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To: Current and Prospective AUMP Cultivation Licensees
From: Director Erik Gundersen, Office of Marijuana Policy
Date: Thursday, February 10, 2022
Subject: Guidance on the Visual and Physical Separation of Co-located AUMP and MMMP
Marijuana Cultivation

Background

This guidance is provided by the Office of Marijuana Policy (OMP) to adult use licensees to clarify the requirements for adult use cultivation facility licensees that are co-located with registered caregiver or registered dispensary cultivation operations. OMP has received questions regarding the Office's interpretation of the requirement that co-located adult use and medical cultivation operations have and implement "plans for visually and physically separating cultivation of marijuana for medical use from adult use marijuana cultivation" in accordance with Section 2.4.6(F) of the current Adult Use Marijuana Program Rule, 18-691 C.M.R., ch. 1.

Guidance

OMP interprets "visually and physically separat[e]" in the context of co-located adult use and medical cultivation facilities as requiring an actual, conspicuous physical barrier between areas of the licensed premises where adult use seedlings, immature plants, mature plants and mother plants are cultivated and maintained from the areas of the licensed premises where marijuana seedlings, immature plants, mature plants and mother plants for medical use are cultivated and maintained.

At a minimum, this means a commercial grade chain-link fence that is not less than 6 feet in height and permanently secured to the floor and walls of any cultivation area separated by the fence. The fence must extend between the entire border between the medical and adult use cultivation areas, but such fencing may include a gate used to move between the cultivation areas.

Conclusion

Cultivation facility licensees that are co-located with registered caregiver or registered dispensary cultivation operations must ensure that marijuana cultivated for adult use and marijuana cultivated for medical use are never commingled and remain at all times within the cultivation facility visually and physically separated and readily distinguishable. OMP will be ensuring compliance with this guidance upon renewal by a co-located cultivation facility licensee or within 90 days of the date of this guidance, whichever is later.