

HOUSE No. 153

The Commonwealth of Massachusetts

PRESENTED BY:

Bradford Hill

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the prevention of health harms of marijuana products.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradford Hill</i>	<i>4th Essex</i>	<i>2/18/2021</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>5/20/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>5/20/2021</i>

HOUSE No. 153

By Mr. Hill of Ipswich, a petition (accompanied by bill, House, No. 153) of Bradford Hill relative to the prevention of health harms of marijuana products. Cannabis Policy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the prevention of health harms of marijuana products.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 94G of the General Laws is hereby amended by
2 inserting the following:

3 “Characterizing flavor” means addition of Perceptible taste or aroma post-harvest or use
4 of a brand or product name, language or image suggestive of a particular taste or aroma
5 imparted by Marijuana or a Marijuana Product including, without limitation, tastes or aromas
6 relating to any fruit, chocolate, vanilla, honey, candy, dessert, alcoholic beverage, menthol, mint,
7 wintergreen, herb, nut or spice. Marijuana or a marijuana product is presumed to have a
8 characterizing flavor if a marijuana retailer, manufacturer, manufacturer’s agent or employee
9 has: 1) made a statement or claim directed to consumers or the public, whether expressed or
10 implied, that the Marijuana or Marijuana Product or an emission or byproduct thereof, smells or
11 tastes different from Marijuana, or (2) taken action that would be reasonably expected to result in
12 consumers receiving the message that the Marijuana or marijuana, or an emission or byproduct
13 thereof, smells or tastes different from marijuana.

14 “Marijuana concentrate” means a product derived from marijuana that is produced by
15 extracting or concentrating cannabinoids from the plant through the use of: (i) Solvents; (ii)
16 Carbon dioxide; or (iii) Heat, screens, presses, or distillation.

17 “Perceptible” means perceivable by the sense of taste or smell.

18 “Potency” means the percent of active tetrahydrocannabinol (THC) by weight in cannabis
19 flowers or marijuana concentrates. The commission shall determine the criteria to measure
20 potency, including but not limited to consideration of both active form of THC, delta-9-
21 tetrahydrocannabinol (D9THC), and tetrahydrocannabinol acid (THCA), the D9THC precursor,
22 by using the following equation: $[D9THC + (THCa \times 0.877)]$ or other criteria determined by The
23 Commission.

24 “Tincture” means a cannabis-infused solution derived either directly from the cannabis
25 plant or from a processed cannabis extract that is combined with 50 percent or greater food grade
26 ethyl alcohol, glycerin, or vegetable oils that: (i) are distributed in a dropper bottle of 4 ounces or
27 less; and (ii) contain no additional non-cannabis ingredients except potable water, unless
28 approved by the Massachusetts Department of Public Health.