

Marihuana (legal term) or Marijuana (common term)

The plant *Cannabis sativa* L. with delta-9-THC concentrations above 0.3%. Includes products made from the marijuana plant, but excludes stalks, products made from the stalks, and some products made from seeds.

CBD (Cannabidiol) is a substance derived from cannabis plants that does not have psychoactive effects.

MMMA

Michigan Medical
Marihuana Act
(2008)

MMFLA

Medical Marihuana
Facilities Licensing Act
(2016)

MRTMA

Michigan Regulation and
Taxation of Marihuana Act
(2018)

Only facilities licensed by the Bureau of Marijuana Regulation (BMR) under the MMFLA can commercially grow, process, and sell marijuana and marijuana products.

CBD products produced from marijuana will not be regulated as marijuana if the THC content is below 0.3%.

Edible marijuana products containing CBD made by licensed processors may only be produced using CBD obtained from regulated sources. Currently, these regulated sources include state of Michigan licensed growers or processors under the MMFLA.

BMR is in the process of writing administrative rules under the MMFLA and MRTMA to determine the methods for industrial hemp grown under the Industrial Hemp Research and Development Act to be transferred to licensed marijuana facilities. Until the administrative rules are written, there is no authorized method for licensed facilities to obtain industrial hemp.

BMR does not regulate marijuana or marijuana products grown or produced by registered qualifying patients or designated primary caregivers under the MMMA or individuals over 21 for personal use under the MRTMA.

Industrial Hemp

The plant *Cannabis sativa* L. with delta-9-THC concentrations below 0.3%. Includes products made from the industrial hemp plant.

CBD (Cannabidiol) is a substance derived from cannabis plants that does not have psychoactive effects.

2018 Farm Bill

A federal bill creating a route to legally grow industrial hemp as an agricultural product. This bill allows state departments of agriculture to get certified by the United States Department of Agriculture in order to regulate industrial hemp growers across the nation.

PA 641, 642 and 648 of 2018

Michigan laws passed in December 2018 that require firms to be licensed by the MDARD to grow, process or market industrial hemp. The bills amend the Public Health Code definition of industrial hemp and marihuana, and allows LARA to promulgate rules for the sale of industrial hemp at provisioning centers.

Growing industrial hemp will require a license from the Michigan Department of Agriculture and Rural Development (MDARD). MDARD is in the process of developing a licensing program for growers to meet the requirements of both state and federal laws to allow interstate commerce of the plants.

Products derived from industrial hemp, including CBD oil, fall under several different categories. Any substances that will be added to food or drink or marketed as dietary supplements must first be approved by the U.S. Food and Drug Administration for that intended use. At this time, the FDA has not approved CBD for use in food or drink or as a dietary supplement. Therefore, it's currently illegal to add CBD into food products or drinks or sell it as dietary supplements.

GRAS (Generally Regarded As Safe) is a list of substances that the FDA considers safe to add to food. Hulled hemp seeds, hemp seed protein and hemp seed oil are considered GRAS, as of 12/20/18. CBD is currently not considered GRAS, as of 3/29/19. In Michigan, any food production falls under the Michigan Food Law and the licensing requirements within the law.

Any product derived from industrial hemp with a THC concentration above 0.3% is classified as marijuana and regulated under the laws that apply to those products through the Michigan Department of Licensing and Regulatory Affairs.

Questions regarding marijuana should be directed to the
Bureau of Marijuana Regulation.

LARA-BMR-Enforcement@michigan.gov • 517-284-8597
www.Michigan.gov/BMR



Questions regarding industrial hemp should be directed to the
Michigan Department of Agriculture and Rural Development

MDARD-Industrialhemp@michigan.gov • 800-292-3939
www.michigan.gov/industrialhemp

