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Testimony of Rep. David Boyer

LD 2147, An Act to Remove the Requirement for Edible Cannabis Products to Be Stamped or Embossed on Each Serving with a Universal Symbol Before the Joint Standing Committee on Veterans and Legal Affairs

Senator Hickman, Representative Supica, and fellow members of the Joint Standing Committee on Veterans and Legal Affairs, I am State Representative David Boyer, and I am proud to present LD 2147, “An Act to Remove the Requirement for Edible Cannabis Products to Be Stamped or Embossed on Each Serving with a Universal Symbol.”

I introduced this bill after adult-use operators alerted me to what seems to be unfair application of the law. Currently, operators must stamp or emboss each individual dose of cannabis with the universal symbol. So, folks went out and spent thousands of dollars on these molds, with the symbol, only to be told by the Office of Cannabis Policy that their gummies would not be able to make it to market. Meanwhile, similar products from other operators were allowed to stay on shelves, with symbols arguably less legible. These businesses have spent time and money complying with Maine’s law only for the goal posts to be moved at the last minute.

Additionally, under OCP’s adult-use rules, the standard for whether a product must have the mark comes down to practicality. That is why OCP has determined that products like popcorn, pretzels, chips and granola are not practical to emboss or mark with the symbol. Given the department is comfortable authorizing products without the symbol, I hope they can see the impracticality of marking an individual gummy with a symbol that is a ¼ inch by ¼ inch.

LD 2147 would simply remove the requirement that the symbol has to be on each individual dose. The bill would retain all other existing rules and requirements including that these products be in tamper-evident, child-resistant packaging. If LD 2147 does pass, these operators will most likely still use the molds with the symbols, it’s just that it won’t be up to the subjective opinion of an inspector.

As legislators, we can make all the rules and laws we like, but at the end of the day, a lot of it comes down to personal responsibility. If there are children in the home, cannabis should be secured, much like alcohol is often locked-up.

The universal symbol on the container as well as the children-resistant packaging will serve as additional checks against accidental consumption. I believe we can balance public health and sensible regulations in a manner that works for all stakeholders.

I appreciate the committee's time and consideration.

David Boyer
State Representative