

# Compliance Tip

February 21, 2017

**Topic:** Virtual transfers from Optional Premises Cultivations to Unaligned Medical Marijuana Centers or Infused-Product Manufacturers

**Applicable Statutes:** § 12-43.3-403 (2) C.R.S., MED Rule M 801

**Tips:**

- Statute mandates that each Medical Marijuana optional premises cultivation licensee shall supply medical marijuana *only* to its associated licensed medical marijuana centers or licensed medical marijuana-infused product manufacturers.
- Current statute allows for a *physical transfer* of medical marijuana from OPC to an unassociated Center or MIP **if** the medical marijuana is **first** *virtually transferred* to the OPC's associated Center.
- The statute states a "virtual transfer" is permitted if, "there is a corresponding documented point-of-sale transaction prior to transporting the medical marijuana from the optional premises cultivation premises to the licensed medical marijuana center or licensed medical marijuana-infused products manufacturer." The documented point-of-sale transaction is accomplished by creating a transfer manifest in the inventory tracking system from the optional premises cultivation license to the associated medical marijuana center **AND** a second manifest from the associated medical marijuana center to the unassociated medical marijuana center or medical marijuana-infused products manufacturer. The driver must provide a copy of each manifest to the receiving license.
- After which, the medical marijuana may be *physically transported* directly from the optional premises cultivation location to an unassociated medical marijuana center or medical marijuana-infused products manufacturer, as long as the transfer is reported in the inventory tracking system (Metrc™) as having been sent to the optional premises cultivation's associated medical marijuana center first.

Licensees are responsible for ensuring they are compliant with applicable statute and rules. This Compliance Tip is not intended to be all inclusive and may not include all statutes and rules applicable to the Topic. Further, the Division is not able to provide you with legal advice. If you have any legal questions, please consult with an attorney.