

REGULATION 6

PRODUCTION AND DISTRIBUTION OF CANNABIS

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6.010 Establishment of maximum allowable quantity of cannabis products a person may possess for purposes of exemption from state or local prosecution.

1. The maximum allowable quantity of adult use cannabis products a person may possess is
 - (a) One ounce (28.35 grams) of usable cannabis.
 - (b) The equivalent to one-eighth ounce of concentrated cannabis, not to exceed 3,543 milligrams of THC;
 - (c) 3,543 milligrams of THC contained within edible cannabis products; or
 - (d) A combination of usable and concentrated cannabis not to exceed the legal limit.
2. The maximum allowable quantity of medical cannabis products a holder of a valid registry identification card may possess is:
 - (a) Two and one half ounces (70.875 grams) of usable cannabis.
 - (b) 10,000 milligrams of THC concentrate;
 - (c) 10,000 milligrams of THC contained within one or more edible cannabis products; or
 - (d) A combination of usable and concentrated cannabis not to exceed the legal limit.

6.015 Board authorized to limit cannabis production within State. The Board may, upon findings made following a public hearing that the public interest will be supported by limiting the cultivation of cannabis in this State, limit the amount of cannabis in production within this State.

6.020 Limitations on promoting cannabis and cannabis products.

1. A cannabis establishment:
 - (a) May only promote cannabis or a cannabis product through marketing the laboratory results on the label of the cannabis or cannabis product; and
 - (b) Must not use an independent testing laboratory or other laboratory to promote any other attributes of cannabis or a cannabis product.
 - (c) Must not make any health claims including but not limited to healing, curing, treating or reducing risk of any illness or health related condition.
2. The provisions of this chapter governing labeling and testing of cannabis and cannabis products apply to all cannabis and cannabis products, including, without limitation, pre-rolls.

6.025 Board authorized to collect fee for costs for oversight; hourly rate.

1. For the ongoing activities of the Board relating to the oversight of cannabis establishments the Board will collect an assessment from each cannabis establishment for the time and effort attributed to the oversight of the cannabis establishment at an hourly rate established by the Board. Necessary travel accommodations accrued by Board agents, including airfare and hotel stays, will also be billed to the cannabis establishment. These activities where the hourly rate for time and effort will be charged include, but are not limited to:
 - (a) Any type of routine inspection;
 - (b) Any type of routine audit;
 - (c) Hearing preparation and attendance for Board agents;
 - (d) Investigations of complaints submitted to the Board by a consumer, or any other outside individual or entity, if said complaint is substantiated;
 - (e) Investigations based on any type of requested transfer of interest;
 - (f) Investigations based on any type of requested waiver; and
 - (g) Any other type of inspection, audit, or investigation deemed necessary by the Board.
2. The assessment for time and effort will be based upon the hourly rate established for the Board agents as determined by the budget of the Board. Licensees will be notified of any fee changes.

3. Cannabis establishments will not be billed for an investigation of an initial application for a cannabis establishment license. Cannabis establishments and its agents will not be billed for an investigation regarding an application for a registration card. Furthermore, cannabis establishments will not be billed for Petitions filed pursuant to NCCR 4.140 or 4.145.

4. As used in this section, “substantiated” means supported or established by evidence or proof.

(Amended: 2/2021)

6.030 Confidentiality of information received by Board relating to security of cannabis establishments. Except as otherwise provided in NRS 239.0115 and NCCR 6.035, any information received by the Board related to the security of a cannabis establishment is confidential and must not be disclosed by the Board.

6.035 Confidentiality of name and any other identifying information of persons who facilitate or deliver services pursuant to Title 56 of NRS; exceptions.

1. Except as otherwise provided in this section and NRS 239.0115, the Board and any designee of the Board shall maintain the confidentiality of and shall not disclose the name or any other identifying information of any person who facilitates or delivers services pursuant to Title 56 of NRS or NCCR. Except as otherwise provided in NRS 239.0115, the name and any other identifying information of any person who facilitates or delivers services pursuant to Title 56 of NRS or NCCR are confidential, not subject to subpoena or discovery and not subject to inspection by the general public.

2. Notwithstanding the provisions of subsection 1, the Board or its designee may release the name and other identifying information of a person who facilitates or delivers services pursuant to Title 56 of NRS or NCCR to:

(a) Authorized employees of the Board or its designee as necessary to perform official duties of the Board; and

(b) Authorized employees of federal, state and/or local law enforcement agencies only as necessary to verify that a person is lawfully facilitating or delivering services pursuant to Title 56 of NRS or NCCR. Nothing in this regulation will preclude the Board from disclosing the name and contact information of any person who facilitates or delivers services when providing a list of witnesses pursuant to a disciplinary complaint.

(c) Upon the lawful order or subpoena of a court of competent jurisdiction, authorized agents of any agency of the United States Government, any state or any political subdivision of a state, or the government of any foreign country.

3. Nothing in this section prohibits the Board from providing a local government with a copy of all information and documentation provided as part of an application to operate a cannabis establishment upon the request of the local government and with the prior consent of the applicant.

(Amended: 8/2021)

6.040 (Removed 8/2021)

6.050 Posting of licenses and other authorization to conduct business in conspicuous place. A cannabis establishment shall post its license for a cannabis establishment, business license and any other authorization to conduct business in a public view within the cannabis establishment.

6.055 Requirements of dual licensee. A dual licensee shall:

1. Comply with the provisions of Title 56 of NRS and NCCR with respect to the medical cannabis establishment operated by the dual licensee; and
2. Combine the location and operations of the medical cannabis establishment and adult use cannabis establishment operated by the dual licensee as provided in NCCR 5.155.

6.060 Operation in accordance with plans and specifications included in application; deviation from plans and specifications; documentation of change to facilities; inspection or audit of change to facilities.

1. Except as otherwise provided in this section, a cannabis establishment shall operate according to the plans and specifications included within the application for a license for the cannabis establishment submitted pursuant to NRS 687B.210, NRS 687B.250.
2. A cannabis establishment may operate in a manner that deviates from the plans or specifications included within its application for a license if the change would comply with state and local laws, regulations and ordinances and the cannabis establishment provides the Board with a written notification of its intent to make the change which includes, without limitation:
 - (a) The name, physical address and license number of the cannabis establishment; and
 - (b) A description of the proposed change.
3. Upon receipt of a written notification pursuant to subsection 2, the Board will add the information to the file that the Board maintains on the cannabis establishment and send a letter of approval or denial.
4. A cannabis establishment which has completed a change to its facilities, pursuant to section 2, shall submit documentation of the change to the Board as soon as practicable, but in no event later than the date of the next scheduled inspection of the cannabis establishment by the Board.
5. The Board Agents will inspect or audit any change to the facilities of a cannabis establishment that the Executive Director deems necessary of inspection or auditing at the next inspection of the cannabis establishment by the Board Agents or at such other time as the Executive Director determines to be appropriate after the date that the cannabis establishment projects for completion of the change or notifies the Board of the completion of the change, whichever is earlier.
6. A cannabis establishment shall not commence the operation of any material change to the facilities or operations of the cannabis establishment until the Board Agents complete an inspection or audit of the change or notifies the cannabis establishment that an inspection or audit is not necessary. Material changes include, without limitation, modifications to:
 - (a) The infrastructure of the facilities of the cannabis establishment, including, without limitation, modifications requiring demolition or new construction of walls, plumbing, electrical infrastructure, heating, ventilation, or air conditioning; and
 - (b) The operating capability of the cannabis establishment, including, without limitation, the implementation of a new extraction device or removal of an existing extraction device, a change to the growing method from the method previously used and inspected or a

change to the lighting technology, hydroponic system, pod or other contained growing system. The addition of one or more new pods which are identical to a pod that has already been inspected is not a material change.

6.065 Written request for move to new location; issuance of new amended license upon approval of request.

1. A cannabis establishment may move to a new location under the jurisdiction of the same locality as its original location and regardless of the distance from its original location if the operation of the cannabis establishment at the new location has been approved by the locality. A locality may approve a new location pursuant to this subsection only in a public hearing for which written notice is given at least 7 working days before the hearing.

2. Except as otherwise provided in subsection 1, a cannabis establishment that wishes to move to a new location or commence operations at a location other than the location contained in the application of the cannabis establishment must submit a written request for relocation to the Board. The written request for relocation must include, without limitation:

- (a) The name, current physical address, proposed new physical address and license or application number of the cannabis establishment;
- (b) Documentation of a public meeting in which the locality of the proposed new location considered the relocation request;
- (c) Documentation of land use approval for the new location by the locality;
- (d) A professional survey demonstrating that the proposed location meets the distance requirements set forth in paragraph (a)(2)(II) of subsection 3 of NRS 678B.250;
- (e) A signed, written attestation that the operation of the cannabis establishment at the new address will meet or exceed the merits of the location specified in the application submitted by the cannabis establishment;
- (f) If establishment is operational, a detailed inventory report and plan to transfer inventory to new location; and
- (g) Documentation that proves the applicant has secured a lease or other property agreement that allows operation of a cannabis establishment on the property, or a letter from the landlord of the property stating the licensee is authorized to operate a cannabis establishment on the property.

3. The Board will consider each request received pursuant to subsection 2 and, after reviewing the documentation contained in the request, determine whether the request should be approved. Upon approval, the Board will issue to the cannabis establishment a new license which is amended to reflect the new address.

(Amended: 8/2021)

6.070 Persons authorized on premises; visitor identification badge and other requirements for other persons; maintenance and availability of visitor log.

1. Except as otherwise provided in this section, the only persons who may be on the premises of a cannabis sales facility are:

- (a) A registered cannabis establishment agent for a cannabis sales facility;
- (b) A patient who holds a valid registry identification card or letter of approval;
- (c) The designated primary caregiver of a patient who holds a valid registry identification card or letter of approval;
- (d) A person who is not a resident of this State but is deemed to hold a valid registry identification card pursuant to NRS 678C.470;

- (e) A person inspecting the cannabis establishment, including, without limitation, a local government authority, pursuant to this Act or NCCR; or
 - (f) Any person not listed in paragraph (a) to (e), inclusive, who is at least 21 years of age.
2. The only persons who may be on the premises of a cannabis establishment other than a cannabis sales facility are:
 - (a) A registered cannabis establishment agent for that facility type; or
 - (b) A person inspecting the cannabis establishment, including, without limitation, a local government authority, pursuant to this ACT or NCCR.
 3. Any person other than a person authorized to be on the premises of a cannabis establishment pursuant to subsections 1 or 2 must obtain a visitor identification badge from a cannabis establishment agent before entering the premises of the cannabis establishment.
 4. A person who obtains a visitor identification badge pursuant to subsection 3, including, without limitation, an outside vendor or contractor:
 - (a) Must be escorted and monitored by a cannabis establishment agent at all times he or she is on the premises of the cannabis establishment;
 - (b) Must visibly display his or her visitor identification badge at all times he or she is on the premises of the cannabis establishment;
 - (c) Must not handle any cannabis or money whatsoever; and
 - (d) Must return the visitor identification badge to a cannabis establishment agent upon leaving the premises of the cannabis establishment.
 5. Each cannabis establishment shall maintain a visitor log which includes the name of the visitor and the date, time and specific purpose of each visit by a person other than a person authorized to be on the premises of the cannabis establishment pursuant to subsection 1 or 2. The cannabis establishment shall make its visitor log available to the Board or Board Agents upon request.
 6. Each regular, seasonal or temporary employee of, volunteer or person who provides labor as a cannabis establishment agent at a cannabis establishment must obtain a cannabis establishment agent registration card pursuant to the provisions of NRS 678B and may not be authorized to be on the premises of the cannabis establishment by obtaining a visitor identification badge pursuant to the provisions of this section.
 7. Live animals shall be allowed on the premises only under the following conditions:
 - (a) Decorative fish in aquariums
 - (b) Patrol dogs accompanying police or security officers
 - (c) In areas that are not used for cannabis storage or preparation, and that are usually open for customers, including but not limited to sales areas, service animals that are controlled by the disabled employee or consumer, if a health or safety hazard will not result from the presence or activities of the service animal.
 - (d) Nothing in this Section shall be construed to supersede, or be in conflict with, the Americans with Disability Act.

6.072 Training and instruction required before agent may begin work or service as volunteer.

1. A cannabis establishment shall ensure that training is provided to a cannabis establishment agent before that person begins to work or volunteer at or provide labor as a cannabis establishment agent at the cannabis establishment. Such training must include, without limitation:
 - (a) The proper use of security measures and controls that have been adopted by the cannabis establishment for the prevention of diversion, theft or loss of cannabis;

- (b) Procedures and instructions for responding to an emergency; and
 - (c) State and federal statutes and regulations related to the use of cannabis.
2. In addition to the training set forth in subsection 1, a cannabis sales facility shall ensure that instruction is provided to a cannabis establishment agent (including delivery drivers) before that person begins to work or volunteer at or provide labor as a cannabis establishment agent to the cannabis sales facility. Such instruction must include, without limitation:
- (a) The different strains of cannabis;
 - (b) The different methods of using cannabis and cannabis products;
 - (c) Learning to recognize signs of cannabis abuse, impairment or instability in the use of cannabis by a consumer;
 - (d) Clinical effects of cannabis on the human body and how THC affects the consumer;
 - (e) Required warnings and literature which must be supplied to the consumer;
 - (f) Methods of refusing entry or sales to prohibited persons, including, without limitation:
 - (1) Verifying identification and using age verification devices;
 - (2) Education on the effects of cannabis on persons under 21 years of age; and
 - (3) Recognition of false or altered identification.
 - (g) Understanding the role of law enforcement in confirming compliance with laws and regulations relating to cannabis;
 - (h) Applicable state and local laws and regulations regarding cannabis;
 - (i) Preventing unlawful consumption of cannabis, including, without limitation, information regarding laws which prohibit open or public consumption of cannabis;
 - (j) Preventing the use of cannabis by persons under the age of 21 years, including, without limitation, laws which prohibit such use and the penalties for the violation of such laws;
 - (k) How to prevent and address disturbances; and
 - (l) The responsibility of the cannabis establishment agent to put into effect strategies adopted by the cannabis establishment to prevent the diversion of cannabis.
3. In addition to the training set forth in subsection 1, a cannabis independent testing laboratory shall ensure that instruction is provided to a cannabis establishment agent before that person begins to work or volunteer at or provide labor as a cannabis establishment agent to the cannabis independent testing laboratory. Such instruction must include, without limitation:
- (a) The good laboratory practices adopted by the cannabis independent testing laboratory; and
 - (b) The standard operating procedures and the quality control and quality assurance programs of the cannabis independent testing laboratory.
4. In addition to the training set forth in subsection 1, a cannabis cultivation facility shall ensure that instruction is provided to a cannabis establishment agent before that person begins to work or volunteer at or provide labor as a cannabis establishment agent to the cannabis cultivation facility. Such instruction must include, without limitation:
- (a) The methods of cultivation used by the cannabis cultivation facility;
 - (b) The methods of fertilization used by the cannabis cultivation facility;
 - (c) Methods for recognizing the signs of insect infestation, pathogens and disease in cannabis plants, and the procedures for eradication and the safe disposal of plants so affected;
 - (d) The nutritional requirements of cannabis plants at various growth stages, including, without limitation, proper mixing and dispersal of fertilizer, flushing procedures and procedures for postharvest trimming, drying and curing; and

- (e) The safe handling of equipment, including, without limitation, high-intensity discharge lamps, electrical ballasts, pumps, fans, cutting implements and other equipment for cultivation.
5. In addition to the training set forth in subsection 1, a cannabis production facility shall ensure that instruction is provided to a cannabis establishment agent before that person begins to work or volunteer at or provide labor as a cannabis establishment agent to the cannabis production facility. Such instruction must include, without limitation:
- (a) Understanding the difference between concentrated cannabis, topical products and cannabis products, as applicable to the operations of the cannabis production facility;
 - (b) The procedures used by the cannabis production facility to create concentrated cannabis and cannabis products; and
 - (c) The proper procedures for handling concentrated cannabis and cannabis products, including, without limitation, the procedures used to prepare, produce, package and store such products as required by the provisions of the NCCR and chapters 678D and 678C of NRS.
6. In addition to the training set forth in subsection 1, a cannabis distributor shall ensure that instruction is provided to a cannabis establishment agent before that person begins to work or volunteer at or provide labor as a cannabis establishment agent to the cannabis distributor. Such instruction must include, without limitation:
- (a) Procedures for the proper handling of cannabis plants, usable cannabis, concentrated cannabis and cannabis products;
 - (b) Procedures for the proper transportation and storage of cannabis plants, usable cannabis, concentrated cannabis and cannabis products; and
 - (c) Information regarding the type of driver's license which must be maintained for the loads expected to be transported.
- (Adopted: 10/2020)

6.075 Development, documentation and implementation of certain policies and procedures; maintenance and availability. A cannabis establishment shall:

1. Develop, document and implement policies and procedures regarding:
- (a) Job descriptions and employment contracts, including, without limitation:
 - (1) The duties, authority, responsibilities and qualifications of personnel;
 - (2) Supervision of personnel;
 - (3) Training in and adherence to confidentiality requirements;
 - (4) Periodic performance evaluations; and
 - (5) Disciplinary actions.
 - (b) Business records, such as manual or computerized records of assets and liabilities, monetary transactions, journals, ledgers and supporting documents, including, without limitation, agreements, checks, invoices and vouchers.
 - (c) Inventory control, including, without limitation:
 - (1) Tracking;
 - (2) Packaging;
 - (3) Acquiring cannabis from other cannabis establishments;
 - (4) Disposing of unusable cannabis; and
 - (5) Returning for a refund cannabis or cannabis products to the cannabis establishment from which the cannabis or cannabis products were acquired.
 - (d) If applicable, consumer education and support, including, without limitation:
 - (1) The availability of different strains of cannabis and the purported effects of the

different strains;

(2) Information about the purported effectiveness of various methods, forms and routes of administering cannabis;

(3) The prohibition on the smoking of cannabis in public places, places open to the public, within a cannabis facility, and places exposed to public view and on federal lands;

(4) Education on how cannabis impairs a person's ability to operate a moving vehicle and that driving, operating or being in actual physical control of a vehicle while under the influence of cannabis or while impaired by cannabis is unlawful; and

(5) That possession of cannabis exceeding a certain quantity remains a felony with various legal consequences.

2. Maintain copies of the policies and procedures developed pursuant to subsection 1 at the cannabis establishment and provide copies to the Board or Board Agents for review upon request.

6.080 Inventory control system; authorized sources for acquisition of cannabis and cannabis products; duties of establishment if loss incurred; maintenance and availability of documentation.

1. Each cannabis establishment shall designate in writing a cannabis establishment agent who has oversight of the inventory control system of the cannabis establishment.

2. Except as otherwise provided in subsection 3, a cannabis establishment shall only acquire cannabis or cannabis products from another Nevada licensed cannabis establishment, including, without limitation, a cannabis cultivation facility, a cannabis production facility or a cannabis sales facility.

3. A cannabis cultivation facility may acquire seeds for the cultivation of cannabis from any person if the acquisition of the seeds does not violate the provisions of Title 56 of NRS. A cannabis cultivation facility may also acquire cannabis or cannabis products from a consumer if the acquisition does not violate the provisions of Title 56 of NRS.

4. A cannabis establishment shall not acquire concentrated cannabis or products containing concentrated cannabis from another cannabis establishment, except that a cannabis sales facility or a cannabis production facility may acquire concentrated cannabis or products containing concentrated cannabis from a cannabis production facility. A cannabis cultivation facility may sell crude collected resins to a cannabis sales facility if the crude collected resins are:

(a) From a single batch;

(b) Unaltered; and

(c) Not combined, except as provided in subsection 5.

5. A cannabis cultivation facility may combine lots of crude collected resins which have been collected in accordance with subsection 4 and have passed all testing pursuant to NCCR 11.050 prior to combining.

6. Each cannabis establishment, except a cannabis independent testing laboratory, shall establish and implement an inventory control system that documents:

(a) Each day's beginning inventory, acquisitions, harvests, sales, disbursements, disposal of unusable cannabis and ending inventory, including, without limitation, the:

(1) Number of plants and cuttings;

(2) Weight of flowers, measured in grams;

(3) Weight of trim, measured in grams;

(4) Quantity of THC, measured in milligrams; and

- (5) Weight of seeds, measured in grams.
- (b) When acquiring cannabis from another cannabis establishment:
 - (1) A description of the cannabis acquired, including the amount, strain and batch number, lot number and production run number, or any combination thereof;
 - (2) The name and identification number of the license of the cannabis establishment providing the cannabis;
 - (3) The name and the number of the cannabis establishment agent registration card of the cannabis establishment agent providing the cannabis;
 - (4) The name and the number of the cannabis establishment agent registration card of the cannabis establishment agent receiving the cannabis on behalf of the cannabis establishment; and
 - (5) The date of acquisition.
- (c) When acquiring cannabis from a medical cannabis establishment registered pursuant to this Act:
 - (1) A description of the cannabis acquired, including the amount, strain and batch number, lot number and production run number, or any combination thereof;
 - (2) The name and identification number of the medical cannabis establishment registration certificate of the medical cannabis establishment providing the cannabis;
 - (3) The name and the number of the medical cannabis establishment agent registration card of the medical cannabis establishment agent providing the cannabis;
 - (4) The name and the number of the cannabis establishment agent registration card of the cannabis establishment agent receiving the cannabis on behalf of the cannabis establishment; and
 - (5) The date of acquisition.
- (d) For each batch of cannabis cultivated:
 - (1) The batch number, lot number and production run number, as applicable.
 - (2) Whether the batch originated from cannabis seeds or cannabis cuttings.
 - (3) The strain of the cannabis seeds or cannabis cuttings planted.
 - (4) The number of cannabis seeds or cannabis cuttings planted.
 - (5) The date on which the cannabis seeds or cuttings were planted.
 - (6) A list of all chemical additives used in the cultivation, including, without limitation, nonorganic pesticides, herbicides and fertilizers.
 - (7) The number of cannabis plants grown to maturity.
 - (8) Harvest information, including, without limitation:
 - (I) The date of harvest;
 - (II) The final yield weight of processed usable cannabis, in grams; and
 - (III) The name and the number of the cannabis establishment agent registration card of the cannabis establishment agent responsible for the harvest.
 - (9) The disposal of cannabis that is not usable cannabis, including:
 - (I) A description of and reason for the cannabis being disposed of, including, if applicable, the number of failed or other unusable cannabis plants;
 - (II) The date of disposal;
 - (III) Confirmation that the cannabis was rendered unusable before disposal;
 - (IV) The method of disposal; and
 - (V) The name and the number of the cannabis establishment agent registration card of the cannabis establishment agent responsible for the disposal.

- (e) When providing cannabis to another cannabis establishment:
 - (1) The amount, strain, batch number, lot number and production run number, as applicable, of cannabis provided to the cannabis establishment;
 - (2) The name and license number of the other cannabis establishment;
 - (3) The name and the number of the cannabis establishment agent registration card of the cannabis establishment agent who received the cannabis on behalf of the other cannabis establishment; and
 - (4) The date on which the cannabis was provided to the cannabis establishment.
- (f) When receiving edible cannabis products from another cannabis establishment:
 - (1) A description of the edible cannabis products received from the cannabis establishment, including the total weight of each edible cannabis product and the amount of THC, measured in milligrams, and the production run number of the cannabis in each edible cannabis product.
 - (2) The total amount and production run number of cannabis in the edible cannabis products.
 - (3) The name and:
 - (I) License number of the cannabis establishment providing the edible cannabis products to the receiving cannabis establishment;
 - (II) The number of the cannabis establishment agent registration card of the cannabis establishment agent providing the edible cannabis products to the receiving cannabis establishment; and
 - (III) The number of the cannabis establishment agent registration card of the cannabis establishment agent receiving the edible cannabis products on behalf of the receiving cannabis establishment.
 - (4) The date on which the edible cannabis products were provided to the cannabis establishment.
- (g) When receiving cannabis products from another cannabis establishment:
 - (1) A description of the cannabis products received from the cannabis establishment, including the total weight of each cannabis product and the amount of THC, measured in milligrams, and production run number of the cannabis in each cannabis product.
 - (2) The total amount and production run number of cannabis in the cannabis products.
 - (3) The name and:
 - (I) License number of the cannabis establishment providing the cannabis products to the receiving cannabis establishment;
 - (II) The number of the cannabis establishment agent registration card of the cannabis establishment agent providing the cannabis products to the receiving cannabis establishment; and
 - (III) The number of the cannabis establishment agent registration card of the cannabis establishment agent receiving the cannabis products on behalf of the receiving cannabis establishment.
 - (4) The date on which the cannabis products were provided to the cannabis establishment.
- (h) When receiving concentrated cannabis or products containing concentrated cannabis from a cannabis production facility:
 - (1) A description of the concentrated cannabis or products containing concentrated cannabis received from the cannabis production facility, including the total weight of each product, the amount of THC (except a cannabis independent testing laboratory), measured in milligrams, and the production run number for each product;

- (2) The name and:
 - (I) License number of the cannabis establishment providing the concentrated cannabis or products containing concentrated cannabis to the receiving cannabis establishment;
 - (II) The number of the cannabis establishment agent registration card of the cannabis establishment agent providing the concentrated cannabis or products containing concentrated cannabis to the receiving cannabis establishment; and
 - (III) The number of the cannabis establishment agent registration card of the cannabis establishment agent receiving the concentrated cannabis or products containing concentrated cannabis on behalf of the receiving cannabis establishment.
- (3) The date on which the concentrated cannabis or products containing concentrated cannabis were provided to the cannabis establishment.

7. Each cannabis establishment shall:

- (a) Establish and maintain a seed-to-sale inventory system which adequately documents the flow of materials through the manufacturing process.
- (b) Establish procedures which reconcile the raw material used to the finished product on the basis of each job. Significant variances must be documented, investigated by management personnel and immediately reported to the Executive Director and to the cannabis establishment that ordered the concentrated cannabis or cannabis product.
- (c) Provide for quarterly physical inventory counts to be performed by persons independent of the manufacturing process which are reconciled to the perpetual inventory records. Significant variances must be documented, investigated by management personnel and immediately reported to the Executive Director.

8. If a cannabis establishment identifies a reduction in the amount of cannabis in the inventory of the cannabis establishment which is not due to documented causes, the cannabis establishment shall determine where the loss has occurred and take and document corrective action. If the reduction in the amount of cannabis in the inventory of the cannabis establishment is due to suspected criminal activity by a cannabis establishment agent, the cannabis establishment shall report the cannabis establishment agent to the Board and to the appropriate law enforcement agencies within 24 hours. The Board may require the cannabis establishment to provide additional information as it determines necessary to conduct an investigation.

9. A cannabis establishment shall:

- (a) Maintain the documentation required by subsections 5, 6 and 7 at the cannabis establishment for at least 5 years after the date on the document; and
- (b) Provide the documentation required by subsections 5, 6 and 7 to the Board or Board Agents for review upon request.

(Amended: 8/2021)

6.082 Use of seed-to-sale tracking system; payment of fees. A cannabis establishment shall:

- 1. Use the seed-to-sale tracking system managed by the independent contractor selected by the Board;
- 2. Connect to the seed-to-sale tracking system using the independent contractor's application programming interface;
- 3. Pay any fees assessed by the independent contractor for using the seed-to-sale tracking system, including, without limitation, user fees or application programming interface fees; and

4. Ensure cannabis and cannabis products are tagged as required using the seed-to-sale inventory system.

6.085 Required security measures, equipment and personnel; location of outdoor cultivation facility must allow for response by local law enforcement.

1. To prevent unauthorized access to cannabis at a cannabis establishment, the cannabis establishment must have:

- (a) One single secure entrance of the physical building;
- (b) No visible cannabis or cannabis products from outside the establishment.
- (c) Security equipment to deter and prevent unauthorized entrance into limited access areas that includes, without limitation:

- (1) Devices or a series of devices to detect unauthorized intrusion, which may include a signal system interconnected with a radio frequency method, such as cellular or private radio signals, or other mechanical or electronic device, and which, for a cannabis cultivation facility which engages in outdoor cultivation, covers the entirety of the cultivation area and the perimeter and exterior area of the cannabis cultivation facility;

- (2) Exterior lighting to facilitate surveillance which, for a cannabis cultivation facility which engages in outdoor cultivation:

- (I) When the lighting would not interfere with the growing cycle of a crop, covers the entirety of the cultivation area and the perimeter and exterior area of the cannabis cultivation facility; and

- (II) When the lighting would interfere with the growing cycle of a crop, covers the perimeter and exterior area of the cannabis cultivation facility;

- (3) Electronic monitoring, including, without limitation, each of the following:

- (I) At least one call-up monitor that is 19 inches or more;

- (II) A printer capable of immediately producing a clear still photo from any video camera image, which photo must be provided to the Board or Board Agents for review upon request;

- (III) Video cameras with a recording resolution of at least 1920 x 1080, or the equivalent, at a rate of at least 15 frames per second which provide coverage of all entrances and exits of the building, any room or area that holds a vault and any point-of-sale location, which record 24 hours per day, which are capable of being accessed remotely by a law enforcement agency in real time upon request and which may record motion only. A video camera providing coverage of a point-of-sale location must allow for the identification of any person purchasing cannabis;

- (IV) Video cameras with a recording resolution of at least 720 x 480, or the equivalent, at a rate of at least 15 frames per second which provide coverage of all limited access areas not described in sub-subparagraph (III) and any activity in or adjacent to the establishment, which record 24 hours per day, which are capable of being accessed remotely by a law enforcement agency, the Board, and Board Agents in real time upon request, which may record motion only and which, for a cannabis cultivation facility which engages in outdoor cultivation, cover the entirety of the cultivation area and the perimeter and exterior area of the cannabis cultivation facility;

- (V) A video camera which is capable of identifying any activity occurring within the cannabis establishment in low light conditions 24 hours per day;

- (VI) A method for storing video recordings from the video cameras for at least 30 calendar days in a secure on-site or off-site location or through a service or network that provides on-demand access to the recordings and providing copies of the recordings to the Board and Board Agents for review upon request, on portable, external hard drives or other media as directed by the Board or Board Agents, at the expense of the cannabis establishment, and within a reasonable time frame as determined by the Board or Board Agents;
 - (VII) A failure notification system that provides an audible and visual notification of any failure in the electronic monitoring system; and
 - (VIII) Sufficient battery backup for video cameras and recording equipment to support at least 5 minutes of recording in the event of a power outage;
- (4) Immediate automatic or electronic notification to alert local law enforcement agencies of an unauthorized breach of security at the cannabis establishment in the interior of each building of the cannabis establishment; and
 - (5) For a cannabis cultivation facility which engages in outdoor cultivation:
 - (I) An alarm system and video cameras which are monitored 24 hours per day;
 - (II) An exterior barrier, determined to be appropriate by local law enforcement, which is located around the perimeter of the cannabis cultivation facility and which consists of a solid block wall or chain link fence with a height of at least 8 feet and an additional fence with a height of at least 8 feet located at least 10 feet and not more than 20 feet inside of the solid block wall or chain link fence; and
 - (III) A secure brick and mortar building which is approved by the appropriate Board Agent as suitable to dry and store cannabis and which meets the security and sanitation requirements for a cannabis cultivation facility which engages in indoor cultivation of cannabis.
- (d) Policies and procedures:
 - (1) That restrict access to the areas of the cannabis establishment that contain cannabis to persons authorized to be in those areas only;
 - (2) That provide for the identification of persons authorized to be in the areas of the cannabis establishment that contain cannabis;
 - (3) That prevent loitering;
 - (4) For conducting electronic monitoring;
 - (5) For the use of the automatic or electronic notification to alert local law enforcement agencies of an unauthorized breach of security at the cannabis establishment;
 - (6) For limiting the amount of money available in any retail areas of the cannabis establishment and for training employees on this practice;
 - (7) For notifying the public of the minimal amount of money available, which may include, without limitation, the posting of a sign;
 - (8) For maintaining communication with law enforcement agencies; and
 - (9) For providing and receiving notifications regarding burglary, attempted burglary, robbery, attempted robbery and other suspicious activity.
- 2. Each video camera used pursuant to subparagraph (3) of paragraph (a) of subsection 1 must:
 - (a) Include a date and time generator which possesses the capability to display the date and time of recorded events on the recording in a manner that does not significantly obstruct the recorded view; and

- (b) Be installed in a manner that will prevent the video camera from being readily obstructed, tampered with or disabled.
3. A cannabis establishment shall make a reasonable effort to repair any malfunction of security equipment within 72 hours after the malfunction is discovered. A cannabis establishment shall notify the Board and local law enforcement within 24 hours after a malfunction is discovered and provide a plan of correction. Failure to correct a malfunction within 72 hours after the malfunction is discovered is a violation of this section.
 4. If a video camera used pursuant to subparagraph (3) of paragraph (a) of subsection 1 malfunctions, the cannabis establishment shall immediately provide alternative video camera coverage or use other security measures, such as assigning additional supervisory or security personnel, to provide for the security of the cannabis establishment. If the cannabis establishment uses other security measures, the cannabis establishment must immediately notify the Executive Director, and the Executive Director will determine whether the other security measures are adequate.
 5. Each cannabis establishment shall maintain a log that documents each malfunction and repair of the security equipment of the cannabis establishment pursuant to subsections 3 and 4. The log must state the date, time and nature of each malfunction, the efforts taken to repair the malfunction and the date of each effort, the reason for any delay in repairing the malfunction, the date the malfunction is repaired and, if applicable, any alternative security measures that were taken. The log must also list, by date and time, all communications with the Board, Board Agents or Executive Director concerning each malfunction and corrective action. The cannabis establishment shall maintain the log for at least 1 year after the date of last entry in the log.
 6. Each cannabis establishment must employ a security manager or director who must be responsible for:
 - (a) Conducting a semiannual audit of security measures to ensure compliance with the state procedures of the cannabis establishment and identify potential security issues;
 - (b) Training employees on security measures, emergency response and robbery prevention and response before starting work and on an annual basis; and
 - (c) Evaluating the credentials of any third party who intends to provide security to the cannabis establishment before the third party is hired by or enters into a contract with the cannabis establishment.
 7. Each cannabis establishment shall ensure that the security manager or director of the cannabis establishment, at least one employee of the cannabis establishment or the employees of any third party who provides security to the cannabis establishment has completed or will complete within three months of being hired, to be proven by written attestation from the employee and the training officer, the following training:
 - (a) Training in theft prevention or a related subject;
 - (b) Training in emergency response or a related subject;
 - (c) Training in the appropriate use of force or a related subject that covers when the use of force is and is not necessary;
 - (d) Training in the use and administration of first aid, including cardiopulmonary resuscitation;
 - (e) Training in the protection of a crime scene or a related subject;
 - (f) Training in the control of access to protected areas of a cannabis establishment or a related subject;
 - (g) Not less than 8 hours of on-site training in providing security services; and
 - (h) Not less than 8 hours of classroom training in providing security services.

8. A cannabis cultivation facility which engages in the outdoor cultivation of cannabis must be located in such a manner as to allow local law enforcement to respond to the cannabis cultivation facility within 15 minutes after being contacted unless the local law enforcement agency determines some other response time is acceptable.

6.087 Duties relating to cannabis establishment agents. A cannabis establishment shall:

1. Ensure that each cannabis establishment agent has his or her valid cannabis establishment agent registration card or temporary authorization in his or her immediate possession when the cannabis establishment agent:
 - (a) Is employed by or volunteering at or providing labor as a cannabis establishment agent at the cannabis establishment;
 - (b) Is transporting cannabis or cannabis products for the cannabis establishment, regardless of the type of license held by the cannabis establishment; or
 - (c) Is delivering cannabis or cannabis products for a cannabis sales facility.
2. Not allow a person who does not possess a cannabis establishment agent registration card which is valid at the cannabis establishment to:
 - (a) Serve as an officer or board member for the cannabis establishment or hold an ownership interest of more than 5 percent in the cannabis establishment;
 - (b) Be employed by or have a contract to provide services for the cannabis establishment;
 - (c) Volunteer at or on behalf of the cannabis establishment; or
 - (d) Contract to provide labor at or be employed by an independent contractor to provide labor at the cannabis establishment.
3. Provide written notice to the Board, including the date of the event, within 10 working days after the date on which a cannabis establishment agent begins:
 - (a) Service as an officer or board member for the cannabis establishment;
 - (b) Employment by the cannabis establishment or providing services for the cannabis establishment pursuant to a contract;
 - (c) Volunteering at or on behalf of the cannabis establishment; or
 - (d) Providing labor at or beginning employment by an independent contractor to provide labor at a cannabis establishment pursuant to a contract.
4. Provide written notice to the Board, including the date of and reason for the event, within 10 working days after the date on which a cannabis establishment agent no longer:
 - (a) Serves as an officer or board member for the cannabis establishment;
 - (b) Is employed by or has a contract to provide services for the cannabis establishment;
 - (c) Volunteers at or on behalf of the cannabis establishment; or
 - (d) Contracts to provide labor at or is employed by an independent contractor to provide labor at a cannabis establishment.
5. Provide written notice to the Board, including the date of the event, within 10 working days after the date on which the person designated by the cannabis establishment to provide written notice to the Board relating to cannabis establishment agents ceases to serve in that capacity at the cannabis establishment.

6.090 Cleanliness and health of cannabis establishment agents.

1. Each cannabis establishment must ensure that each cannabis establishment agent who is employed by volunteers at or provides labor as a cannabis establishment agent at the cannabis establishment:

(a) Cleans his or her hands and exposed portions of his or her arms in a hand-washing sink pursuant to NCCR 6.090:

- (1) Immediately upon entrance to the cannabis establishment;
- (2) Immediately before working with cannabis plants;
- (3) Immediately before preparing concentrated cannabis or cannabis products, including, without limitation, working with exposed cannabis products, clean equipment and utensils or unwrapped single-service and single-use articles;
- (4) After touching any bare human body parts other than his or her clean hands and exposed portions of arms, including, without limitation, surrogate prosthetic devices for hands and arms;
- (5) After using the toilet facilities;
- (6) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating or drinking;
- (7) After handling soiled equipment or utensils;
- (8) During preparation or extraction of concentrated cannabis or cannabis products, as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks;
- (9) When switching between working with unprocessed cannabis products or uncooked food products and working with finished concentrated cannabis or cannabis products;
- (10) Before donning gloves for working with cannabis products; and
- (11) After engaging in other activities that contaminate the hands.

(b) If working directly in the preparation of concentrated cannabis or cannabis products:

- (1) Keeps his or her fingernails trimmed, filed and maintained so that the edges and surfaces are cleanable;
- (2) Unless wearing intact gloves in good repair, does not have fingernail polish or artificial fingernails on his or her fingernails; and
- (3) Wears a hair net.

(c) Wears clean clothing appropriate to the tasks assigned to him or her.

2. If the person designated by a cannabis establishment to address health conditions at the cannabis establishment determines that a cannabis establishment agent who is employed by or volunteers at or provides labor as a cannabis establishment agent at the cannabis establishment has a health condition that may adversely affect the safety or quality of the concentrated cannabis or cannabis products at the cannabis establishment, that cannabis establishment agent is prohibited from having direct contact with any cannabis or equipment or materials for processing concentrated cannabis or cannabis products until the designated person determines that the health condition of the cannabis establishment agent will not adversely affect the concentrated cannabis or cannabis products.

3. A cannabis establishment agent shall not work directly with concentrated cannabis or cannabis products if the cannabis establishment agent has:

- (a) A symptom of gastrointestinal infection, including, without limitation, diarrhea or vomiting;
- (b) A sore throat with fever;
- (c) Jaundice; or

(d) A lesion that appears inflamed or contains pus, including, without limitation, a boil or infected wound that is not covered with:

- (1) An impermeable cover and a single-use glove if the lesion is on a hand or wrist, both of which must be changed at any time that hand washing is required;
- (2) An impermeable cover if the lesion is on an arm; or
- (3) A dry, durable, tight-fitting bandage if the lesion is on another part of the body.

6.092 Hand washing: Procedure.

1. Each cannabis establishment agent shall, when required pursuant to NCCR 6.090(1)(a), clean his or her hands and the exposed portions of his or her arms for at least 20 seconds, using a cleaning compound in a hand-washing sink that is appropriately equipped.
2. Each cannabis establishment agent shall use the following cleaning procedure in the order stated to clean his or her hands and the exposed portions of his or her arms, including, without limitation, surrogate prosthetic devices for hands and arms:
 - (a) Rinse under clean, running warm water.
 - (b) Apply an amount of cleaning compound recommended by the manufacturer of the cleaning compound.
 - (c) Rub together vigorously for at least 15 seconds while:
 - (1) Paying particular attention to removing soil from underneath the fingernails during the cleaning procedure; and
 - (2) Creating friction on the surfaces of the hands and arms, fingertips and areas between the fingers.
 - (d) Thoroughly rinse under clean, running warm water at a minimum temperature of 100°F (37.8°C)
 - (e) Immediately follow the cleaning procedure with thorough drying using a clean paper towel.

6.095 Requirements for building used as cannabis establishment or by dual licensee; use of commercial weighing and measuring equipment.

1. A building used as a cannabis establishment or by a dual licensee must have:
 - (a) At least one toilet facility which must contain:
 - (1) A flushable toilet;
 - (2) Mounted toilet tissue;
 - (3) A hand sink with running water which is capable of delivering hot water at a minimum temperature of 100°F (37.8°C);
 - (4) Soap contained in a dispenser;
 - (5) Disposable, single-use paper towels in a mounted dispenser; and
 - (6) A conveniently located trash can.
 - (b) Except for a cannabis distributor, at least one fully stocked hand-washing sink, which is designated for hand washing only, not located in a toilet facility and located away from any area in which edible cannabis products are cooked or otherwise prepared to prevent splash contamination. Additional hand-washing sinks may be required to facilitate hand washing as required.
 - (c) Designated storage areas for concentrated cannabis and cannabis products or materials used in direct contact with such items separate from storage areas for toxic or flammable materials.
 - (d) At least one mop sink or dump sink to dispose of liquid waste.

- (e) If preparation or packaging of concentrated cannabis or cannabis products is done in the building, a designated area for the preparation or packaging that:
 - (1) Includes workspace that can be sanitized;
 - (2) Is only used for the preparation or packaging of concentrated cannabis or cannabis products; and
 - (3) Has a fully stocked hand-washing sink conveniently located and designated for hand washing only.
- 2. For any commercial weighing and measuring equipment used at a cannabis establishment, the cannabis establishment must:
 - (a) Ensure that the commercial device is licensed pursuant to chapter 581 of NRS;
 - (b) Maintain documentation of the license of the commercial device; and
 - (c) Provide a copy of the license of the commercial device to the Board or Board Agents for review upon request.

6.100 Quality assurance testing required before sale or transfer of products. A cannabis establishment shall not sell or transfer a lot of usable cannabis, concentrated cannabis or cannabis products until all required quality assurance testing has been completed.

6.105 Requirements for preparation or sale of edible cannabis products; cannabis production facility exempt from provisions governing food establishments.

- 1. A cannabis establishment that prepares or sells edible cannabis products must:
 - (a) Before preparing an edible cannabis product, obtain written authorization from the appropriate Board Agent to prepare edible cannabis products;
 - (b) If the cannabis establishment prepares edible cannabis products, ensure that the edible cannabis products are prepared according to the applicable requirements set forth in Title 56 of NRS and the NCCR and the operating procedures included in its application pursuant to NRS 687B.210, NRS 687B.250;
 - (c) If the edible cannabis products are not prepared at the cannabis establishment, obtain and maintain at the cannabis establishment a copy of the current written authorization to prepare edible cannabis products from the cannabis establishment that prepares the edible cannabis products;
 - (d) If the cannabis establishment is a cannabis production facility, package all edible cannabis products produced by the cannabis establishment on the premises of the cannabis establishment; and
 - (e) If the cannabis establishment sells edible cannabis products, ensure that the edible cannabis products are sold according to the applicable requirements set forth in Title 56 of NRS and NCCR.
- 2. A cannabis establishment is responsible for the content and quality of any edible cannabis product sold by the cannabis establishment.
- 3. A cannabis production facility is not subject to the provisions of chapter 446 of NRS or chapter 446 of NAC.

6.110 Prohibition on dispensing or selling cannabis or cannabis products from vending machine. A cannabis establishment shall not dispense or otherwise sell cannabis or cannabis products from a vending machine or allow such a vending machine to be installed at the interior or exterior of the premises of the cannabis establishment.

6.115 Prohibition on treating or adulterating usable cannabis with chemical or other compound. A cannabis establishment may not treat or otherwise adulterate usable cannabis with any organic or nonorganic chemical or other compound whatsoever to alter the color, appearance, weight or smell of the usable cannabis.

6.120 Restrictions on advertising; required posting of signs in cannabis sales facility.

1. A cannabis establishment:

(a) Shall not engage in advertising which contains any statement or illustration that:

- (1) Is false or misleading;
- (2) Promotes overconsumption of cannabis or cannabis products;
- (3) Depicts the actual consumption of what appears to be cannabis or cannabis products; or
- (4) Depicts a child or other person who appears to be less than 21 years of age consuming cannabis or cannabis products or objects suggesting the presence of a child, including, without limitation, toys, characters or cartoons, or contains any other depiction which is designed in any manner to be appealing to or encourage consumption of cannabis or cannabis products by a person who is less than 21 years of age.

(b) Shall not advertise in any publication or on radio, television or any other medium if 30 percent or more of the audience of that medium is reasonably expected to be persons who are less than 21 years of age.

(c) Shall not place an advertisement:

- (1) Within 1,000 feet of a public or private school, playground, public park or library, but may maintain such an advertisement if it was initially placed before the school, playground, public park or library was located within 1,000 feet of the location of the advertisement;
- (2) On or inside of a motor vehicle used for public transportation or any shelter for public transportation;
- (3) At a sports or entertainment event to which persons who are less than 21 years of age are allowed entry;
- (4) On or inside of a motor vehicle used by a cannabis establishment for private transportation;
- (5) On signs carried by a natural person, including, without limitation, handbills, pamphlets, cards or other types of advertisements that are distributed to the general public, but excluding an advertisement placed in a newspaper of general circulation, trade publication or other form of print media; and
- (6) Where prohibited by local ordinance.

(d) Shall not advertise or offer any cannabis or cannabis product as “free” or “donated” without a purchase.

(e) Shall ensure that all advertising by the cannabis establishment contains such warnings as may be prescribed by the Board, which must be visible, legible, and include, without limitation, the following words:

- (1) “Keep out of reach of children”; and
- (2) “For use only by adults 21 years of age and older.”

2. A cannabis sales facility shall post signs in prominent locations inside cannabis sales facility which state activities that are strictly prohibited and punishable by law, including, without limitation, the following statements:

- (a) “No minors permitted on the premises unless the minor holds a letter of approval and is accompanied by a designated primary caregiver”;
- (b) “No on-site or public consumption of any cannabis or cannabis products”;
- (c) “Distribution to persons under the age of 21 is prohibited”;
- (d) “Except for medical cannabis patients, possession of over 1 ounce of usable cannabis, a cannabis product containing more than 3,543 milligrams of THC or a combination of the two which exceeds the legal limit is prohibited”; and
- (e) “Transportation of cannabis or cannabis products across state lines is prohibited.”

6.123 Use of packaging: Required approval by Board. A cannabis establishment shall not use packaging unless the packaging has been approved by the appropriate Board Agent.

6.125 Responsibility for costs relating to clean-up, mitigation or remedy of environmental damage. A cannabis establishment is responsible to the State or a locality for all costs incurred by the State or locality in cleaning up, mitigating or remedying any environmental damage caused by the cannabis establishment.

6.130 Documentation and reporting of loss or theft; maintenance of documentation. A cannabis establishment shall:

1. Document and report any loss or theft of cannabis from the cannabis establishment to the appropriate law enforcement agency and to the Board within 24 hours after discovery of the loss or theft; and
2. Maintain copies of any documentation required pursuant to Title 56 of NRS and NCCR for at least 5 years after the date on the documentation and provide copies of the documentation to the Board or Board Agents for review upon request.

6.135 Quarterly reporting concerning production, purchases and sales of cannabis and cannabis products. Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall submit the report required pursuant to NRS 372A.285 to the Board on or before the 30th day of each January, April, July and October containing information concerning the 3 months immediately preceding the date of the report. Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall submit such a report regardless of whether any purchases or sales have occurred.

6.140 Demographic information within the cannabis industry.

1. A survey approved by the CCB will be sent out at a minimum of once per year in order to gather comprehensive demographic information, including, without limitation, information regarding race, ethnicity, age and gender.
2. The following four categories of personnel shall be included in the survey:
 - (a) Owners of cannabis establishments;
 - (1) For publicly traded companies only consider owners who hold a 5 percent share or greater ownership in the company.
 - (b) Managers of cannabis establishments;
 - (c) Officers and board members of cannabis establishments; and
 - (d) Other holders of a cannabis establishment agent registration card.
3. The recipients of this survey are required to fully complete the survey and return their completed survey according to the survey instructions provided and within the deadline provided in the instructions. The survey may contain options for declining to respond to one

or more questions, but a completed survey must still be returned, even if the recipient has declined to respond where that is an option.
(Adopted: 10/2020)