



State of Rhode Island and Providence Plantations  
DEPARTMENT OF BUSINESS REGULATION  
1511 Pontiac Avenue, Bldg. 68-1  
Cranston, Rhode Island 02920

## Medical Marijuana Program Bulletin Number 2018-2

### Guidance Regarding Licensed Compassion Centers and Cultivators Use and Sale of Certain Cannabis Derived Products

This Bulletin is issued by the Rhode Island Department of Business Regulation (“DBR”), Medical Marijuana Program (“Program”) in response to inquiries from compassion center and cultivator licensees about obtaining certain cannabis derived substances from outside of Rhode Island’s Medical Marijuana Program to use in their products or sell in compassion centers.

All cannabis derived products, substances, or material possessed by, manufactured by, or sold by licensed cultivators or compassion centers must comply with Rhode Island General Laws § 21-28.6-1 *et seq.* (the “Act”) and the *Rules and Regulations Related to the Medical Marijuana Program Administered by the Department of Business Regulation 230-RICR-80-5-1* (the “Regulations”). A licensee’s ability to obtain, possess, or sell any cannabis derived substance depends on the source material from which the substance is derived. Under the Act and the Regulations “marijuana” is defined as:

“all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. Such term does not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.” (Emphasis added). R.I. Gen. Laws § 21-28.6-3(13); see also R.I. Gen. Laws 21-28-1.02(29) and Section 1.1(A)(8) of the Regulations.

This definition excludes from the definition of marijuana the mature stalks of the cannabis plant and most compounds derived from the mature stalks and seeds of the cannabis plant. These parts of the plants and the products produced solely from these parts (except for resin) do not fall within the definition of “marijuana” as to which a medical marijuana compassion center or cultivator must obtain a license from the Department. Accordingly, licensed medical marijuana compassion centers and cultivators may obtain, possess, manufacture with, or sell products which contain cannabis materials that are excluded from the definition of marijuana, provided that the licensee maintains and provides to the Department satisfactory records and evidence confirming that these materials fall outside the Act’s definition of marijuana.

Any product or substance that is derived from cannabis leaves, flower, bud, or any other non-exempt part of the plant and any resin or resin extract derived from mature stalks and seeds of a

cannabis plant falls within the definition of marijuana regardless of THC content. As is the case with all marijuana and marijuana products, these products and substances may only be produced, obtained, manufactured and sold in Rhode Island by a licensed medical marijuana compassion center or cultivator in accordance with and subject to the requirements of the Act and the Program Regulations.

The information in this Bulletin is provided for general information purposes only and reflects the current law applicable to licensed compassion centers and cultivators under the Act and the Regulations. No information contained herein is intended or should be construed as legal advice or as guidance with respect to other state or federal laws. Readers are encouraged to consult their legal advisors.

Any questions concerning this Bulletin should be directed to [dbr.mmpcompliance@dbr.ri.gov](mailto:dbr.mmpcompliance@dbr.ri.gov).

A handwritten signature in black ink, appearing to read 'Norman Birenbaum', is positioned above the typed name and title.

Norman Birenbaum  
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Medical Marijuana Program

Dated: June 6, 2018