

Louisiana Administrative Code

Title 46 – Professional and Occupational Standards

Part LIII: Pharmacists

Chapter 24. Limited Service Providers

Subchapter E. Marijuana Pharmacy

§2441. Definitions

- A. As used in this Subchapter, the following terms shall have the meaning ascribed to them in this Section:

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Marijuana – means all parts of plants of the genus *Cannabis*, whether growing or not, the seeds thereof, the resin extracted from any part of such plant, and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the following:

(a) Industrial hemp that is in the possession, custody, or control of a person who holds a license issued by the Department of Agriculture and Forestry, or is cultivated and processed in accordance with the U.S. Agriculture Improvement Act of 2018.

(b) The mature stalks of such plants of the genus *Cannabis*, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

(c) or cannabidiol when contained in a drug product approved by the United States Food and Drug Administration.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1538 (August 2017), amended LR 45:1473 (October 2019), amended LR

§2443. Marijuana Products

A. – C.3. ...

D. Packaging and Labeling Requirements.

1. Packaging.

a. The producer shall ensure every product intended for dispensing to a patient is placed within a child-resistant, light-resistant, tamper-evident container prior to sale or transport to the pharmacy.

i. A package shall be deemed child-resistant if it satisfies the standard for ‘special packaging’ as set forth in the United States Consumer Product Safety Commission’s “Poison Prevention Packaging” as found in [16 CFR 1700.1\(b\)\(4\)](#) or its successor.

ii. A package shall be deemed light-resistant if it satisfies the standard set forth in “[Chapter 671 – Containers: Performance Testing](#)” of the *United States Pharmacopeia* (USP).

iii. A package shall be deemed tamper-evident if it clearly indicates prior access to the container.

b. *Repealed.*

c. *Repealed.*

d. No single container shall contain more than a one month supply of marijuana. Repealed.

e. Packaging selected by the producer shall be subject to the following restrictions.

i. Shall not specifically target individuals under the age of 18 years;

- ii. Shall not bear any resemblance to a trademarked, characteristic or product-specialized packaging of any commercially available candy, snack, baked good or beverage;
- iii. Shall not use the words “candy” or “candies”;
- iv. Shall not use a cartoon, color scheme, image, graphic or feature that might make the package attractive to children; and
- v. Shall not use a seal, flag, crest, coat of arms or other insignia that could reasonably lead any person to believe the product has been endorsed, manufactured by, or used by any state, parish, municipality, or any agent thereof.

D.2. – E.4.f. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1046.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Pharmacy, LR 43:1540 (August 2017), amended LR 45:1473 (October 2019).

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§2451. Operation of Marijuana Pharmacy

A. – E. ...

F. Only a pharmacist may dispense marijuana, and only a pharmacist, pharmacy intern, or pharmacy technician may sell marijuana to patients and caregivers. A pharmacy intern or pharmacy technician may assist, under the direct supervision of a pharmacist, in the dispensing of marijuana.

G. – M. ...

N. No marijuana pharmacy shall sell anything other than marijuana products; however, the pharmacy may elect to sell over-the-counter (OTC) medications, durable medical equipment (DME), and other retail products from the same premises but outside the prescription department.

O. – U. ...

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