§503-A. Operation of sample collectors

A sample collector shall operate in accordance with the provisions of this section and the rules adopted pursuant to this chapter. [PL 2019, c. 676, §13 (NEW).]

1. Authorized operation. A sample collector is authorized to collect samples of cannabis and cannabis products from a cannabis establishment for mandatory and other testing by a testing facility and to transport and deliver those samples to the testing facility for those purposes. A sample collector may operate as an independent contractor or employee of a testing facility or as an employee of a business entity that employs 2 or more sample collectors and that is not a cultivation facility, a products manufacturing facility, a cannabis store, a registered caregiver, a registered dispensary or a manufacturing facility as defined in Title 22, section 2421-A, subsection 27.
[PL 2023, c. 679, Pt. B, §85 (AMD).]

2. Compliance with sampling protocols, standards and criteria. A sample collector shall follow all sampling protocols, standards and criteria adopted by rule or otherwise approved by the office for the sampling of different forms of cannabis and cannabis products.
[PL 2023, c. 679, Pt. B, §86 (AMD).]

3. Record keeping. A sample collector shall maintain records of all business transactions in accordance with the record-keeping requirements of section 511 and section 602, subsections 2 and 3.
[PL 2019, c. 676, §13 (NEW).]

4. Disposal of cannabis and cannabis products. A sample collector shall dispose of or destroy used, unused and waste cannabis and cannabis products in accordance with rules adopted by the office.
[PL 2023, c. 679, Pt. B, §87 (AMD).]

5. Independence of sample collector interest. A person with an interest in a sample collector license may not be a caregiver or a registered caregiver or have an interest in a registered dispensary, a cannabis store license, a cultivation facility license or a products manufacturing facility license but may hold or have an interest in a business entity that employs 2 or more sample collectors, in a testing facility license or in multiple testing facility licenses. A person who is a caregiver or a registered caregiver or who has an interest in a registered dispensary, a cannabis store license, a cultivation facility license or a products manufacturing facility license may not have an interest in a sample collector license. As used in this subsection, "interest" has the same meaning as in section 205, subsection 2, paragraph B.
[PL 2019, c. 676, §13 (NEW); PL 2021, c. 669, §5 (REV).]

6. Tracking. In accordance with the requirements of section 105, a sample collector shall track all adult use cannabis and adult use cannabis products it collects from a licensee for testing purposes from the point at which the cannabis or cannabis products are collected from a licensee to the point at which the cannabis or cannabis products are delivered to a testing facility or the cannabis or cannabis products are disposed of or destroyed.
[PL 2019, c. 676, §13 (NEW); PL 2021, c. 669, §5 (REV).]

7. Rules. The office shall adopt rules regarding the licensing and operation of sample collectors pursuant to this chapter, including, but not limited to, rules establishing licensing requirements, acceptable sample collection methods, sample collector record keeping, documentation and business practices and standards for the disposal of used, unused and waste cannabis and cannabis products. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2023, c. 679, Pt. B, §88 (AMD).]

SECTION HISTORY

PL 2019, c. 676, §13 (NEW). PL 2021, c. 669, §5 (REV). PL 2023, c. 679, Pt. B, §§85-88 (AMD).

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