

March 4, 2024

To Senator Hickman, Representative Supica, and Members of the Committee on Veterans and Legal Affairs;

I am writing in support of LD 40, “An Act To Protect Liberty and Advance Justice in the Implementation, Administration and Enforcement of the Cannabis Legalization Act and To Implement Certain Recommendations of the Subcommittee on Non-substantive Changes to the Maine Medical Use of Cannabis Act,” on behalf of Healer Hemp.

LD 40 proposes a wide range of positive changes that will improve the ability of Maine companies to produce quality products, while creating a more level playing field for small local businesses to coexist and compete with large out-of-state businesses.

Section B60 of LD 40 amends Title 28-B, Chapter 1, Subchapter 5, Section 502 Operating Requirements For Cannabis Establishments, to allow any adult use products manufacturing facility licensee that has a license issued by another department (such as a Commercial Kitchen License) to manufacture any and all products the facility is authorized to manufacture pursuant to the provisions of that license.

Currently, Maine’s Adult Use Cannabis Program Rules, 18-691 C.M.R., Chapter 1, Section 3.8.2 prohibit the manufacture any product that does not contain cannabis in an Adult Use cannabis products manufacturing establishment. Since Maine statute precludes hemp from the definition of cannabis, this rule effectively prohibits an Adult Use manufacturing facility from also producing consumable hemp products.

Healer Hemp operates a facility in Brunswick where organic hemp grown on Maine farms is processed into full-spectrum topical creams, tinctures, edible gummies, and capsules. The products are produced in small batches, and are closely monitored, sourced and quality controlled at every step of this process with industry-standard analytics, standard operating procedures and internal batch records for quality assurance. The final products are third-party tested and verified to meet the highest standards for safety, consistency, and potency.

Maine’s current Adult Use Cannabis program rules do not allow operation of an Adult Use Manufacturing Facility that also produces hemp products for sale to the public or for sale at Adult Use Cannabis stores.

Healer Hemp is seeking to use the wide variety of major and minor cannabinoids, phytonutrients, and flavinoids extracted from hemp for producing higher quality Adult Use Cannabis products and to sell hemp products at Adult Use Cannabis stores.

The processing of hemp and adult use cannabis in the same facility can be done without danger of contamination to hemp products, by ensuring batches are separately stored and managed. Healer already tests and segregates its products following Good Manufacturing Practices to ensure that all hemp products are clearly identified, consistently produced, and stored properly.

LD 40 would clarify the process for tracking, testing, and labeling batches of adult use cannabis products in a manner that effectively prevents cross contamination and ensures that the contents of all products are clear and recorded. By allowing the processing of hemp products in the same facility as Adult Use cannabis, greater varieties of products can be developed and more non-impairing products available in Adult Use cannabis stores.

In addition to the change of statute proposed by section B60 to allow products not containing cannabis to be produced in an Adult Use Manufacturing facility, it will be important that the Adult Use Program Rules are updated in a timely manner to remove the rule-imposed prohibition on manufacturing products not containing cannabis in a Cannabis Manufacturing facility.

A small business like Healer Hemp cannot afford to open a separate facility just to produce Adult Use products. The current ban on producing both hemp and adult use cannabis products in the same manufacturing facility harms small business and prevents innovation. The positive impact in this state will be immediate as upon implementation of this legislation, Healer Hemp and similar local companies will immediately seek to employ more Maine people. Please support equity for small Maine businesses by voting in support of LD 40.

Sincerely,  
Hillary Lister  
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