



JANET T. MILLS
GOVERNOR

STATE OF MAINE
OFFICE OF MARIJUANA POLICY
162 STATE HOUSE STATION
19 UNION STREET
FIRST FLOOR
AUGUSTA, MAINE 04333-0162

ADMINISTRATIVE & FINANCIAL SERVICES

KIRSTEN LC FIGUEROA
COMMISSIONER

OFFICE OF MARIJUANA POLICY

ERIK GUNDERSEN
DIRECTOR

To: Current and Prospective AUMP Licensees
From: Director Erik Gundersen, Office of Marijuana Policy
Date: Thursday, February 25, 2021
Subject: Guidance on the Commingling of Marijuana Trim into Mixed Packages for the Purposes of Mandatory Testing and Distribution

Background

This guidance is provided by the Office of Marijuana Policy (OMP) regarding the combining or commingling of various strains of marijuana trim into mixed strain packages. This guidance document has been developed in response to inquiries from licensees and a noticeable trend in the state's inventory tracking system related to this type of activity. While we have and will continue to address questions raised individually by licensees, we are using this opportunity to provide guidance to maintain the high standards we hold for the adult use program and to ensure consistent understanding and ongoing application of program regulations.

Guidance

The Adult Use Marijuana Program Rule, 18-691 C.M.R., ch. 1, defines a "harvest batch" as "a specific quantity of adult use marijuana harvested from adult use marijuana plants of the *same strain, grown under the same conditions*, and harvested during a *specified period of time* from a *specified cultivation area* within a cultivation facility" [emphasis added]. Both marijuana flower and marijuana trim are included in this definition of "harvest batch" and, pursuant to Section 8.3 of the AUMP rule, must be tested before transfer to another licensee.

OMP has determined that it is permissible for cultivation facility licensees to create combined packages of marijuana trim, which include marijuana trim from multiple harvest batches, for the purpose of transferring those packages to a manufacturing facility for further processing. In order to engage in this activity, a cultivation facility must first create initial harvest batch packages of marijuana flower and trim in the state's inventory tracking system, Metrc. Once that step has been completed, they may then combine different packages of trim into one combined "mixed strain" package of trim for the purposes of testing prior to transfer to a manufacturing facility for extraction.

Similarly, a cultivation facility that is creating raw pre-rolled marijuana cigarettes from commingled trim must create initial harvest packages of marijuana flower and trim in Metrc, and then may combine packages of trim that will be rolled into pre-rolled marijuana cigarettes for testing.

Note: The licensee may determine whether to test the combined marijuana trim before or after rolling it into pre-rolled marijuana cigarettes, but the mandatory test results reported to consumers, including the cannabinoid content and potency, must reflect the actual composition of the pre-rolled marijuana cigarettes.