



# ADVISORY BULLETIN

November 13, 2019

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## Transfer of Marijuana Between Equivalent Licenses

The Emergency Rules for Adult-Use Marijuana Establishments promulgated on July 3, 2019, allow a person to obtain equivalent licenses and when those equivalent licenses have common ownership, to operate those equivalent licenses at the same location. The person holding equivalent licenses is subject to Rule 32 of the Adult-Use Marijuana Establishments administrative rules.

“Equivalent licenses” means any of the following held by a single licensee:

- (i) A marijuana grower license, of any class, issued under the Michigan Regulation and Taxation of Marijuana Act (MRTMA) and a grower license, of any class, issued under the Medical Marijuana Facilities Licensing Act (MMFLA).
- (ii) A marijuana processor license issued under the MRTMA and a processor license issued under the MMFLA.
- (iii) A marijuana retailer license issued under the MRTMA and a provisioning center license issued under the MMFLA.
- (iv) A marijuana secure transporter license issued under the MRTMA and a secure transporter license issued under the MMFLA.
- (v) A marijuana safety compliance facility license issued under the MRTMA and a safety compliance facility license issued under the MMFLA.

Under Rule 40 of the Adult-Use Marijuana Establishments Emergency rules, the agency may authorize licensees who hold equivalent licenses to transfer marijuana product from the inventory of their marijuana facility to the inventory of their marijuana establishment. This applies if they hold marijuana grower/grower, marijuana processor/processor, or marijuana retailer/provisioning center equivalent licenses.

Rule 40(3) states that the agency shall publish a specific start date, end date, and other requirements for the transfer of marijuana product between equivalent licenses.

Beginning December 1, 2019:

- **Growers** may transfer up to 50% of their harvest batch from their marijuana facility to their marijuana establishment. All product transferred must have passed test results in the statewide monitoring system.
- **Processors** may transfer up to 50% of their finished product from their marijuana facility to their marijuana establishment. All product



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transferred must have passed test results in the statewide monitoring system.

- **Provisioning centers** may transfer up to 50% of each product type (marihuana infused product, marihuana concentrate, buds, etc.) that has been in inventory for a minimum of 30 days to their marihuana retailer. All product transferred must have passed test results entered in the statewide monitoring system.

Product transferred from a provisioning center to a marihuana retailer shall not exceed the maximum THC concentrations allowed under the MRTMA, listed in the table below:

| <b>The Maximum Active Delta 9 THC Concentrations for Adult-Use Marijuana-Infused Products</b> |                    |                      |
|-----------------------------------------------------------------------------------------------|--------------------|----------------------|
|                                                                                               | <b>Per Serving</b> | <b>Per Container</b> |
| Gummies, baked goods, etc.                                                                    | 10 mg              | 100 mg               |
| Capsules, tinctures, etc.                                                                     | 10 mg              | 200 mg               |
| Topical products including lubricants, spa products, lotions, balms or rubs                   | N/A                | N/A                  |
| Products not listed                                                                           | 10 mg              | 100 mg               |

Marihuana and marihuana product transferred from a provisioning center to a marihuana retailer shall be labeled in accordance with Rule 49 of the Adult-Use Marihuana Establishments Emergency Rules and contain the following information:

- (a) The name of the licensee and the state license number\* of the producer, including business or trade name, and tag or source number as assigned by the statewide monitoring system.
- (b) The name of the licensee and the state license number\* including business or trade name of the licensee that packaged the product, if different from the marihuana processor of the marihuana product.
- (c) The unique identification number for the package or the harvest, if applicable.
- (d) Date of harvest, if applicable.
- (e) Name of strain, if applicable.
- (f) Net weight in United States customary and metric units.
- (g) Concentration of THC and CBD.
- (h) Activation time expressed in words or through a pictogram.

*This advisory bulletin does not constitute legal advice and is subject to change. Licensees are encouraged to seek legal counsel to ensure their operations comply with all applicable laws and rules.*



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- (i) Name of the marihuana safety compliance facility\*\* that performed any test, any associated test batch number, and any test analysis date.
- (j) The universal symbol for marihuana product published on the agency's website.
- (k) A warning that states all the following:
  - (i) "For use by individuals 21 years of age or older only. Keep out of reach of children."
  - (ii) "It is illegal to drive a motor vehicle while under the influence of marihuana."
  - (iii) "National Poison Control Center 1-800-222-1222."

\*State operating license under the MMFLA.

\*\* Safety compliance facility licensed under the MMFLA.

The marihuana or marihuana product package transfers from facility to establishment must be in accordance with this bulletin and the administrative rules. All transfers must be tracked in the statewide monitoring system (METRC).

To request a transfer, please email [MRA-compliance@michigan.gov](mailto:MRA-compliance@michigan.gov) with the subject line "Request to transfer product to equivalent license".

The email must include the following information.

1. The license number of the transferring marihuana facility
2. The license number of the marihuana establishment receiving the transferred product
3. The marihuana package tag number, weight, and name of the product.
4. An attestation that this transfer request will not exceed the allowable 50%.

Medical products will bear the **YELLOW**, METRC package label when transferred. Once the package has been accepted into the establishments inventory, a new package will need to be created which bears the **BLUE** METRC package label.

METRC will be issuing a technical bulletin with step by step instructions for licensees.

All marihuana and marihuana product transferred from a facility to an establishment under this bulletin are required to be sold and transferred by the marihuana establishment in accordance with the administrative rules.



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These transfers shall occur for the time period beginning December 1, 2019, and until such time as the agency publishes an advisory bulletin notifying all licensees that the effect of this bulletin has been terminated.

*A marihuana establishment is prohibited from transferring marihuana product inventory to a medical marihuana facility.*

Questions can be sent to the Marijuana Regulatory Agency Enforcement Section via email at [MRA-Enforcement@michigan.gov](mailto:MRA-Enforcement@michigan.gov)

For more information about the Marijuana Regulatory Agency, please visit [www.michigan.gov/MRA](http://www.michigan.gov/MRA)