

Frequently Asked Questions
Michigan Medical Marihuana Act (MMMA)
Medical Marihuana Facilities Licensing Act (MMFLA)
Marihuana Tracking Act (MTA)

*****This guidance is strictly related to medical marihuana requirements provided by the MMMA and MMFLA and is not intended to address recreational marihuana. *****

1. Who is the lead agency for the enforcement of the MMMA, MMFLA, and MTA?

The State of Michigan "Department of Licensing and Regulatory Affairs" (LARA) is the lead Agency for the MMMA, MMFLA, and MTA.

2. Where can I find information about the MMMA, MMFLA, and MTA?

<https://www.michigan.gov/lara/0,4601,7-154-79571---,00.html>

3. Are Marihuana-infused products food per the Michigan Food Law?

No, the MMMA P.A. 281 Sec. 102 states that:

(k) "Marihuana-infused product" means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is intended for human consumption in a manner other than smoke inhalation.

Marihuana-infused product **shall not be considered a food** for purposes of the food law, 2000 PA 92, MCL 289.1101 to 289.8111.

4. Are there restrictions on marihuana-infused products?

Yes, Rule 33 of the MMFLA, EMERGENCY RULES filed 5/30/2018 establishes "Requirements and restrictions on marihuana-infused products; edible marijuana product."

https://www.michigan.gov/lara/0,4601,7-154-79571_83994---,00.html

5. Can marihuana-infused product be a time-temperature for safety product?

No, Rule 33 of the MMFLA, EMERGENCY RULES filed 5/30/2018 "Requirements and restrictions on marihuana-infused products; edible marijuana product" States:

(7) A processor is prohibited from producing an edible marihuana product that requires time or temperature control for safety. **The end-product must be a stable shelf-life edible marihuana product.**

6. Can a Medical Marihuana Provisioning Center have a food license?

No, if the Medical Marihuana Provisioning Center is giving away or selling food is at a level that the business needs to license as a Food Establishment. Rule 21 of the MMFLA, EMERGENCY RULES filed 5/30/2018 establishes that (a) Marihuana facilities shall be partitioned from any other marihuana facility, activity, **business**, or dwelling.

**7. Can a Medical Marihuana Provisioning Center be temporary or mobile?
Can the sale or transfer be done by internet or mail order?**

No, Rule 21 of the of the MMFLA, EMERGENCY RULES filed 5/30/2018 establish that (d) The marihuana facility **must be at a fixed location. Mobile marihuana facilities and drive through operations are prohibited. Any sales or transfers of marihuana product by internet or mail order, consignment, or at wholesale are prohibited.**

8. If a Provisioning Center is selling food who do they report that to?

BMMR Enforcement Section 517-284-8597 or
LARA-BMMR-Enforcement@michigan.gov

9. If a local health department or Michigan Department of Agriculture and Rural Development inspector find a Marihuana-Infused product, being sold outside of a Provisioning Center, but not in a licensed food establishment, how should they handle that? (For example, Marihuana-infused baked goods at Farmers Markets, craft show, community event, etc.)

Contact BMMR Enforcement Section 517-284-8597 or
LARA-BMMR-Enforcement@michigan.gov

10. If a local health department or Michigan Department of Agriculture and Rural Development inspector find a Time/Temperature control for safety product being sold as a Marihuana-Infused product, how should they handle that? (For example, someone infusing chicken at a temporary event)

Contact BMMR Enforcement Section 517-284-8597 or
LARA-BMMR-Enforcement@michigan.gov

11. If a local health department or Michigan Department of Agriculture and Rural Development inspector find marihuana or marihuana products in a licensed food establishment, how should they handle that?

Fill out the special report and leave a copy with the firm. Inform your Supervisor. Contact BMMR Enforcement Section 517-284-8597 or
LARA-BMMR-Enforcement@michigan.gov