
From: Jillian Nelson <jnelson@evergreenorganix.com>
Sent: Thursday, August 19, 2021 10:31 AM
To: CCB Regulations
Subject: FW: Notice for Informal Input on Proposed Amendments to NCCR 1, 6, 7, 12

Hello,

I would like to provide some feedback about the proposed amendments to the NCCR.

Regarding regulation 12.035, I would like to suggest that the required labeling of cannabis products be simplified as much of the information currently required is serving no benefit to consumers or producers. Specifically, I would like to suggest the following simplifications to promote a more concise label format. Remove section 12.035 1. (e) (f) and (g)

~~(e) The date of production;~~
~~(f) The date of final testing;~~
~~(g) The date on which the product was packaged;~~

These points can still be published on the COA of a product and maintained by a producer for record purposes, however, they serve little benefit on the product label themselves and reduce the ease by which labels can be formatted by producers and interpreted by consumers. In our years of experience as a cannabis producer, the current label requirements are very complicated compared to other states and this causes significant confusion for some consumers, especially the elderly or those with low vision. We need to be able to simplify our labeling as to make them more efficient to print and easy to interpret.

I would further like to suggest that if a producer has the THC content of an edible pre-printed on their product packaging, and the COA results of the product are within 15% of the printed value of that THC that is reported on the packaging of the edible, that the COA cannabinoid profile not be needed on the label of the product itself. This would greatly assist in simplifying product labeling and advance the efficiencies of the edible industry.

Regarding the changes to 12.015, "THIS PRODUCT CONTAINS CANNABIS" vs "THIS IS A CANNABIS PRODUCT", given the frequency of changes to this wording and the recent approvals that many producers had to submit, I would suggest that the CCB issues a statement that grandfathers in previously approved packaging to allow for producers to use us existing packaging inventory with the prior language.

I would also suggest that language be added to 12.015 and 12.035 that clarifies these packaging requirements apply language printed on the edible package itself, or on labels that are affixed to the packaging of a product. If the language in on the packaging in some form, it should not matter if it is pre-printed or labeled on the product packaging.

Regarding 12.015 (2), I would ask that clarifying language be added to what is meant by "placed into a package or directly packaged in opaque, child resistant packaging". Does this mean that products that are already packaged in child resistant packaging may be sold to customers in paper bags vs exit bags? I believe that further explanation is needed of what this change is intending to do.

Regarding 12.035, observing that edibles/topicals no longer need to disclose terpenes on labeling, I would suggest that it is added to the regulations that terpenes no longer be a requirement for laboratory testing of edibles or topicals. Regulation 11.050 (2) must also be updated to reflect these changes.

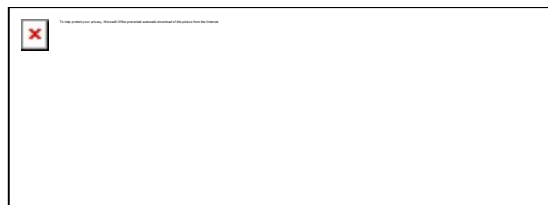
Soil Amendment Disclosures for edibles. The current industry practice is that edible producers must provide soil amendment reports for their products. I would like to suggest that this requirement be retired for edibles given that while we must report the amendments by which the cannabis was grown, we do not have the capacity to report the amendments by which the other ingredients of a product were grown. My point is that why must we report the amendments for the cannabis ingredient of an edible, wherein that edible may be made with other conventionally grown ingredients (sugar, flour, butter, etc.)? Unless we are reporting all amendments of every ingredient used to make an edible, the practice for providing the cannabis growing amendments alone is seemingly unnecessary.

Thank you for your consideration,

Jillian Nelson
Vice President of Operations
office: (702) 550-4855



From: Nevada Cannabis Compliance Board <ccb-noreply@ccb.nv.gov>
Sent: Friday, August 13, 2021 3:10 PM
To: Jillian Nelson <jnelson@evergreenorganix.com>
Subject: Notice for Informal Input on Proposed Amendments to NCCR 1, 6, 7, 12



**Notice for Informal Input on Proposed Amendments to
the NCCR**

August 13, 2021

To: All Licensees and Other Interested Persons

Subject: **Input on Proposed Amendments to the Nevada Cannabis Compliance Board Regulations (NCCR) 1, 6, 7, and 12.**

The Nevada Cannabis Compliance Board (CCB) is currently seeking input from interested parties on amendments to **NCCR 1.051, 1.081, 1.083, 6.025, 6.060, 7.060, 12.015, 12.025, 12.030, 12.035, 12.040, 12.045, 12.055, 12.060, and 12.070**. The CCB requests interested parties to submit written suggestions, specific to individual regulations, via email as indicated below. All public input will be considered in preparing the proposed regulations for adoption. **All input received will be posted online after the comment period has ended.**

The proposed regulations are available to view and can be found on the CCB's website, [here](#).

The CCB will accept emailed public input until **5:00 p.m. PST on August 22, 2021**. All comments should be emailed to: regulations@ccb.nv.gov. Please ensure comments are submitted in PDF or MS Word format.

A formal public workshop will be noticed and held following the input period. Interested parties will have the opportunity to submit additional public comment during the workshop.

[Read More...](#)

Nevada Cannabis Compliance Board

Carson City Office Location:
1550 College Parkway, Suite 142
Carson City, NV 89706

Las Vegas Office Location:
555 E. Washington Avenue, Suite 4200
Las Vegas, NV 89101



[Unsubscribe jnelson@evergreenorganix.com](mailto:jnelson@evergreenorganix.com)
[Update Profile](#) | [Constant Contact Data Notice](#)
Sent by ccb-noreply@ccb.nv.gov

August 20, 2021

To Whom it May Concern,

I would like to submit a public comment on the following regulation.

12.045 Cannabis sales facility: Required labeling of cannabis products.
1. A cannabis sales facility must affix to or include on each container or package containing edible cannabis products sold at retail and affix to or include with each container or package containing other ~~concentrated cannabis or~~ cannabis products sold at retail a label which must not mislead consumers and must include, without limitation:

Specifically, I would like to point out that the first sentence of the regulation is redundant. Specifically, the wording “**Must affix to or include on**” those two phrases essentially mean the same thing. I believe the blue portion is meant to say, “*Must affix to or include with.*” Additionally, the remaining portion of the regulation is a long run on sentence with redundancy and is not clear or concise. I would like to recommend the following verbiage.

1. A cannabis sales facility must affix to **or include with** each container or package containing *cannabis products, including edible cannabis products* sold at a retail facility, a label which must not mislead consumers, and must include, without limitation:

OR

1. A cannabis sales facility must affix to **or include with** each container or package containing *any cannabis products* sold at a retail facility, a label which must not mislead consumers, and must include, without limitation:

Thank you for your time and consideration,

Katherine McClain

kat@cultivatelv.com

480.773.1399



August 20, 2021

Cannabis Compliance Board
555 E. Washington Avenue, Suite 4200
Las Vegas, NV 89101

Subject: Comment on Proposed Changes to NCCR

Dear Members of the Cannabis Compliance Board and Director Klimas,

On behalf of the Nevada Dispensary Association, thank you for considering these written comments regarding the proposed changes to the Nevada Cannabis Compliance Regulations.

NCCR 1.051 & 12.070

Proposed NCCR 1.051 seeks to broaden the definition of advertising to include all “written, electronic or graphic representation to promote a company” including everything from “company logos” to “outdoor signage, displays, devices, lights, figures, paintings, drawings, messages, plaques, posters, billboard or other thing which is designed, intended or used to advertise or inform the public.”

We are concerned that this revision broadens the definition of advertising to such a point where it will be difficult for cannabis establishments to comply. For example, if a company logo is classified as advertising, then it would follow that the company logo must now contain the words: “Keep out of reach of children” and “For use only by adults 21 years of age and older” and the establishment’s name and license number. It would make sense that these additional warnings be contained in traditional advertising, but impossible to include them everywhere the company’s logo is printed – lanyards, stickers, T-shirts, baseball caps, letterhead, and so on.

Additionally, extending the term advertising to all outdoor signage used “to advertise *or inform* the general public” is likewise too broad. For example, a parking space placard for curbside pickup intended to *inform* that that parking spot is designated for curbside pickup, could fall under this definition of advertising and therefore also be required to contain numerous warnings.

Furthermore, applying the new definition of advertising to current restrictions in the Nevada Revised Statutes would make compliance impossible. Nevada Revised Statute 678B.520(11) provides that a cannabis establishment must not advertise by any medium if 30 percent or more of the audience of that medium is reasonably expected to be persons under 21. Under the new definition of advertising in NCCR 1.051, this restriction could apply to outdoor informational signage on an establishment in a strip mall or a placard directing parking lot traffic – areas where it is impossible to control the age of those who might see. Furthermore, under the broad definition in NCCR 1.051, it could apply to the company logo itself, reprinted on merchandise which can be seen by anyone and travel anywhere, which would violate all of the various provisions of NRS 678B.520 restricting where advertising can be located.

We would ask the Board to consider defining advertising more narrowly than the proposed NCCR 1.051. In its cannabis statutes, Colorado narrows the scope of what is deemed advertising:



Colo. Rev. Stat. Ann. § 44-10-103 (West)

(7) “Advertising” means the act of providing consideration for the publication, dissemination, solicitation, or circulation of visual, oral, or written communication **to directly induce** any person to patronize a particular medical marijuana business or retail marijuana business or purchase particular regulated marijuana.

“Advertising” does not include packaging and labeling, consumer education materials, or branding. (Emphasis added.)

This definition reduces the risk of noncompliance by narrowing the scope to that which directly induces a person to patronize a cannabis establishment or purchase a product, and clarifies that “branding” such as company logos are excluded from the definition. Presumably, static informational signage such as a curbside pickup placard would not fall within the category of advertising unless it includes messaging that directly induces customers, rather than simply informing where to park or where to enter the store.

California also restricts the definition of advertising to that which is intended to induce sales¹, as well as clarifying that outdoor signage on an establishment’s own lot does not fall within the definition:

CA BPC § 26150

(c) “Advertising sign” is any sign, poster, display, billboard, or any other stationary or permanently affixed advertisement **promoting the sale of cannabis or cannabis products which are not cultivated, manufactured, distributed, or sold on the same lot.** (Emphasis added.)

¹ CA BPC § 26150

(a) “Advertise” means the publication or dissemination of an advertisement.

(b) “Advertisement” includes any written or verbal statement, illustration, or depiction **which is calculated to induce sales** of cannabis or cannabis products, including any written, printed, graphic, or other material, billboard, sign, or other outdoor display, public transit card, other periodical literature, publication, or in a radio or television broadcast, or in any other media; except that such term shall not include:

(1) Any label affixed to any cannabis or cannabis products, or any individual covering, carton, or other wrapper of that container that constitutes a part of the labeling under provisions of this division.

(2) Any editorial or other reading material, such as a news release, in any periodical or publication or newspaper for the publication of which no money or valuable consideration is paid or promised, directly or indirectly, by any licensee, and which is not written by or at the direction of the licensee.

(c) “Advertising sign” is any sign, poster, display, billboard, or any other stationary or permanently affixed advertisement promoting the sale of cannabis or cannabis products which are not cultivated, manufactured, distributed, or sold on the same lot.

(d) “Health-related statement” means any statement related to health, and includes statements of a curative or therapeutic nature that, expressly or by implication, suggest a relationship between the consumption of cannabis or cannabis products and health benefits, or effects on health.

(e) “Market” or “Marketing” means any act or process of promoting or selling cannabis or cannabis products, including, but not limited to, sponsorship of sporting events, point-of-sale advertising, and development of products specifically designed to appeal to certain demographics.

(Emphasis added.)



In addition to clarifying the definition of the term “advertising,” we would also suggest limiting the scope of the provisions of 12.070(3) to traditional advertising formats. NCCR 12.070(3) incorporates the new requirements of Assembly Bill 326. As the Board is aware, the legislative intent of AB 326 is to help consumers and law enforcement quickly distinguish between licensed and unlicensed establishments by requiring legal establishments to include their name and one license number or identifier on advertising. This is intended to help combat the illicit market and advertising by unlicensed dispensaries and services. With that in mind, narrowing both the definition of advertising and the applicability of NCCR 12.070(3) to traditional forms of advertising would accomplish the legislative intent of AB 326 without unduly burdening legal companies to print their name and license number on every single piece of merchandise, sticker, parking placard, etc.

NCCR 12.015

With respect to subsection (1) we respectfully request a timeline for implementation or an effective date for this section that is at least six months out from Board approval of the proposed regulations. Cannabis establishments order inventory many months in advance, and we would appreciate a timeline that allows establishments to work through existing inventory with the current language.

We support and appreciate the clarification in subsection (2) that cannabis or cannabis products must be placed into a package or directly packaged in opaque, child-resistant, resealable packaging. We hope this will encourage dispensaries and customers to skip the non-recyclable exit bag where the product packaging itself clearly meets these requirements.

NCCR 12.030, 12.035, 12.040, 12.045 (Labeling)

Senate Bill 168, spearheaded by the NDA, intended to give the CCB more flexibility to revise packaging and labeling regulations. Other states have streamlined labeling, such as in Arizona, where basic information can be found on the product label, and the packaging may also contain a QR code that links to the cannabinoid profile, terpenes, and testing information. We look forward to continued workshops and opportunities to provide input on packaging and labeling,

The Board’s proposed regulations are a step in the right direction by allowing, in most cases, information to be included with the product in a manner other than “affixed to.” This would allow dispensaries to include product information on a receipt or printout instead of on a large sticker that is stuck to the product (and often promptly removed by the consumer). However, there is language in the proposed revisions that would likely lead to confusion or compliance issues and should be clarified.

Proposed revisions to NCCR 12.030, 12.035, and 12.040 each allow for labels to be affixed to or included with the package. With respect to 12.035 and production facilities, information such as major food allergens could still be conveyed in a label affixed to the packaging or as part of the flow wrap, but the proposed language appears to allow alternative ways to convey lengthy information, such as a QR code. Revisions to NCCR 12.040 would allow dispensaries to include compliance label information either affixed to or included with a package of usable cannabis, which would allow flexibility for the information to be included on a receipt or other printout.



Changes to NCCR 12.045 would allow dispensaries to affix or “include with” compliance label information for cannabis products such as concentrates. However, for edible products, the proposed language requires that dispensaries convey the compliance label information by affixing to “or includ[ing] on” each container or package. This difference in language (“with” versus “on”) could lead to significant compliance issues and some confusion at the point of sale, as the information for all products except edibles could be included on a receipt, but edibles require a sticker. It would be much more clear if NCCR 12.045 was revised to also require that the cannabis facility must affix to “or include with” each edible product the compliance information, allowing all product information for all products sold to be included in the same manner at the point of sale.

We appreciate the Board’s continuous efforts to re-examine the regulations and to seek stakeholder input on proposed revisions. Thank you for considering these written comments.

Respectfully,

A handwritten signature in black ink, appearing to read "L. Martin", written in a cursive style.

Layke Martin, Esq.
Executive Director
Nevada Dispensary Association

August 20, 2021

Via Email Only

Cannabis Compliance Board
555 E. Washington Ave., Suite 4100
Las Vegas, NV 89101
regulations@ccb.nv.gov

RE: Input on Proposed Amendments to the Nevada Cannabis Compliance Board Regulations (NCCR) 1, 6, 7, and 12

Dear CCB Members:

This public comment on the proposed amendments to Nevada Cannabis Compliance Board Regulations (NCCR) is being provided pursuant to the notice dated August 13, 2021 requesting informal input from interested parties. Green Thumb Industries Inc. is providing this informal input as an interested party; Green Thumb Industries Inc., through several wholly owned subsidiaries, holds interest in several cannabis licenses in the state of Nevada. Green Thumb Industries Inc. provides input and respectfully suggests that the Board amend its proposed changes, specifically with regards to the following:

- **12.015 and 12.045** – It is our opinion that CCB’s existing packaging and labeling requirements have satisfactorily addressed consumer and public safety concerns. The proposed amendments, such as adding a Board-provided symbol as opposed to our existing symbol to indicate that a product contains cannabis, would require costly rework of every existing label in our supply. If the CCB deems packaging and labeling redesign and reproduction a necessity, we kindly request that the Board provide operators with an adequate runway in which to use up existing materials to mitigate unnecessary business expense and environmental waste.

We further note that much of the information required on the dispensary-added label duplicates information already attached to the product’s seed-to-sale tracking label affixed at wholesale. Green Thumb’s dispensary employees find that most Nevada purchasers remove and trash the dispensary-added labels. These duplications therefore accumulate into unnecessary environmental waste with little to no benefit to consumers.

- **12.015(1)(a)** – We believe the proposed required warning to “KEEP OUT OF THE REACH OF CHILDREN” may be a typo. Regulations in sections 12.030 and 12.035 already require the warning “KEEP OUT OF REACH OF CHILDREN” that operators such as Green Thumb currently include on all cannabis products. To add the word “THE” in the warning for edibles will create inconsistency with sections 12.030, 12.035, and 12.040. Given the low impact of the addition of the word “THE,” it does not make sense to create inconsistency across product types and would require costly redesign and reproduction of edible product packaging and labeling materials.
- **12.035(1)** – We support the modification “or include with” in this section which will eliminate duplicative warnings between pre-printed packaging and the seed-to-sale label.

- **12.045(1)(s)** – This proposed amendment would require retailers to “affix to or include on each container or package . . . the date which the cannabis was sold.” This requirement would be redundant in regard to the “Produced on” and “Best if used by” dates already required on product labels, and duplicative of the date recorded on purchaser receipts. Green Thumb operates 62 stores in 14 states and is unaware of the exclusion of a “Date Sold” marker added directly on products at the point of sale having resulted in any public or consumer safety concerns, particularly considering (a) the existing presence of “Produced on” and “Best if used by” dates in current packaging and (b) that all sales receipts are dated.
- **6.060(7)** – We believe the 30-day requirement to operationalize a license is overly restrictive and is not a reasonable or realistic period of time for ordinary business activity and transactions to occur. This time limit incentivizes license-holders to sell the license or execute a rush-job to operationalize rather than taking the time to develop the professional, high-quality operation that Nevada municipalities and residents desire and deserve. As a national leader in the cannabis space, this 30-day window is unrealistic for our experienced team and is certain to raise an unneeded barrier for less experienced social equity licensees. We believe a 12-month window to operationalize a requirement will reduce the CCB’s administrative burden and encourage the development of a high-quality and diverse cannabis business landscape in the State of Nevada.
- **7.060(3)** – The proposed requirement that facilities “ensure NO MINORS UNDER 21 YEARS OF AGE are in the vehicle during pickup” discriminatorily burdens cannabis retailers as compared to other state revenue-raising businesses such as alcohol. This requirement will extend the length of time of each curbside transaction as dispensary agents will be required to ID every individual in the vehicle. The proposed requirement further discriminates against patients and purchasers who cannot afford childcare and/or need to acquire their products while running errands between a busy work and home life as one does when they pick up medicine from a pharmacy. The State of Nevada has already enacted adequate prohibitions against cannabis consumption by or near minors and does not need to overregulate this activity. Particularly as an ordinary patient or purchaser can walk into a dispensary and purchase legal cannabis products while a minor waits in the vehicle. Thus, this proposed amendment is unnecessarily restrictive and is discriminatory against cannabis businesses as well as curbside pick-up patients and purchasers.

Green Thumb Industries Inc. appreciates the time and effort the Cannabis Compliance Board has given in developing regulations to address the needs of cannabis companies and consumers. While the company appreciates the Board’s efforts to provide clarity to the requirements, as they were not previously addressed in regulations, Green Thumb Industries Inc. kindly requests the Cannabis Compliance Board considers the suggested changes to the proposed regulations.

Sincerely,

Dina Rollman

Senior Vice President for Government Affairs



August 19, 2021

Shryne Group, Inc
728 E. Commercial St
Los Angeles, California 90012

Nevada Cannabis Compliance Board
1550 College Parkway, Suite 142
Carson City, Nevada 89706
Telephone: 775-687-6299

**Re: Input on Proposed Amendments to the Nevada Cannabis Compliance Board
Regulations (NCCR) 1, 6, 7, and 12.**

To Whom it May Concern:

On August 13, 2021, the Cannabis Compliance Board (CCB) published proposed amendments to the NCCR 1, 6, 7, and 12. We are responding to the CCB's request for public comments specifically on regulations 6, 7, and 12.

Shryne Group Inc. is a Los Angeles-based cannabis holding company with a fully, vertically integrated asset and license portfolio covering the breadth of California, the largest legal cannabis market in the world. The enterprise is the result of the synergetic integration of profitable cannabis assets and veteran professionals who have come together for the opportunity to shape this industry. Our vision is informed by an intimate understanding of cannabis culture, its history and the collective expertise of decades of experience in diverse fields.

With the foregoing in mind, we respectfully submit the following comments:

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.

7. A cannabis establishment must be operational within 30 days of receiving its final license to operate, and must maintain all minimum requirements at all times. If a facility plans to be inactive for more than 30 days, a plan must be presented to the Board for approval.
(a): Exceptions can be made for local zoning issues that prevent cannabis establishments from opening within the expected time frame. Any requests for deadline extensions must be submitted to the Board for approval.

Rationale for revision:

Exceptions should be permissible to extend the deadline requirements for operating cannabis establishments, if certain conditions are met. Local zoning issues such as delays receiving the Certificate of Occupancy (C.O.O) or approvals by local fire chiefs can prevent a cannabis establishment from operating within 30 days of licensure. Licensees should have the opportunity to request extensions to the Board in order to become fully operational.

12.040 Cannabis sales facility: Required labeling of usable cannabis.

1. A cannabis sales facility must affix to or include with each container or package containing usable cannabis sold at retail, if not already included on the container or package, a label which must include, without limitation:

(g) The cannabinoid profile and potency levels ~~and terpenoid profile~~ as determined by the cannabis testing facility, which may include the potential total THC but must not include any other calculated level of THC;

Rationale for revision:

*Since the proposed amendment seeks to remove terpenoid profiles in Section 12.035(1)(h) and 12.045(1)(h) this should be standardized across all label requirements and for all product types (i.e. production, cultivation, and sales). Terpenoid profiles are not essential in protecting public health or safety, whereas cannabinoid profiles are essential for consumers to understand due to the potential psychoactive effects. The consumer is adequately informed about usable cannabis without including the terpenoid profile. ***Applicable to 12.030(1)(h)***

12.015 Requirements for packaging of edible cannabis products, products in solid or liquid form, usable cannabis and concentrated cannabis or cannabis products.

1. Any edible cannabis product containing cannabis must:

(a) Be clearly and unambiguously packaged as cannabis with the words “THIS PRODUCT CONTAINS CANNABIS” and includes the warning ~~KEEP OUT OF THE REACH OF CHILDREN~~ “Keep out of Reach of Children” in bold type that clearly identifies that the product contains cannabis;

Rationale for revision:

The warning statement “Keep out of Reach of Children” is consistent across every other section it appears in throughout the regulation: 12.030(1)(k); 12.030(2); 12.035(1)(d); 12.035(2); 12.040(1)(l); 12.040(2); 12.045(1)(p); 12.045(2); 12.070(1). For consistency purposes, 12.015(1)(a) should be revised.

12.015 Requirements for packaging of edible cannabis products, products in solid or liquid form, usable cannabis and concentrated cannabis or cannabis products.

~~7. Each single serving in a multiple-serving edible cannabis product must be physically demarked in a way that enables a reasonable person to intuitively determine how much of the edible cannabis product constitutes a single serving.~~ Each demarked serving must be easily separable in a manner that allows an average person who is 21 years of age or over to physically separate, with minimal effort, an individual serving of the edible cannabis product.

8. If an edible cannabis product is of a kind that is impracticable to clearly demark identify each serving of cannabis with the dose in milligrams of THC or to make each serving easily separable, The edible cannabis product must:

(a) Contain not more than 10 milligrams of THC per unit of sale; or

(b) Be sold in a package that contains more than one individually wrapped single-serving edible cannabis product.

Rationale for Revision:

The inclusion of the THC per serving stamp or mold does not align with current FDA standards for pharmaceuticals and consumer education. The Nevada Universal Cannabis Symbol is already required to be stamped or molded on each edible serving. The edible packaging is required to identify the total THC per package and the THC per serving in regulation 12.010(2). The imprinted Nevada Universal Cannabis Symbol in conjunction with the package and label requirements is sufficient information to notify the consumer that the edible product contains cannabis and may have intoxicating effects.

*The stamps, molds and equipment to apply them are costly and vary greatly in quality. Often times stamps imprinted on edibles are illegible. The addition of the serving THC in conjunction with the Nevada Universal Cannabis Symbol will further exacerbate the problem of providing reasonable and clear warnings on each edible cannabis product serving. ***Applicable to 12.020***

12.070 Advertising of Cannabis

A cannabis establishment shall ensure that all advertising by the cannabis establishment contains such warnings as may be prescribed by the Board, which must include, without limitation, the following words:

(4) A cannabis establishment shall not engage in advertising that in any way makes cannabis or cannabis products appeal to children, including without limitation, advertising which uses an image of a cartoon character, mascot, action figure, balloon, ~~fruit~~ or toy. The cannabis establishment shall ensure that the advertisement is not modeled after a brand of products primarily consumed by or marketed to children.

Rationale for Revision:

Fruit should not be prohibited in the new advertising regulation since it is permitted to be included on product packaging 12.015(1)(c). This language is inconsistent and does not allow licensees the ability to market edible cannabis products to consumers efficiently. This prevents licensees from providing significant information about edible product lines if they are unable to showcase the finished product packaging design where images of fruit are acceptable.

12.030 Cannabis cultivation facility: Required labeling before sale of cannabis to another cannabis establishment.

12.030(1)(A)

A cannabis cultivation facility may optionally label cannabis with the following information:

(a) A warning that states: "This product may have intoxicating effects and may be habit forming";

(b) A statement that: "This product may be unlawful outside of the State of Nevada".

12.035 Cannabis production facility: Required labeling of cannabis products before sale to retail store.

12.035(1)(A)

A cannabis production facility may optionally label cannabis products with the following information:

(a) For edible cannabis products, a warning that states: "Caution: When eaten or swallowed, the intoxicating effects of this product may be delayed by 2 or more hours";

(b) A warning that states: "This product may have intoxicating effects and may be habit forming";

(c) A statement that: "This product may be unlawful outside of the State of Nevada".

12.045 Cannabis sales facility: Required labeling of cannabis products.

1. A cannabis sales facility must affix to or include on each container or packaging containing edible products sold at retail and affix to or include with each container or package containing other cannabis products sold at retail, if not already included on the container or package, a label which must not mislead consumers and must include, without limitation:

Rationale for revision:

If all labeling requirements are met by the cultivation or production facility in 12.030 or 12.035 and how we have proposed in 12.030(1)(A) and 12.035(1)(A), sales facilities should not be required to apply additional labels. Additional labels affixed by sales facilities frequently obstruct critical consumer information on the final product packaging including the nutrition information and instructions for use. 12.045(1) should be revised to match 12.040(1) in that, sales facilities are not required to apply a label if all required data elements were applied by the cannabis production facility. Removing the requirement that sales facilities must apply labels will help streamline supply chains while still providing consumers with all relevant information and safety instructions.

12.015 Requirements for packaging of edible cannabis products, products in solid or liquid form, usable cannabis and concentrated cannabis or cannabis products.

1. Any edible cannabis product containing cannabis must:

(e) ~~Include a symbol approved by the Board~~ the Nevada Universal Cannabis Symbol to indicate that the product contains cannabis;

Rationale for revision:

*The new proposed change in the text uses ambiguous language on what symbol to use. Changing the language of the text to clearly state the 'Nevada Universal Symbol' will provide cannabis establishments clarity on compliant edible packaging requirements. ***Applicable to 12.020(1)***

12.045 Cannabis sales facility: Required labeling of cannabis products.

1. A cannabis sales facility must affix to or include on each container or package containing edible cannabis products sold at retail and affix to or include with each container or package containing other cannabis products sold at retail a label which must not mislead consumers and must include, without limitation:

~~(e) The date which the cannabis product was sold~~

Rational for revision:

*We would like to seek clarity on the "Date of Sale" 12.045(1)(s) in the labeling requirements. Does the customer's receipt satisfy the requirements since the date of sale is included with each container or package being sold? If the customer's receipt does not satisfy the requirements brought forth in this regulation, having to apply additional barcoding simultaneously at the same time of a sale is unfeasible. It is redundant and inefficient since it is already listed on the customer's receipt, 'best if used by' date, and tracked in the POS system. This rule is not used in any other industry and would disrupt daily operations to cannabis sales facilities. ***Applicable to 12.040(1)(e)***

7.060 Curbside pickup operations at cannabis sales facilities

~~(3) Facilities must ensure NO MINORS UNDER 21 YEARS OF AGE are in the vehicle during pickups.~~

Rationale for revision:

The added regulation prohibits medical cannabis patients under the age of 21 and primary caregivers between the ages of 18-20 from utilizing curbside pickup services. It discriminates against individuals without access to childcare who would otherwise be required to leave minors in an unattended vehicle. Individuals responsible for children who are too young to be vaccinated against COVID-19 should be able to utilize curbside pickup to reduce their risk of exposure. This rule is inconsistent with the requirements for delivery to consumers which do not prohibit minors from being present in the private residence where cannabis is being delivered or for any person other than the consumer to have their age and identity verified at the time of delivery. Further, all cannabis and cannabis products are already sold in child-resistant packaging. Permitting individuals with minors in their vehicle to utilize curbside pickup allows for greater access to a service intended to provide convenience and reduce in-person contact during times of increased virus transmission. We question how this requirement will be enforced? Will every passenger in a vehicle need to have their age verified via an identification check?

Sources:

[Public Notice](#)
[Proposed Text](#)

Shryne Group appreciates the opportunity to comment publicly on the above and encourages the CCB to consider the above recommendations. If the CCB has any questions or requires additional information, please contact Andrew Hopkins (email: andrew@shrynegroup.com, phone: 480.747.3428).

Sincerely,



Andrew Hopkins, LCB

From: Lauren Niehaus <lniehaus@harvestinc.com>
Sent: Sunday, August 22, 2021 4:44 PM
To: CCB Regulations
Subject: NCCR Input

Dear Nevada Cannabis Compliance Board,

In response to proposed NCCR changes, I submit one change for consideration that, while outside the scope of this current rulemaking session, is critical to ensuring a consistent, compliant product supply for the adult use cannabis market.

Regarding Regulation 11.050, Required quality assurance tests, there are many approaches to assessing potential hazards of inhalable cannabis products.

Aspergillus is listed as one analyte that must be tested for by cannabis testing facilities. The listed threshold of “none detected per gram” is creating substantial problems for cultivators who are finding trace amounts of this spore in product.

While it is recognized that there are inhalation-related respiratory infections associated with those that are severely immune-compromised individuals, some consider it unlikely that Aspergillus testing is informative, as it is so common in the environment.

Our suggested approach is to remove aspergillus from the analyte list for testing and adopt The Oregon Testing Subcommittee recommendation that cannabis products intended for smoking and other inhalation uses include a warning about this risk for people with suppressed immune systems.

We welcome any consideration of this regulatory change.

HARVEST

Lauren Niehaus | Director of Government Relations | 303.827.9039 | LNiehaus@harvestinc.com

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