



February 6, 2025

**Industry Bulletin: 25-03**

**Re: Expiration Dates on Edible Regulated Marijuana Products**

Dear Interested Parties:

The Division is issuing this bulletin to clarify the intent of revised rules that apply to expiration dates on Edible Regulated Marijuana Products and which took effect on December 4, 2024.

On October 24, 2024, the Division issued [Industry Bulletin 24-07](#) which stated:

*New Rule 3-1015(B)(3)(c)(ii) aligns with revisions to Rules 5-115(I) and 6-110(K), which further clarify products labeled with an expiration date **shall not be transferred** to a patient or consumer **past the expiration date**. Requirements remain in place for products labeled with a use-by date, which may be sold past the use-by date if patients and consumers are properly notified.*

The Division is aware that the adopted version of Rule 3-1015(B)(3)(c)(ii) reflects an inadvertent omission such that the language of the rule is incomplete. The rule states:

*If an Edible Regulated Marijuana Product is labeled with an expiration date, a Regulated Marijuana Store shall not Transfer the product to a patient or consumer.*

The intent of the rule is to state:

*If an Edible Regulated Marijuana Product is labeled with an expiration date, a Regulated Marijuana Store shall not Transfer the product to a patient or consumer **past the labeled expiration date**.*

Rules 5-115(I) and 6-110(K) correctly state:

*A Medical [Retail] Marijuana Store **shall not Transfer any expired Edible Medical [Retail] Marijuana Product, Vaporizer Delivery Device, Pressurized Metered Dose Inhaler, Audited Marijuana Product, or Alternative Use Product** to a patient [consumer].*

To the extent Rule 3-1015(b)(3)(c)(ii) conflicts with Rules 5-115(I) and 6-110(K), the more specific rules control, which are Rules 5-115 and 6-110, permitting the transfer of Edible Regulated Marijuana Products labeled with an expiration date **except** after the expiration date passed.

**The Division intends to clarify this rule language in its next rulemaking proceeding.** Until that time, Rules 5-115(I) and 6-110(K) control, and Edible Regulated Marijuana Products labeled with an expiration date may be transferred to a patient or consumer until the expiration date has passed.