



الوكالة الوطنية لتقنين الأنشطة المتعلقة بالقنب الهندي
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Agence Nationale de Réglementation des Activités Relatives au Cannabis

**SPECIFICATIONS RELATING TO
THE EXPORT OF CANNABIS AND
MANUFACTURED CANNABIS PRODUCTS
FOR INDUSTRIAL PURPOSES**

October 2022

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ARTICLE1. DEFINITIONS

For the purposes of these specifications:

Agency or ANRAC: the National Agency for the Regulation of Activities relating to Cannabis, created under the provisions of Dahir No. 1-21-59 of 3 doulhijja 1442 (July 14, 2021) promulgating Law No. 13-21 on the legal uses of cannabis;

Cannabis: any plant of the genus cannabis as defined in Article 2 of Law No. 13-21 on the legal uses of cannabis mentioned above;

Cooperative: a group specially created by cultivators authorized by the Agency for the Cultivation and Production of Cannabis;

Exporter: any legal person holding an export authorization for Cannabis and Cannabis Products manufactured for industrial purposes, in accordance with the provisions of the aforementioned Law No. 13-21;

Cannabis nursery stock: all plants, seeds and parts of cannabis plants capable of vegetative propagation, whether wild or grown in the open field, or in greenhouses or indoors under controlled artificial conditions;

ONSSA: the National Office for Food Safety created under the provisions of Dahir No. 1-09-20 of 22 Safar 1430 (18 February 2009) promulgating Law No. 25-08 establishing the National Office for Food Safety;

Harmful organism: any species, strain or biotype of plant, animal or pathogen likely to cause damage to plants or plant products;

Carrier: any legal entity, authorized by ANRAC, which uses for road transport, one or more vehicles, belonging to it or rented, complying with the regulations and standards in force in this area and meeting the specifications of the Specifications relating to the activity of Transport of cannabis and its products;

Data register: the data register held by the Exporter of Cannabis and Cannabis Products for the recording of stock movements of cannabis seeds and plants, under the provisions of the aforementioned Law No. 13-21 and in accordance with model 2.8 set in Annex 2 of Order No. 1296-22 of 11 choul 1443 (12 May 2022) setting the model registers and the modalities of their keeping by the National Agency of regulation of cannabis-related activities and by cannabis licensees;

Activity-specific regulations: all the legislative and regulatory provisions that apply to the nature of the other products of the Exporter's activity, including food supplements, cosmetics and personal hygiene products, industrial hemp fibers, textiles and building materials. The Exporter is required to comply with all the aforementioned provisions as well as those enacted by the supervisory Administrations.

ARTICLE2. FIELD OF APPLICATION

These specifications define the export conditions of Cannabis and Cannabis Products manufactured for industrial purposes of Moroccan origin, the standards relating to the quality control of the Products, their method of conditioning and preservation of their quality, the measures to be taken for the protection of the environment, the obligations in terms of safety, the traceability procedures, as well as the procedures for monitoring compliance with the various clauses of these specifications.

It applies to any legal person that wishes to be authorized to export Cannabis and Cannabis Products manufactured for industrial purposes from the date of its coming into force.

ARTICLE 3. LEGAL REFERENCES

These specifications are drawn up by ANRAC, after consulting the concerned ministries and institutions.

Without prejudice to other laws and regulations in force in this area, these specifications are subject to the provisions of the following legal texts:

- Dahir No. 1-21-59 of 3 doulhijja 1442 (14 July 2021) promulgating Law No. 13-21 on the legal uses of cannabis;

- Dahir No. 1-21-66 of 3 doulhijja 1442 (14 July 2021) promulgating Law No. 76-17 relating to plant protection;

- Dahir No. 1-16-25 of 22 Jumada I 1437 (2 March 2016) promulgating Law No. 91-14 relating to foreign trade and its implementing texts;

- Dahir No. 1-13-70 of 18 Ramadan 1434 (27 July 2013) promulgating Law No. 61-12 amending and supplementing Law No. 31-86 establishing the Autonomous Establishment for Export Control and Coordination;

- Dahir No. 1-10-08 of 26 Safar 1431 (11 February 2010) promulgating Law No. 28-07 relating to food safety;

- Dahir No. 1-88-241 of 6 doulhijja 1413 (28 May 1993) promulgating Law No. 32-86 supplementing and amending the Dahir of 13 Ramadan 1363 (1 September 1944) relating to the operation of technical control of Moroccan manufacture, conditioning and export;

- Dahir on Law No. 1-73-282 of 28 Rebi II 1394 (21 May 1974) on the suppression of drug addiction and the prevention of drug addicts and amending the Dahir of 12 Rebi II 1341 (2 December 1922) relating to the Regulation on the Importation, Trade, Possession and Use of Poisonous Substances and the Dahir of 20 chaabane 1373 (24 April 1354) prohibiting hemp in Kif, as supplemented or amended;

- Dahir of 12 rabii II 1341 (2 December 1922) regulating the import, trade, possession and use of poisonous substances as amended and supplemented;

- Joint Order of the Minister of the Interior, the Minister of Health and Social Protection, the Minister of Agriculture, Maritime Fisheries, Rural Development and Water and Forests, and the Minister of Industry and Trade No. 1293-22 of 11 choul 1443 (12 May 2022) setting the modalities for issuing authorizations for the exercise of activities relating to cannabis;

- Joint Order of the Minister of the Interior, the Minister of Health and Social Protection, the Minister of Agriculture, Maritime Fisheries, Rural Development, Water and Forests, and the Minister of Industry and Trade No. 1296-22 of 11 Choul 1443 (May 12, 2022) setting the model registers and the modalities for their keeping by the National Agency for the Regulation of Cannabis-Related Activities and by the holders of authorizations to engage in activities relating to cannabis.

ARTICLE 4. AUTHORIZATIONS

The Exporter is required to comply with the provisions of Article 21 of the aforementioned Law No. 13-21, and to comply with all the obligations provided for by the Regulations specific to his activity, in particular those provided for by Law No. 76-17 on the protection of plants mentioned above, Decree No. 2-22-243 of 21 douhijja 1443 (21 July 2022) taken for the application of certain provisions of Law No. 76-17 relating to the protection of plants and other texts adopted for its application as they are published, to make the necessary declarations, to hold all related authorizations and to send supporting documents and copies to ANRAC.

4.1 Export Activity Authorization for Cannabis and Cannabis Products Manufactured for Industrial Purposes

Any legal person wishing to carry out an activity of exporting Cannabis and Cannabis Products manufactured for industrial purposes must file, with ANRAC, against acknowledgment of receipt, an application for authorization and the documents referred to in Article 6 of Joint Order No. 1293-22 of 11 chaoual 1443 (May 12, 2022) setting the modalities of issuance of authorizations for activities relating to cannabis.

. The applicant must send to ANRAC these specifications initialed on all pages and signed on the last page, prior to the issue, by the said Agency, of the authorization to exercise the activity of exporting Cannabis and Cannabis Products manufactured for industrial purposes. The signature must be preceded by the handwritten mention “read and approved, I undertake to strictly respect all the clauses of these specifications”.

The exercise of the activity of exporting Cannabis and Cannabis Products manufactured for industrial purposes is authorized only after obtaining the official document of authorization to exercise said activity, issued by ANRAC.

The Exporter is required to commence the export activities of Cannabis and Cannabis Products manufactured for industrial purposes before the expiry of a period of three (3) years from the date of issuance of the authorization in question by ANRAC.

4.2 Export Declaration for Cannabis and Cannabis Products Manufactured for Industrial Purposes

Any legal person holding the authorization to carry out the activity of exporting Cannabis and Cannabis Products manufactured for industrial purposes, referred to in sub-article 4.1 above, is required to make a declaration to ANRAC, for each export contract, containing the following information:

- The recipient of the sale;
- The timelines of delivery quantities;
- The identifiers of the cannabis varieties used, as registered on the ANRAC Register of seeds and plants;
- The quantities to be exported by country of destination;

- The invoice and the purchase order relating to the export operation;
- Certificates of analysis of the exported lots, containing, among other things, the THC content.

Any export product that may be used for multiplication, the creation of new cannabis strains and the production of Cannabis Nursery Stock, must meet the requirements of the Specifications for the Export of Cannabis Seeds and Plants, established by ANRAC.

The export activity is under the responsibility of the duly authorized legal person authorized by ANRAC for this activity.

ARTICLE5. DOMICILE OF THE EXPORTER

The Exporter is considered domiciled at the address corresponding to his registered office which appears in his extract from the Trade Register.

ARTICLE6. INSURANCES

The Exporter is required to subscribe to insurance companies approved by the Insurance and Social Security Supervisory Authority (ACAPS), and without prejudice to other insurances policies in force in this area:

- Insurance of all personnel on duty against accidents at work and occupational diseases;
- The insurance of the civil liability of the Exporter.

The certificates relating to the above-mentioned insurance must be valid at all times.

Copies of these insurance certificates are sent to ANRAC in accordance with the modalities and conditions provided by it for this purpose.

ARTICLE7. SOCIAL CONDITIONS OF STAFF

The Exporter is required to provide his staff with all the social services provided for by the laws and regulations in force, in particular those of the Labor Code and the National Social Security Fund.

ARTICLE8. QUALITY CONTROL

The Exporter is required to control the THC (Delta-9-tetrahydrocannabinol) content of Cannabis and Cannabis Products manufactured for industrial purposes.

The analyses of this content are carried out according to the method described in Annex C to Commission Regulation (EC) No 1177/2000 of 31 May 2000 amending Regulation (EEC) No 1164/89 laying down modalities for aid for fiber flax and hemp (Community method for the quantitative determination of Δ -9-THC of hemp varieties); the size of the samples to be taken for the purposes of that control is fixed by ANRAC.

Samples are taken according to methods specific to the nature of the Cannabis Products manufactured for industrial purposes concerned and under hygienic conditions.

ARTICLE9. STORAGE

Cannabis and Cannabis Products manufactured for industrial purposes must be stored in secure and monitored warehouses belonging to the Exporter or in storage warehouses provided for by the Customs and Indirect Tax Code.

The Exporter must register, with ANRAC, all storage warehouses for Cannabis and Cannabis Products manufactured for industrial purposes.

The Exporter is required to comply with the modalities and conditions of storage provided for by the standards and regulations in force and to take all necessary measures to preserve and maintain the quality and performance of Cannabis and Cannabis Products manufactured for industrial purposes, under penalty of liability.

ARTICLE10. OBLIGATIONS OF THE EXPORTER

10.1 General obligations

In carrying out his activities, the Exporter is required to apply all the clauses of these specifications and to comply with all the legislative and regulatory obligations applicable to it and for which he assumes full responsibility.

The Exporter is required to obtain supplies exclusively from the Cooperatives with which it is bound by sales contracts in accordance with Article 10 of the aforementioned Law No. 13-21, from legal entities duly authorized by ANRAC for the transformation and manufacture of Cannabis or the trade of Cannabis and Cannabis Products manufactured for industrial purposes, covered by the said Law No. 13-21.

10.2 Obligation to report harmful organisms

The Exporter is required to declare, without delay, to the ONSSA any finding of the presence of a harmful organism in the merchandise, or any reason to suspect such presence in accordance with the provisions of the aforementioned law n ° 76-17 and its implementing texts. A copy of this declaration must be immediately transmitted to ANRAC by any means.

ARTICLE11. PACKAGING, PACKAGING AND LABELLING

The Exporter must imperatively ensure that cannabis and Cannabis Products manufactured for industrial purposes are contained in prescribed packaging or containers, closed in such a way as to prevent substitution or mixing of their contents with other products and labeled in accordance with the provisions of the regulations in force on poisonous and narcotic substances and Articles 46, 47 and 48 of the aforementioned Law No. 13-21.

ARTICLE12. TRANSPORT

The holder of an export authorization for Cannabis and Cannabis Products manufactured for industrial purposes is required to have an authorization to transport Cannabis and Cannabis Products manufactured for industrial purposes issued by ANRAC, as long as he is required to carry out this activity by his own means for the export needs of the said products.

In the event of recourse to a third legal person to ensure the transport of Cannabis and Cannabis Products manufactured for industrial purposes, he can only be a Carrier duly authorized by ANRAC for the exercise of the activity of transporting cannabis and its products.

The transport of Cannabis and Cannabis Products manufactured for industrial purposes must be ensured under conditions that maintain their quality and performance, and prevent their deterioration. The Exporter is thus obliged to communicate the necessary instructions and information to the Carrier and to specify them in the contract between the two parties.

In the event that the Exporter is himself the consignee of a transport operation, he is obliged to acknowledge receipt of the goods and to refrain from deferring their acceptance without valid reason. If he refuses to receive the goods in question, the Exporter must notify ANRAC without delay. He will then be required to ensure the storage of the goods in question until the decision of ANRAC, which must intervene after investigation within a period that cannot be more than fifteen (15) calendar days.

ARTICLE 13. NOTIFICATION OF CHANGES CONCERNING THE EXPORTER

The Exporter is required to notify ANRAC and any competent administration, any change relating to his establishment, including its corporate officers, shareholders, the composition of the board of directors (managers), or his activity, and which is likely to modify his situation with regard to that declared for obtaining the export authorization of Cannabis and Cannabis Products manufactured for industrial purposes.

Notification of the change must be made within a period not exceeding thirty (30) days from the date of occurrence of the change, and must be made by any secure means.

The implementation of the change can only take place after obtaining the corresponding authorizations by the Exporter.

Copies of these authorizations are sent to ANRAC in accordance with the procedures provided by it for this purpose.

ARTICLE 14. SECURITY OF WAREHOUSES

The Exporter must take all necessary precautions and appropriate measures to avoid the occurrence of incidents or accidents and to minimize their effects. Where appropriate, he must notify the competent authorities without delay and make available the information at its disposal to them.

The Exporter must have secure and monitored warehouses to store Cannabis and Cannabis Products manufactured for industrial purposes. ANRAC reserves the right to inspect these warehouses and storage units, at any time and without notice, by agents commissioned by it for this purpose and sworn in accordance with the legislation in force.

He must therefore put in place physical security systems for the storage of Cannabis and Cannabis Products manufactured for industrial purposes and corresponding facilities, as well as documented procedures to detect and respond to intrusions or unauthorized access, theft or loss of Cannabis or Cannabis Products.

Cannabis manufactured for industrial purposes, and more generally any incident that may contravene the proper conduct of export activity.

electronic, permanent or temporary, fixed or mobile, without prejudice to the prerogatives and means of control implemented by ANRAC, in accordance with Article 49 of the aforementioned Law No. 13-21.

The means of remote control set up by the Exporter under its own security system, must be freely consulted by ANRAC in addition to its own prerogatives and means.

The Exporter must provide ANRAC) with information on the destruction process of batches of Cannabis and Cannabis Products manufactured for industrial purposes to be destroyed, and its compliance with Article 22 of the aforementioned Law No. 13-21.

ARTICLE15. TRACEABILITY PROCEDURES

In accordance with Article 45 of Law No. 13-21 relating to the legal uses of cannabis, the Exporter must keep a Data Register recording all cannabis harvest entries as well as incoming and outgoing cannabis products. The Data Register must follow model 2.8 set out in Annex 2 of Order No. 1296-22 of 11 choual 1443 (12 May 2022) setting the models of the registers and the procedures for their keeping by the National Agency for the Regulation of Cannabis-Related Activities and by the holders of authorizations to engage in activities relating to cannabis.

Each time a quantity of Cannabis or Cannabis Products is received, the Exporter enters a new entry in his Data Register by designating the sender as the “supplier”. For each variety of Cannabis Product, The Exporter enters the name of the variety and quantity in the entry column (E) as well as the new stock for that variety (old stock plus quantity received).

Each time a quantity of Cannabis or Cannabis Products is sent, the Exporter enters a new entry in his Data Register by entering the recipient as a “customer”. For each quantity sent during this operation, the Exporter enters the variety and quantity in the output column (S) as well as the remaining stock for this variety (former stock minus the quantity sent).

The Exporter is required to keep his Data Register for a period of ten (10) years and to present it at each inspection.

ARTICLE16. ENVIRONMENT

The Exporter is required to comply with the regulations relating to the protection of the environment, particularly those concerning environmental impact assessment, waste management, the management of emissions, flows, discharges, direct or indirect deposits in surface or groundwater as well as good environmental practices that ANRAC reserves the right to enact.

The guide to these good practices will be published by ANRAC before it is required of Exporters, under the provisions of Article 33 of the aforementioned Law No. 13-21.

ARTICLE 17. PROCEDURES FOR MONITORING COMPLIANCE WITH THESE SPECIFICATIONS

In addition to judicial police officers, customs officers or other inspectors provided for by the Regulations specific to the Products concerned by the Exporter's activity, ANRAC agents commissioned by it for this purpose and sworn in accordance with the legislation in force, may access the Exporter's registered office to examine documents relating to the export activity of Cannabis and Cannabis Products manufactured for industrial purposes, and to verify compliance with the various clauses of these specifications.

To this end, the Exporter is required to receive the above-mentioned agents, to facilitate their performance of their task and to make available to them all the information and documentation requested.

In the event of non-compliance with the legislative and regulatory provisions on cannabis and the provisions of these specifications, and without prejudice to the legislative and regulatory provisions relating to export, and the Regulations specific to his activity, the Exporter is required to submit, within a period which may not exceed seven (07) days following the sending of the report of finding of infringements as established by the agents commissioned by ANRAC, his explanations of the violations found.

In the absence of a response, or if the justifications given by the Exporter are not sufficiently substantiated, ANRAC gives formal notice, by registered letter with acknowledgment of receipt or by bailiff, to put an end to the violations found within a period it sets and which may not be less than one month.

Without prejudice to the application of Article 30 of the aforementioned Law No. 13-21, if the Exporter does not comply with the above-mentioned formal notice addressed to him, the export authorization for Cannabis and Cannabis Products manufactured for industrial purposes may be suspended for a period of six (6) months and no request to carry out an activity related to Cannabis and its products may be filed with ANRAC by the Exporter during the period of suspension.

The suspension is lifted as soon as the infringements found within the abovementioned period are terminated.

If the violations persist at the end of the aforementioned period, ANRAC may refer the matter to the Wali or Governor of the province or municipality to which the Exporter depends for the necessary sanctions, including the closure of its establishment.

The decision to suspend, or withdraw the authorization, under the conditions provided for by the aforementioned Law No. 13-21, is notified to the interested party in the same forms as those of the notification of the formal notice.

Read and approved, I undertake to strictly respect all the clauses of these specifications.