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Testimony of the Maine Center for Disease Control and Prevention
Maine Department of Health and Human Services

Before the Joint Standing Committee on Veterans and Legal Affairs

In opposition to LD 2147, *An Act to Remove the Requirement for Edible Cannabis Products to Be Stamped or Embossed on Each Serving with a Universal Symbol*

Sponsor: Representative Boyer
Hearing Date: January 24, 2024

Senator Hickman, Representative Supica, and members of the Joint Standing Committee on Veterans and Legal Affairs, my name is Megan Scott, and I serve as the Substance Use Prevention Program Manager for the Maine Center for Disease Control (Maine CDC) Division of Disease Prevention in the Department of Health and Human Services. I am here today to testify in opposition of LD 2147, *An Act to Remove the Requirement for Edible Cannabis Products to Be Stamped or Embossed on Each Serving with a Universal Symbol*.

LD 2147 seeks to remove the requirement that edible cannabis products be stamped or embossed on each serving with a universal symbol in order to be sold or offered for sale by a licensee. As emergency legislation, this change will take effect immediately.

In 2019, the Maine Office of Cannabis Policy (OCP), an office of the Department of Administrative and Financial Services (DAFS), adopted a universal symbol, similar to neighboring states, to be used by its licensees. Maine's universal symbol, a black cannabis leaf superimposed on a white background and centered within a red triangle, identifies adult use cannabis and cannabis products sold by licensees in the State. The protections afforded by requiring the universal symbol to be stamped or embossed on edible cannabis products are important to public health and safety. Within its regulatory authority, OCP has also worked with licensees to determine whether it is impracticable to mark certain edible cannabis products, which shows there is flexibility within the labeling requirement currently in place. (28-B CMR § 703 sub-§ 1.)

The existing requirement provides consistency in adult use cannabis products sold in Maine and ensures a higher level of informed decision-making by consumers as well as a level of protection from accidental ingestion. Many edibles containing THC mimic the look of candies or other sweets that do not contain THC, increasing the risk of confusion and accidental ingestion, especially for young children. Since implementing the labeling requirement, the public has come to recognize the universal symbol and understand the product contains cannabis. Also, in 2023, the per package potency limit for edible cannabis products increased from 100mg to 200mg of THC per package- doubling the limit and dose per serving which increases the likelihood of more servings to remain after a package has been opened. This change took effect only in October 2023, meaning the impacts of this change on consumer and adolescent health and safety,

including accidental ingestion, improper access, and over-consumption, cannot be fully assessed for a period of time.

Data from the Northern New England Poison Center (NNEPC) shows a sustained increase in cannabis exposures reported to the poison center, with 102 reports made in Maine in 2023. Of these 103 reports, 41 (39.8%) were for children ages 0-5, and 30 (29.4%) were for ages 6-12- a combined total of 71 (69.6%) under the age of 13. Between 2019 and 2023, 46% of cannabis exposures reported among 0-5 year olds and 47% among 6-12 year olds had a moderate or major outcome. For all age groups, 44% of medical outcomes were moderate or major. Moderate outcomes are persistent or severe effects, considered relatively serious poisonings, while major outcomes are potentially life-threatening.

This bill, as written, removes the requirement that a universal symbol must be stamped or embossed on each serving of the product before the cannabis product may be sold or offered for sale, unless otherwise permitted by the licensing authority. The label requirement serves as an important protection to health and safety of consumers, used to identify cannabis when it is contained in an edible product. From a health perspective, the statutory language would be best kept as is, combined with an ongoing commitment to consumer education on the importance of safely storing cannabis and other preventive access controls. The rulemaking required by Title 28-B provides an opportunity to revisit the provisions in place specific to the required universal symbol and, with public input and legislative oversight, determine whether these are reasonable for the industry to comply with, while preserving the authority to implement measures that protect the public's health.

In conclusion, Maine Center for Disease Control and Prevention urges the committee to vote ought not to pass on this bill to uphold the current protections Maine has in place to ensure that consumers receive accurate information about the cannabis products purchased in Maine, while preventing access by children.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.

Maine adopted, for adult use cannabis products, a universal symbol that is a black cannabis leaf superimposed on white background and centered within a red triangle with text reading "CONTAINS THC" which must appear no less than a quarter of an inch by a quarter of an inch.

