



# 2022 Yankee Conference

*Massachusetts Environmental Health Association*

September 29, 2022

Commissioner Bruce Stebbins



# What is the Cannabis Control Commission, and what do we do in Massachusetts?

1. Introduction to the Commission
2. Legalization and Implementation
3. Adult-use Cannabis
4. Medical-use Cannabis
5. What's next?
6. Q&A

## Our Mission

The mission of the Cannabis Control Commission is to honor the will of the voters of Massachusetts by safely, equitably and effectively implementing and administering the laws enabling access to medical and adult use marijuana in the Commonwealth.

- The Commission will foster the creation of a safely regulated industry that will create entrepreneurial and employment opportunities and incremental tax revenues in and to communities across the state and which will be a best practice model for other states.
- The industry will be characterized by participation by small and larger participants and with full and robust participation by minorities, women and veterans.
- We will develop policies and procedures to encourage and enable full participation in the marijuana industry by people from communities that have previously been disproportionately harmed by marijuana prohibition and enforcement and positively impact those communities.



# Brief History of Marijuana Legalization in Massachusetts

- November 4, 2008** Voter initiative decriminalizing the possession of small amounts of marijuana approved (63 - 34%)
- November 6, 2012** Voter Initiative Legalizing Marijuana for Medical Purposes Approved (63 - 37%)
- June 25, 2015** First Medical Marijuana Treatment Center Opens under the Department of Public Health (DPH)
- November 4, 2016** Question 4 (Adult Use) Approved by Voters (53 - 47%)
- July 28, 2017** Governor signs Chapter 55 of the Acts of 2017
- April 17, 2018** First License Applications Accepted
- November 20, 2018** First Adult-use Retail Stores Open
- December 24, 2018** Oversight of Medical Marijuana Program Transferred from DPH to Commission
- August 31, 2021** Adult-use Marijuana Retailers Surpass \$2 Billion in Sales





# Legalization and Implementation



# Effective Regulation

1. 935 CMR 500.000 adult-use regulations; first promulgated in March 2018
  - a) Microbusiness and Craft Marijuana Cooperative licenses require Massachusetts residency
  - b) Social Consumption and Delivery licenses are exclusively available to equity applicants
  - c) Research Marijuana Facility licenses aim at furthering cannabis study absent federal legalization
  
2. 935 CMR 501.000 medical-use regulations; first promulgated by the Commission in December 2018 “lift and shift” from previous program administrators before bringing parity to two programs and eliminating the need for colocated regulations (previously 935 CMR 502.000)
  - a) Eliminated patient fees
  - b) Reduction of Medical Marijuana Treatment Center (MTC) application fees from \$31,500 to \$3,500
  - c) Hardship cultivation program

# Public Health and Safety

1. Facility Security and Agent Safety
  - a) Multi-step age verification to prevent diversion to youth
  - b) Limited Access Areas
  - c) Reporting requirements to the Commission and local public safety officials
  - d) COVID protocols and curbside operations
  - e) Mandated whistleblower policy
  - f) Required responsible vendor training for agents interacting with marijuana and consumers
2. Packaging and Labeling
  - a) Universal symbols
  - b) Tamper proof packaging that is unappealing to children and do not resemble commercial goods
  - c) Detailed information for consumers including production history, cannabinoid profile, ingredients, and more
3. Testing and Tracking
  - a) Full implementation when stores opened in 2018, unlike many jurisdictions
  - b) Policies have adapted in response to industry concerns and crises e.g. EVALI





# Public Education

1. "More About Marijuana" campaign launched before the first adult-use Marijuana Retailers opened
2. Responsible consumption and youth prevention content is informed by focus groups representing demographically diverse stakeholders from regions throughout the state
3. Safety messaging warns against the dangers of home manufacturing and consuming illicit vapes
4. Campaign materials available at:
  - a) [MoreAboutMJ.org](https://MoreAboutMJ.org)
  - b) The Commission's YouTube page
  - c) [Massclearinghouse.ehs.state.ma.us/category/CANNABIS.html](https://Massclearinghouse.ehs.state.ma.us/category/CANNABIS.html)

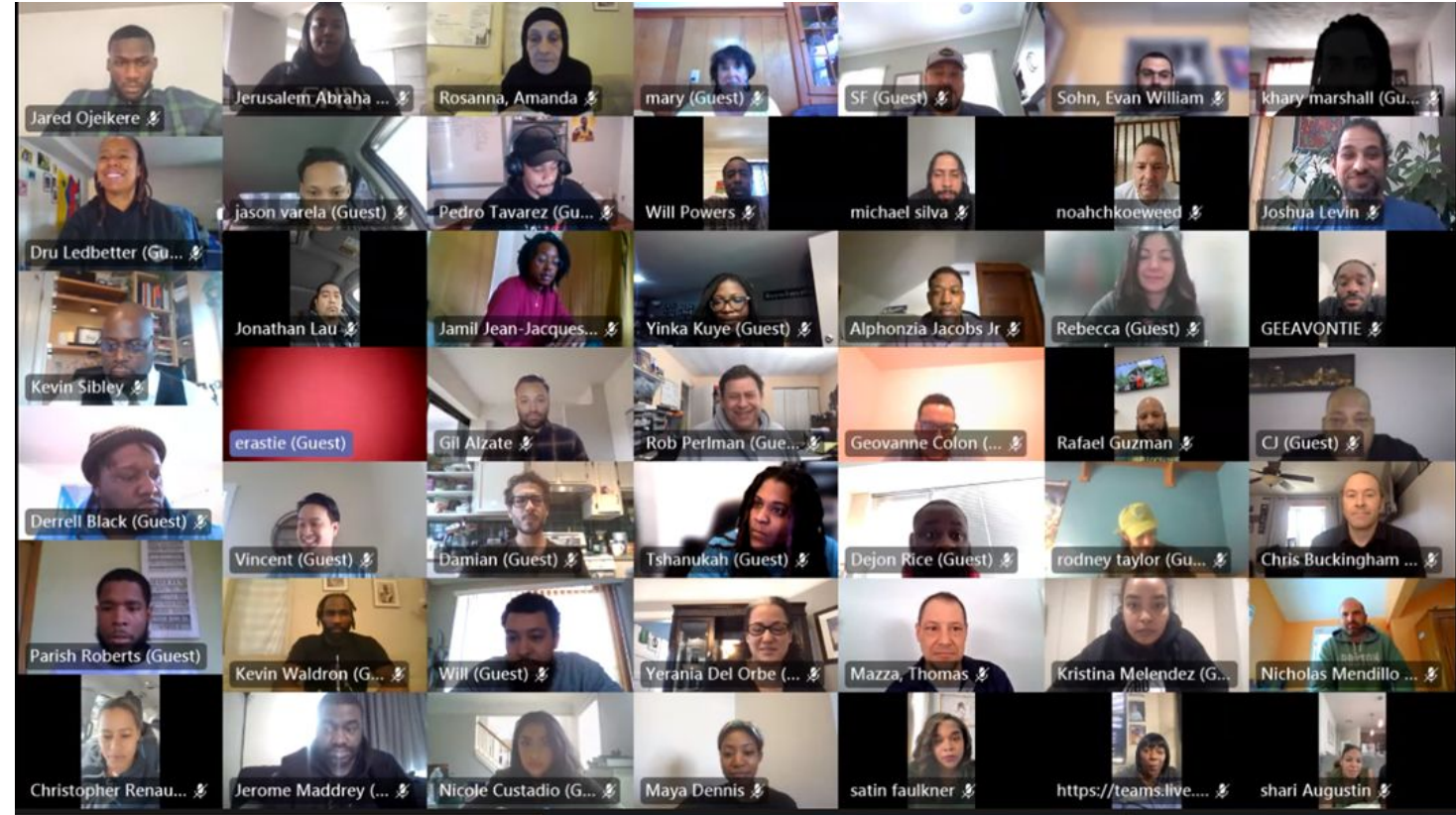


# Data Sharing and Transparency

1. Commission hosts nation-leading Open Data Platform through Tableau Public, formerly Socrata.
2. Shares data from the Commission's licensing system, Massachusetts Cannabis Industry Portal, Medical Use of Marijuana Online System, and seed-to-sale tracking system, Metrc.
3. Making sure the public has free, unfettered access to this information keeps us honest internally about what's happening as the industry develops—and where we need to go—and allows constituents to hold us accountable
4. The Commission added medical data last year and is looking to expand visualizations in 2022.

# Industry Equity

- Along with certifying 122 Economic Empowerment Applicants for Priority status, Massachusetts launched the first statewide Social Equity Program in 2018
  - Nearly 900 SEP Participants have completed training and technical assistance, or are currently engaged
- Diversity Plans
- Positive Impact Plans
- Guidance on Municipal Equity and HCAs, and new Municipal Resources Page
- Regulations and guidance now available in Spanish and Portuguese, other languages under consideration
- Commissioners adopted unanimous policy statement in support of a state-administered equity loan/trust fund composed of public and private resources



*A segment of Cohort 3 participated in orientation on March 3*



# Adult-use Cannabis

# Know the Laws

- You must be **21 years or older** to purchase or grow adult-use marijuana.
- You cannot use cannabis in any form—including smoking, vaping, or eating—in public places or on federal land
- Just like alcohol, it's illegal to have an open container of any form of marijuana in the passenger area of a car **and, it's illegal to drive while under the influence of cannabis**
- It's illegal to drive across state lines with cannabis. It's also against the law to transport it on a plane, train, boat, or other mode of transportation outside of Massachusetts.



# Helpful Consumer Information

- **You cannot send marijuana by mail**—even to states and countries where marijuana use is legal.
- Employers, landlords, cities, and towns may have their own policies governing the use of marijuana.
- Under our regulations, adult-use marijuana edibles are limited to **5.5 milligrams of THC in a single serving**, with no more than 20 servings or 110 milligrams of THC allowed in a single package.



# Helpful Consumer Information (Continued)

- Under the adult-use laws, you can grow up to six cannabis plants in your home for personal use, or up to 12 plants for two or more adults.
- Growing cannabis plants indoors often requires high-powered lamps, temperature controls, and expanded levels of ventilation which can overload circuits, and cause fires.
- To lower your risk of electrical fires, consult a licensed electrician to ensure you are following all relevant fire codes.
- Learn more at [MoreAboutMJ.org](https://www.moreaboutmj.org). Full safety video is available through our Cannabis Control Commission YouTube channel.



# License Types in Massachusetts



**Cultivation**



**Craft  
Cooperatives**



**Microbusinesses**



**Manufacturers**



**Retail**



**Research**



**Transporter**



**Independent  
Testing Labs**

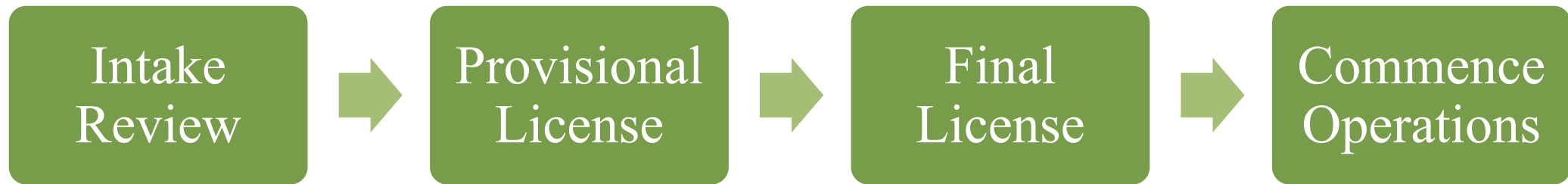


**Delivery**



**Social  
Consumption**

# Licensing Process



# Licensing Applications | September 2022

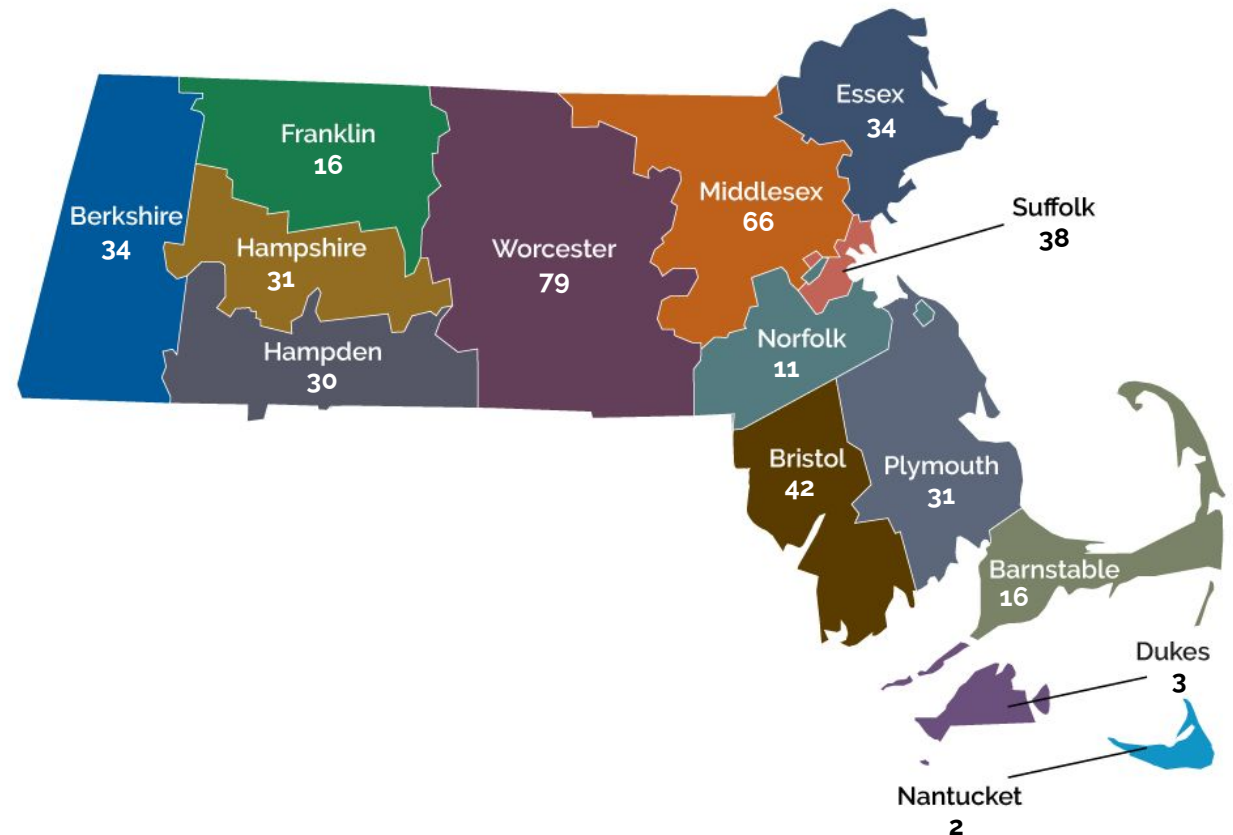
Type	Pending Application	Pre-Certified Endorsement	Initial License Declined	Provisionally Approved	Provisional License	Final License	Commence Operation	Total
Craft Marijuana Cooperative	2	-	0	0	4	0	0	6
Marijuana Courier License	9		0	0	8	2	8	27
Marijuana Courier Pre-Certification	12	92	0	-	-	-	-	104
Independent Testing Laboratory	1	-	0	3	7	0	10	21
Marijuana Cultivator	61	-	2	50	182	25	88	408
Marijuana Delivery Operator License	8	-	0	1	17	1	3	30
Marijuana Delivery Operator Pre-Certification	14	84	-	-	-	-	-	98
Marijuana Microbusiness	6	-	0	8	15	3	6	38
Marijuana Product Manufacturer	43	-	1	42	135	14	74	309
Marijuana Research Facility	7	-	0	0	0	0	0	7
Marijuana Retailer	67	-	1	34	156	11	237	506
Marijuana Transporter with Other Existing ME License	2	-	0	2	2	0	3	9
Microbusiness Delivery Endorsement	1	2	0	0	0	0	1	4
Third Party Transporter	8	-	0	0	0	0	4	12
<b>Total</b>	<b>241</b>	<b>178</b>	<b>4</b>	<b>140</b>	<b>526</b>	<b>56</b>	<b>434</b>	<b>1,579</b>



# Marijuana Retailer Licenses | September 2022

*The totals below are the total number of retail licenses by county.*

County	#	+/-
Barnstable	16	0
Berkshire	34	0
Bristol	43	1
Dukes	3	0
Essex	34	0
Franklin	16	0
Hampden	31	1
Hampshire	31	0
Middlesex	66	0
Nantucket	2	0
Norfolk	11	0
Plymouth	33	2
Suffolk	39	1
Worcester	79	0
<b>Total</b>	<b>438</b>	<b>5</b>



# Equity Licenses

*Of 1,334 applications approved by the Commission, the following applications have Economic Empowerment Priority Review, Social Equity Program Participant, and/or Disadvantaged Business Enterprise status. Please note, applicants may hold one or more statuses. **Please note that the end total represents the total number of applications/licenses at that step in the licensure process.***

Type	Economic Empowerment	Social Equity Program	Disadvantaged Business Enterprise	Total
Pre-Certified/Delivery Endorsed Microbusiness	39	143	25	178
Provisionally Approved	15	22	37	140
Provisional License	27	64	100	526
Final License	2	4	7	56
Commence Operations	15	22	43	434
<b>Total</b>	<b>98</b>	<b>255</b>	<b>212</b>	<b>1,334</b>



Year to Date  
Adult-use Marijuana  
Retailer

1/1/2022-8/28/2022  
(YTD)

**\$962.4M**



# Sales To Date

Gross Sales Total  
Since Adult-use  
Marijuana Retailers  
Opened

1/1/2019-8/28/2022  
(YTD)

**\$3.43B**

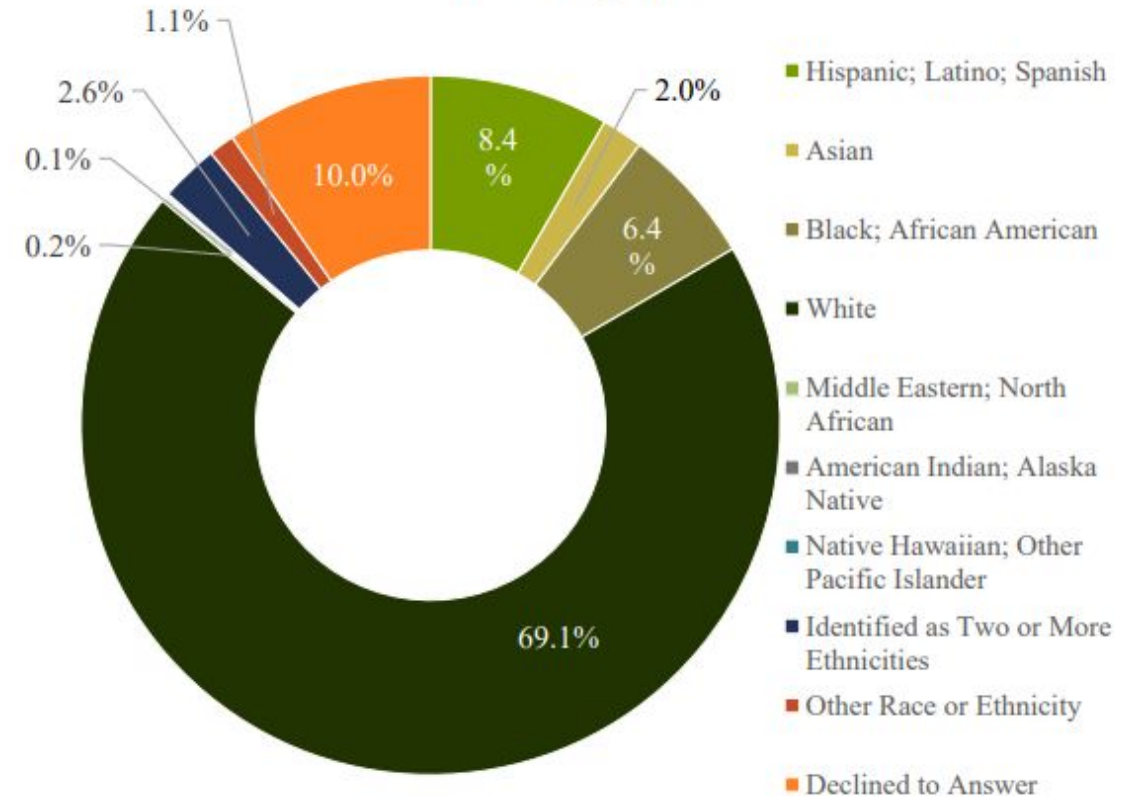


# Agent Applications | September 2022

## Demographics of Approved and Pending Agents

Race/Ethnicity	#	%
Hispanic; Latino; Spanish	1,816	8.4%
Asian	426	2.0%
Black; African American	1,384	6.4%
White	14,927	69.1%
Middle Eastern; North African	49	0.2%
American Indian; Alaska Native	29	0.1%
Native Hawaiian; Other Pacific Islander	17	0.1%
Identified as Two or More Ethnicities	552	2.6%
Other Race or Ethnicity	230	1.1%
Declined to Answer	2,170	10.0%
<b>Total</b>	<b>21,600</b>	<b>100%</b>

Race/Ethnicity of Approved and Proposed MTC Agents

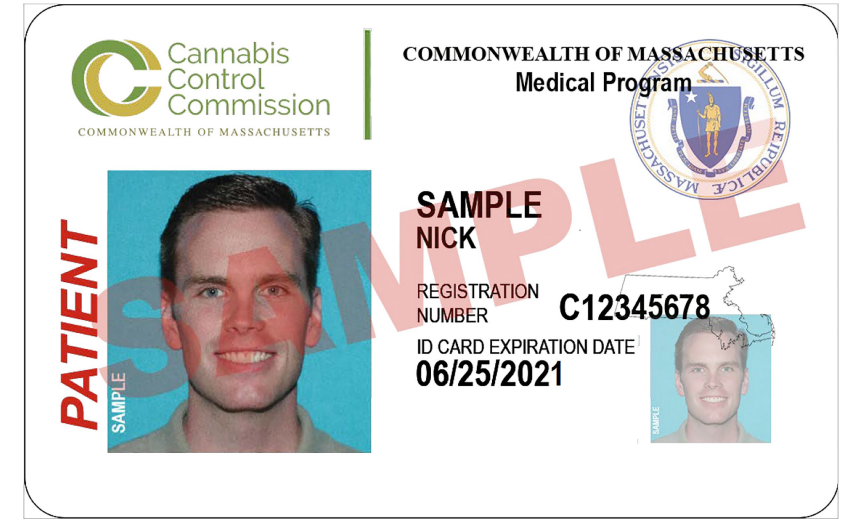




# Medical-use Cannabis

# Qualifying Patients

- **Qualifying Patients over 18 years of age** must be approved by a Certifying Healthcare Provider and certified by the state before being legally allowed to possess up to a 60-day supply of marijuana (no more than 10 ounces of cannabis or cannabis-infused products)
  - Pediatric Patients require certification from two Certifying Healthcare Providers
- May apply for Hardship Cultivation, which allows them to grow enough marijuana to yield a 60-day supply for personal medical use
- Commission has approved designating up to five patients per Personal Caregiver
- Patients must renew their status in the Program annually (**certification and registration**)



# MMJ Licensing and Registration Data | September 2022

*The numbers below are a snapshot of the program for the month of July.*

MTC Licenses	#
Provisional	38 (-5)
Final	3 (-7)
Commence Operations	98 (+15)
License Expired	45
<b>Total</b>	<b>184</b>

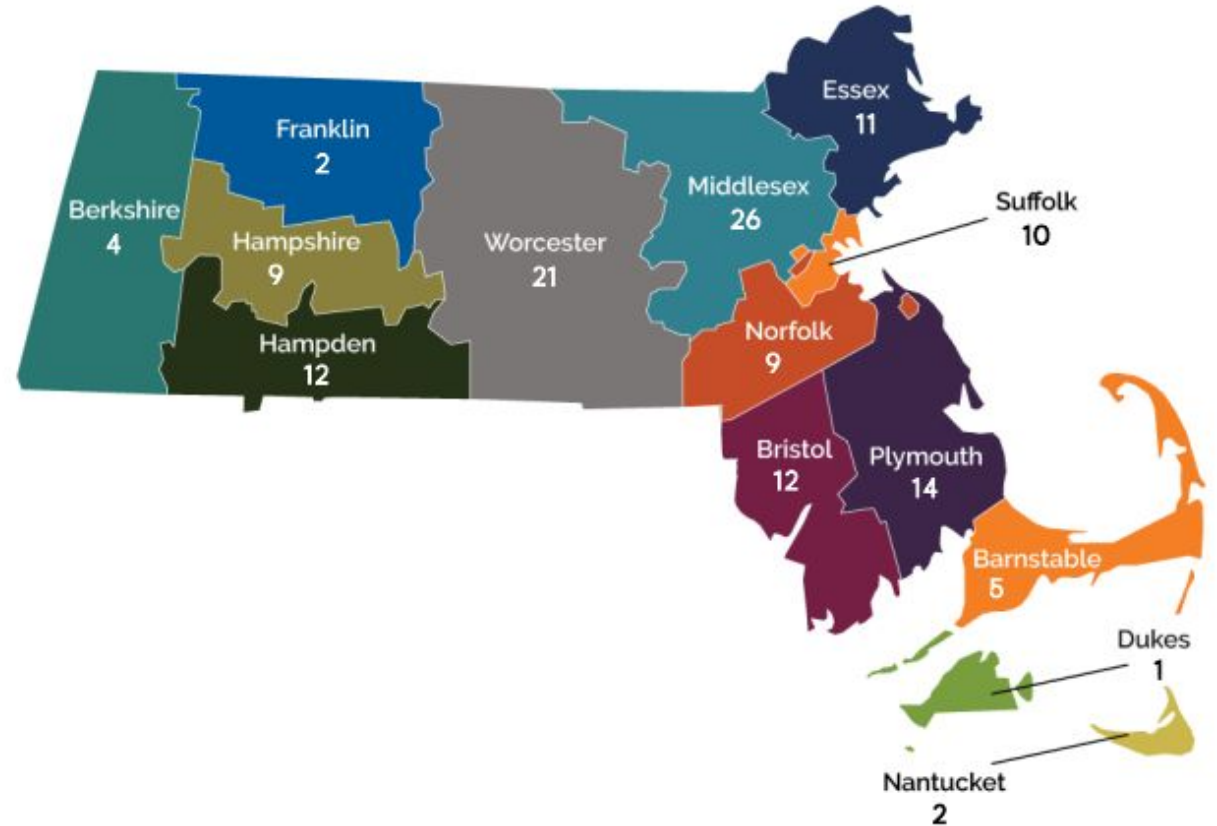
MMJ Program	#
Certified Patients	101,828 (-1,328)
Certified Active Patients	96,075 (-928)
Active Caregivers	7,791 (-321)
Registered Certifying Physicians	296 (+13)
Registered Certifying Nurse Practitioners	110 (+12)
Registered Physician Assistants	1
Ounces Sold	87,580



# Medical Marijuana Treatment Center Licenses (Dispensing) September 2022

*The totals below are the total number of MTC (Dispensing) by county.*

County	#
Barnstable	5
Berkshire	4
Bristol	12
Dukes	1
Essex	11
Franklin	2
Hampden	12
Hampshire	9
Middlesex	26
Nantucket	2
Norfolk	9
Plymouth	14
Suffolk	11
Worcester	21
<b>Total</b>	<b>139</b>





# What's next?

# S.3096 Massachusetts Legislature

- Omnibus cannabis legislation signed into law in August 2022:
- Establish strict parameters for what fees municipalities may require Marijuana Establishments to pay

Gives the Commission oversight of host community agreements

Requires municipalities to incorporate equity into its local licensing process

- Municipalities that adopt local equity measures and license equity applicants to receive an additional 1% in Local Option Tax
- Municipalities that choose not to support equity measures forfeit all community impact fees

Allows cities and towns to opt-in to allow Social Consumption licensing



# S.3096 Social Equity Funding

- Establishes a Social Equity Loan Fund, overseen by the Executive Office of Housing and Economic Development (EOHED), with input from the Commission

Public and private funds to be appropriated to the program

Low- and no-interest loans, and grants, for equity participants to use as start-up capital for their Marijuana Establishments

15% of the Marijuana Regulation Fund to the Social Equity Loan Fund, on an annual basis

A loan fund board will be established

- Appointed by Constitutional Officers and comprised of individuals from communities disproportionately-impacted by marijuana prohibition.

# Regulatory Review

- Identifying topics within and beyond the scope of An Act relative to equity in the cannabis industry

First phase of regulatory process anticipated potential legislation as well as other topics beyond scope of new law but of interest to Commission;

This phase includes identification of topics and stakeholder engagement, which is underway now, and will publicly begin in earnest this Fall; and

There are other topics that were included in the new law that may be the responsibility of other agencies. (Ex. EOHED responsible for regulating oversight of new Cannabis Social Equity Trust Fund and DOR responsible for 280E)



**Thank you!**

