§105. Tracking system

The office shall implement and administer a system, referred to in this section as "the tracking system," for the tracking of cannabis plants, adult use cannabis and adult use cannabis products from immature cannabis plant to the point of retail sale, return, disposal or destruction. The tracking system must allow for cannabis plants at the stage of cultivation and upon transfer from the stage of cultivation to another licensee to be tracked by group. The office may implement a tracking system that allows adult use cannabis or adult use cannabis products to be tracked by group. [PL 2023, c. 679, Pt. B, §8 (AMD).]

The office shall ensure that the system implemented and administered under this section, whether tracking individually or by group, maintains a detailed record at every stage from immature cannabis plant to the point of retail sale, return, disposal or destruction. [PL 2023, c. 679, Pt. B, §9 (AMD).]

1. Data submission requirements. The tracking system must allow licensees to submit tracking data for adult use cannabis or adult use cannabis products to the office. The tracking system must permit licensees to submit all required tracking data through manual data entry or through the use of software that connects to the tracking system maintained by the office through an application program interface, including without limitation point-of-sale system software. Nothing in this subsection may be construed to permit the submission of required tracking data using an application program interface that cannot transmit all required data to the tracking system required by the office.
[PL 2023, c. 679, Pt. B, §10 (RPR).]

1-A. Group tracking. Cannabis plants at the same stage of growth that are of the same varietal or cultivar of the plant genus Cannabis may be tracked by group if they:

A. Are planted in the same specific area at the same time; [PL 2021, c. 628, §1 (NEW).]

B. Are transplanted to the same specific area at the same time; or [PL 2021, c. 628, §1 (NEW).]

C. Include cannabis plants that were planted in a specific area and cannabis plants that were transplanted to the same specific area. [PL 2021, c. 628, §1 (NEW); PL 2021, c. 669, §5 (REV).]

For cannabis plants that are tracked as a group, a licensee shall designate the square footage of the specific area in which the plants are planted or transplanted. Cannabis plants may not be tracked as a group unless they are intended for harvest as a group.
[RR 2021, c. 2, Pt. A, §106 (COR).]

1-B. Tagging. A licensee shall affix a tag containing the identifying information required by the office under this chapter or rule adopted pursuant to this chapter to each group of cannabis plants tracked under this section. The office may not require cannabis plants that are being tracked as a group to be individually affixed with a tag during cultivation or transfer to another licensee.
[PL 2023, c. 679, Pt. B, §11 (AMD).]

1-C. Group transfers. When a group of cannabis plants tracked under this section is transferred to another licensee, the licensee transferring the group of cannabis plants must provide a manifest that lists every cannabis plant within the group and any other relevant information required by the office by rule.
[PL 2023, c. 679, Pt. B, §12 (AMD).]

2. Rules. The office shall adopt rules regarding the implementation and administration of the tracking system and tracking requirements for licensees. Rules adopted under this section must include, but are not limited to, the following:

A. Record-keeping requirements for the tracking of cannabis plants when tracked individually and when tracked by group; and [PL 2021, c. 628, §1 (NEW); PL 2021, c. 669, §5 (REV).]

B. Record-keeping requirements necessary to ensure the office's ability to implement a recall for reasons related to health and safety when tracking cannabis plants individually or by group. [PL 2023, c. 679, Pt. B, §13 (AMD).]

[PL 2023, c. 679, Pt. B, §13 (AMD).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2021, c. 628, §1 (AMD). PL 2021, c. 669, §5 (REV). RR 2021, c. 2, Pt. A, §106 (COR). PL 2023, c. 396, §§1, 2 (AMD). PL 2023, c. 679, Pt. B, §§8-13 (AMD).

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