NATALIE M. LAPRADE

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MARYLAND MEDICAL CANNABIS COMMISSION

BULLETIN: 2019 - 007
Effective Date: May 13, 2019

Manufacture and Distribution of Edible Cannabis Products

This bulletin has been superseded and is not currently in effect.

Linthicum, MD (May, 13, 2019) - The Maryland Medical Cannabis Commission (the "Commission") is providing this bulletin to clarify new requirements for manufacturing and distributing edible cannabis products.

House Bill 17/Chapter 456 (2019) allows a (1) licensed medical cannabis processor to manufacture edible cannabis products and distribute edible cannabis products to a dispensary, and (2) licensed medical cannabis dispensary to distribute or dispense edible cannabis products to qualifying patients and caregivers. Edible cannabis products are defined as "a medical cannabis product intended for human consumption by oral ingestion, in whole or in part," including "products that dissolve or disintegrate in the mouth." However, edible cannabis products do not include any (1) medical cannabis concentrate, (2) "medical cannabis-infused product, including an oil, a wax, an ointment, a salve, a tincture, a capsule, a suppository, a dermal patch, or a cartridge;" or (3) "other dosage form that is recognized by the U.S. Pharmacopeia, the National Formulary, or the U.S. Food and Drug Administration, and is approved by the Commission." As an emergency measure, House Bill 17 takes effect immediately upon the Governor's signature.

The Commission is required to adopt regulations establishing additional requirements for a licensed processor or dispensary interested in manufacturing or dispensing edible cannabis products. The regulations may include, but are not limited to, requiring a permit, and establishing standards for the "packaging, labeling, marketing, and appearance of edible cannabis products to ensure the safety of minors." Health-General Article, §§13-3307 and 13-3309. The Commission is currently developing regulatory language to comply with these statutory requirements.

The Commission recognizes that certain medical cannabis-infused products – as defined in COMAR 10.62.01.01B(25) – currently available in the State, may fall within the scope of the new "edible cannabis product" definition. Any medical cannabis product that (1) meets the new "edible cannabis product" statutory definition and (2) was input into METRC and commercially available prior to May 13, 2019, may continue to be manufactured and dispensed in the State. However, upon the effective date of any regulations governing the manufacture or distribution of edible cannabis products, all processors and dispensaries manufacturing or dispensing edible cannabis products must comply with the edible cannabis product regulations.

Further, no *new* product that meets the definition of "edible cannabis product" may be introduced into the market until the Commission adopts edible cannabis product regulations. Any product that meets the

definition of "edible cannabis product" input into METRC on or after May 13, 2019, will be placed on administrative hold until the adoption of regulations governing the manufacture and distribution of edible cannabis products.

The Commission is committed to achieving a safe, successful, and patient-friendly medical cannabis program. As such, the Commission will give multiple opportunities for interested stakeholders to provide comments and recommendations on how to safely and effectively incorporate edible cannabis products into the medical cannabis program. The Commission's Policy Committee will hold meetings, which are open to the public, to discuss the manufacture and distribution of edible cannabis products.

Regulatory proposals will be posted to the Commission website in advance of each meeting. Written comment may be submitted to the Policy Committee via email to maryjo.marther@maryland.gov, and meeting attendees may submit up to 3 minutes or oral comment.

Please direct any questions regarding this bulletin to william.tilburg@maryland.gov.

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