



## ADVISORY BULLETIN

March 7, 2022

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### **Plant Count Consolidation for Cultivators**

The Cannabis Regulatory Agency (CRA) is excited to announce updates regarding the plant count inventory of medical and adult-use cultivators that hold stacked class C licenses. These updates are effective September 16, 2021.

Medical growers are now permitted to hold their plant inventory within any of their co-located stacked licenses as long as the total plant count does not exceed the limits dictated by the total number of stacked/co-located class C licenses.

Example: A single medical grower class C license authorizes up to 1,500 marijuana plants. If a licensee holds five stacked medical grower class C licenses at the same address, that licensee can hold up to 7,500 marijuana plants on one of their five licenses if the other four licenses all hold zero plants.

Example: If a licensee holds four stacked medical grower class C licenses at the same address, two of the four licenses could each hold 3,000 marijuana plants if the other two licenses each held zero marijuana plants.

Similarly, adult-use marijuana growers with co-located stacked class C licenses or excess marijuana grower licenses are now permitted to hold their plant inventory within any of their stacked licenses as long as the total plant count does not exceed the limits dictated by the total number of stacked/co-located licenses.

Example: A single adult-use marijuana grower class C license authorizes up to 2,000 marijuana plants. If a licensee holds five stacked adult-use marijuana grower class C licenses at the same address, that licensee can hold up to 10,000 marijuana plants on one of their five licenses if the other four licenses all hold zero plants.

Please note, for licensees holding equivalent medical and adult-use cultivator licenses, the above plant count allowance updates are permissible exclusively within the medical market or exclusively within the adult-use market; plants held in one market will not count for or against plant counts in the other market.

Example: It is not permissible for a licensee holding one medical grower class C license (1500 plants) and one adult-use marijuana grower class C license (2000 plants) to hold 3500 plants on either of their licenses. In this example, the medical grower class C



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license cannot hold more than 1500 plants and the adult-use marijuana grower class C license cannot hold more than 2000 plants.

There are two different processes that cultivators can follow to consolidate their existing plant inventory. For a detailed explanation of these processes, refer to the Metrc bulletin found [here](#). Please note, cultivators that do not wish to consolidate their plant counts are not required to participate. Further, there is no opt-in requirement or CRA approval necessary for a cultivator to begin executing either of the processes detailed in the Metrc bulletin referenced above.

### **Medical Growers: Immature and Mature Plants**

It is important to note that both immature plants and mature plants are included in medical growers' plant counts.

#### **Section 102(m) in the Medical Marijuana Facilities Licensing Act – 333.27102(m)**

"Marijuana plant" means any plant of the species *Cannabis sativa* L. Marijuana plant does not include industrial hemp.

#### **Section 102(u) in the Medical Marijuana Facilities Licensing Act – 333.27102(u)**

"Plant" means any living organism that produces its own food through photosynthesis and has observable root formation or is in growth material.

### **Adult-Use Marijuana Growers: Immature and Mature Plants**

It is important to note that, due to language in the Marijuana Licensees rule set specifically pertaining to adult-use marijuana growers, only mature plants are included in adult-use marijuana growers' plant counts.

#### **Rule 2(2) in the Marijuana Licensees Rule Set – R 420.102(2)**

(2) For the purposes of this rule, only mature marijuana plants are included in the plant count in subrule (1) of this rule.

*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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### **Rule 1(h) in the Marijuana Licensees Rule Set – R 420.101(h)**

“Immature plant” means a nonflowering marijuana plant that is no taller than eight inches from the growing or cultivating medium and no wider than eight inches, produced from a cutting, clipping, tissue culture, or seedling, and that is in a growing or cultivating medium or in a growing or cultivating container.

### **Rule 1(t) in the Marijuana Licensees Rule Set – R 420.101(t)**

“Mature plant” means a flowering or nonflowering marijuana plant that has taken root and is taller than eight inches from the growing or cultivating medium or wider than eight inches, produced from a cutting, clipping, tissue culture, or seedling, and that is in a growing or cultivating medium or in a growing or cultivating container.

Questions can be sent to the Cannabis Regulatory Agency Operations Support Section via email at [CRA-Compliance@michigan.gov](mailto:CRA-Compliance@michigan.gov)

For more information about the Cannabis Regulatory Agency, please visit <https://www.michigan.gov/cra>