

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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MEMORANDUM

TO: Marijuana Control Board DATE: October 23, 2020

FROM: Jane P. Sawyer, Regulations Specialist RE: THC limits and caps on

marijuana licenses in other

states

At the August 2020 meeting, the board requested information on other states' THC limits on edibles (and caps on marijuana licenses) to consider opening a regulation on raising the THC content limit on marijuana edibles.

Illinois

- Sec. 55-21, a cannabis-infused product intended for consumption must be individually packaged, must include the total milligram content of THC and CBD, and may not include more than a total of 100 milligrams of THC per package. A package may contain multiple servings of 10 milligrams of THC, indicated by scoring, wrapping, or by other indicators designating individual serving sizes.
- Without citing numerous section of the Illinois, Cannabis Regulation and Tax Act, and sort of just summarizing the limits on some of their licenses,
 - by the end of July 1, 2020, Illinois could not have issued more than 40 craft grower licenses, and by December 21, 2021 up to 60 additional licenses shall be issued. They also have a process to reduce or increase the number of licenses based on certain criteria. This same provision applies the state's Infuser Organization licenses.
 - the state may issue no more than 30 cultivation center licenses.
 - o the state does not have a limit on Laboratory Testing licenses.

Oregon – I could not find (but it doesn't mean it's not there) THC content limit for edibles, nor did I find indication that the number of licenses are capped.

Washington

 WAC-314-55-010: (39) "Unit" means an individually packaged marijuana-infused solid or liquid product meant to be eaten or swallowed, not to exceed ten servings or one hundred milligrams of active THC, or Delta 9

- WAC-314-55-095(a): A single serving of marijuana-infused product must not exceed ten milligrams of active THC or Delta 9. (b) The maximum number of servings in any one single unit of marijuana-infused product meant to be eaten or swallowed or otherwise taken into the body is ten servings or one hundred milligrams of active THC, or Delta 9.
- I could not find indication that licenses are capped.

Massachusetts

- Section 4 of Title XV, Chapter 94G, (a ½)(XXIV)(6), limits each serving size of marijuana or marijuana product to no greater than 10 milligrams of THC. Then you jump to a different code, 935 CMR 500.150 (4)(b), to find out that a single package of multiple servings may not exceed 20 servings or 100 milligrams of active THC.
- Section 16 of Title XV, Chapter 94G, no licensee shall be granted more than 3 marijuana retailer licenses, 3 medical marijuana treatment center licenses, 3 marijuana product manufacturer licenses or 3 marijuana cultivator licenses; provided, however, that a licensee may hold 3 marijuana retailer licenses, 3 medical marijuana treatment center licenses, 3 marijuana product manufacturer licenses and 3 marijuana cultivator licenses.