



ADVISORY BULLETIN

April 8, 2020

Transfer of Marijuana Between Equivalent Licenses (Updated: April 8, 2020)

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:

- 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).
- Marijuana processor license issued under the MRTMA and a processor license issued under the MMFLA.
- Marijuana retailer license issued under the MRTMA and a provisioning center license issued under the MMFLA.
- Marijuana secure transporter license issued under the MRTMA and a secure transporter license issued under the MMFLA.
- 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 not more than 50% of their passed harvest batches from their marijuana facility to their marijuana establishment. All product transferred must have passed test results in the statewide monitoring system. **Effective April 8, 2020, the MRA will not permit**

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caregiver-produced or derived product to enter the adult-use market. Any equivalent license transfer request submitted to the MRA that includes caregiver-produced or derived products will be denied.

- **Growers** may transfer up to 50% of plants from each growth stage – flowering and vegetative – from their marijuana facility to their marijuana establishment **every 60 days**. All plants transferred from a marijuana facility to their equivalent marijuana establishment will count towards the total number of plants allowed for that marijuana establishment. Plant transfers must be approved by the Operation Support Section of the Marijuana Regulatory Agency which will provide guidance to licensees regarding the transfer process. Seeds, tissue cultures, and clones that do not meet the definition of a marijuana plant do not require MRA approval for transfer. **Effective April 8, 2020, the MRA will not permit caregiver-produced or derived product to enter the adult-use market. Any equivalent license transfer request submitted to the MRA that includes caregiver-produced or derived products will be denied.**
- **Processors** may transfer not more than 50% of their passed finished product from their marijuana facility to their marijuana establishment. All product transferred must have passed test results in the statewide monitoring system. **Effective April 8, 2020, the MRA will not permit caregiver-produced or derived product to enter the adult-use market. Any equivalent license transfer request submitted to the MRA that includes caregiver-produced or derived products will be denied.**
- **Provisioning centers** may transfer not more than 50% – **every 30 days** – of each product type (marijuana infused product, marijuana concentrate, buds, etc.) that has been in inventory for a minimum of 30 days to their marijuana retailer. All product transferred must have passed test results entered in the statewide monitoring system. **Effective April 8, 2020, the MRA will not permit caregiver-produced or derived product to enter the adult-use market. Any equivalent license transfer request submitted to the MRA that includes caregiver-produced or derived products will be denied.**



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

The Maximum Active Delta 9 THC Concentrations for Adult-Use Marijuana-Infused Products		
	Per Serving	Per Container
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

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

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.

- The name of the licensee and the state operating license number under the MMFLA, including business or trade name of the licensee that packaged the product, if different from the marijuana processor of the marijuana product.
- The unique identification number for the package or the harvest, if applicable.
- Date of harvest and name of strain, if applicable.
- Net weight in United States customary and metric units.
- Concentration of THC and CBD.
- Activation time expressed in words or through a pictogram.

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

The marijuana, marijuana plant or marijuana 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 with the subject line "Request to transfer product to equivalent license". The form can be found [here](#). The email must include the following information on the form or in a spreadsheet.

- The license number of the transferring marijuana facility.
- The license number of the marijuana establishment receiving the transferred product.
- The marijuana package tag number, weight, and name of the product.
- 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 marijuana, marijuana plants and marijuana product transferred from a facility to an establishment under this bulletin are required to be sold and transferred by the marijuana 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.

Note: A marijuana establishment is prohibited from transferring marijuana plants or marijuana product inventory to a medical marijuana facility.

Questions can be sent to the Marijuana Regulatory Agency Enforcement Section via email at MRA-Enforcement@michigan.gov

For more information about the Marijuana Regulatory Agency, please visit www.michigan.gov/MRA