

From: Susan Meehan, President, Maine Cannabis Union, an affiliate of International Association of Machinists and Aerospace Workers

September 10, 2023 *& Feb. 7, 2024*

Honorable Senators and Representatives of the Veteran and Legal Affairs Committee, Chairman Senator Hickman and Chairwoman Representative Supica, thank you for hosting this hearing today. I am testifying against this bill.

My name is Susan Meehan, and I am President of the Maine Cannabis Union Association, an affiliate of IAMAW, representing both legal markets in Maine, Medical and Adult Use. In 2013, my family relocated to Maine to access the medical program for our late daughter Cyndimae who suffered from Dravet Syndrome Epilepsy. Cannabis helped Cyndimae enjoy a 95% reduction in seizures, and we came to know our daughter again as she laughed and played in the snows and rapids of Maine. In honor of Cyndimae, I advocate to protect access to cannabis for others.

The Office of Cannabis Policy has regurgitated these rules nearly identical to that which they held a public hearing in which they were met with overflow rooms of citizens testifying against the proposed rules in both programs in September 2023. The underlying issue is perhaps not with the rule, but in OCP's demonstrated lack of equitable enforcement of rule or law. We are tired of, "It is up to your inspector," if we receive any response. In many cases, if they answer, the actual answer of "It is up to your inspector." This simply does not work when the training or preparation of said inspectors fails to educate the inspectors as to rule and law specific to the program for which they are inspecting, and each has their own formed opinion as to application of said rules and laws. Because there are intersections- one company may wholesale to several. If my inspector feels my product meets rule and law, but your inspector finds my approved product in your store, but deems said product in noncompliance, we now have an issue. Managing a quarter billion dollar plus market may take more consistent application of the rules and laws that apply to the specific businesses being regulated. The standard operating procedures and training strategies need work.

There are many specific issues with these proposed rules as detailed in my digitally submitted list. The biggest problems however, are the lack of consistency, and the inequitable application of rule and law that is clearly demonstrated by the embossing debacle (Id2147).

Please accept this testimony and the SUPPORTING DATA BELOW.

Susan Meehan, President
Maine Cannabis Union
An affiliate of IAMAW
207-861-1945

Supporting data:

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*Against 2178, 2186, 2187
Meehan, Susan MCU*

From proposed AU Rules (hearing 9/06/2023)

Public Hearing
Wednesday, September 6 at 10:00 a.m.
19 Union Street, Room 325
Augusta, Maine

(PP30-31, Adult Use Proposed rules 2023)

"(g) Unless impracticable, each single standardized serving of cannabis shall be marked, stamped or otherwise imprinted with the Department approved universal symbol directly on at least one side of the edible cannabis product in a manner to cause the universal symbol to be distinguishable and easily recognizable.

The universal symbol marking shall: (i) Be centered either horizontally or vertically on each standardized serving of cannabis; and (ii) If centered horizontally on a serving, the height and width of the universal symbol shall be of a size that is at least 25% of the serving's width, but not less than ¼ inch by ¼ inch; or (iii) If centered vertically on a serving, the height and width of the universal symbol shall be of a size that is at least 25% of the serving's height, but not less than ¼ inch by ¼ inch.

(3) The following categories of edible cannabis products are considered to be per se practicable to mark with the universal symbol: (a) Chocolate; (b) Soft confections; (c) Hard confections or lozenges; (d) Consolidated baked goods (including without limitation cookies, brownies, cupcakes, and granola bars); and (e) Pressed pills and capsules.

(4) The following categories of edible cannabis products are considered to be per se impracticable to mark with the universal symbol: (a) Potato or corn chips; (b) Popcorn; (c) Pretzels; and (d) Loose granola. (5) Prior to offering an edible cannabis product for sale, a licensee may request in writing from the Department a determination that a particular edible cannabis 18-691 Chapter 30 page 31-product is impracticable to mark with the universal symbol. Such a request shall include a proposal for an alternative means for identifying the edible cannabis product as a product that contains THC. "

LAWS, Title 28B

56. Universal symbol. "Universal symbol" means an image developed by the department, and made available to licensees, that indicates that a container, package or product contains cannabis or contains or is a cannabis product.

§703. Other health and safety requirements and restrictions; rules

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1. Requirements and restrictions for edible cannabis products. In addition to all other applicable provisions of this subchapter, edible cannabis products to be sold or offered for sale by a licensee to a consumer in accordance with this chapter:

A. May be manufactured in geometric shapes or in the shape of a cannabis leaf; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. Must be manufactured in a manner that results in the cannabinoid content within the product being homogeneous throughout the product or throughout each element of the product that has a cannabinoid content; [PL 2017, c. 409, Pt. A, §6 (NEW).]

C. Must be manufactured in a manner that results in the amount of cannabis concentrate within the product being homogeneous throughout the product or throughout each element of the product that contains cannabis concentrate; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

D. Must have a universal symbol stamped or embossed on each serving of the product, except that the department may determine by rule that, for a particular type of product, such stamping or embossing is impracticable and is not required; [PL 2019, c. 491, §5 (AMD).]

E. May not be manufactured in the distinct shape of a human, animal or fruit; [PL 2017, c. 409, Pt. A, §6 (NEW).]

F. May not contain more than 10 milligrams of THC per serving of the product and may not contain more than 100 milligrams of THC per package of the product, with an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount of THC allowed under this paragraph, the allowable variance rate must be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3; [PL 2021, c. 558, §4 (AMD).]

F-1. May, except as provided in paragraph F, have the amount or potency of cannabinoids calculated using an allowable variance rate of 10%, except that the allowable variance may not be less than 0.6 milligrams or greater than 5 milligrams. In the calculation of the amount or potency of cannabinoids allowed under this paragraph, the allowable variance rate may be in addition to the allowable variance rate applicable to a testing facility pursuant to section 602, subsection 3; [PL 2021, c. 558, §5 (NEW).]

G. May not contain additives that are:

(1) Toxic or harmful to human beings;

(2) Specifically designed to make the product more addictive or that are misleading to consumers; or

(3) Specifically designed to make the product appeal particularly to a person under 21 years of age; and [PL 2017, c. 409, Pt. A, §6 (NEW).]

H. May not involve the addition of cannabis to a trademarked food or drink product, except when the trademarked product is used as a component of or ingredient in the edible cannabis product and the edible cannabis product is not advertised or described for sale as containing the trademarked product. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

[PL 2021, c. 558, §§4, 5 (AMD); PL 2021, c. 669, §5 (REV).]