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Dear Stakeholder:

The Office of Marijuana Policy (OMP) and the Department of Agriculture, Conservation and Forestry, Division of Quality Assurance and Regulation, Weights and Measures Program, jointly issue this guidance regarding the certification requirements for scales and balances used in the cultivation, manufacture, testing and sale of marijuana, marijuana concentrate, and marijuana products as required by Title 28-B and the Adult Use Marijuana Program (AUMP) Rule.

The AUMP Rules require licensed cultivation facilities, products manufacturing facilities, sample collectors, marijuana testing facilities, and marijuana stores to certify all scales and balances in accordance with the weights and measure requirements of Title 10, ch. 501.

This law requires scales and balances used to measure marijuana, marijuana concentrate and marijuana products at the point of direct sale to consumers to be certified by the Division of Weights and Measures. The law further provides for certification of scales and balances used in commerce, but not for direct-to-consumer sales, to be certified by a scale “dealer or repairman” registered with the State Sealer.

Because the AUMP does not allow for direct-to-consumer sales of unpackaged marijuana, marijuana concentrate or marijuana products (so-called “deli style” sales), licensees are required to have all scales and balances used to weigh marijuana, marijuana concentrate and marijuana products, or samples of marijuana, marijuana concentrate and marijuana products, certified by a dealer or repairman registered with the State Sealer pursuant to 10 MRS § 2651.

Any scale or balance used to record official weights in the OMP-required inventory tracking system (METRC), including any samples of marijuana, marijuana concentrate and marijuana products for mandatory testing, must be at all times appropriately certified by a registered dealer or repairman.

Sincerely,

Erik Gundersen  
Director  
Office of Marijuana Policy

Bradford Bachelder  
Consumer Protection Inspector  
Quality Assurance and Regulations