



MARYLAND MEDICAL CANNABIS COMMISSION RESOLUTION

A Commission Resolution concerning

Liquid Edible Cannabis Products

FOR the purpose of establishing that certain pharmaceutical and over-the-counter liquid dosage forms may be eligible for an exemption to the water activity requirements of COMAR 10.62.37.18A.(3); clarifying that liquid edible cannabis products resembling commercially available beverages, such as coffee, tea, carbonated water, soda, or juice are prohibited; clarifying that multi-use liquid edible products are prohibited unless a permittee can demonstrate product stability and homogeneity in accordance with the Commission's Technical Authority for Medical Cannabis Testing; authorizing the development of regulations to further clarify liquid edible cannabis product requirements; and generally relating to the regulation of the manufacture and sale of liquid edible cannabis products.

WHEREAS, The Code of Maryland Regulations (COMAR) 10.62.37.18 states an edible cannabis product shall have a water activity level of "0.85 or less unless approved by the Commission;"

WHEREAS, COMAR 10.62.37.12.C. prohibits an edible cannabis product from resembling a commercially available beverage product that targets or is primarily marketed to minors;

WHEREAS, COMAR 10.62.37.19 excepts products from some or all of the edible cannabis regulations, if authorized by the Commission;

WHEREAS, liquids are a common method of administering pharmaceutical and over-the-counter medicine, including, syrups, oral suspensions, oral solutions, and elixirs;

NOW THEREFORE BE IT RESOLVED, That the Maryland Medical Cannabis Commission hereby endorses and recommends that the Commission:

- (1) Allow certain pharmaceutical and over-the-counter liquid dosage forms with a volume of 60 ml or less, including, syrups, oral suspensions, oral solutions, and elixirs to seek an exception to the water activity requirement codified in COMAR 10.62.18;
- (2) Clarify that COMAR 10.62.37.12 prohibits certain beverages that commonly target or are primarily marketed to minors, including, coffee, tea, carbonated water, juice, and soda; and

- (3) Clarify that multi-use liquid edible products are prohibited unless a permittee can demonstrate product stability and homogeneity in accordance with the Commission's Technical Authority for Medical Cannabis Testing.

BE IT FURTHER RESOLVED, That the Maryland Medical Cannabis Commission directs staff to develop regulations that further clarify the circumstances under which the Commission may permit liquid edible cannabis products that do not comply with COMAR 10.62.37.18, including dosing, volume, and serving size requirements.

The above resolution was adopted by the Commission members at the February 24, 2022, meeting of the Maryland Medical Cannabis Commission.



Tiffany D. Randolph, Esq., Acting Chair

02/25/2022

Date