

REGULATION 8

CANNABIS CULTIVATION FACILITY

- 8.010** Required written disclosure with each lot of usable cannabis; provision of free samples to cannabis sales facility; applicability of provisions governing excise tax on cannabis to free samples.
- 8.015** Restrictions on access to facility and persons authorized on premises; location of cannabis growing at facility.
- 8.020** Requirements for outdoor cultivation; verification of adequate isolation.

8.010 Required written disclosure with each lot of usable cannabis; provision of free samples to cannabis sales facility; applicability of provisions governing excise tax on cannabis to free samples.

1. A cannabis cultivation facility must disclose in writing with each lot of usable cannabis provided to a cannabis sales facility:
 - (a) All soil amendments, fertilizers, pesticides, and other crop production aids applied to the growing medium or cannabis plant included in the lot; and
 - (b) The name of the cannabis testing facility which performed the required quality assurance tests and the certificate of analysis for the lot.
2. A cannabis cultivation facility may provide a cannabis sales facility free display samples of usable cannabis packaged in a sample jar protected by a plastic or metal mesh screen to allow consumers to smell the product before purchase. A sample jar may not contain more than 3.5 grams of usable cannabis. The sample jar must not be left unattended and must be sealed shut. The sample jar and the usable cannabis within may not be sold to a consumer and must be either returned to the cannabis cultivation facility which provided the usable cannabis and sample jar or destroyed by the cannabis sales facility after use and documented by the cannabis sales facility using its inventory control system pursuant to NCCR 6.080. A cannabis production facility may provide uninfused edibles as display samples.
3. The provisions of chapters 372A of NRS and chapter 372A of NAC regarding the excise tax on cannabis apply to free samples of usable cannabis provided pursuant to subsection 2.

8.015 Restrictions on access to facility and persons authorized on premises; location of cannabis growing at facility.

1. Except as otherwise provided in subsection 2, a cannabis cultivation facility must ensure that access to the enclosed, locked facility where cannabis is cultivated is limited to the officers, board members and authorized cannabis establishment agents of the cannabis cultivation facility.
2. Each cannabis cultivation facility shall ensure that an authorized cannabis establishment agent accompanies any person other than another cannabis establishment agent associated with that cannabis establishment when the person is present in the enclosed, locked facility where cannabis is cultivated or produced by the cannabis cultivation facility.
3. Each cannabis cultivation facility shall ensure that any cannabis growing at the cannabis cultivation facility:

- (a) Cannot be observed from outside the cannabis cultivation facility and is not visible from a public place by normal, unaided vision; and
- (b) Unless the cannabis cultivation facility cultivates cannabis outdoors, does not emit a strong odor that is clearly detectable from outside the cannabis cultivation facility.

8.020 Requirements for outdoor cultivation; verification of adequate isolation.

1. If an applicant for a license for a cannabis cultivation facility wishes to engage in the cultivation of cannabis outdoors or if a cannabis cultivation facility wishes to begin to cultivate cannabis outdoors, the applicant or cannabis cultivation facility must, before engaging in any outdoor cultivation, submit a verification issued by the State Department of Agriculture that the outdoor cultivation will be adequately isolated from all other outdoor cannabis and industrial hemp cultivation locations to prevent the cross-pollination of cannabis crops.
2. A request for verification of adequate isolation described in subsection 1 must be submitted to the State Department of Agriculture and:
 - (a) Be on a form prescribed by the State Department of Agriculture;
 - (b) Include documentation that verifies that the applicant or cannabis cultivation facility has obtained:
 - (1) Appropriate licensing;
 - (2) Approved zoning; and
 - (3) Any other approvals required by the locality;
 - (c) Include a map or GPS coordinates that define the proposed location of outdoor cultivation by the applicant or cannabis cultivation facility; and
 - (d) Include any other information that the State Department of Agriculture determines to be necessary.
3. The applicant or cannabis cultivation facility shall not begin outdoor cultivation until the State Department of Agriculture provides verification of adequate isolation described in subsection 1, the applicant or cannabis cultivation facility transmits the verification of adequate isolation to the Board and the Board issues a license for a cannabis cultivation facility to the applicant or approves the modification of operations of the cannabis cultivation facility to begin outdoor cultivation.