



Acquisition of Hemp - FAQs

Q1: May licensed medical cannabis processors and dispensaries obtain hemp from sources outside the seed-to-sale system?

A1: Yes. Pursuant to COMAR 10.62.22.03 and 10.62.28.03, licensed processors and dispensaries may obtain hemp from sources outside the seed-to-sale system under certain circumstances outlined below.

A licensed processor may obtain hemp from sources outside the seed-to-sale system if:

1. The hemp producer is licensed by (1) the Maryland Department of Agriculture, (2) the U.S. Department of Agriculture or (3) An agency of another state pursuant to a hemp production plan that has been approved by the Secretary of the U.S. Department of Agriculture; and
2. Any hemp product derived from hemp complies with MMCC testing requirements.

A licensed dispensary may obtain hemp product from sources outside the seed-to-sale system if:

1. The hemp product is acquired in accordance with the Agriculture Article, §§14-301—14-309, Annotated Code of Maryland; and
2. Any hemp product complies with MMCC testing requirements.

See A4 below for additional information.

Q2: How may a licensed medical cannabis processor acquire hemp?

A2: A licensed medical cannabis processor must adhere to the following in order to acquire hemp:

1. The hemp must be acquired from a hemp producer that is licensed by the USDA, the Maryland Department of Agriculture, or the agency of another state that administers a hemp production program that has been approved by the USDA.

2. The processor must submit the Hemp Acquisition Form **after ordering the hemp and prior to accepting delivery of the hemp**. The following documentation must be submitted along with the completed Hemp Acquisition Form:
 - a. An invoice that identifies the hemp producer the processor ordered the hemp from; and
 - b. A copy of the hemp producer’s license to produce hemp issued by the USDA, the Maryland Department of Agriculture, or the agency of another state that administers a hemp production program that has been approved by the USDA.
 3. **After ordering the hemp and prior to accepting delivery of the hemp**, the processor must input the relevant data into METRC. The processor must select “external transfer - hemp” in METRC, and then enter:
 - a. Shipper license number, name, address;
 - b. Package weight; and
 - c. A certificate of analysis issued by an independent testing laboratory that is registered with the Commission showing the total THC concentration on a dry weight basis of the hemp.
 4. **Upon receiving delivery of the hemp**, the processor must update the METRC entry by indicating that the external transfer has been completed.
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Q3: When must hemp or hemp derived products undergo testing by a registered independent testing laboratory in accordance with COMAR 10.62.23?

A3: Hemp must be tested upon receipt by the processor, and the certificate of analysis must be uploaded into METRC by a registered independent testing laboratory. This initial limited test panel only requires screening for THC and CBD to ensure that the product received is hemp.

Important: Additionally, any hemp-derived product that is processed by a licensed medical cannabis processor, regardless of the delta-9-tetrahydrocannabinol concentration on a dry weight basis, must be tested in accordance with COMAR 10.62.23 prior to being entered into METRC and transferred to a licensed medical cannabis dispensary.

Q4: May a licensed medical cannabis dispensary sell a fully-hemp-derived CBD product?

A4: Yes. A licensed medical cannabis dispensary may sell a fully-hemp derived CBD product under the following circumstances:

1. If the hemp product was obtained from a licensed hemp producer (as outlined in Q1 above) AND passes the full compliance panel conducted by a registered independent testing laboratory in accordance with COMAR 10.62.23; OR
2. In accordance with guidance previously issued by the Commission in [Bulletin: 2019 - 011](#), a fully-hemp-derived product that has not been tested by a registered

independent testing laboratory in accordance with COMAR 10.62.23 may be sold only *in the public area* of a licensed dispensary, and be appropriately labeled indicating that the product does not contain medical cannabis and has not been tested by the Maryland Medical Cannabis Commission.