

## Proposed Changes to NCCR Regulation 1

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1.197 “Ready-to-consume cannabis product” defined.

1.222 “Single-use cannabis product” defined.

1.197 “Ready-to-consume cannabis product” defined. “Ready-to-consume cannabis product” means an adult-use edible cannabis product that is:

1. Prepared on the premises of a cannabis consumption lounge;
2. Presented in the form of a foodstuff or beverage;
3. Sold in a heated or unheated state; and
4. Intended for immediate consumption.

Ready-to-consume cannabis products include, but are not limited to, edible cannabis products that have been prewashed, precooked, or otherwise prepared for consumption and do not require additional cooking or preparation, including portioning. Each serving of a ready-to-consume cannabis product must be individually dosed not to exceed 10mg THC. Menu items offered must be submitted to the appropriate CCB agent for approval. Food items under the jurisdiction of the USDA are subject to inspection, seizure, and destruction by the USDA. Each ready-to-consume cannabis product must include the notice “THC may not be evenly distributed throughout this product.”

1.222 “Single-use cannabis product” defined. “Single-use cannabis product” means a type of cannabis or adult-use cannabis product, other than a ready-to-consume cannabis product, that the Board has determined to be appropriate for consumption in a cannabis consumption lounge. Single-use cannabis products includes but are not limited to items that are designed for use in a single sitting. Such items may not contain more than 0.5 grams of usable cannabis or may not contain more than 10mg of THC in a cannabis product. Pre-packaged cannabis products must be prepared at a licensed cannabis production facility, must be sold as a single serving, and may not exceed 10mg THC. All items must be pre-packaged prior to sale and labeled in accordance with NCCR 12.040 or 12045 prior to sale.

## Proposed Changes to NCCR Regulation 4

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### 4.050 Category III Violations.

1. The Board will determine a category III violation of the NCCR and Title 56 of NRS as follows:

(a) Category III violations are violations of a severity that create a potential threat to public health or safety, including, without limitation:

- (1) Transporting cannabis in an unauthorized vehicle;
- (2) Allowing consumption by any person of alcohol, cannabis or other intoxicants on the premises of the cannabis establishment or in areas adjacent to the premises of the cannabis establishment which are under the licensee's control, including, without limitation, a parking lot;
- (3) Failing to keep any required records, including seed-to-sale tracking requirements;
- (4) Failing to tag plants as required;
- (5) Failing to follow an approved security plan;
- (6) Allowing disorderly activity;
- (7) Allowing any activity which violates the laws of this State;
- (8) Failing to notify the Board or Board Agents within 24 hours after discovery of a serious incident or criminal activity on the premises of the cannabis establishment;
- (9) Unintentionally failing to pay taxes to the Department of Taxation;
- (10) Selling unauthorized products;
- (11) Failing to notify the Board or Board Agents of a modification or expansion of the facilities of the cannabis establishment or a change in equipment or menu of the cannabis establishment;
- (12) Violating packaging or labeling requirements including seed-to-sale tracking system requirements;
- (13) Storing or delivering an unapproved cannabis product or a cannabis product outside the seed-to-sale tracking system;
- (14) Failing to meet requirements for the disposal of cannabis waste;
- (15) Using unauthorized pesticides, soil amendments, fertilizers or other crop production aids;
- (16) Exceeding the maximum serving requirements for cannabis products;
- (17) Exceeding a reasonable time frame for delivery without approval from the Board or Board Agents;
- (18) Transporting or storing cannabis from an unlicensed source, other than patient samples stored at a cannabis interdependent testing laboratory, or diversion of cannabis or cannabis products;
- (19) Picking up, unloading or delivering cannabis at an unauthorized location;
- (20) Failing to comply with requirements for hand washing and employee hygiene, including, without limitation, using a bare hand on a cannabis product;
- (21) Failing to maintain proper temperature of potentially hazardous food or cannabis products;
- (22) Selling or failing to dispose of cannabis, cannabis products or food items that are spoiled or contaminated;
- (23) Failing to tag cannabis or a cannabis product as required;
- (24) Failing to follow seed-to-sale tracking system requirements while transporting or delivering cannabis or cannabis products
- (25) Failing to properly update the licensee's point of contact with the Board;
- (26) Failure to maintain quality assurance/quality control program in a laboratory; or
- (27) Failure to maintain updated standard operating procedures;

- (28) Allowing sales of any products at a cannabis consumption lounge that are not permitted to be sold at a cannabis consumption lounge;
- (29) Allowing a removal of any single-use cannabis products or ready-to-consume cannabis products from a consumption lounge;
- (30) Permitting the use or consumption of cannabis by any person displaying any visible signs of intoxication at a cannabis consumption lounge;
- (31) Failing to develop, implement, and/or maintain a plan to mitigate the risk of impaired driving at a cannabis consumption lounge; or
- (32) Failing to maintain a separate room in a cannabis consumption lounge for cannabis smoking, vaping, and inhalation in a cannabis consumption lounge, unless all such activities are prohibited in the cannabis consumption lounge.

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#### **4.055 Category IV Violations.**

1. The Board will determine a category IV violation of the NCCR and Title 56 of NRS as follows:

- (a) Category IV violations create a climate which is conducive to abuses associated with the sale or production of cannabis or cannabis products, including, without limitation:
  - (1) Failing to display or have in the immediate possession of each cannabis establishment agent a cannabis establishment agent registration card or proof of temporary registration;
  - (2) Removing, altering or covering a notice of suspension of a license or any other required notice or sign;
  - (3) Violating advertising requirements;
  - (4) Displaying products in a manner visible to the general public from a public right of way;
  - (5) Failing to respond to an administrative notice of a violation or failing to pay fines;
  - (6) Violating restrictions on sampling;
  - (7) Failing to maintain a standardized scale as required;
  - (8) Improper storing of cannabis, cannabis products or other foods;
  - (9) Failing to properly wash, rinse and sanitize product contact surfaces as required;
  - (10) Failing to maintain hand-washing facilities that are stocked, accessible and limited to hand washing only;
  - (11) Infestation by pests that are not multigenerational or on contact surfaces;
  - (12) Failing to properly use sanitizer as required;
  - (13) Violating any transportation or delivery requirements not described in another category of violations;
  - (14) Failing to properly respond to a Board or Board Agent's request for documentation, information, video, or other records;
  - (15) Failing to comply with required employee training;
  - (16) Failing to comply with security plans;
  - (17) Failing to offer required consumer education, support materials, warnings, and/or notices, to a cannabis consumption lounge consumer;
  - (18) Failing to comply with any laws or regulations related to on site food preparation at a cannabis consumption lounge; or
  - (19) Failing to comply with ventilation requirements at a cannabis consumption lounge.

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#### **4.060 Category V Violations.**

1. The Board will determine a category V violation of the NCCR and Title 56 of NRS as follows:

- (a) Category V violations are inconsistent with the orderly regulation of the sale or production of cannabis or cannabis products, including, without limitation:

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- (1) Failing to submit monthly tax or sales reports or payments;
- (2) Failing to notify the Board or Board Agents of a temporary closure of the cannabis establishment within 24 hours of the closure;
- (3) Failing to post any required signs;
- (4) Failing to notify the Board of a change in the name of the cannabis establishment;
- (5) Making a payment with a check returned for insufficient funds;
- (6) Failing to comply with any other requirements not described in another category of violations;
- (7) Failing to properly submit quarterly inventory reports, monthly sales reports, or other reports required by the Board;
- (8) Failure to pay for all costs involved in screening or testing related to quality assurance compliance checks within 30 days;
- (9) Operating a cannabis consumption lounge, or cannabis sales facility, outside of its designated hours of operation or failing to properly post the hours of operation of a cannabis consumption lounge, or cannabis sales facility;
- (10) Failing to provide required water service at a cannabis consumption lounge; or
- (11) Failing to comply with requirements regarding visibility of consumption at a cannabis consumption lounge.

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## Proposed Changes to NCCR Regulation 5

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### **5.100 Grounds for denial of issuance or renewal of license; grounds for revocation of license; notice; opportunity to correct situation.**

1. The Board ~~shall~~will deny an application for the issuance or renewal of a license for a cannabis establishment if:
  - (a) The application or the cannabis establishment is not in compliance with any provision of this chapter or Title 56 of NRS; or
  - (b) An owner, officer or board member of the cannabis establishment:
    - (1) Is an employee or contractor of the Board;
    - (2) Has an ownership or financial investment interest in a cannabis independent testing laboratory and also is an owner, officer or board member of a cannabis cultivation facility, cannabis distributor, cannabis production facility, cannabis consumption lounge, or retail cannabis store; or
    - (3) Intentionally provides information that the Board determines is false or misleading, including any information and/or documents provided in an original application for licensure.
2. The Board may revoke a license for a cannabis establishment if:
  - (a) The cannabis establishment engages in a category I violation pursuant to NCCR 4.035;
  - (b) An owner, officer or board member of the cannabis establishment has been convicted of an excluded felony offense;
  - (c) An owner, officer or board member of the cannabis establish unintentionally provides information that the Board determines is false or misleading; or
  - (d) The Board receives formal notice from the applicable locality that the cannabis establishment has had its authorization to operate terminated.
3. The Board may deny an application for the issuance or renewal of a license for a cannabis establishment or may suspend or revoke any license issued under the provisions of this chapter and Title 56 of NRS upon any of the following grounds:
  - (a) Violation by the applicant or the cannabis establishment of any of the provisions of this chapter or Title 56 of NRS.
  - (b) The failure or refusal of an applicant or cannabis establishment to comply with any of the provisions of this chapter or Title 56 of NRS.
  - (c) The failure or refusal of a cannabis establishment to carry out the policies and procedures or comply with the statements provided to the Board in the application of the cannabis establishment.
  - (d) Operating a cannabis establishment without a license.
  - (e) The failure or refusal to return an adequate plan of correction to the Board within 10 business days after receipt of a statement of deficiencies pursuant to NCCR 5.080.
  - (f) The failure or refusal to correct any deficiency specified by the Board within the period specified in a plan of correction developed pursuant to NCCR 5.080.
  - (g) The failure or refusal to cooperate fully with an investigation or inspection by the Board or Board Agents.
  - (h) The failure to comply with the provisions of chapters 372A and Title 56 of NRS and chapter 372A of NAC governing the imposition of an excise tax on cannabis

establishments.

(i) An owner, officer or board member of the cannabis establish unintentionally provides information that the Board determines is false or misleading.

*(j) Failure to adhere to all local requirements, including but not limited to licensing requirements.*

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**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;

*(g) A cannabis receiver; or*

*(h) A cannabis consumption lounge.*

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## Proposed Changes to NCCR Regulation 6

*New*

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### **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. *Except as otherwise provided in this section, the only persons who may be on the premises of a cannabis consumption lounge are:*

- (a) A registered cannabis establishment agent for a cannabis consumption lounge;*
- (b) A person inspecting the cannabis establishment, including, without limitation, a local government authority, pursuant to this Act or NCCR; or*
- (c) Any person not listed in paragraph (a) and (b), inclusive, who is at least 21 years of age.*

3. The only persons who may be on the premises of a cannabis establishment other than a cannabis sales facility *or a cannabis consumption lounge* 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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 consumers, 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.**

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7. In addition to the training set forth in subsection 1, cannabis consumption lounges 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 consumption lounge. Such instruction must include, without limitation:

- (a) Identifying signs of visible impairment including alcohol and drug impairment;
- (b) Resources to mitigate impaired driving including safe transportation options available to consumers;
- (c) Inquire about and understand a consumer's varying experience with cannabis and options for lower dose cannabis products;
- (d) Ceasing all consumption and other activities until law enforcement, firefighters, emergency medical service providers, or other public safety personnel have completed any investigation or services and vacated the cannabis establishment;
- (e) Methods for employees and licensees to identify themselves during an interaction with law enforcement, Board Agents or local regulators;
- (f) Poly-substance interactions including but not limited to interactions of cannabis with alcohol, prescription and over-the-counter medications and other substances;
- (g) Risks and potential responses to adverse events such as overconsumption, dehydration, poly-substance use or other similar events;
- (h) Strategies to de-escalate interactions with intoxicated consumers and potentially dangerous situations which include but are not limited to development of an emergency action plan;
- (i) Sexual assault prevention associated with overconsumption or poly-substance intoxication; and
- (j) Resources available for responsible cannabis use.

(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;
    - (5) Disciplinary actions; and
    - (6) Disclosure of health risks involved with the performance of job duties.*
  - (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 *or unused* 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, *except within licensed cannabis consumption lounges*, and places exposed to public view;
    - (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 and 4, 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 consumption lounge may only acquire single-use cannabis products and cannabis products needed for ready-to-consume cannabis products from a cannabis sales facility.*

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4. 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.
5. *With the exception of a cannabis consumption lounge*, 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 6.
6. 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.
7. 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.

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- (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

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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.

8. 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.

9. 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.

10. 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)

**6.085 Required security measures, equipment and personnel; location of outdoor cultivation facility must allow for response by local law enforcement. (Effective on August 1, 2022)**

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 ~~55~~<sup>19</sup> inches or equivalent 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 the Board and any other a law enforcement agency in real time ~~upon request~~ and which may record motion only. *The information necessary to remotely access the camera footage must be entered into the cannabis establishment's Accela portal.* A video camera providing coverage of a point-of-sale location must allow for the identification of any person purchasing cannabis. *In a cannabis consumption lounge the entire area that is used by consumers must be covered by video cameras;*

(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. *The information necessary to remotely access the camera footage must be entered into the cannabis establishment's Accela portal;*

(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. *The blank portable, external hard drives must be available at the cannabis establishment at all times and there must be at least one drive capable of holding a full thirty days of video footage of the entire cannabis establishment;*

(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

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(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, *other than consumers at a cannabis consumption lounge*;
- (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.

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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.
- 9. Cannabis establishments must ensure that armed security officers do not violate the provisions of NRS 202.257 (possessing a firearm while under the influence of a controlled substance). In addition, a cannabis consumption lounge shall prohibit consumers from bringing firearms into a consumption lounge.**
- 10. A cannabis establishment shall operate the business in a decent, orderly, and respectable manner. A licensee shall not knowingly permit any activity or acts of disorderly conduct nor shall a licensee permit rowdiness, undue noise, or other disturbances or activity offensive to the senses of the average citizen, or to the residents of the neighborhood in which the business is located.**
- 11. If an emergency requires law enforcement, firefighters, emergency medical service providers, board agents or other public safety personnel to enter the premises of the business, the cannabis establishment is responsible for ensuring that all consumption, if allowed, and other activities, including sales, cease until such personnel have completed their investigation or services and have left the premises.**
- 12. A cannabis establishment must report directly to the Board any criminal activity requiring an in-person response from law enforcement within 24 hours after an owner or employee of the business learns of the event.**



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*13. If the Board learns of an increase in criminal activity at or near the location of a particular cannabis establishment, the Board shall require the licensee to create an appropriate risk mitigation plan.*

*14. Employees shall be prohibited from consuming cannabis while on duty and at work.*

### Proposed Changes to NCCR Regulation 10

New

~~Deleted~~

- 10.015 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Requirement to have quality control unit.
- 10.020 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Adequate ventilation, filtration systems and related equipment required for building.
- 10.025 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Establishment of and adherence to written procedures for labeling and packaging materials.
- 10.030 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Establishment of and adherence to written procedures for production and process control to assure quality of cannabis and cannabis products; review and approval of procedures; recording and justification of deviation from procedures.
- 10.035 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Establishment of and adherence to written procedures for components, product containers and closures.
- 10.040 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Appropriateness, cleanliness and maintenance of equipment, utensils and substances; maintenance of records.
- 10.045 Cannabis cultivation facility, cannabis production facility, cannabis distributor, cannabis consumption lounge and cannabis sales facility: Requirement to ensure cleanliness of employees and volunteers.
- 10.050 Cannabis cultivation facility, cannabis production facility, cannabis distributor, cannabis consumption lounge and cannabis sales facility: Restrictions on salvaging cannabis and cannabis products; maintenance of records.

**10.015 Cannabis cultivation facility, cannabis production facility and cannabis sales facility: Requirement to have quality control unit.**

1. Each cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility shall have a quality control unit that:

- (a) Has the responsibility and authority to approve or reject all components, product containers, closures, in-process materials, packaging materials, labeling and cannabis or cannabis products;
- (b) Has the authority to review production records to assure that no errors have occurred or, if errors have occurred, that the errors have been fully investigated and resolved;
- (c) Is responsible for approving or rejecting cannabis or cannabis products manufactured, processed, packaged or held under contract by another cannabis establishment; and

- (d) Is responsible for approving or rejecting all procedures or specifications which may impact the identity, strength, quality and purity of the cannabis or cannabis products.
- 2. Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall:
  - (a) Set forth the responsibilities and procedures applicable to the quality control unit in writing, a copy of which shall be provided promptly to the Board or Board Agents upon request; and
  - (b) Follow the written responsibilities and procedures set forth pursuant to paragraph (a).

**10.020 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Adequate ventilation, filtration systems and related equipment required for building.**

- 1. Each cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility shall ensure that any building used to manufacture, process, package or hold cannabis or cannabis products:
  - (a) Has adequate ventilation; and
  - (b) Contains equipment for adequate control over air pressure, microorganisms, dust, humidity and temperature when appropriate for the manufacture, processing, packaging or holding of cannabis or cannabis products.
- 2. Each cannabis cultivation facility, cannabis production facility, cannabis consumption lounge, and cannabis sales facility must use filtration systems, including, without limitation, prefilters and particulate matter air filters, when appropriate on air supplies to production areas. If air is recirculated to production areas, the cannabis establishment must take measures to control recirculation of dust from production. In areas where air contamination occurs during production, the cannabis establishment must ensure that there are adequate exhaust systems or other systems adequate to control contaminants.

**10.025 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility:**

**Establishment of and adherence to written procedures for labeling and packaging materials.**

- 1. Each cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility shall establish and follow written procedures describing in sufficient detail the receipt, identification, storage, handling, sampling, and examination of labeling and packaging materials. A copy of these procedures shall be provided promptly to the Board or Board Agents upon request.
- 2. Any labeling or packaging materials that meet the appropriate written specifications established pursuant to subsection 1 may be approved and released for use. Any labeling or packaging materials that do not meet the specifications established pursuant to subsection 1 must be rejected to prevent their use in operations for which they are unsuitable.
- 3. Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall:
  - (a) Store separately with suitable identification the labels and other labeling materials for each type of cannabis or cannabis product, and the different strength, dosage form or quantity of contents;
  - (b) Limit access to the storage area described in paragraph (a) to authorized personnel of the cannabis establishment; and
  - (c) Destroy obsolete and outdated labels, labeling and other packaging materials.

**10.030 Cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility: Establishment of and adherence to written procedures for production and process control to assure quality of cannabis and cannabis products; review and approval of procedures; recording and justification of deviation from procedures.**

1. Each cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility shall have written procedures for production and process control that are designed to assure that the cannabis or cannabis products have the identity, strength, quality and purity they purport or are represented to possess. A copy of these procedures shall be provided promptly to the Board or Board Agents upon request.
2. The written procedures required pursuant to subsection 1 and any changes to those procedures must be drafted, reviewed and approved by the appropriate organizational units of the cannabis establishment and reviewed and approved by the quality control unit of the cannabis establishment.
3. Each cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility shall follow written production and process control procedures in executing various production and process control functions and shall document these procedures at the time of performance. Any deviation from the written procedures must be recorded and justified by the cannabis establishment. A copy of these procedures shall be provided promptly to the Board or Board Agents upon request.

**10.035 Cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility: Establishment of and adherence to written procedures for components, product containers and closures.** Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall ensure that:

1. It has written procedures describing in sufficient detail the receipt, identification, storage, handling, sampling, testing and approval or rejection of components, product containers and closures and that it follows those procedures. A copy of these procedures shall be provided promptly to the Board or Board Agents upon request;
2. Components, product containers and closures are at all times handled and stored in a manner so as to prevent contamination; and
3. Bagged or boxed components, product containers or closures are stored at least 6 inches (15 centimeters) off the floor and are suitably spaced to permit cleaning and inspection.

**10.040 Cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility: Appropriateness, cleanliness and maintenance of equipment, utensils and substances; maintenance of records.**

1. Each cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility shall ensure that any equipment used to manufacture, process, package or hold cannabis or cannabis products:
  - (a) Is of appropriate design and adequate size and is suitably located to facilitate operations for its intended use and for its cleaning and maintenance; and
  - (b) Is constructed so that surfaces which have direct contact with components, in-process materials, cannabis or cannabis products are not reactive, additive or absorptive so as to alter the safety, identity, strength, quality or purity of the cannabis or cannabis products beyond the official or other established requirements.
  - (c) Is submitted to the appropriate Board Agent on a form prescribed by the Board for approval prior to use.

2. Each cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility shall ensure that:

- (a) Any substances required for its operation, such as lubricants or coolants, do not come into contact with components, product containers, in-process materials, cannabis or cannabis products so as to alter the safety, identity, strength, quality or purity of the cannabis or cannabis products beyond the official or other established requirements;
  - (b) Equipment and utensils are cleaned, maintained and, as appropriate for the nature of the cannabis or cannabis products, sanitized and sterilized at appropriate intervals to prevent malfunctions or contamination that would alter the safety, identity, strength, quality or purity of the cannabis or cannabis products beyond the official or other established requirements; and
  - (c) Written procedures are established and followed for the cleaning and maintenance of equipment and utensils used to manufacture, process, package or hold cannabis or cannabis products. A copy of these procedures shall be provided promptly to the Board or Board Agents upon request. These procedures must include, without limitation:
    - (1) Assignment of responsibility for cleaning and maintaining equipment;
    - (2) Maintenance and cleaning schedules, including, sanitizing schedules;
    - (3) A description in sufficient detail of the methods, equipment and materials used in cleaning and maintenance operations and the methods of disassembling and reassembling equipment as necessary to assure proper cleaning and maintenance;
    - (4) Protection of clean equipment from contamination before use; and
    - (5) Inspection of equipment for cleanliness immediately before use.
3. Each cannabis cultivation facility, cannabis production facility, [cannabis consumption lounge](#) and cannabis sales facility must maintain records of any maintenance, cleaning, sanitizing and inspection carried out pursuant to this section.

**10.045 Cannabis cultivation facility, cannabis production facility, cannabis distributor, [cannabis consumption lounge](#) and cannabis sales facility: Requirement to ensure cleanliness of employees and volunteers.** Each cannabis cultivation facility, cannabis production facility, cannabis distributor, [cannabis consumption lounge](#) and cannabis sales facility shall ensure that:

1. Each cannabis establishment agent who is employed by or volunteers at the cannabis establishment and who is engaged in cultivating, manufacturing, processing, packaging or holding cannabis or cannabis products wears clean clothing appropriate for the duties he or she performs;
2. Protective apparel, such as head, face, hand and arm coverings, are worn as necessary to protect cannabis or cannabis products from contamination; and
3. Each cannabis establishment agent who is employed by or volunteers at the cannabis establishment practices good sanitation and health habits.

**10.050 Cannabis cultivation facility, cannabis production facility, cannabis distributor, [cannabis consumption lounge](#) and cannabis sales facility: Restrictions on salvaging cannabis and cannabis products; maintenance of records.**

1. Each cannabis cultivation facility, cannabis production facility, cannabis distributor, [cannabis consumption lounge](#) and cannabis sales facility shall ensure that cannabis or cannabis products that have been subjected to improper storage conditions, including, without limitation, extremes in temperature, humidity, smoke, fumes, pressure, age or

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radiation due to natural disasters, fires, accidents or equipment failures, are not salvaged and returned to the marketplace.

2. Whenever it is unclear whether cannabis or cannabis products have been subjected to the conditions described in subsection 1, a cannabis cultivation facility, cannabis production facility or cannabis sales facility may conduct salvaging operations only if:

(a) The cannabis or cannabis products are salvaged for use only for the purpose of extraction;

(b) Evidence from tests and assays performed by a cannabis testing facility indicates that the cannabis or cannabis products meet all applicable standards of quality and purity; and

(c) Evidence from inspection of the premises indicates that the cannabis or cannabis products and their associated packaging were not subjected to improper storage conditions as a result of the disaster or accident, if any.

3. A cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility must maintain records, including, without limitation, the name, lot number, production run number and disposition for cannabis or cannabis products salvaged pursuant to subsection 2.

## Proposed Changes to NCCR Regulation 11

New

~~Deleted~~

### **11.015 Requirements for testing laboratory to handle, test or analyze cannabis.**

1. A cannabis independent testing laboratory shall not handle, test or analyze cannabis unless:

- (a) The cannabis independent testing laboratory has been issued a license;
- (b) The cannabis independent testing laboratory is independent from all other persons involved in the cannabis industry in Nevada; and
- (c) No person with a direct or indirect interest in the cannabis independent testing laboratory has a direct or indirect financial interest in:
  - (1) A cannabis sales facility;
  - (2) A cannabis production facility;
  - (3) A cannabis cultivation facility;
  - (4) A cannabis distributor;
  - (5) A provider of health care who provides or has provided written documentation for the issuance of registry identification cards or letters of approval; ~~or~~
  - (6) Any other entity that may benefit from the cultivation, manufacture, dispensing, sale, purchase or use of cannabis or cannabis products; or
  - (7) A cannabis consumption lounge.

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## Proposed Changes to NCCR Regulation 12

### New

### ~~Deleted~~

- 12.025 Requirements for labeling products “organic.”
- 12.040 Cannabis sales facility and cannabis consumption lounge: Required labeling of usable cannabis.
- 12.045 Cannabis sales facility and cannabis consumption lounge: Required labeling of cannabis products.
- 12.050 Cannabis sales facility and cannabis consumption lounge: Required disclosures and warnings.
- 12.055 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Required labeling.
- 12.060 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Examination of products during finishing operations; collection of representative sample of units; recording of results.

**12.025 Requirements for labeling products “organic.”** A cannabis cultivation facility, cannabis consumption lounge or cannabis production facility shall not label usable cannabis, concentrated cannabis or cannabis products as “organic” unless the cannabis plants and all ingredients used are produced, processed and certified in a manner that is consistent with the national organic standards established by the United States Department of Agriculture in accordance with the Organic Foods Production Act of 1990, 7 U.S.C. §§ 6501 et seq.

**12.040 Cannabis sales facility and cannabis consumption lounge: Required labeling of usable cannabis and Single-use cannabis product.**

1. A cannabis sales facility and cannabis consumption lounge must affix to, ~~or~~ include with, or supply through an electronic medium approved by the board each container or package containing usable cannabis sold at retail or ready-to-consume cannabis product and single-use cannabis product sold at consumption lounges, 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 license of the cannabis cultivation facility operated by the dual licensee;
- (c) The batch number;
- (d) The lot number;
- (e) The 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 or cannabis consumption lounge;
- (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;”



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- (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”;
  - (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 *or cannabis consumption lounge*  
123 Main Street, Carson City, NV 89701  
THIS PRODUCT CONTAINS CANNABIS

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

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

**Keep out of Reach of Children**  
**Batch #:** 1234  
**Lot #:** 1234  
**Final harvest:** 01/01/2020

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

Net Weight: .25 ounces (7 grams)

**This product may be unlawful outside the State of Nevada.**

**12.045 Cannabis sales facility *and cannabis consumption lounge*: Required labeling of cannabis products.**

1. A cannabis sales facility *and cannabis consumption lounge* must affix to, ~~or~~ include with, *or supply through an electronic medium approved by the board* each container or package containing cannabis products sold at retail *or ready-to-consume cannabis product and Single-use cannabis product sold at consumption lounges*, 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 manufactured and sold the product;
  - (b) If the cannabis production facility is operated by a dual licensee, the number of the medical cannabis establishment license of the facility for the production of edible cannabis products or cannabis products operated by the dual licensee;

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- (c) The production run number that accounts for all lot numbers of all cannabis used in the extraction of the concentrated cannabis or contained in 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 *or cannabis consumption lounge*;
  - (e) The date on which the cannabis product was manufactured;
  - (f) If the product an edible, a suggested use-by date;
  - (g) The cannabinoid profile and potency levels of the product, as determined by the cannabis testing facility that tested the product;
  - (h) 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;
  - (i) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343.
  - (j) The concentration of THC in the product, measured in milligrams;
  - (k) The net weight of the cannabis or cannabis product;
  - (l) 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”;
  - (m) 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;
  - (n) A warning that states: “This product may have intoxicating effects and may be habit forming”;
  - (o) A warning that states: “Keep out of Reach of Children”
  - (p) A statement that: “This product may be unlawful outside of the State of Nevada”; and
  - (q) A warning that states: “THIS PRODUCT CONTAINS CANNABIS;”
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 *or cannabis consumption lounge*

123 Main Street, Carson City, NV 89701

**THIS PRODUCT CONTAINS CANNABIS**

Cookie

**Net Weight:** 2 ounces (56 grams)

**Produced on:** 1/1/2020

**Best if used by:** 6/3/2020

**Cannabinoid 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

**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.**

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

**12.050 Cannabis sales facility *and cannabis consumption lounge*: Required disclosures and warnings.**

1. A cannabis sales facility *and cannabis consumption lounge* must provide with all usable cannabis sold at retail *or ready-to-consume cannabis product and Single-use cannabis product sold at consumption lounges*, accompanying material that discloses any pesticides applied to the cannabis plants and growing medium during production and processing.

2. A cannabis sales facility *and cannabis consumption lounge* must provide with all usable cannabis and cannabis products sold at retail *or ready-to-consume cannabis product and Single-use cannabis product sold at consumption lounges*, a written notification *or an electronic notification through an electronic medium approved by the board* 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 **CANNABIS THE PRODUCT**”:
  - (e) “**Cannabis or cannabis products may have intoxicating effects and may be habit forming. Smoking is hazardous to your health**”; ~~“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 mental or physical health risks associated with consumption of cannabis products, including but not limited to cardiovascular problems, psychosis, or exacerbation of anxiety and/or depression. People with health concerns should consult with a physician before ingesting cannabis.**” ~~“There may be health risks associated with consumption of this product”;~~
  - (h) “**WARNING: Pregnant or breastfeeding people should not use cannabis or cannabis products. Using cannabis during pregnancy or while breastfeeding may be harmful to your baby’s development.**” ~~“Pregnant 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.”
  - (k) “**Overconsumption of cannabis or cannabis products may cause negative health effects such as nausea, vomiting, anxiety, agitation, paranoia, and psychosis. Individuals with symptoms of overconsumption should seek immediate medical attention.**”
3. For cannabis consumption lounges, the following warning must be included with the warnings listed in NCCR 12.050 subsection 2 a-k above:
- (a) “**WARNING: This is a smoking lounge. Occupants will be exposed to secondhand smoke. Secondhand smoke is hazardous to your health**”;
- ~~4.~~ The text used on all accompanying material and warnings must be printed in at least 12-point font and may not be in italics.

**12.055 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Required labeling.** Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall:

1. Use for labeling all cannabis and cannabis products the standard label described in NCCR

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12.010 and 12.030 to 12.045, inclusive;

2. Exercise strict control over labeling materials issued for use in labeling operations for cannabis and cannabis products;
3. Carefully examine labeling materials issued for a batch for identity and conformity to the labeling specified in the applicable production or control records; and
4. Have and follow written procedures describing in sufficient detail the control procedures employed for the issuance of labeling.

**12.060 Cannabis cultivation facility, cannabis production facility, cannabis consumption lounge and cannabis sales facility: Examination of products during finishing operations; collection of representative sample of units; recording of results.** Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall:

1. Examine packaged and labeled products during finishing operations to provide assurance that the containers and packages have the correct labels;
2. Collect a representative sample of units at the completion of finishing operations and ensure that the samples are visually examined for correct labeling; and
3. Record the results of the examinations performed pursuant to subsections 1 and 2 in the applicable production or control records.

**Proposed Addition of NCCR Regulation 15**

New

~~Deleted~~

REGULATION 15

CANNABIS CONSUMPTION LOUNGE

- 15.010 Requirements for operation; posting of hours of operation.
- 15.015 Duties of cannabis establishment agent before sale to consumer.
- 15.020 Valid proof of identification of age of consumer required.
- 15.025 Prohibition on sale that exceeds maximum usable quantity of cannabis.
- 15.030 Products required to be offered for sale; restrictions on sale of other products; restrictions on advertising.
- 15.035 Storage and location of products; disclosure of cannabis testing facility performing quality assurance tests upon request of consumer; approved sources of products for sale; maintenance and availability of certificate of analysis.
- 15.040 On-site requirements to operate a cannabis consumption lounge.
- 15.045 Employee Training and Consumer Education.
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15.010 Requirements for operation; posting of hours of operation. Each cannabis consumption lounge shall:

1. Ensure that the cannabis consumption lounge is operating and available to sell single-use cannabis products or ready-to-consume cannabis products to consumers during, and only during, the designated hours of operation of the lounge as provided

to the Board in the application for a license submitted by the cannabis consumption lounge and the hours authorized by the locality in which the lounge is located; and  
2. Post, in a place that can be viewed by persons entering the cannabis consumption lounge, the hours of operation during which the lounge will sell single-use cannabis products or ready-to-consume cannabis products.

15.015 Duties of cannabis establishment agent before sale to consumer. Before a cannabis establishment agent allows access into the facility and prior to selling single-use cannabis products or ready-to-consume cannabis products to a consumer, the cannabis establishment agent shall:

1. Verify the age of the consumer by checking a government-issued identification card containing a photograph of the consumer using an identification scanner approved by the appropriate Board Agent to determine the validity of any government-issued identification card;
2. Not permit the use or consumption of cannabis by any person displaying any visible signs of intoxication;
2. Offer any appropriate consumer education or support materials; and
3. Enter the following information into the inventory control system:
  - (a) The amount of single-use cannabis products or ready-to-consume cannabis products sold;
  - (b) The date and time at which the single-use cannabis products or ready-to-consume cannabis products was sold;
  - (c) The number of the cannabis establishment agent registration card of the cannabis establishment agent;
  - (d) The weight or amount of single-use cannabis products or ready-to-consume cannabis products that is not consumed and must be destroyed; and
  - (e) The number of the license for the cannabis establishment.

15.020 Valid proof of identification of age of consumer required.

1. Except as otherwise provided in this subsection, a cannabis consumption lounge shall refuse to sell single-use cannabis products or ready-to-consume cannabis products to any person unless the person produces a form of valid identification showing that the person is 21 years of age or older.
2. Identification presented to satisfy subsection 1 must contain a photograph and the date of birth of the person.
3. Identification presented to satisfy subsection 1 must be a valid and unexpired:
  - (a) Driver's license or instruction permit issued by this State or any other state or territory of the United States;
  - (b) Identification card issued by this State or any other state or territory of the United States for the purpose of proof of age of the holder of the card;
  - (c) United States military identification card;
  - (d) A Merchant Mariner Credential or other similar document issued by the United States Coast Guard;
  - (e) A passport issued by, or recognized by, the United States Government or a permanent resident card issued by the United States Citizenship and Immigration Services of the Board of Homeland Security; or
  - (f) A tribal identification card issued by a tribal government, as defined in NRS 239C.105, which requires proof of the age of the holder of the card for issuance.

15.025 Prohibition on a single sale that exceeds maximum usable quantity of cannabis. A cannabis consumption lounge shall not sell to any consumer at one time an amount of single-use cannabis products or ready-to-consume cannabis products which exceeds:

1. One gram of usable cannabis. For any sale of usable cannabis containing more than 0.5 grams, the product must be transferred to a consumer in separate serving sizes containing no more than 0.5 grams;
2. Concentrated cannabis or cannabis products containing not more than 20 milligrams of THC. For any sale of a cannabis product containing more than 10 milligrams of THC, the product must be transferred to a consumer in separate serving sizes containing no more than 10 milligrams of THC per serving; or
3. A combination of usable and concentrated cannabis not to exceed the single sale limit.

15.030 Products required to be offered for sale; restrictions on sale of other products; restrictions on advertising.

1. Relative to cannabis, CBD and cannabis related products a cannabis consumption lounge shall only offer for sale single-use cannabis products, ready-to-consume cannabis products, cannabis paraphernalia, cannabis-related accessories, products containing CBD and products containing industrial hemp which are related to cannabis.
2. Each cannabis consumption lounge shall inform the consumer and must not allow any single-use cannabis products or ready-to-consume cannabis products to be removed from the lounge.
3. A cannabis consumption lounge shall not sell any product that contains nicotine.
4. A cannabis consumption lounge shall not sell any product that contains alcohol if the product would require the cannabis consumption lounge to hold a license issued pursuant to chapter 369 of NRS.
5. A cannabis consumption lounge shall not sell single-use cannabis products or ready-to-consume cannabis products without first communicating with the end-use consumer. Employees of the lounge must inquire about and assess a consumer's usage and needs.
6. A cannabis consumption lounge shall not recommend products to women who are pregnant or breastfeeding.

15.035 Storage and location of products; disclosure of cannabis testing facility performing quality assurance tests upon request of consumer; approved sources of products for sale; maintenance and availability of certificate of analysis.

1. A cannabis consumption lounge must store all single-use cannabis products, and ready-to-consume cannabis products behind a counter or other barrier to ensure a consumer does not have direct access to the products.
2. Upon the request of a consumer, a cannabis consumption lounge must disclose the name of the cannabis testing facility which performed the required quality assurance tests and the corresponding certificate of analysis.
3. A cannabis consumption lounge may only sell single-use cannabis products obtained from an adult-use cannabis retail store in this State.



4. A cannabis consumption lounge may procure multi-serving edible cannabis products from adult-use cannabis retail stores in this state and resell individual pieces to consumers.

5. A cannabis consumption lounge may only use cannabis, concentrated cannabis, and cannabis products which have been obtained from an adult-use cannabis retail store in this state.

6. A cannabis consumption lounge may not sell a product other than single-use cannabis products or ready-to-consume cannabis products which contain any level of THC or CBD without the approval of the appropriate Board Agent. Each cannabis consumption lounge shall maintain a file which contains a certificate of analysis for any such approved product at the cannabis consumption lounge and shall make the file available for review upon request.

15.040 On-site requirements to operate a cannabis consumption lounge

1. The cannabis consumption lounge shall comply with any federal, state and local applicable laws or regulations related to on-site food preparation.

2. Required certification of certain employees.

(a) If the cannabis consumption lounge serves food, it is required that a Certified Food Protection Manager be employed by the lounge and be onsite during all hours of operation;

(b) If the cannabis consumption lounge serves food, it is required that all staff must obtain a food handler card from the local health department.

(1) If the local health department does not offer this service, staff must obtain a food handler certification from an ANSI accredited organization.

3. Required logs that must be maintained for a minimum of two years.

(a) Consumer illness log.

(1) Log to include name, date and time of consumption, type of cannabis product consumed, date and time of illness onset, illness description and contact information.

(b) Employee illness log.

(1) Log to include, at a minimum, name, dates called out due to illness, symptoms and diagnosis.

15.045 Employee Training and Consumer Education.

1. Cannabis consumption lounges shall train their employees about the various products the lounge sells, including potency of the products, absorption time, and effects of the products to include at a minimum all of the topics found in NCCR 6.072.

2. Cannabis consumption lounges shall create written plans with instructions on how to address the following scenarios:

(a) Health policy that must also be posted in a clearly visible location to employees;

(b) Overconsumption;

(c) Sexual Assault; and

(d) Impaired driver risk mitigation plan.

3. The employee training program shall include at a minimum eight hours of compensated instruction time for initial training and four hours of compensated supplemental instruction time each year thereafter.

15.050 Separate room for cannabis smoking, vaping, and inhalation. All indoor cannabis smoking or inhalation must be confined to a designated smoking room.

1. The room must be completely separated from the rest of the cannabis consumption lounge by solid partitions or glass without openings other than doors or pass-through service windows.

(a) All smoking-room doors and service windows must be self-closing and installed with a gasket to provide a seal where the door meets the stop.

2. The cannabis consumption lounge must create and mandate work protocols and indoor or outdoor air quality standards that minimize employees' secondhand smoke exposure.

(a) Minimize the need for employees to enter the smoke room, while still being able to monitor activities within the smoking room.

(b) Require employees to wear adequate PPE such as N95/KN95 masks or respirators to minimize secondhand smoke exposure while in the smoking room.

15.055 Ventilation of the cannabis consumption lounge. A ventilation plan must be submitted, approved, with changes as necessary, and fully implemented prior to issuance of a final license. At a minimum the ventilation plan must include:

1. A separate ventilation system capable of 30 complete air changes per hour at a minimum that must be directly exhausted to the outdoors within any designated smoking room;

2. A separate system capable of 20 complete air changes per hour at a minimum that must be directly exhausted to the outdoors within the rest of the cannabis consumption lounge;

3. The ventilation system within any smoking room must create a negative air pressure within the room;

4. A HEPA filtration system, or equivalent system, capable of handling the entire volume of air within any separate room of the lounge;

5. An odor mitigation plan that will eliminate odor as it leaves the building;

6. If the lounge has an outdoor smoking area, a filtration system sufficient to remove visible smoke from the smoking area and eliminate odor at the property line; and

7. Atmospheric monitoring of the non-smoking room of the lounge focusing, at a minimum on an 8-hr average and 15 min peak CO<sub>2</sub> and PM 2.5 concentrations; and

8. Any local jurisdiction requirements.

15.060 Notices and additional disclosures.

1. The following are notices that must be posted within the cannabis consumption lounge in a conspicuous location.

(a) "HEALTH WARNING: Pregnant or breastfeeding people should not use cannabis or cannabis products. Using cannabis during pregnancy or while breastfeeding may be harmful to your baby's development."

(1) This health warning must be conspicuously posted in a minimum of 40-point font in every restroom of a cannabis consumption lounge.

(b) “HEALTH WARNING: This is a smoking lounge. Occupants will be exposed to secondhand smoke. Secondhand smoke is hazardous to your health.”

(1) This health warning must be conspicuously posted in a minimum of 72-point font on every entry point to a cannabis consumption lounge and separate smoking room within a cannabis consumption lounge.

(c) “Consumption Area – No One Under 21 Years of Age Allowed.”

(1) This notice must be conspicuously posted in a minimum of 40-point font on every entry point to a cannabis consumption lounge.

(d) Cannabis consumption lounges must post, at all times and in a prominent place inside the consumption lounge, a warning that is at a minimum of 40-point font that reads as follows:

(1) “Must be 21 or older to enter”;

(2) “Cannabis may only be consumed in designated areas out of public view”;

(3) “No consumption of alcohol or tobacco products on site”;

(4) “We reserve the right to refuse entry or service for any reason including visible intoxication”;

(5) “It is against the law to drive while impaired by cannabis” and

(6) “Firearms are prohibited”.

(e) A cannabis consumption lounge shall post one or more signs outside of the licensed premises that indicate loitering is prohibited and consumption of cannabis is only permitted in designated areas out of public view.

15.065 Tobacco and nicotine products. All tobacco and nicotine products are not permitted for use or sale in a cannabis consumption lounge.

15.070 Reporting of medical incidents. Each cannabis consumption lounge shall, within 24 hours of becoming aware, report to the CCB any medical incident stemming from a consumer’s consumption of cannabis that necessitated medical treatment.

15.075 Leaving with Unused Cannabis. A cannabis consumption lounge shall not permit a consumer to leave the licensed premises with any unconsumed cannabis in accordance with the requirements of Nevada law.

15.080 Impaired driving. Each cannabis consumption lounge shall develop a plan to mitigate the risk of impaired driving, to include making information readily available to the consumer about transportation options. Each lounge is encouraged to adopt practices that discourage impaired driving, such as a 24 hour no tow policy and/or a potential partnership with ride share to offer discounted rides both to and from the premises to consumers. If the Board learns of an increase in impaired driving stemming from the location of a particular licensee, the Board shall require the licensee to update the lounge’s impaired driver risk mitigation plan.

15.085 Law enforcement temporary closure of licensed operations. The Board or the head of the local law enforcement agency with jurisdiction over the licensee (or authorized designee) in an emergency, for cause, or upon code violation of a specific act which endangers the public welfare; and finding that such closure is necessary for the immediate preservation of

the public peace, health, safety, morals, good order or public welfare, may temporarily close any cannabis consumption lounge for a period not to exceed seventy-two consecutive hours.

15.090 Visibility of consumption.

1. A cannabis consumption lounge shall ensure that the display and consumption of any cannabis is not visible from outside of its premises.

2. A cannabis consumption lounge may have a consumption area outdoors under the following conditions:

(a) The cannabis consumption lounge shall ensure that all cannabis is kept out of plain sight and is not visible from a public place without the use of optical aids, such as telescopes or binoculars, or aircraft; and

(b) The cannabis consumption lounge shall ensure that the consumption area is surrounded by a sight-obscuring wall, fence, hedge, or other opaque or translucent barrier that also prevents cannabis products from being transferred to anyone outside the consumption area.

15.095 Water service. Water shall be provided without request and free of charge to all consumers.

15.100 Lounge licenses attached to sales facilities.

1. Any cannabis sales facility that is awarded a cannabis consumption lounge license from the Board has no right to transfer said lounge license. The awarded cannabis consumption lounge license will be permanently paired with the cannabis sales facility license upon issuance.

2. The physical premises of the cannabis consumption lounge must be in some direct way attached to the cannabis sales facility.

15.105 Ready-to-consume cannabis products.

1. Preparation of all ready-to-consume cannabis products must comply with FDA food code and any other local health code as enforced by locality; with the exception that cannabis is not considered an adulterant.

2. All ready-to-consume cannabis products, the ingredients, and the procedures to prepare such products must be approved by the appropriate Board Agent prior to preparation and sale to a consumer.

3. All ready-to-consume cannabis products must not require time or temperature as a control for safety, resulting in a non-perishable and shelf-stable product.

4. Cannabis consumption lounges:

a. May separate premeasured single-dose concentrated cannabis procured from a cannabis sales facility for the purpose of individually dosing each ready-to-consume cannabis product in its final state.

b. Shall clearly mark ready-to-consume cannabis products with the cannabis dose in the dish when being served to consumers.

c. Shall notify the consumer as to which part of the dish is infused.

d. Shall include allergen information on the menu.

e. Shall limit sharing of ready-to-consume cannabis products.