CANNABIS ADVISORY BOARD
SUBCOMMITTEE ON PUBLIC HEALTH
PUBLIC MEETING MINUTES
November 13, 2017
1:00 p.m.-2:30 p.m.
250 Washington Street, 2nd Floor Public Health Council Room,
Boston, MA 02108

SUBCOMMITTEE MEMBERS IN ATTENDANCE:

Chair Jaime Lewis
Associate Commissioner Lindsey Tucker
Michael LaTulippe
Nichole Snow
Horace Small (represented by designee Lum-Bhi Tashi)
Dr. Alan Balsam
Chief John Carmichael

SUBCOMMITTEE MEMBERS ABSENT:

Dr. Sharon Levy

SUBCOMMITTEE MEMBERS PARTICIPATING REMOTELY (by telephone conference call):

Michael Dundas

EXHIBITS/DOCUMENTS DISTRIBUTED

1. Meeting Agenda
2. Minutes Meeting 5 to be Approved
3. CAB Public Health Subcommittee Recommendations by Topic Powerpoint, DRAFT 1 (continued)

Chair called the meeting to order at 1:09 pm. Chair asked for roll call; Chair determined quorum present. There was recording. Chair advised subcommittee members to be aware they were being videotaped or otherwise recorded.

Chair moved to open discussion of the minutes from the meeting which occurred Friday, November 10. Correction to spelling of Public Commenter Jeremiah MacKinnon name (McKinnon to MacKinnon). Associate Commissioner Tucker stated she had not had a chance to review the minutes prior. Chair asked if it was alright to move forward with the vote, Tucker assented. Chair called for a motion to approve the minutes. Nichole Snow motioned, Michael LaTulippe seconded. Chair called for a roll call vote,

Michael Dundas, Alan Balsam, Nichole Snow, John Carmichael, Horace Small (by designee), Michael LaTulippe and Chair approve

Lindsey Tucker Abstained

Minutes from the November 19th, 2017 Public Health Subcommittee Meeting approved.

Chair moved to open a discussion of the timeline process for the next meetings. Subcommittee to present draft recommendations and discuss at current meeting, then take back edits and revise with working groups to present as recommendations at meeting November 20th to be voted on for approval to submit. Those approved recommendations would then be compiled and circulated to subcommittee members over the Thanksgiving weekend to review, before final notes and edits made Monday, November 27th, and then submitted to the CNB.

Chair was asked if there was news on a full Cannabis Advisory Board meeting to occur prior to the due date of recommendations. Chair had not heard of plans for a Cannabis Advisory Board meeting prior to November 30th.

Chair moved to continue recommendation presentations by the working groups, subcommittee decided to discuss recommendations as presented.

Chair presented on Packaging Recommendations.

Subcommittee discussed the use of dry weight of product on packaging label. Subcommittee discussed the prohibition of 'bright colors' requirement. Chair provided clarification on 'childproof' vs. child resistant packaging.

Chair presented on Labeling Recommendations.

Subcommittee discussed how potency/cannabinoid profile test results should be presented on label, clarification of a variable, range or actual test result number. Discussion on types of cannabinoids currently required to be included on the medical label from DPH testing protocols; there are 4; THC, CBD, THCa and CBDa.

Subcommittee discussed refrigeration requirements.

Chair presented on Recommendations Related to Packaging and Labeling.

Associate Commissioner Tucker asked for a recommendation that the product itself, the product packaging and the external package were all marked and or stamped to indicate the product contained marijuana.

Subcommittee discussed stamping, and concerns to public health and safety once product removed from packaging. The subcommittee discussed products available to consumers in the marketplace with regards to stamping or otherwise marking limitations. The subcommittee discussed choosing a list of approved products to coincide with a stamping requirement and its limitations or drawbacks.

The subcommittee discussed the Chapter 55 process for product overseeing in statute, and if there was a need to draft a recommendation beyond or concerning this. The subcommittee discussed municipal or local control over product approval and availability.

Tucker asked for a recommendation that labels could not include health and or medical claims, or organic product claims, mirroring current Medical requirements.

Subcommittee discussed use of pesticides and the pesticide process.

Tucker asked for a recommendation on the topic of packaging for lotions, tinctures and other non-edible Marijuana Infused Products (MIPs) to not resemble beauty products.

The subcommittee discussed, expressed concerns about the alternatives to packaging for non-edible MIPs that would distinguish products and how this could be done without cosmetics and or toiletries bottles and containers.

Chair moved to open for presentation Products recommendations. Nichole Snow presented.

Snow asked if there were any products to add to the list. Subcommittee commented syringes could be for multiple uses related to MIPs, absence of suppositories from list, and lack of complete list of all Edible MIPs products currently available.

Subcommittee discussed concerns over the burden on manufacturers to maintain high potency edibles. Discussed how to make this more manageable for the manufacturer, and whether or not to make a recommendation on the amount of servings per package as it related to this issue. Subcommittee further discussed high potency edibles and concerns, especially around how to ensure a continued supply remained available to medical patients.

Tucker asked for a recommendation limiting Vaping flavors to no candy or fruit flavors (as to not be appealing to children and adolescents). The Subcommittee discussed language around how to accomplish this while not eliminating terpenes, phrases such as ‘no artificial flavorings’ and ‘No non-cannabis derived additional artificial additives’ were discussed.

The subcommittee discussed the lab testing seal recommendation. To alleviate the issue of state liability, each individual lab having a seal was suggested. Subcommittee discussed importance of a one seal, with attempts to standardize package and labeling for consumer safety. Subcommittee discussed idea of utilizing a third-party vendor for the seals to deal with issue of state liability and ensuring one symbol for the seal for all seals.

The subcommittee discussed a process for new product offerings, and whether a development of testing protocols needed to be established for each product before it could be tested and sold. Subcommittee asked for a clarification on the testing standards, will be USP Standard under Adult Use as well. Subcommittee asked for clarification on continuation of the vertical integration requirement or separate licenses for RMDs.

Chair opened the meeting for public comment.

Will Luzier, Yes on 4 Coalition

Expressed concern over requirements for stamping edibles products and how that limits the industry, or allowing both stamp-able and not and potentially confusing the consumer. Concerned as well about ceding control over what products are to be allowed to municipalities, as it will give competitors with loose municipality locations a greater advantage, and limits on edibles products available on the Adult Use market will lead to Black Market production.

Also suggested that whatever symbol be used to mark or stamp products and or packaging to indicate marijuana, be a symbol recognized or similar to markings used in other states, as it is important for consumers across the country to be able to recognize.

Kamani Jefferson, MRCC

Made a suggestion of QR codes with edible ink for edibles instead of stamping. Expressed concerns about the importance of education surrounding products, testing, regulating and general knowledge for those making recommendations, legislating on these issues, and for the community at large to better understand. Cited to specific example that establishing universal testing protocols for testing labs here in Massachusetts is challenged by the fact that different testing facilities currently in operation have different machinery for their testing.

Jeremiah MacKinnon

Spoke on the greater bioavailability of edibles products and concerns about what that would mean with a 15% variance in potency for edibles.

Michelle Herman

Expressed disagreement with a need for stamping products, did not see this as a deterrent to children or adolescents. Stated that in opposition to limiting edibles, it should be up to the parents to decide what is safe for their children and household. Expressed concerns for patients in terms of a need for different flavors, and colors for colorblind patients. Also expressed concerns that a third-party vendor would be expensive for labeling.

James McMan

Expressed concerns over devolving authority on products and standards to municipalities as it creates three competing sets of standards, which seems to contradict the efforts of the subcommittee to move towards a standardization for ease of practice and enforcement.

Chair announced next meeting date as November 20th, 2017 at 2:00pm in the Department of Public Health Public Health Policy Council Room.

Chair closed the meeting at 2:37pm.