considered an outdoor sign.

(**aa**[y]) *Special branding material* means a visual or audio element which shall only be for use in packaging, labeling, marketing, and advertising by certain licensees or on certain cannabis products including, but not limited to, a designation that a licensee is a social and economic equity licensee. **[All] The use of any** special branding materials **[and the brands or products authorized to use such materials shall be defined, made available, and designated for use in guidance] must be approved by the office.**

(**ab**[z]) *Tamper-evident* means, with respect to a device or process, bearing a seal, a label or a marking that makes unauthorized access to or tampering with a package, product, or container easily detectable.

(**ac**[aa]) *Total THC* means the sum of the percentage by weight or volume measurement of tetrahydrocannabinolic acid multiplied by 0.877, plus, the percentage by weight or volume measurement of THC.

[(ab) *Use by date* means the date prior to which an opened cannabis product meets applicable standards of identity, potency, and quality at the time of use, as determined by appropriate data, subject to any storage conditions stated on the labeling.]

(ad[ac]) *Universal symbol* means an image **[developed by the Office]** required by this Part, and made available to licensees, that indicates that a retail package or product contains cannabis.

(ae) *Vehicle* means any vehicle or bicycle, as such terms are defined in the Vehicle and Traffic Law, watercraft or aircraft.

(af) *Wholesale price* means the price an adult-use distributor offers to an adult-use retail dispensary licensee or licensed entity authorized for retail sale for a cannabis product.

§128.2 Cannabis Product Retail Packaging Minimum Standards.

(a) A retail package shall:

(1) be child-resistant for the duration of the useful life of the product, even if the innermost layer is enclosed within a retail package, such as a container placed inside the retail box or bag;

(2) be tamper-evident in a manner that all required labeling remains unobstructed and conspicuous on the product even after the package has been opened;

(3) be resealable, if it contains more than one serving;

(4) fully enclose the product, minimize oxygen exposure, and prevent the contamination and/or degradation of the cannabis product; **[and]**

(5) not impart any toxic or deleterious substance onto the cannabis product.

(b) A licensee shall maintain **[a copy of the certificate showing]** documentation demonstrating that each retail package into which the licensee places cannabis or cannabis products is child-resistant and complies with the requirements of Title 16, as it relates to Commercial Practices, of the Codes of Federal Regulations section 1700.15 for Poison Prevention Packaging Standards and Title 16, as it relates to Commercial Practices, of the Codes of Federal Regulations section 1700.20 for Testing Procedure for Special Packaging, as amended from time to time.

(c) The exit package is optional, is not required to be labeled, and, unless the exit package is a retail advertising specialty as defined in Section 124.1 of this Title, **[may]** shall **[—at a maximum—]** only include the retail dispensary's name, its logo, and any special branding materials, providing such **[that]** name or logo complies with the provision of section 128.6 of this Part.

§ 128.3 Cannabis Product Packaging Prohibitions.

(a) Cannabis product packaging shall not:

[(1) contain any features that emit scent or sound;

(2) contain any features that change or alter a package's appearance through technology, other than for anti-counterfeiting purposes;]

(1[3]) be [made] attractive to individuals under the age of twenty-one as defined in section 128.1 of this Part;

(2[4]) be made of plastic, unless containing a minimum 25% post-consumer recycled content [; as follows] provided that:

(i) the provisions of this paragraph shall not apply to: (a) plastics deemed necessary to adhere to child resistance requirements, such as push buttons for cardboard boxes or other mechanisms designed to prevent children from opening containers; and (b) items for which no option that utilizes post-consumer recycled content is available. Proof that the licensee had conducted its due diligence in examining packaging alternatives, and that the licensee has found no alternative, must be

maintained by the licensee and made readily available to the office upon request;

(ii) new licensees have twelve months from the date of licensure to comply with the 25% minimum post-consumer recycled content requirement and must provide evidence of compliance upon the initial license renewal;

(iii) documentation of compliance with this subdivision shall be made readily available to the office upon request; and

(~~3~~**[5]**) violate any additional requirements as set out by the ~~[O]~~**office** or ~~[more stringent]~~ **any other** packaging requirements established in any New York State law or regulation.

§ 128.4 Retail Packaging Sustainability Program.

(a) A **processor, microbusiness, cooperative, RO, ROD, or ROND** licensee shall submit an environmental sustainability program for cannabis product packaging as part of the application **and licensure** process, if applicable for the license type. Such programs may include, but are not limited to, reuse strategies collecting reusable cannabis packaging components to be sanitized and refilled or

reused as cannabis packaging or sustainable packaging strategies that use non-plastic, compostable or recyclable materials, or packaging materials exceeding 25% post-consumer recycled content.

(b) [Within two years of issuance of the license] Upon renewal of the license, [the] a processor, microbusiness, cooperative, RO, ROD, or ROND

licensee shall submit to the **[Board or] [O]ffice, in a form and manner determined by the office,** an **[revised]** environmental sustainability product packaging plan that reduces use of plastics in packaging.

(c[b]**)** Retail packages can be reused after appropriate sanitation if, based on visual inspection, the retail package is in good working order and does not appear to pose a risk of unintended exposure or ingestion of cannabis products. The retail packages shall be sanitized and disinfected either by a licensee or by a third-party to ensure that they do not contain any harmful residue or contaminants. The visual inspection shall ensure such retail packages are not brittle or have chips, cracks, or other imperfections that could compromise the child-resistant properties of the retail package or otherwise pose a threat of harm to any individual.

(d[c]**)** Claims about recyclable or recycled content packaging shall comply with Title 16, as it relates to Commercial Practices, of the Codes of Federal Regulations

[section] Part 260 regarding Guides for the Use of Environmental Marketing Claims.

(~~e~~**[d]**) A licensee who packages cannabis products for retail sale shall annually report to the **[O]**~~o~~ffice key metrics including, but not limited to:

(1) the total amount, by weight, of packaging material sold, offered for sale, or distributed into the **[s]**~~S~~tate by the licensee in the prior calendar year;

(2) the total number of cannabis products sold in reusable packages, ~~and~~ the number of reusable packages that the licensee refilled;

(3) the total cost of packaging material; **[and]**

(4) for reporting required after December 31, 2025, the material composition of packaging material sold, offered for sale, or distributed into the State by the licensee in the prior calendar year; and

(~~5~~**[4]**) any additional information as set out by the **[O]**~~o~~ffice.

§ 128.5 Cannabis Product Labeling Minimum Standards.

(a) The principal packaging display panel shall contain the following information:

(1) for all cannabis products except for inhalable cannabis products:

(i) **the** milligrams per single serving of total THC (THC + $[(\text{THCA} \times 0.877)]$), **and total CBD (CBD + $[\text{CBDA} \times 0.877]$)** content, and any other marketed phytocannabinoids;

[(2) if terpenes are marketed, a terpene profile;]

(ii) **the** milligrams per total package of total THC (THC + $[(\text{THCA} \times 0.877)]$) **and total CBD (CBD + $[\text{CBDA} \times 0.877]$)** content;

(iii) the milligrams per single serving of total CBD (CBD + $(\text{CBDA} \times 0.877)$) content;

(iv) the milligrams per total package of total CBD (CBD + $(\text{CBDA} \times 0.877)$) content;

(v) the number of servings per package; and

(vi) the recommended size of a serving;

(2) for inhalable cannabis products:

(i) the amount of total THC (THC + $[\Delta^9\text{THCA} \times 0.877]$) and any other marketed phytocannabinoids as a percentage of weight or volume, **except if the cannabis product is in the form of an edible**;

(ii) the amount of total CBD (CBD + (CBDA x 0.877)) as a percentage of weight or volume;

[(5) number of servings per package and, if applicable, the recommended size of a serving, except for cannabis flower and other forms of cannabis for vaporization; and]

(3**[6]**) the net quantity **[weight]** of the cannabis product; and

(4) the brand name of the cannabis product.

(b) The retail package or, if it is used, the marketing layer shall contain the following information:

(1) a list of all active and inactive ingredients, including but not limited to single ingredient cannabis products such as whole cannabis flower, in descending order of predominance by weight in the cannabis product **[– both active and inactive]**. The ingredient list shall include and separately list **[, in**

bold,] any major allergens set forth in the Food Allergen Labeling and Consumer Protection Act of 2004, Title 21, as it relates to Food and Drugs, of the U.S. Code section 343, for misbranded food;

(i) except for tablets and capsules without any food ingredients, micronutrient, or herbal supplements, **[E]**edibles shall include a nutritional label pursuant to Title 21, as it relates Food and Drugs, of the Codes of Federal Regulations section 101.9(c) for nutrition labeling of food, as amended from time to time; and

(ii) except for tablets and capsules without any micronutrients or herbal supplements, **[C]**cannabis products marketed as dietary supplements shall include a supplement fact panel pursuant to Title 21, as it relates to Food and Drugs, of the Codes of Federal Regulations section 101.36 for nutrition labeling of dietary supplements, as amended from time to time;

(2) a list of any solvent used to produce the cannabis product, if applicable;

(3) date of expiration of the unopened cannabis product;

[(4) use by date;]

(4[5]) proper storage conditions;

(5[6]) name, location (at a minimum, city or zip code), license number, and direct contact information of the processor or processors;

(i) a processor identified on the label shall not be a processor which only labeled or branded the product; and

(ii) in the event multiple processors are identified on the product label, then one of the processors that satisfies subparagraph (i) must be clearly identified as the product's manufacturer using the word "Manufacturer";

(6[7]) any one of the following three universal symbols at a minimum size of 1.25 inch in height for the square symbol, 0.5 inch in width for the vertical symbol, and 0.5 inch in height for the horizontal symbol. The symbol and its colors cannot be altered unless authorized by the Board and it shall be made conspicuous by printing the symbol on, or outlining the symbol with, a contrasting color;



(7[8]) clear usage instructions, except for cannabis products intended for inhalation;

(8[9]) lot unique identifier or lot number or bar code;

(9[10]) a scannable bar code or QR code linked to a downloadable certificate of analysis or linked to a website where the certificate of analysis can be downloaded;
[and]

(10) if terpenes are marketed, a terpene profile; and

(11) any other information required by the [B]board.

(c) Required labeling shall be no smaller than 6-point font size. Font size must be maintained when printed on the label. [Labeling text] All content required by this Part shall be clearly written or printed and in the English language using text that contrasts from the background. In addition to the required labeling in English, licensees may include accurate foreign language translation(s) of the labeling text, provided such translation otherwise complies with this Part.

(d) The marketing layer is optional, but if used by a licensee in addition to the required packaging, it shall be labeled according to the requirements in Section 128.6 of this Part.

(e) The information required pursuant to **[Section 128.5]**subdivision(a) of this **[Part]**section shall be unobstructed and conspicuous. A licensee must**[ay]** include the information required pursuant to **[Section 128.5]**subdivision (a) of this **[Part]**section by printing it directly onto the retail package or by affixing multiple labels with the information to the retail package, provided that none of the information is obstructed.

(f) The retail packagee**[ing]** or, if it is used, the marketing layer, shall contain the following warnings, provided however, if the word “warning” is clearly associated with all warnings as a header then the word “warning” does not need to be included in the individual warnings where specifically indicated below:

- (1) “This product contains cannabis and THC”;
- (2) “KEEP OUT OF REACH OF CHILDREN AND PETS. For use only by persons 21 years of age and older”;
- (3) “Warning: Do not use if pregnant or nursing”;
- (4) “Poison Center 1-800-222-1222”;

(5) For cannabis products intended to be smoked, inhaled, or vaporized: “Warning: Smoking or vaping is hazardous to health”;

(6) For cannabis products intended to be ingested orally: “Warning: Effects of this product may be delayed by 4 or more hours”;

(7) For topical products: “Warning: For topical use only. Do not eat or smoke”; and

(8) Any other warning required by the [B]board.

[(g) The warnings required pursuant to Section 128.5(f) of this Part shall be displayed:

(1) in the English language;

(2) in Times New Roman, Calibri, Arial, or Helvetica;

(3) in text no smaller than size six (6) font; and

(4) bolded.]

(g[h]) In addition to the required warnings in [Section 128.5]subdivision(f) of this [Part]section, the retail package[ing] or marketing layer shall include any one of the following rotating health warnings as determined by the [O]office:[]

(1) “Cannabis can be addictive.”;

(2) “Cannabis can impair concentration and coordination. Do not operate a vehicle or machinery under the influence of cannabis.”;

(3) “There may be health risks associated with consumption of this product.”; or

(4) Other warnings as determined by the office.

(h) The warnings required pursuant to subdivision (f) and subdivision(g) of this Part shall be displayed:

(1) at a minimum in the English language;

(2) in Times New Roman, Calibri, Arial, or Helvetica; and

(3) in text no smaller than 6-point font size.

(i) To allow for labeling on small packaging, the information required pursuant to sections 128.5(b), (f), and (~~g~~~~h~~) of this Part may appear on label~~s~~ types that [are] include, [not by means of limitation] but are not limited to: accordion, booklet, dry release, expandable, extendable, or peel-and-reseal. This allowance does not apply to:

(1) The principal packaging display panel minimum standards specified in [section 128.5]subdivision (a) of this [Part]section;

(2) the universal symbol specified in Section 128.5(b)(~~7~~~~6~~) of this Part; and

(3) the following two required warnings in section 128.5(f):

(i) “This product contains cannabis and THC”; and

(ii) In all capital letters as indicated: “KEEP OUT OF REACH OF CHILDREN AND PETS. For use only by persons 21 years of age and older”.

(j) Any research licensee conducting research approved by the ~~[O]~~office involving human subjects shall comply with all packaging and labeling requirements, unless the licensee has received~~s~~ [prior written approval for] a waiver approved by the Office of specific packaging or labeling requirements in connection with any

research approved by the **[O]**office. The waiver may extend to a licensee providing cannabis products for an approved research study.

§ 128.6 Cannabis Product Labeling Prohibitions.

(a) No cannabis product package, including an exit package, shall display any content or be labeled in any manner that:

(1) is attractive to individuals under twenty-one as defined in section 128.1(c) of this Part;

(2) includes any false or misleading statements, images, or other content **[including, but not limited to, any health claims];**

(3) includes any health claims;

([3]4) includes the term “organic” **, or any similar term,** unless describing **[the] a** **cannabis** product’s ingredients and in compliance with Title 7, as it relates to Agriculture, of the Codes of Federal Regulations sections 205.600 to 205.607 **[(sections 205.608-205.619 [Reserved])]**, regarding the USDA National list of Allowed and Prohibited Substances, such that the product contains at least 70 percent certified organic ingredients (not including salt or water);

(~~4~~5) includes the term “craft”, , or any similar term, unless the processor is designated by the ~~O~~office as processing a craft product~~s~~ pursuant to Part 118 of this Title;

(~~5~~6) includes the term “gluten-free”, , or any similar term, unless the product meets the term as defined in Title 21, as it relates to Food and Drugs, of the Codes of Federal Regulations section 101.91;

(~~6~~7) includes the term “vegan”, , or any similar term, unless the product contains no animal products;

(~~7~~8) includes the term “kosher”, , or any similar term, unless the product is packaged and labeled in compliance with section 201-a of the Agriculture and Markets Law;

~~[(8) causes a reasonable consumer confusion as to whether the cannabis product is trademarked, marked, or labeled in a manner that violates any federal trademark law or regulation;]~~

(9) portrays cannabis or cannabis products as being authorized under or part of ~~A~~article 3 or ~~A~~article 5 of the Cannabis Law;

~~[(10) depicts cannabis products or paraphernalia;]~~

(~~[11]~~10) promotes overconsumption;

~~[(12) promotes price, price reductions, or any other discount, customer loyalty program, or coupon, except as part of an environmental sustainability program pursuant to Section 128.4(a) of this Title or otherwise approved by the Office;]~~

(~~[13]~~11) includes a special branding material, unless the use of such special branding material ~~[is]~~ has been authorized by the ~~[O]~~office and complies with this Part; or

~~([13]~~12) is tamper-evident in a manner that obstructs any required labeling content set forth in section 128.2 of this Part or would result in such required labeling content being separated from the package when it is opened

~~[(14) violates any other prohibitions as set out by the [Office].~~

§ 128.7 ~~[Retail]~~ Packaging and Labeling Violations and Penalties.

(a) The Board may suspend, cancel, or revoke a license, registration, or permit and impose any other penalties as authorized by Chapter II [Subchapter J] of this Title and the Cannabis Law for the following violations:

(1) failing to comply with this Part; and

(2) transferring, selling, or offering to sell a cannabis product to another licensee that is not packaged or labeled in accordance with this Part.

(b) If a licensee authorized to sell cannabis products to consumers receives a cannabis product that is not packaged or labeled in accordance with this Part and the licensee receives appropriate notification of the noncompliance from the [O]ffice, a consumer, or the licensee which processed or distributed the cannabis product, then the licensee shall immediately notify the [O]ffice and return the cannabis product to the licensee who transferred the product to the licensee. In the event the cannabis product is packaged according to this Part but is not labeled according to Part 128, the processor may correct the labeling by adding only the information required to make the labeling compliant. Such allowance does not prevent the Office from implementing any civil penalties or actions, temporary or otherwise, against the processor in the interest of public health and safety.

(c) If a licensee returns a cannabis product to the licensee who transferred the product, the licensee initiating the return shall document the return and the reason for the return in the inventory tracking system.

§ 128.8 Severability.

If any provision of this Part or its application to any particular person or circumstance is held invalid, the remainder of this Part and its application to other persons and circumstances shall not be affected thereby.

§ 128.9 Referenced Material.

Regulations included in Part 128 of this Title contain references to documents for information as to the standards to be met or guidelines and methodologies to be used in meeting the requirements of specific regulations. In addition, copies of referenced materials are available for public inspection and copying at the Albany office of the New York State Department of State.

Table 1

Regulation	Referenced Material	Availability
9 NYCRR Part/sec./etc.	CFR (Code of Federal Regulations) or other	

128.1([g] h)(1)	Title 16 §§ 1700.15 and 1700.20 (January 1, 2021)	*
128.2(b)	Title 16 §§ 1700.15 and 1700.20 (January 1, 2021)	*
128.4([c] d)	Title 16 Part 260 (January 1, 2021)	*
128.5(b)(1)	21 U.S.C. Part 343 (January 1, 2021)	*
128.5(b)(1)(i)	Title 21 § 101.9(c) (January 1, 2021)	*
128.5(b)(1)(ii)	Title 21 § 101.36 (January 1, 2021)	*
128.6(a)([3] 4)	Title 7 §§ 205.600 – 205.619 (January 1, 2021)	*
128.6(a)([5] 6)	Title 21 § 101.91 (January 1, 2021)	*

* Any printed editions of the *Code of Federal Regulations* (CFR) can be obtained by calling the Superintendent of Documents, U.S. Government Printing Office, at (202) 512-1800. Electronic copies of CFR sections may also be obtained at Government Printing Office (GPO) which contains the most recent revisions, can be searched directly at: <https://www.ecfr.gov/>

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§ 128.10 Effective Date.

(a) The provisions of this Part are effective upon publication of the Notice of Adoption in the New York State Register provided, however, the packaging and labeling requirements under paragraphs (1) through (5) of section 128.2(a), section 128.2(c), paragraphs (1) through (3) of section 128.3(a), paragraphs (1) through (4) of section 128.5(a), paragraphs (1), (5), (7), and (10) of section 128.5(b), section 128.5(c), section 128.5(e), section 128.5(f), section 128.5(g), section 128.5(h), and section 128.5(i) will take effect six months after the publication of Notice of Adoption.

(b) Notwithstanding subdivision (a) of this section, cannabis products sold in New York State must meet the requirements set forth in this Part within six months of adoption of regulations.

Part 129

Part 129 - Adult-Use Marketing and Advertising

§ 129.1 Definitions.

**§ 129.2 Adult-Use Marketing and Advertising General [Requirements]
Provisions.**

**§ 129.3 [Adult-Use Marketing and Advertising Prohibitions] Discounts
Reward or loyalty programs and Other Promotions.**

§ 129.4 Outdoor Signs.

**§ 129.5 [Adult-Use Marketing, Advertising, Outdoor Signs, and Billboards]
Violations and Penalties.**

§ 129.6 Severability.

§ 129.7 Referenced Materials.

§ 129.1 Definitions.

For purposes of this Part, the terms used herein shall have the meanings ascribed to them in Section 128.1 of this Title.

**§ 129.2 Adult-Use Marketing and Advertising General [Requirements]
Provisions.**

**(a) All advertising and marketing of cannabis and any cannabis products
or services shall comply with the provisions of this Part.**

[(a) A licensee may use its brand on labeling, interior signs, advertising, advertisements, and other materials subject to Parts 128 and 129 of this Title.]

(b) [A licensee may engage in reasonable marketing and advertising practices that are not otherwise prohibited in this Part, provided the marketing, advertising, and any advertisements do not jeopardize public health or safety, promote youth use, or be attractive to individuals under twenty-one.] Any advertising and marketing of cannabis and cannabis products or services shall not:

(1) be attractive to individuals under the age of twenty-one;

(2) promote or depict the use of cannabis products by individuals under the age of 21;

(3) be false, deceptive, or misleading;

(4) promote overconsumption of cannabis or cannabis products;

(5) depict consumption of cannabis or cannabis products;

(6) be within or readily observed within five hundred feet of the perimeter of a school ground, playground, child day care provider, public park, or library;

(7) be in or on a public transit vehicle or station;

(8) be on publicly owned or operated property;

(9) make medical claims or promote adult-use cannabis for a medical or wellness purpose, including but not limited to any claims or representations that the use of cannabis has curative or therapeutic effects;

(10) except as provided for in this Part, promote or implement discounts, coupons, or other means of selling adult-use cannabis products either below market value or at a discount that would subvert local and State tax collections; or

(11) be in the form of a billboard;

(12) use or display the imagery, action or sound of smoking or vaping;

(13) promote product potency;

(14) falsely portray cannabis or cannabis products as being in compliance with article 3 or article 5 of the Cannabis Law;

(15) assert that cannabis or cannabis products are safe because they are regulated by the board or the office;

(16) use the term “vegan” or any similar term, unless describing a cannabis product containing no animal products;

(17) use the term “kosher” or any similar term, unless describing a cannabis product packaged and labeled in compliance with section 201-a of the Agriculture and Markets Law;

(18) use the term “gluten-free”, or any similar term, unless the product meets such term as defined in Title 21, as it relates to Food and Drugs, of the Codes of Federal Regulation section §101.91;

(19) use the term “craft”, or any similar term, unless describing a cannabis product made by a processor designated by the office as processing craft products pursuant to Part 118 of this Title;

(20) use the term “organic”, unless describing a cannabis product’s ingredients and in compliance with Title 7, as it relates to Agriculture, of the Codes of Federal Regulations sections 205.600 to 205.607 (sections 205.608-205.619 [Reserved]), regarding the USDA National list of Allowed and Prohibited Substances, such that the product contains at least 70 percent certified organic ingredients (not including salt or water);

(21) depict cannabis products not compliant with Part 128 of this Title;

(22) disparage the cannabis or cannabis products of another licensee;

(23) encourage the transportation of cannabis across state lines or otherwise encourage illegal activity;

(24) include medical symbols that might reasonably lead a consumer to think the product is a medical product unless that product is a medical cannabis product sold by a registered organization pursuant to Part 113 of this Title;

(25) utilize unsolicited pop-ups or banners on the internet or digital application other than age-restricted websites or digital applications for individuals 21 years of age or over who consent to view cannabis-related material; and

(26) include a special branding material, unless use of such branding material is authorized and complies with this Part.

(c) Any advertising or advertisement **[shall]**, except for brand representatives and cannabis merchandise, **[unless] or except as** otherwise approved by the **[O]**office, must include **[a] one of the following****[required]** warning statements**[that depends on that advertisement's form]**:

(1) if the advertising or advertisement contains only visual elements or a combination of audio and visual elements, **[then]** the following warning statement**[s]** shall be either included in a conspicuous manner on the face of the advertising or advertisement or clearly read aloud at the same volume and pace and in the same language as the rest of the advertising or advertisement:

"For use only by **[adults]** persons 21 years of age and older. Keep out of reach of children and pets. **[In case of]** If someone accidentally **[ingestion or over]**consum**[ption]**es cannabis, contact the Poison Center **[at 1-800-222-1222 or call 9-1-1]**. **[Please c]**Consume responsibly."; or

(2) if the advertising or advertisement contains only auditory elements, **[then]** the following warning statement**[s]** shall be clearly read aloud at the same volume

and pace and in the same language as the rest of the advertising or advertisement:

“For **[use only by]** **[adults]** persons 21 and older. Keep **[out of reach of]** away from children and pets. **[In case of]** If cannabis is accidentally **[ingestion or over]** consumed**[ption]ed**, contact the Poison Center. **[Consume responsibly.]**”

(d) Any advertising or advertisement, except for audio-only advertising or advertisements, brand representatives, and cannabis merchandise, **[unless]** or except as otherwise approved by the **[O]**office, shall include one of the following warnings in a rotating manner as directed by the **[O]**office, in their entirety in a conspicuous manner on the face of the advertising or advertisement or clearly read aloud at the same volume and pace and in the same language as the rest of the advertising or advertisement:

(1) "Cannabis can be addictive.";

(2) “Cannabis can impair concentration and coordination. Do not operate a vehicle or machinery under the influence of cannabis.”;

(3) "There may be health risks associated with consumption of this product.";

(4) "Cannabis is not recommended for use by persons who are pregnant or nursing.”;
or

(5) Other warnings as **[determined]** authorized by the **[O]**office.

(e) Warnings pursuant to sections **[129.2]**subdivisions (c) and **[129.2]**(d) of this **[Part]**section shall be displayed as follows if printed or otherwise written on the advertising or advertisement:

(1) in the same language as the advertising or advertisement;

(2) in Times New Roman, Calibri, Arial, or Helvetica;

(3) in text no smaller than **[size]** 6-point font size;

(4) **[bolded]** in text that is easily legible and contrasts sufficiently from the background and other text on the advertisement or marketing;

(5) be **[legible,]** unobscured**[,]** and visible to the consumer; and

(6) in a bright yellow text box so as to stand out from the surrounding advertising or advertisement. **[The use of a bright yellow color for the warning shall not**

render the advertisement attractive to individuals under twenty-one as prohibited by Section 129.3 of this Part.] If the surrounding advertising or advertisement is yellow in color, the text box shall be offset with a distinctive border so as to differentiate it from the surrounding advertising or advertisement.

(f) Unless exempted by the office, [A]any [licensee] advertising or advertisement, except for brand representatives and cannabis merchandise, shall include the New York State HOPEline phone number, text number, and website or QR code **[on any advertisement]**, or other future iteration of New York State's gambling and substance use disorder resource helpline **[unless otherwise approved by the Office]**.

(g) A licensee shall only advertise **[by means of television, radio, print, internet, mobile applications, social media, other electronic communications, or other print publication, unless the advertisement is an outdoor sign pursuant to Section 129.4(a) of this Part,]** if the **[licensee has reliable evidence that at least 90%, unless otherwise determined by the Office, of the]** audience for the advertisement is reasonably expected to be **[twenty-one years of age or older]** comprised of a proportion of individuals age 21 and older that meets or exceeds the proportion of the state's population that is 21 and older based upon the most recently available data from the U.S. Census Bureau's Annual Estimates of the Resident Population. The burden of proof of the audience composition lies with the licensee.

This requirement does not apply to advertising and advertisements that can only be viewed or heard solely from within the licensed or permitted premises of a licensed cannabis retailer.

(h) A licensee shall maintain records and documentation to establish that its advertising, advertisements, and marketing meet the requirements of this Part.

(i) A licensee may sponsor a charitable, sports, or similar event provided however, a licensee shall not advertise at, or in connection with, such an event unless:

(1) any advertisements are limited to **[consist only, at a maximum, of]** the licensee's logo and trademark and the following **[text]** information:

(i) **[the]** licensee's name, entity name, or doing business as name;

(ii) if the licensee is authorized to conduct retail sales, the retail dispensary's address; **[the licensee's website URL, email address, and phone number;]**

(iii) licensee's phone number, email address, and website URL; **[the nature of the business; and]**

(iv) if the licensee is authorized to conduct retail sales, directions to the business **[the retail dispensary's location]; and**

(v) the type of license issued to the licensee;

(2) advertising, advertisements, and marketing at eligible events shall comply with this Part.

(j) A licensee shall **[limit the] not sell** apparel displaying its brand and trademark **[used]** in youth sizes. **[connection with the sale of apparel displaying its brand to only adult sizes. Such]** A[a]pparel shall only be sold by **[the] a** licensee at its own licensed premises or as otherwise authorized within this Title. The universal symbol as determined in Part 128.5(b)(**[7]6**) of this Title cannot be used in branded apparel.

(k) A licensee shall accurately and legibly include its name and license number in all advertising and advertisements **[for its products]**, unless the form of the advertising or advertisement has been **[exempted from this requirement]** otherwise approved by the **[O]**office. This requirement does not apply to brand representatives or cannabis merchandise; however, if using a brand representative, licensees must provide a license number upon request.

(l) A licensee who advertises via a website or digital application shall have a mechanism designed to **[keep those under the age of twenty-one from visiting]** require a visitor to such website or digital application the website or digital application to verify that the visitor is 21 years of age or older.

(m) A licensee advertising on any social media platform shall include the following information clearly visible on the profile page of the social media account, unless otherwise restricted by the social media platform advertising standards, guidelines, policies, or terms:

(1) text stating that cannabis products are legal only for persons twenty-one years of age or older;

(2) the license or permit number of the licensee; and

(3) any other information as requested by the office.

(n) A licensee advertising on any social media platform or digital application shall disseminate social media advertising or advertisements where the user verifies that they are age 21 or older.

(o[m]) A licensee who has entered into an intellectual property licensing agreement, marketing or advertising agreement or any other agreement in which a licensee

authorizes the use of its intellectual property, or allows a third party to market or advertise on its behalf, the licensee is responsible to ensure that such agreement [.] or intellectual property use **[marketing or advertising]** shall comply with Part 128 and this Part of this Title.

(p) Any advertising or advertisement delivered via mail is only allowed if the addressee is an individual twenty-one years of age or older. Such mail must be enclosed in a plain, opaque envelope or other covering of the advertising or advertisement's content.

[(n) Licensees shall comply with additional requirements as set out by the Office.]

(q) The provision of branded free cannabis merchandise as part of an environmental sustainability program pursuant to section 128.4(a) of this Title is exempt from the retail advertising specialties limits and requirements pursuant to Part 124.1(i) of this Title.

(r) A licensee may advertise, including through a brand representative, to consumers through free cannabis merchandise provided that such advertising does not result in providing any free cannabis merchandise to an individual under 21 years of age.

(s) Brand representatives engaged in advertising and marketing for a licensee:

(1) may only engage in product or brand education about adult-use cannabis products and brands with individuals 21 years of age and older;

(2) may only engage in giveaways or distribution of free unbranded promotional items to individuals 21 years of age and older in adult-use retail dispensaries;

(3) shall adhere to employee and visitor identification requirements pursuant to 125.3(d)(1) of this Title, or otherwise approved by the office;

(4) shall be required to complete Responsible Workforce Training pursuant to 125.5 of this Title;

(5) shall not enter into any contractual agreements, terms, remuneration, or other arrangements which would result in undue influence over a licensee, pursuant to Part 124.1 of this Title;

(6) shall not fulfill orders or facilitate direct sales to a consumer or otherwise conduct licensed activities for a licensee authorized for retail sales;

(7) shall not have a direct or indirect interest with a licensee authorized to conduct retail sales, provided however, a brand representative could have an interest in a microbusiness authorized for retail sales or a ROD; and

(8) shall not distribute or provide samples of cannabis products to potential customers or other members of the public.

(t) A licensee shall not permit the use of their trademarks or branding for third-party use on advertising in a manner that does not comply with this Part or any other statute, rule, or regulation.

§ 129.3 [Adult-Use Marketing and Advertising Prohibitions.] Discounts, Reward or Loyalty Programs and Other Promotions.

[(a) No marketing, advertising, or advertisement shall:

(1) depict cannabis products not compliant with Part 128 of this Title;

(2) use or display images designed in any manner to be attractive to individuals under twenty-one (21);

- (3) use audio that may be attractive to individuals under twenty-one, including but not limited to using children’s voices or cartoon voices;
- (4) be on or in the form of a billboard or, unless otherwise allowed pursuant to section 129.4 of this Part;
- (5) use or display colloquial references to cannabis or depictions of cannabis, cannabis products, paraphernalia, or the imagery or, action, of smoking or vaping, including but not limited to the words “stoner”, “chronic”, “weed”, “pot”, or “sticky buds,” unless such reference is used in the licensee’s name, entity name, doing business as name, or logo;
- (6) be false or misleading,, including making any health claims or a representation that use of cannabis has curative or therapeutic effects;
- (7) promote overconsumption or rapid consumption;
- (8) promote product potency or THC concentration;
- (9) promote price, price reductions, or any other discount, customer loyalty program, or coupon, except as part of an environmental sustainability program pursuant to Section 128.4(a) of this Title or otherwise approved by the Office;

(10) falsely portray cannabis or cannabis products as being in compliance with Article 3 and Article 5 of the Cannabis Law;

(11) assert that cannabis or cannabis products are safe because they are regulated by the Board or Office;

(12) use the term “organic”, unless describing a cannabis product’s ingredients and in compliance with Title 7, as it relates to Agriculture, of the Codes of Federal Regulations sections 205.600 to 205.607 (sections 205.608-205.619 [Reserved]), regarding the USDA National list of Allowed and Prohibited Substances, such that the product contains at least 70 percent certified organic ingredients (not including salt or water);

(13) use the term “craft”, unless describing a cannabis product made by a processor designated by the Office as processing craft products;

(14) use the term “gluten-free”, unless the product meets the term as defined in Title 21, as it relates to Food and Drugs, of the Codes of Federal Regulations section §101.91;

(15) use the term “vegan”, unless describing a cannabis product containing no animal products;

(16) use the term “kosher”, unless describing a cannabis product packaged and labeled in compliance with section 201-a of the Agriculture and Markets Law;

(17) contain any obscene or indecent statement, design, or representation, picture, or illustration;

(18) be within or be readily observed within 500 feet of an elementary or secondary school grounds as defined in Education Law, recreation center or facility, childcare center, playground, public park, or library;

(19) disparage the cannabis or cannabis products of another business;

(20) encourage the transportation of cannabis across state lines or otherwise encourage illegal activity;

(21) be on or through handbills that are passed out in public areas including, but not limited to, parking lots and publicly owned property;

(22) include medical symbols that might reasonably lead a consumer to think the product is a medical product;

(23) utilize unsolicited pop-up or banner advertising on the internet other than on age-restricted websites for people twenty-one and over who consent to view cannabis-related material;

(24) produce any items for sale or promotional gifts, such as T-shirts or novelty items, bearing a symbol of or references to cannabis. This prohibition shall not pertain to cannabis paraphernalia sold to consumers;]

(a[25]) A licensee may not advertise through [fee promotional items including, but not limited to, gifts,] giveaways [,discounts, points based reward systems, customer loyalty programs, coupons and] of adult-use cannabis products or "free" or "donated" cannabis products[, except for the provision of branded exit packages by a licensee for the benefit of customers after a retail purchase is completed, the provision of free promotional items as part of an environmental sustainability program pursuant to Section 128.4(a) of this Title, or as otherwise approved by the Office].

[(26) use a commercial mascot;

(27) include a special branding material, unless use of that special branding material is authorized and complies with this Part; or

(28) violate additional prohibitions determined by the Board or Office.]

(b) [A licensee shall not permit the use of their trademarks, brandings, names, locations, or other distinguishing characteristics for third-party use on advertising in a manner that does not comply with this Part or any other statute, rule, or regulation.] A licensee may advertise price reductions or any other discount, coupons, points-based reward systems, customer loyalty programs, or bundled discounts for adult-use cannabis products provided that:

(1) such offers do not result in the sale of cannabis products below market value;

(2) the retail tax due on such products is calculated on the pre-discounted price so as to not subvert State and local tax collections;

(3) if not within a licensed or permitted premises, the advertising or advertisement of such offers is in the form of an electronic communication, mailer, via a licensee's website, or via a third-party website allowed by the licensee where the audience is intended to be individuals 21 years of age and over; and

(4) the advertising or advertisement of such offers is not adhered or affixed to a cannabis product package or label.

§ 129.4 Outdoor Signs.

(a) [Only] L[I] licensees [authorized to conduct retail sales or delivery to consumers] may advertise [outdoors] using outdoor signs provided [such signs] that:

(1) [are for the purpose of alerting individuals to the location of a retail dispensary authorized to sell cannabis products to consumers] no billboard shall be used to advertise or market cannabis or any cannabis product or service;

(2) [are limited to, at a maximum,] such outdoor signs contain only the following information:

(i) licensee's name, entity name, or doing business as name;

(ii) dispensary address, if any, and licensee's phone number, email address, and website URL; [and]

(iii) directions to **[nature of]** the business; and

(iv) the licensed activity;

(3) such signs are not attractive to individuals under the age of twenty-one
[are affixed to a building or permanent structure];

(4) **[are not on vehicles]** no vehicle shall be used to advertise or market
cannabis, or any cannabis product or service, except for a licensee's
vehicle that is required to contain certain identifying information in order
to comply with other laws or regulations; and

(5) **[do not total more than two in number per licensed premises]** such signs
do not violate any applicable municipal advertising, marketing or signage
requirement that is not specific to the advertisement or marketing of
cannabis products or services.

(b) **[Marketing or advertising is prohibited on any s]** **Signs [and placards]**
are prohibited, regardless of their size or purpose, in arenas, stadiums, other
sport venues, shopping malls (unless alerting individuals to the location of a retail
dispensary located within that mall), fairs that receive **[s]** **State allocations**, and
video game arcades, regardless of whether any of the foregoing are open air or
enclosed, **provided, however, if the event or facility uses an employee or**

agent of the event or facility, or other controlled security access that will restrict access to only individuals 21 years of age and older then this provision shall not apply [but this does not include any such sign or placard located at an adult-only facility or as further set out by the Office in guidance].

(c) A licensee shall remove and/or cease use of the outdoor sign if the [O]office determines the [outdoor] sign violates the provisions of Cannabis Law [and]or this Part or if the licensee fails to provide records to the [O]office upon request that establishes the [outdoor] sign meets the requirements of Cannabis Law and this Part.

[(d) Outdoor signs shall comply with Part 119 of this Title and any additional requirements as set out by the Office.]

§ 129.5 [Adult-Use Marketing and Advertising] Violations and Penalties.

(a) A licensee shall immediately remove or discontinue any marketing, advertising, or advertisements if the [Board] office determines [the] that such marketing, [or] advertising, or advertisement violates the provisions of the Cannabis Law [and] or this Part [or if the licensee fails to provide records to the office upon request that establishes the marketing or advertising meets the requirements of Cannabis Law and this Part].

(b) In the event a third-party has used a licensee's trademarks, brands, names, locations, or other distinguishing characteristics in a way that does not comply with this Part or any other statute, rule or regulation, the licensee shall immediately notify the Office and issue a cease-and-desist notification to the third-party.

(c) The [O]ffice may take any action against any licensee who fails to comply with this Part, including but not limited to recommendations to the [B]oard for suspension, cancellation, or revocation of a license, imposition of any fees or fines, requiring a licensee to cease by a date determined by the [O]ffice the non-compliant marketing, [and] advertising[,] or advertisement, and requiring removal by a date determined by the [O]ffice of any marketing, advertising[,] or advertisement, still being published or displayed, and any other penalties set forth in Cannabis Law and Part 133 of this Title.

§ 129.6 Severability.

If any provision of this Part or its application to any particular person or circumstance is held invalid, the remainder of this Part and its application to other persons and circumstances shall not be affected thereby.

§ 129.7 Referenced Material.

Regulations included in Part 129 of this Title contain references to documents for information as to the standards to be met or guidelines and methodologies to be used in meeting the requirements of specific regulations. In addition, copies of referenced materials are available for public inspection and copying at the Albany office of the New York State Department of State.

Table 1

Regulation	Referenced Material	Availability
9 NYCRR Part/sec./etc.	CFR (Code of Federal Regulations) or other	
129.2(b)(20)[3(a)(12)]	Title 7 §§ 205.600 – 205.619 (January 1, 2021)	*
129.2(b)(18)[3(a)(14)]	Title 21 § 101.91 (January 1, 2021)	*

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