TECHNICAL ADVISORY

2026-012

Date: March 10, 2026

Subject: Licensee Operations: Definition of "Medicinal cannabis product"; Transfer of extracted medical cannabis material to a licensed Processor

Relevant authority: KRS 218B.010, 915 KAR Chapter 1

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The purpose of this technical advisory is to provide licensees with guidance on the Office of Medical Cannabis's interpretation of "medicinal cannabis product" and how a licensed processor may transfer unfinished extracted medicinal cannabis material to another licensed processor.

Medicinal cannabis product

Per KRS 218B.010(18)(a), "medicinal cannabis product" means "any compound, manufacture, salt, derivative, mixture, or preparation of any part of the plant Cannabis sp., its seeds or its resin; or any compound, mixture, or preparation which contains any quantity of these substances when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with this chapter."

The Office of Medical Cannabis interprets the above definition to include any extracted medicinal cannabis material.

Pursuant to KRS 218B.095(2)(b)3, a cannabis business licensed under KRS Chapter 218B shall not acquire, possess, cultivate, process, manufacture, deliver, **transfer**, transport, supply, dispense, or sell "[a]ny medicinal cannabis product not described in subparagraph 1. or 2. of this paragraph with a delta-9 tetrahydrocannabinol content of more than seventy percent (70%)."[1] *See also* 915 KAR 1:040, Section 4(1)(c).

Importantly, per 915 KAR 1:040, Section 4(2), "[a] processor may possess unfinished medicinal cannabis products not ready for retail sale that exceed the delta-9 tetrahydrocannabinol limits in this section. However, all finished medicinal cannabis products intended for sale to cardholders shall comply with the delta-9 tetrahydrocannabinol limits in this section." This regulatory language recognizes that extracted medicinal cannabis material will likely exceed the 70%

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[1] The medicinal cannabis products described in subparagraph 1 and 2 are raw plant material and medicinal cannabis products intended for oral consumption as an edible. *See* KRS 218B.095(2)(b)1 and 2.

potency limit upon initial extraction and then require safe and appropriate dilution to comply with statutory and regulatory potency requirements.

Transfer of unfinished extracted medicinal cannabis material to a licensed processor

Licensed processors may **possess** extracted medicinal cannabis material that exceeds the seventy percent (70%) potency restriction if the extracted medicinal cannabis material is not a finished medicinal cannabis product intended for sale to cardholders. However, a processor licensee may only **transfer** unfinished extracted medical cannabis material to another licensed processor if the extracted medicinal cannabis material **does not exceed** the potency limits imposed by 915 KRS 218B.095 Section 1(2)(b)(3).

ISSUED BY:

Date: 3/10/2026

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