Compliance Guide for New Regulations for Small Businesses

COMAR 10.62 Natalie M. LaPrade Medical Cannabis Commission (MMCC)

- ***What does this regulation do?***
  The purpose of this action is to establish a regulatory framework for the oversight of the processing and distribution of edible cannabis products. The proposal also eliminates duplicative laboratory testing on each batch of medical cannabis (i.e. "batch testing") that is manufactured into a processed product. Further, the proposal simplifies and strengthens the Commission's administrative process for issuing fines for violations of medical cannabis laws.

- ***Who is subject to the new regulation?***
  Medical cannabis licensed growers, processors, and dispensaries; certifying medical cannabis providers; registered independent testing laboratories; registered secure transportation companies; registered patients; and registered agents.

- ***Why were the new regulations proposed?***
  House Bill 17, Natalie M. LaPrade Medical Cannabis Commission – Processing and Dispensing Medical Cannabis, 2019, Chapter 456 – applicable to the changes concerning edible cannabis products. To fulfill the purpose of the Commission established in Health-General Article, §§13-3301—3302 to provide a safe, effective, and affordable medical cannabis program.

- ***When are the regulations effective?***
  The regulation will take effect 10 days after publication of Final Notice in the *Maryland Register*.

- ***Is funding available to implement new requirements established by the regulation?***
  Yes.

- ***Are there other resources available for implementing the requirements of the regulation?***
  Not applicable.

- ***Is there assistance available to help understand the requirements of the regulation?***

  Yes, the MMCC is available to explain any changes to existing requirements, or new requirements, made by this regulation. Questions about specific provisions of the regulation should be directed to Taylor Kasky at (410) 487-8090 or at taylors.kasky@maryland.gov. Additional information will be available on the MMCC website at mmcc.maryland.gov.

Key Terms and Definitions

“Edible cannabis product” means a medical cannabis product intended for human consumption by oral ingestion, in whole or in part.

“Edible cannabis product” includes medical cannabis products that dissolve or disintegrate in the mouth.

“Edible cannabis product” does not include any:

(i) Medical cannabis concentrate;

(ii) 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

(iii) Other dosage form that is recognized by the United States Pharmacopeia, the National Formulary, or the Food and Drug Administration and is approved by the Commission.

“Green waste” means unauthorized, misbranded, contaminated, unused, surplus, returned, or out-of-date medical cannabis or product containing medical cannabis.

“Inspector” means any member of the Commission or any State employee or contractor designated by the Commission to carry out an inspection under this subtitle.

“Medical cannabis finished product” means any usable cannabis, medical cannabis concentrate, edible cannabis product, product containing a medical cannabis concentrate, or [a] any other type of medical cannabis-infused product intended to be packaged and labeled for release to a qualifying patient without further processing.

“Medical cannabis-infused product” does not include [a food] an edible cannabis product as that term is defined in [Health-General Article, §21-101, Annotated Code of Maryland] COMAR 10.62.01.01B(14).