

May 24, 2024 DISCUSSION POINTS - Partial Guidelines for Synthetic Cannabinoid products to satisfy the following:

*HB948, Section 3 (4) (b) recommendations on potential guidelines for safe methods of manufacturing, extracting, and synthesizing cannabinoids, including the sale of synthetic marijuana products*

Summary: As of our last Council meeting, we can begin working on proposing guidance to the lawmakers on synthetic marijuana products. The obvious starting point are the rules and requirements set forth by Montana in MMRTA and the associated ARM and MCA rules. I began outlining what specific rules and manufacturing requirements should be considered. Many of these times come from the dietary supplement industry. Those rules specific to synthetic chemical manufacturing and labeling apply directly to this issue.

However, when coupling these requirements to MMRTA and the current edible marijuana market in Montana I encountered several problems. After visiting six dispensaries in Helena in the last month to see the edibles (being the most like any synthetic cannabinoid product and dietary supplement) I encountered numerous products that appear to be non-compliant. Even if they are somehow found to be compliant, they are inappropriate for any synthetic cannabinoid edible. In short, a consumer of edibles has no reliable way to determine how to obtain a 10mg dose of THC in nearly any edible product other than gummy bears. The gummy bears were all reported to be 10mg per bear. This allows a consumer to know they are not getting more than 10mg per serving. Products that exceed that serving dose include the following:

1. Carbonated soda in a non-resealable can with 35.61mg THC.
2. Lollipop with 37.06mg THC
3. Bite sized caramel with 79.23mg THC (in 0.32 ounces of caramel)
4. Chocolate bar with 103.15mg THC and 4 squares (employee stated 4 servings marked on the bar)
5. Single hard candy (similar to a Jolly Rancher) with 51.29mg THC (in 0.42 ounce candy)
6. Single cookie with 52.68mg THC. No segregation into individual servings.

In addition, two of the six purchases were provided in Exit Bags that do not contain the warnings required by the State of Montana.

If individual dosing rules and warning label requirements are not routinely being met for adult-use marijuana edibles, it is difficult to propose rules and requirements for synthetic marijuana knowing compliance is not yet reliable. Dosing is a critical element of any synthetic product.

I can continue to develop synthetic guidelines as instructed by HB948. It may be premature to continue to develop manufacturing guidelines for synthetic cannabinoids until the State of Montana can assure and control the dose of psychoactive cannabinoids being provided to Montana consumers.