

Attestation of Medical Supply Need Form

Instructions

On April 7, 2020, the Cannabis Control Commission (Commission) issued a First Amended Cease and Desist Order (“Order”) recognizing as essential the wholesale transfer of adult-use marijuana and marijuana products. This attestation form shall remain in effect until Tuesday, May 4, 2020, or the date the Commission rescinds or amends its Order.

Pursuant to the Order, and where necessary to maintain the continuity of manufacturing functions pertaining to the medical marijuana supply chain, Marijuana Establishments and Co-located Marijuana Operations conducting adult-use retail, cultivation, and product manufacturing (the “ME”; collectively, “Adult-Use Operators”) may perform limited operations necessary to complete affiliated or unaffiliated transfers of needed marijuana and marijuana products to Co-located Marijuana Operations and/or Medical Marijuana Treatment Centers conducting medical-use retail, cultivation, and product manufacturing (the “MTC/CMO”; collectively, “Medical-use Operators”).

Prior to receiving a transfer of adult-use product, Medical-use Operators must submit this signed attestation (the “Attestation”) and any supporting sales analysis documentation to Inspections@CCCMass.com under the subject line “Attestation of Medical Supply Need [MTC/CMO License No.]”

Medical-use Operators shall provide Adult-Use Operators with a copy of the Attestation prior to performing a transfer of adult-use product to medical-use (“Patient Supply Transfer”). Adult-Use Operators must retain attestation forms connected to any patient supply transfer. A copy of the attestation form may be provided to an Independent Testing Lab to facilitate testing of finished adult-use marijuana and marijuana products that meet a specified medical supply need. This form may be renewed to reflect an increase in medical sales projections and/or projected medical supply chain needs.

Product acquired by an MTC/CMO under this Attestation shall not be counted toward cumulative distribution and acquisition of marijuana for purposes of 935 CMR 501.105(8)(j)(2.) and (3.)

Any operations or transfers of adult-use marijuana or marijuana products that are not supported by an Attestation and completed as a Patient Supply Transfer in Metrc may be deemed a non-essential service subject to enforcement action from the Commission and/or state and local health officials.



I. Background

1. Name and license number of MTC attesting to medical supply need:

2. Name and contact information for the ME/MTC’s authorized representative completing this Attestation (name, email address, and phone number):

II. Attestation of supply need

By initialing below, I attest to the following:

- _____ The MTC/CMO has identified an immediate or prospective need for medical marijuana indicated by an analysis of the MTC/CMO’s sales data.
- _____ The MTC/CMO has notified the ME of the need for medical supply and confirmed that the ME is able to meet the need by transferring existing finished marijuana products or engaging in necessary cultivation and product manufacturing operations to meet such need.
- _____ The transfer complies with 935 CMR 502.105(8)(b) and 935 CMR 501.105(8)(a), as applicable, and will be completed as a Patient Supply transfer in Metrc in accordance with Metrc Bulletin No. MA-IB-0022.
- _____ The MTC/CMO is capable of and will ensure compliance with the Commission’s labeling and packaging regulations, 935 CMR 501.105(5) and (6).
- _____ On receipt of the transferred product, the MTC/CMO is capable of and will ensure immediate transfer of received product to their medical license. Immediately is defined as no later than twenty-four (24) hours of the MTC/CMO’s receipt of transferred product.
- _____ Notwithstanding 935 CMR 502.140(9)(f), any product transferred under this Attestation shall be reserved for medical-use until dispensed or destroyed.



III. Description of marijuana products needed for medical supply

Pursuant to the Order, an ME may transfer marijuana products to an MTC/CMO, provided that the MTC/CMO attests to the medical supply need that will be addressed by the transfer. Prior to transfer, the MTC/CMO shall provide the Commission with documentation verifying the following information:

1. Please provide a summary of the type and quantity of marijuana and marijuana products needed (*if additional space is needed, please submit an addendum labeled “Addendum 1” with this form*):

2. Please explain the basis for an immediate or prospective need for medical supply as supported by an analysis of the MTC/CMO’s patient sales data (*if additional space is needed, please submit an addendum labeled “Addendum 2” with this form*):



3. Please provide the name and license number of ME in possession of product for needed medical supply:

4. Please describe any cultivation, processing, or testing required prior to completing a patient supply transfer for needed medical supply:

5. Expected date(s) that ME product will be transferred to the MTC:

IV. MTC/CMO authorized representative certification

By signing this document, I affirm that all the information provided above is true and accurate. I understand that all requirements listed in 935 CMR 500, 501, and 502 (*where applicable*) must be complied with unless otherwise notified by the Commission.

MTC/CMO's Authorized Representative Printed Name:

MTC/CMO's Authorized Representative Signature:

Date of Submission:



V. Adult-Use Operator acknowledgement

By signing below, I acknowledge that the above-named Adult-Use Operator can meet the medical supply need articulated in Section III and that any further cultivation, processing, or testing of adult-use marijuana shall be solely for purposes of meeting that medical supply need.

Adult-Use Operator's Authorized Representative Printed Name:

Adult-Use Operator's Authorized Representative Signature:

Date of Submission:

