

EDIBLES FINALLY APPROVED FOR FLORIDA'S MEDICAL MARIJUANA PATIENTS



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Edibles, a food product containing oil from low-THC cannabis and intended for use by patients with specified debilitating medical conditions, may now be produced and dispensed in Florida by Medical Marijuana Treatment Centers (MMTCs) that are appropriately licensed by the Florida Department of Health and that hold the necessary permits issued by the Florida Department of Agriculture and Consumer Services (FDACS).

This is welcomed news both for patients seeking an alternative to inhalable delivery methods of medical marijuana and MMTCs wishing to produce and dispense edibles. The process has been long -- more than three years have passed since Florida's Constitution first authorized the use of medical marijuana, and --almost as long since the legislature enacted laws governing it. However, at long last, a paradigm now exists for MMTCs to obtain the necessary permitting to lawfully produce and dispense edibles in Florida.

The detailed requirements, and penalties for violations, enacted during the COVID-19 pandemic and effective March 16, 2020, may be found in Florida Administrative Code Chapter 5K-11. Among the many protective measures in place are that the MMTCs must obtain a food permit that must be renewed annually, and since "food permits are not transferable from one person or physical location to another," each change in 51% or more ownership of a MMTC will require the MMTC to obtain a new food permit before manufacturing or producing edibles in Florida. F.A.C. 5-11.002(8).

According to the state Director of Cannabis, Holly Bell, at least three 'kitchens' have already been certified by the Florida Department of Agriculture and Consumer Services for edibles production.