

Proposed Changes to NCCR Regulation 1

New

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~~Added following the August 13, 2021 through August 22, 2021 informal public comment period~~

~~Deleted following the August 13, 2021 through August 22, 2021 informal public comment period~~

~~New proposed language not included in the informal public comment period.~~

~~Added following the September 14, 2021 regulation workshop~~

~~Deleted following the September 14, 2021 regulation workshop. Please note that the regulations regarding cannabis receivers are undergoing further revisions based on comment from the public and Board members. Revised receiver regulations will be posted later and considered at a later workshop.~~

1.051 “Advertise” and “advertising” defined.

~~1.069 “Cannabis receiver” defined.~~

1.081 “Derived” defined.

1.083 “Edible cannabis product” defined.

1.051 “Advertise” and “advertising” defined. “Advertise” and “advertising” mean an attempt by written, electronic or graphic representation to promote a company and/or company products or services. The terms include, without limitation, such representations made:

1. On radio, television, and/or the internet.
2. In newspapers, magazines, directories, in-store signs and menus, company logos, circulars, brochures, or other printed matters.
3. On outdoor advertising or other signage consisting of signs, posters, displays, billboards, or any other stationary or permanently affixed advertisement promoting the sale of cannabis or cannabis products.

~~Signage of the businesses name, company logos, devices, lights, figures, paintings, drawings, branding, or plaques that are used in the design of the cannabis establishment are not subject to the requirements of NCCR 12.070(1)-(3), however, each of the foregoing items must comply with the requirements detailed in NCCR 12.070(4).~~

~~1.069 “Cannabis receiver” defined. A “cannabis receiver” is defined as a natural person who the Board has approved to be placed as a receiver over any licensed cannabis establishment to take possession of, manage the operations of, and take any other actions authorized by the Board and/or a court, and/or a “Receiver” as defined in NRS 32.175 who holds a valid cannabis establishment agent registration card for a cannabis receiver.~~

1.081 “Derived” defined. For purposes of NRS 678A.xxx, “derived” means obtained directly from a plant of the genus Cannabis as used in the definitions of cannabis in NRS

678A or hemp in NRS 557, whether naturally or through an extraction process approved by the Board. This does not prohibit decarboxylation of THCA.

1.083 “Edible cannabis product” defined. “Edible cannabis product” means an adult-use edible cannabis product as defined in NRS 678A.070 or medical edible cannabis product as defined in NRS 678A.210.

Proposed Changes to NCCR Regulation 5

Deleted

New proposed language not included in the informal public comment period.

~~Deleted following the September 14, 2021 regulation workshop. Please note that the regulations regarding cannabis receivers are undergoing further revisions based on comment from the public and Board members. Revised receiver regulations will be posted later and considered at a later workshop.~~

5.150 Categories of registration cards.

1. The Board will issue cannabis establishment agent registration cards for each of the following categories:

- (a) A cannabis cultivation facility;
- (b) A cannabis distributor;
- (c) A cannabis production facility;
- (d) A cannabis independent testing laboratory;
- (e) A cannabis sales facility; ~~or~~
- (f) An independent contractor who provides labor to a cannabis establishment or an employee of such an independent contractor; or
- (g) A cannabis receiver*

~~5.170—Death or incapacity of a cannabis establishment owner.~~

~~1. If a natural person who holds an ownership interest in a cannabis establishment of over 5% or holds a majority interest in an entity with an ownership interest in a cannabis establishment of over 5%, dies, or suffers from an incapacity which prevents said person from operating and/or managing a cannabis establishment in compliance with Nevada law:~~

- ~~(a) The cannabis establishment must notify the Board's Executive Director as soon as reasonably practicable of the death or disability of said natural person, but in no event less than 5 business days after discovery of said death or disability. Such notice must include the full legal name of the natural person at issue and a description of the ownership interest held, including the percentage of ownership interest. In addition, the cannabis establishment shall provide competent documentary evidence of the death or disability. On such notice, the Board's Executive Director may seek further information and/or documents to further investigate the deceased or incapacitated person's role in operating and/or managing the cannabis establishment. The Board's Executive Director may seek an order from the Board for the cannabis establishment to show cause why a cannabis receiver should not be placed over the cannabis establishment to take possession of, manage the operations of, and take any other actions authorized by the Board; or~~
- ~~(b) On the death of any natural person holding an ownership interest in a cannabis establishment of 50% or greater, whether directly or indirectly through one or more legal entities, said cannabis establishment must apply to the Board for approval of the placement of a cannabis receiver~~

- ~~over the cannabis establishment to take possession of, manage the operations of, and take any other actions authorized by the Board and/or a court until such time the Board determines such cannabis receiver is no longer needed.~~
- 2.—~~For a natural person who holds an ownership interest in a cannabis establishment of 50% or greater, whether directly or indirectly through one or more legal entities, said cannabis establishment must provide the Board with a plan of succession of ownership interest on said person's death or disability. Such a cannabis establishment must provide notice of any change to said plan of succession of ownership interest within 5 business days of such change. In cases where such successor or successors have undergone a successful suitability evaluation by the Board within the 6 months prior to the death or disability, the Board at its discretion may waive the receivership requirements of Subsection (1)(b).~~
- 3.—~~If the Executive Director, or in his absence, the Deputy Director, determines there could be an impairment of the health and safety of the public due to the death or incapacity of a cannabis establishment owner, the Executive Director, or in his absence the Deputy Executive Director, will convene an emergency Board meeting either in person, via telephone, or via video conference, to determine whether a cannabis receiver must be placed to take possession and/or control of the subject cannabis establishment. If the deceased or disabled cannabis establishment owner was holding an ownership interest of 50% or greater, it will be assumed that there could be an impairment of the health and safety of the public.~~
- 4.—~~On the death or incapacity of any natural person set forth in this section, the cannabis establishment at issue must seek approval for the transfer of the ownership interest from such natural person or their estate to another person or entity pursuant to NCCR 5.110, and the person or persons proposed to receive the deceased or incapacitated person's ownership interest must meet all requirements of NCCR 5.110. Depending on the level of ownership interest, the degree of control of the cannabis establishment by the deceased or incapacitated person, and/or any other factors the Executive Director deems relevant, the Executive Director may determine that expedited processing of the transfer of interest is appropriate.~~
- 5.—~~Each violation and/or instance of failure to comply with any of the requirements of this regulation constitute a Category III violation, subjecting the offender and/or offenders to disciplinary action under NCCR 4.~~

5.175—Placement and Appointment of a cannabis receiver.

- 1.—~~In cases of financial distress, ownership disputes, the death or disability of a cannabis establishment owner, the possibility for impairment to the health or safety of the public, and/or in any other situations the Board finds appropriate, a cannabis establishment or any one of its owners may request the Board order placement of a cannabis receiver to take possession and control of the subject cannabis establishment. On request from a cannabis establishment or any of its owners, the Board may hold a hearing on said request and hear from any owners opposed to placement of a cannabis receiver. After such hearing, the Board shall~~

~~decide whether to order placement of a cannabis receiver. The Board may allow for an emergency meeting, if the Executive Director, or in his absence, the Deputy Director, determines there could be an impairment of the health and safety of the public.~~

- ~~2. If the Board receives notice of, or otherwise discovers that a cannabis establishment is, or is imminently to be, in a state of financial distress that precludes safe operation of the business, involves ownership disputes or other situations that prevent the business from operating in compliance with Nevada law, receives court appointment as a receiver to take possession and charge of a cannabis establishment, or possibly impairs the health or safety of the public, the Board may order placement of a cannabis receiver. In such cases, the Board may hold a hearing and hear from any owners of the cannabis establishment and other interested parties. After such hearing, the Board shall decide whether to order placement of a cannabis receiver. The Board may allow for an emergency meeting if the Executive Director, or in his absence, the Deputy Director, determines there could be an impairment of the health and safety of the public.~~
- ~~3. If a court has appointed a receiver pursuant to NRS Chapter 32 over a cannabis establishment, that receiver must apply for and obtain a cannabis establishment agent registration card for a cannabis receiver and apply for and obtain approval from the Board for placement as a cannabis receiver, pursuant to NCCR 5.180, prior to operating the cannabis establishment.~~
- ~~4. If a court has not yet appointed a receiver pursuant to NRS Chapter 32 and the Board has approved placement of a receiver holding a cannabis establishment agent registration card for a cannabis receiver, said receiver must apply for appointment as a receiver over the cannabis establishment with a court of competent jurisdiction within 14 calendar days of the Board's approval of placement of that cannabis receiver.~~

~~5.180—Application and Requirements for a cannabis receiver.~~

- ~~1. A person who wishes to act as a receiver for a cannabis establishment must first apply for a cannabis establishment agent registration card for a cannabis receiver and comply with all requirements for obtaining a cannabis establishment agent card under NRS 678B.340.~~
- ~~2. If the court has appointed a receiver over a cannabis establishment prior to the Board's approval of said receiver, the receiver must notify the point of contact of the cannabis establishment, and all known owners of the cannabis establishment, of the court appointment, before the Board approves placement of the cannabis receiver.~~
- ~~3. Prior to the consideration of approval of a cannabis receiver, Board agents shall conduct a physical inspection and audit of the subject cannabis establishment to determine whether the cannabis establishment is in compliance with Nevada law.~~
- ~~4. In addition to the procedures in subsection 1, a person who wishes to act as a receiver for a cannabis establishment must complete an application, on a form approved by the Board, which provides all information required in NRS~~

~~678B.326(2)(a) through (g) [A.B.326, section 1.69(2)], as well as the following documents:~~

~~(a) A resume or curriculum vitae updated within one month of submittal which describes and details the proposed receiver's experience as a court appointed receiver and business experience in the cannabis industry in Nevada and any other state;~~

~~(b) Proof of liquid assets in at least the amount of \$250,000;~~

~~(c) Proof of professional liability insurance covering the acts and/or omissions of the receiver for his duties as a cannabis establishment receiver;~~

~~(d) Proof that the proposed receiver has notified the point of contact and owners of the subject cannabis establishment of the proposed receiver's application and/or court appointment as a receiver;~~

~~(e) An affirmation that the proposed receiver does not hold an ownership interest in any cannabis establishment in the State of Nevada; and~~

~~(f) An affirmation that the proposed receiver is fully independent and will not retain counsel who have represented the subject cannabis establishment or any of its owners within the past five years;~~

~~5. The Board may request and require the proposed receiver to provide any additional documents and/or information to assist the Board in determining the suitability of the receiver;~~

~~6. Upon receipt of all the required information and documents, the Board shall set and hold a hearing to consider approval of the placement of the receiver.~~

~~5.190 Duties and Responsibilities of a cannabis receiver:~~

~~1. A cannabis receiver has all the duties and responsibilities of a receiver as set forth in NRS Chapter 32;~~

~~2. In addition to the foregoing, a cannabis receiver has the following duties:~~

~~(a) To provide monthly reports of the receiver's activities and recommendations to the Executive Director;~~

~~(b) To prepare monthly financial reports and recommendations on disposal of assets, liquidation, or license surrender, as appropriate;~~

~~(c) To manage and make decisions for any pending litigation involving the cannabis establishment;~~

~~(d) To manage and make decisions regarding any regulatory disciplinary proceedings, including the authority to settle any disciplinary proceedings with the CCB;~~

~~(e) To respond to requests for information and documents from Board staff regarding any investigation of regulatory violations and/or transfer of interest requests; and~~

~~(f) To facilitate transfer of interest requests necessary to conclude the receivership, where applicable.~~

~~3. A cannabis receiver may retain counsel to represent the cannabis receiver but must not retain counsel who has represented the subject cannabis establishment or any of its owners within the past five years.~~

- ~~4. A cannabis receiver shall remain in place and continue with his or her responsibilities until the Board issues an order discharging the cannabis receiver.~~
- ~~5. Any owner of the cannabis establishment in receivership may apply for discharge of the cannabis receiver at any time, but the Board must approve removal of the cannabis receiver by a majority vote at a public meeting.~~
- ~~6. The cannabis establishment subject to the receivership is responsible for the payment of all fees and costs of the cannabis receiver.~~
- ~~7. A cannabis receiver, as the holder of a cannabis establishment agent card, is subject to all the requirements of Title 56 of NRS and the NCCRs and is subject to disciplinary action for any violations of the statutes or regulations in the same manner as any cannabis establishment agent registration card.~~

Proposed Changes to NCCR Regulation 6

New

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Added following the August 13, 2021 through August 22, 2021 informal public comment period

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;
- (g) Investigations based on an application for a new cannabis establishment license; and
- (h) 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.

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.

- 8. A cannabis establishment must be operational within 30 days of receiving its final inspection and is issued a 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.

Proposed Changes to NCCR Regulation 7

New

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~~Added following the August 13, 2021 through August 22, 2021 informal public comment period~~

~~Deleted following the September 14, 2021 regulation workshop.~~

7.060 Curbside pickup operations at cannabis sales facilities.

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1. Cannabis sales facilities may only offer curbside pickup after submitting and receiving approval from the appropriate CCB agent.

2. All orders MUST be placed in advance. Any form of in person or onsite ordering will not be permitted. Consumer/patients shall be instructed to not exit their vehicle.

~~3. Facilities must ensure NO MINORS UNDER 21 YEARS OF AGE are in the vehicle during pickup, unless the minor holds a valid registry identification card or letter of approval.~~

4. Each cannabis sales facility offering curbside pickup shall develop, and submit to the Board for approval, Standard Operating Procedures (SOP) for curbside pickup that address the following:

a. Security Plan

b. Curbside Pickup Plan

c. Curbside Pickup Designation

d. Transaction(s) Protection Measures

Proposed Changes to NCCR Regulation 11

Added following the August 13, 2021 through August 22, 2021 informal public comment period

~~Deleted – following the August 13, 2021 through August 22, 2021 informal public comment period~~

11.050 Required quality assurance tests; submission of wet cannabis for testing.

1. Each cannabis independent testing laboratory must use the sampling protocols and the general body of required quality assurance tests for usable cannabis, as received, concentrated cannabis and cannabis products set forth in this section. Such tests may include moisture content, potency analysis, foreign matter inspection, microbial screening, pesticide and other chemical residue and metals screening and residual solvents levels. A cannabis independent testing laboratory may request permission from the appropriate Board Agent to obtain additional sample material for the purposes of completing required quality assurance tests but may not use such material for the purposes of resampling or repeating quality assurance tests. A cannabis independent testing laboratory may retrieve samples from the premises of another cannabis establishment and transport the samples directly to the cannabis independent testing laboratory. A cannabis independent testing laboratory transporting samples may make multiple stops if:

- (a) Each stop is for the sole purpose of retrieving a sample from a cannabis establishment; and
- (b) All samples remain secured at all times.

2. The tests required pursuant to subsection 1 by a cannabis independent testing laboratory are as follows:

Product	Tests Required	Action Levels
Usable cannabis, infused pre-rolls and crude collected resins, as received, excluding wet cannabis	1. Moisture content 2. Potency analysis 3. Terpene analysis 4. Foreign matter inspection 5. Mycotoxin screening 6. Heavy metal screening 7. Pesticide residue analysis 8. Herbicide screening 9. Growth regulator screening 10. Total yeast and mold 11. Total Enterobacteriaceae 12. Salmonella 13. Pathogenic E. coli 14. Aspergillus fumigatus 15. Aspergillus flavus 16. Aspergillus terreus 17. Aspergillus niger 18. Total coliform	1. < 15% 2. N/A 3. N/A 4. None detected 5. < 20 µg/kg for the total of Aflatoxins B1, B2, G1 and G2 combined and < 20 µg/kg for Ochratoxin A 6. Arsenic: < 2 ppm Cadmium: < 0.82 ppm Lead: < 1.2 ppm Mercury: < 0.4 ppm 7. See NAC 555.640 8. See NAC 555.640 9. See NAC 555.640 10. < 10,000 colony forming units per gram 11. < 1,000 colony forming units per gram 12. None detected per gram 13. None detected per gram 14. None detected per gram 15. None detected per gram 16. None detected per gram 17. None detected per gram

		18. < 1,000 colony forming
Product	Tests Required	Action Levels
Wet cannabis, as received, which is destined for extraction	<ol style="list-style-type: none"> 1. Potency analysis 2. Terpene analysis 3. Foreign matter inspection 4. Mycotoxin screening 5. Heavy metal screening 6. Pesticide residue analysis 7. Herbicide screening 8. Growth regulator screening 9. Total yeast and mold 10. Total Enterobacteriaceae 11. Salmonella 12. Pathogenic E. coli 13. Aspergillus fumigatus 14. Aspergillus flavus 15. Aspergillus terreus 16. Aspergillus niger 17. Total coliform 	<ol style="list-style-type: none"> 1. N/A 2. N/A 3. None detected 4. < 20 µg/kg for the total of Aflatoxins B1, B2, G1 and G2 combined and < 20 µg/kg for Ochratoxin A 5. Arsenic: < 2 ppm Cadmium: < 0.82 ppm Lead: < 1.2 ppm Mercury: < 0.4 ppm 6. See NCCR 11.065 7. See NCCR 11.065 8. See NCCR 11.065 9. < 10,000 colony forming units per gram 10. < 1,000 colony forming units per gram 11. None detected per gram 12. None detected per gram 13. None detected per gram 14. None detected per gram 15. None detected per gram 16. None detected per gram 17. < 1,000 colony forming units per gram
Extract of cannabis (nonsolvent) like hashish, bubble hash, infused dairy butter, mixtures of extracted products or oils or fats derived from natural sources, including concentrated cannabis extracted with ethanol or CO2	<ol style="list-style-type: none"> 1. Potency analysis 2. Foreign matter inspection 3. Terpene analysis 3. Mycotoxin screening 4. Heavy metal screening 5. Pesticide residue analysis 6. Total yeast and mold 7. Total Enterobacteriaceae 8. Salmonella 9. Pathogenic E. coli 10. Aspergillus fumigatus 11. Aspergillus flavus 12. Aspergillus terreus 13. Aspergillus niger 	<ol style="list-style-type: none"> 1. N/A 2. None detected 3. N/A 3. < 20 µg/kg for the total of Aflatoxins B1, B2, G1 and G2 combined and < 20 µg/kg for Ochratoxin A 4. Arsenic: < 2 ppm Cadmium: < 0.82 ppm Lead: < 1.2 ppm Mercury: < 0.4 ppm 5. See NCCR 11.065 6. < 1,000 colony forming units per gram 7. < 100 colony forming units per gram 8. None detected per gram 9. None detected per gram 10. None detected per gram 11. None detected per gram 12. None detected per gram 13. None detected per gram

Product	Tests Required	Action Levels
Extract of cannabis (solvent-based) made with any approved solvent, including concentrated cannabis extracted by means other than with ethanol or CO2	<ol style="list-style-type: none"> 1. Potency analysis 2. Terpene analysis 2. Foreign matter inspection 3. Residual solvent test 4. Mycotoxin screening 5. Heavy metal screening 6. Pesticide residue analysis 7. Total yeast and mold 8. Total Enterobacteriaceae 9. Salmonella 10. Pathogenic E. coli 11. Aspergillus fumigatus 12. Aspergillus flavus 13. Aspergillus terreus 14. Aspergillus niger 	<ol style="list-style-type: none"> 1. N/A 2. N/A 2. None detected 3. < 500 ppm 4. < 20 µg/kg for the total of Aflatoxins B1, B2, G1 and G2 combined and < 20 µg/kg for Ochratoxin A 5. Arsenic: < 2 ppm Cadmium: < 0.82 ppm Lead: < 1.2 ppm Mercury: < 0.4 ppm 6. See NCCR 11.065 7. < 1,000 colony forming units per gram 8. < 100 colony forming units per gram 9. None detected per gram 10. None detected per gram 11. None detected per gram 12. None detected per gram 13. None detected per gram 14. None detected per gram
Edible cannabis product, including a product which contains concentrated cannabis	<ol style="list-style-type: none"> 1. Potency analysis 2. Terpene analysis 2. Foreign matter inspection 3. Total Enterobacteriaceae 4. Salmonella 5. Pathogenic E. coli 6. Total aerobic count 7. Water activity or pH 	<ol style="list-style-type: none"> 1. N/A 2. N/A 2. None detected 3. < 1,000 colony forming units per gram 4. None detected per gram 5. None detected per gram 6. < 100,000 colony forming units per gram 7. Water activity < 0.86 or pH < 4.6
Liquid cannabis product, including, without limitation, soda or tonic, including a product which contains concentrated cannabis	<ol style="list-style-type: none"> 1. Potency analysis 2. Terpene analysis 2. Foreign matter inspection 3. Total Enterobacteriaceae 4. Salmonella 5. Pathogenic E. coli 6. Total aerobic count 7. Water activity or pH 	<ol style="list-style-type: none"> 1. N/A 2. N/A 2. None detected 3. < 1,000 colony forming units per gram 4. None detected per gram 5. None detected per gram 6. < 100,000 colony forming units per gram 7. Water activity < 0.86 or pH < 4.6
Topical cannabis product, including a product which contains concentrated cannabis	<ol style="list-style-type: none"> 1. Potency analysis 2. Terpene analysis 	<ol style="list-style-type: none"> 1. N/A 2. N/A

Proposed Changes to NCCR Regulation 12

New~~Deleted~~*Added following the August 13, 2021 through August 22, 2021 informal public comment period*~~Deleted following the August 13, 2021 through August 22, 2021 informal public comment period~~*New proposed language not included in the informal public comment period.**Added following the September 14, 2021 regulation workshop*~~Deleted following the September 14, 2021 regulation workshop.~~

REGULATION 12

PACKAGING AND LABELING OF CANNABIS PRODUCTS

- 12.015 Requirements for edible cannabis products, products in solid or liquid form, usable cannabis and concentrated cannabis or cannabis products.
- 12.020 Stamp or mold required for edible cannabis products; exception.
- 12.030 Cannabis cultivation facility: Required labeling before sale of cannabis to another cannabis establishment.
- 12.035 Cannabis production facility: Required labeling of cannabis products before sale to retail store.
- 12.040 Cannabis sales facility: Required labeling of usable cannabis.
- 12.045 Cannabis sales facility: Required labeling of cannabis products.
- 12.050 Cannabis sales facility: Required disclosures and warnings.
- 12.070 Advertising of cannabis.

12.015 Requirements for packaging of edible cannabis products, products in solid or liquid form, usable cannabis and concentrated cannabis or cannabis products. *(Packaging changes in this section become effective May 1, 2022)*

1. Any edible cannabis product containing cannabis must:
 - (a) Be clearly and unambiguously packaged as cannabis with the words **“THIS PRODUCT CONTAINS CANNABIS”** ~~**“THIS IS A CANNABIS PRODUCT”**~~ and includes the warning **KEEP OUT OF THE REACH OF CHILDREN** in bold type that clearly identifies that the product contains cannabis;
 - (b) Be packaged in a manner which is not modeled after a brand of products primarily consumed by or marketed to children;
 - (c) Be presented in packaging which does not contain an image of a cartoon character, mascot, action figure, balloon or toy, except that such an item may appear in the logo of the cannabis production facility which produced the product; **and**
 - (d) Not be packaged or marketed as candy;

- (e) Include a Nevada universal cannabis symbol approved by the Board to indicate that the product contains cannabis; and*
- (f) The net weight of the product;*
- (g) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343; and*
- (h) A notice that the actual amount of THC may be within 15 percent of the stated amount for the edible cannabis product;*

2. When sold at a cannabis sales facility, any cannabis or cannabis product must *be placed into a package or directly* packaged in opaque, child-resistant packaging in accordance with 16 C.F.R. Part 1700 and the standards specified in subsection 3 or 4. The child-resistant packaging must maintain its effectiveness for multiple openings before leaving the cannabis sales facility with the consumer.
3. Except as otherwise provided in subsection 4, cannabis products in solid or liquid form must be packaged in ~~(a) a~~ a food-grade *material or* container. ~~Plastic which is 4 mils or more in thickness; or~~
~~(b) If the product is in liquid form;~~
4. Edible ~~c~~ cannabis products in liquid form containing more than 10 milligrams THC must be packaged using a resealable cap in a container that:
 - (a) Clearly demarks each serving of cannabis in a way that enables a reasonable person to intuitively determine how much of the product constitutes a single serving of THC; ~~and or~~
 - (b) Includes a device that allows a reasonable person to intuitively measure and serve a single serving of THC.
 - The portion of such a container that demarks each serving of cannabis need not be opaque.
5. Any container or packaging containing usable cannabis, concentrated cannabis or cannabis products must protect the contents from contamination and must be of a food grade material.
6. An edible cannabis product must be sealed in a container which is not transparent and sold in packaging which is opaque.
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 each serving of cannabis with the dose in milligrams of THC, 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.

12.020 Stamp or mold required for edible cannabis products; exception.

1. Except as otherwise provided in subsection 3, each single-serving edible cannabis product and each individual serving containing not more than 10 milligrams of THC of a multiple-serving edible cannabis product must be stamped or molded with a *Nevada universal cannabis* symbol approved by the Board to indicate that the product contains cannabis.
2. An edible cannabis product that is impractical to stamp or mold with a *Nevada universal cannabis* symbol, including, without limitation, bulk goods or powders, each individual serving must be individually wrapped with the ~~warning~~ *Nevada universal cannabis* symbol on the wrapper exemption from stamping or molding product must be requested on a form prescribed by the Board.

3. An edible cannabis product in liquid form which is packaged as required by NCCR 12.015 need not be stamped or molded as described in this section.

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

1. A cannabis cultivation facility shall label all cannabis before it sells the cannabis to another cannabis establishment and shall securely affix to or include with ~~to~~ the package a label that includes, without limitation, in legible English:
 - (a) The name of the cannabis establishment and its license number or cannabis establishment ID;
 - (b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment ~~registration certificate~~ license of the **cannabis** cultivation facility operated by the dual licensee;
 - (c) The batch number;
 - (d) The lot number;
 - (e) The date of final harvest;
 - (f) The date of final testing;
 - (g) The date on which the product was packaged;
 - (h) The cannabinoid profile and potency levels and terpenoid profile of the top three terpenes as determined by the cannabis testing facility, which may include the potential total THC but must not include any other calculated level of THC;
 - (i) The quantity of cannabis being sold;
 - (j) A warning that states: “THIS PRODUCT CONTAINS CANNABIS”; and
 - (k) A warning that states: “Keep out of Reach of Children.”
2. The label required by subsection 1 for a container or package containing usable cannabis sold by a cannabis cultivation facility must be in substantially the following form:

T&M NURSERY
License Number: 123 456 789 001 0001
~~Registration Certificate~~ Medical License **Number:** 543
 210789 000 0100
 (if applicable)

THIS PRODUCT CONTAINS CANNABIS
Keep out of Reach of Children
Batch Number:
 1234
Lot Number:
 1234

Final Harvest Date:
 01/01/2020

Final Testing Date: 01/15/2020
Packaged on: 01/17/2020
~~Best if used by:~~ **03/17/2020**

16.7% THC 1.5% CBD 0.3% CBN
 Myrcene 5.6 mg/g Limonene 5.1 mg/g Valencene 3.5 mg/g

Net Weight: 2 lbs.

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

1. A cannabis production facility shall label all cannabis products before it sells the cannabis products to a cannabis sales facility or another cannabis product manufacturing facility and shall ~~include on the packaging or~~ securely affix to or include with the package, if not already included on the container or package, a label that includes, without limitation, in legible English and in a manner which must not mislead consumers:

- (a) The name of the cannabis establishment and its license number or cannabis establishment ID;
- (b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment ~~registration certificates~~ license of the facility for the production of **edible** cannabis products ~~or cannabis-infused products, as defined in Title 56 of NRS~~, operated by the dual licensee;
- (c) The production run number;
- (d) A warning that states: "Keep out of reach of children."
- (e) The date of production;
- ~~(f) The date of final testing;~~
- ~~(g) The date on which the product was packaged;~~
- (h) The cannabinoid profile and potency levels ~~and terpenoid profile of the top three terpenes~~ as determined by the cannabis testing facility,
- (i) If the product is ~~perishable~~ an edible cannabis product, the expiration date;
- (j) The total amount of THC in the cannabis product, measured in milligrams;
- (k) The total amount of THC in each serving of the edible cannabis product. and a notice that the actual amount of THC may be within 15 percent of the stated amount for the edible cannabis product;
- (l) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343;

- (m) The net weight of the product;
 - (n) If concentrated cannabis *or a cannabis extract* was added to the product ~~or if the product consists solely of concentrated cannabis~~, a disclosure of the type of extraction process used and any solvent, gas or other chemical used in the extraction process or any other compound added to the concentrated cannabis;
 - (o) If the product is an edible cannabis product other than extracts and tinctures, the serving size; and
 - (p) A warning that states: “THIS PRODUCT CONTAINS CANNABIS.”
2. The label required by subsection 1 for a container or package containing ~~concentrated cannabis or~~ edible cannabis products sold by a cannabis production facility must be in substantially the following form:

<p>TK's Cannabis Products License Number: 123 456 789 001 0001 Registration Certificate <i>Medical License</i> Number: 543 210789 000 0010 (if applicable)</p> <p>Production Run Number: 1234</p> <p>THIS PRODUCT CONTAINS CANNABIS</p> <p>Keep out of Reach of Children</p> <p>Produced on: 01/01/2020 Final Testing Date: 01/15/2020 Packaged on: 01/17/2020 Best if used by: 03/17/2020 <i>(for edibles only)</i> Cannabinoid profile: Terpenoid profile:</p> <p>Total THC content (mg): THC content per serving +/- 15%: <i>(for edibles only)</i> <i>Serving size – 1 piece</i> This product contains concentrated cannabis produced with butane.</p> <p>Ingredients: Wheat, Sugar, Milk Chocolate Allergy Warning: Peanuts, Tree Nuts, Eggs, Wheat, Soy Net Weight: 100mg</p>
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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:
 - (a) The business or trade name and the license number of the cannabis cultivation facility that cultivated and sold the usable cannabis;
 - (b) If the cannabis cultivation facility is operated by a dual licensee, the number of the medical cannabis establishment ~~registration certificate~~ *license* of the *cannabis* cultivation facility operated by the dual licensee;
 - (c) The batch number;
 - (d) The lot number;

- (e) The **date and** quantity sold, including the net weight measured in ounces and grams or by volume, as appropriate;
 - (f) The name and address of the cannabis sales facility;
 - (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;
 - (h) A warning that states: “This product may have intoxicating effects and may be habit forming;”
 - (i) The statement: “This product may be unlawful outside of the State of Nevada”;
 - (j) The date on which the cannabis was harvested;
 - (k) A warning that states: “THIS PRODUCT CONTAINS CANNABIS”; **and**
 - (l) A warning that states: “Keep out of Reach of Children.”; **and**
2. The label required by subsection 1 for a container or package containing usable cannabis sold at retail must be in substantially the following form:

We Care Cannabis sales facility
123 Main Street, Carson City, NV 89701
THIS PRODUCT CONTAINS CANNABIS

Date sold

<u><i>16.7% THC</i></u>	<u><i>1.5% CBD</i></u>	<u><i>0.3% CBN</i></u>		
<u><i>Myrcene 5.6 mg/g</i></u>	<u><i>Limonene 5.1 mg/g</i></u>			
<u><i>Valencene 3.5 mg/g</i></u>				

MM’s Plant Emporium
License Number: 123 456 789 001 0001
Registration Certificate *Medical License* **Number:** 543
 210789 000 0010
 (if applicable)

~~**THIS PRODUCT CONTAINS CANNABIS**~~
Keep out of Reach of Children
Batch #: 1234
Lot #: 1234
Final harvest: 01/01/2020

~~by~~
~~**We Care Cannabis sales facility**~~
~~**123 Main Street, Carson City, NV 89701**~~

WARNING:
 This product may have intoxicating effects and may be habit forming.

~~**16.7% THC**~~ ~~**1.5% CBD**~~ ~~**0.3% CBN**~~
~~**Myrcene 5.6 mg/g**~~ ~~**Limonene 5.1 mg/g**~~
~~**Valencene 3.5 mg/g**~~

Net Weight: .25 ounces (7 grams)

This product may be unlawful outside 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 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, ~~if not already on the container or package~~, a label which must not mislead consumers and must include, without limitation:

(a) The business or trade name and the license number of the cannabis production facility that ~~extracted and sold the concentrated cannabis or~~ manufactured and sold the product;

(b) If the cannabis production facility is operated by a dual licensee, the number of the medical cannabis establishment ~~registration certificate~~ license of the facility for the production of edible cannabis products or cannabis products operated by the dual licensee;

(c) The production run number that accounts for all lot numbers of all cannabis used in the extraction of ~~to extract~~ the concentrated cannabis or contained in ~~create~~ the product, as recorded in the inventory control system of the cannabis production facility that sold the concentrated cannabis or product;

(d) The name and address of the cannabis sales facility;

(e) The date on which the ~~concentrated~~ cannabis ~~was extracted or the~~ product was manufactured;

~~(f) The date on which the concentrated cannabis or product was packaged;~~

(g) If the product is ~~perishable~~ an edible, a suggested use-by date;

(h) The cannabinoid profile and potency levels ~~and terpenoid profile~~ of the product, as determined by the cannabis testing facility that tested the product;

(i) For edible cannabis products, the total amount of THC in each serving of the product and a notice that the actual amount of THC in each serving may be within 15 percent of the stated amount;

(j) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343.

(k) The concentration of THC in the product, measured in milligrams;

(l) The net weight of the cannabis or cannabis product;

(m) 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”;

(n) If concentrated cannabis or a cannabis extract was added to the product, a disclosure of the type of extraction process and any solvent, gas or other chemical used in the extraction process, or any other compound added to the concentrated cannabis or the cannabis extract;

(o) A warning that states: “This product may have intoxicating effects and may be habit forming”;

(p) A warning that states: “Keep out of Reach of Children”

(q) A statement that: “This product may be unlawful outside of the State of Nevada”; ~~and~~ and

(r) A warning that states: “THIS PRODUCT CONTAINS CANNABIS;” and

~~(s) The date which the cannabis product was sold;~~

2. The label required by subsection 1 for a container or package containing concentrated cannabis or cannabis products sold at retail must be in substantially the following form:

We Care Cannabis Sales Facility
123 Main Street, Carson City, NV 89701

THIS PRODUCT CONTAINS CANNABIS

~~Date Sold: 3/27/2020~~

Cookie

Net Weight: 2 ounces (56 grams)

Produced on: 1/1/2020

~~Final Testing Date: 1/15/2020~~

~~Packaged on: 1/17/2020~~

Best if used by: 6/3/2020

Cannabinoid profile:

~~Terpenoid profile:~~

THC content per serving +/- 15%:

CAUTION: When eaten or swallowed the intoxicating effects of this product can be delayed by 2 or more hours.

Keep out of Reach of Children

This product may be unlawful outside the State of Nevada.

Manufactured at: KC's Kitchen

License Number: 321654987101 0401

~~Registration Certificate~~ Medical License Number: 543

210789 000 0010

(if applicable)

Production Run #5463

INGREDIENTS: Flour, Butter, Canola Oil, Sugar, Chocolate, Cannabis, Strawberries

CONTAINS ALLERGENS: Milk, Wheat

Contains cannabis extract processed with butane.

~~Contains concentrated cannabis produced with CO₂.~~

WARNING: This product may have intoxicating effects and may be habit forming.

12.050 Cannabis sales facility: Required disclosures and warnings.

1. A cannabis sales facility must, *upon request*, provide with all usable cannabis *and cannabis products* sold at retail accompanying material that discloses any pesticides applied to the cannabis plants and growing medium during production and processing.
2. A cannabis sales facility must provide with all usable cannabis and cannabis products sold at retail a written notification which contains the following warnings:
 - (a) That cannabis and cannabis products must be kept out of the reach of children;
 - (b) That cannabis and cannabis products can cause severe illness in children;
 - (c) That allowing children to ingest cannabis or cannabis products or storing cannabis or cannabis products in a location which is accessible to children may result in an

investigation by an agency which provides child welfare services or criminal prosecution for child abuse or neglect;

(d) “THE INTOXICATING EFFECTS OF CANNABIS MAY BE DELAYED BY 2 HOURS OR MORE AND USERS OF CANNABIS PRODUCTS SHOULD INITIALLY INGEST A SMALL AMOUNT OF THE PRODUCT CONTAINING NO MORE THAN 10 MILLIGRAMS OF THC, THEN WAIT AT LEAST 2 HOURS BEFORE INGESTING ANY ADDITIONAL AMOUNT OF THE PRODUCT”;

(e) “This product may have intoxicating effects and may be habit forming. Smoking is hazardous to your health”;

(f) “Ingesting cannabis or cannabis products with alcohol or other drugs, including prescription medication, may result in unpredictable levels of impairment and a person should consult with a physician before doing so”;

(g) “There may be health risks associated with consumption of this product”;

(h) “Pregnant *or breastfeeding* women should consult with a physician before ingesting cannabis or cannabis products”;

(i) “Cannabis or cannabis products can impair concentration, coordination and judgment. Do not operate a vehicle or machinery under the influence of cannabis or cannabis products”; and

(j) “Ingestion of any amount of cannabis or cannabis products before driving may result in criminal prosecution for driving under the influence.”

3. The text used on all accompanying material and warnings must be printed in at least 12-point font and may not be in italics.

12.070 Advertising of cannabis (Subsection 3 of this section becomes effective May 1, 2022).

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:

(1) “Keep out of reach of children”;

(2) “For use only by adults 21 years of age and older.”; and

(3) Shall ensure that all advertising by the cannabis establishment contains:

a. The name of the cannabis establishment; and

b. The adult-use cannabis establishment Identification number assigned to the cannabis establishment by the Board.

If a cannabis establishment holds more than one license, the cannabis establishment must include any one of the adult-use cannabis establishment identification number or medical cannabis establishment identification number in all of the cannabis establishment’s advertisements.

(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