



Sala Consulting

11700 W. Charleston Blvd  
Ste. 170-700  
Las Vegas, NV 89135

Cannabis Compliance Board  
Tyler Klimas, Executive Director  
555 E. Washington Avenue, Suite 5100  
Las Vegas, NV 89101  
Submitted via email: [regulations@ccb.nv.gov](mailto:regulations@ccb.nv.gov)

February 28, 2022

Dear Director Klimas and Cannabis Compliance Board Members,

On behalf of Jardin Premium Cannabis Dispensary, we appreciate the opportunity to provide further input on the proposed cannabis consumption lounge NCCRs. We thank you for your ongoing collaboration and consideration of the attached revisions. We are proud to work with you to create a safe and successful foundation for the implementation of cannabis consumption lounges as envisioned by the Legislature in AB 341.

Sincerely,

Chris Anderson  
President  
Sala Consulting

## Proposed Changes to NCCR Regulation 1

### 12.2.21 Proposed Regulations

New

~~Deleted~~

~~Deleted from 12.2.21 Proposed Regulations~~

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~~ 3.5 grams of usable cannabis, 0.5 grams of concentrated cannabis, or 10mg of THC in an edible 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 12.045 prior to sale.

## Proposed Changes to NCCR Regulation 4

### 12.2.21 Proposed Regulations

New

~~Deleted~~

~~Deleted from 12.2.21 Proposed Regulations~~

#### **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) Except within licensed cannabis consumption lounges, 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~~ overconsumption 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.

\*\*\*

#### **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.

\*\*\*

#### **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:

(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~~ offer required water service at a cannabis consumption lounge; or

(11) Failing to comply with requirements regarding visibility of consumption at a cannabis consumption lounge.

### **Proposed Changes to NCCR Regulation 6**

#### 12.2.21 Proposed Regulations

New

~~Deleted~~

~~Deleted from 12.2.21 Proposed Regulations~~

**Regulation 6.075 Development, documentation and implementation of certain policies and procedures; maintenance and availability.**

(6) For cannabis consumption lounges, disclosure of health risks involved with the performance of job duties.

**Regulation 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)**

(3)(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;~~

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 cooperating with such law enforcement or public safety personnel. ~~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.~~

### Proposed Changes to NCCR Regulation 13

#### New

#### **13.040 Transportation by cannabis cultivation facility, cannabis production facility, cannabis independent testing laboratory or cannabis sales facility; applicability of provisions relating to distributors.**

1. A cannabis cultivation facility or a cannabis production facility may transport cannabis or cannabis products to or from a cannabis cultivation facility, a cannabis production facility or a cannabis independent testing laboratory.

2. A cannabis independent testing laboratory or a cannabis sales facility may transport cannabis or cannabis products to or from a cannabis independent testing laboratory for testing.

3. A cannabis sales facility may transport single-use cannabis and cannabis products needed for ready-to-consume cannabis products to or from a cannabis consumption lounge for the sale or acquisition of single-use cannabis products.

4. The requirements of NCCR 13.010 for a cannabis distributor apply to a cannabis establishment that transports cannabis or cannabis products pursuant to this section without using a cannabis distributor.

## Proposed Addition of NCCR Regulation 15

### 12.2.21 Proposed Regulations

New

~~Deleted~~

~~Deleted from 12.2.21 Proposed Regulations~~

Regulation 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 ~~overconsumption~~ 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 ~~sold~~ consumed and must be destroyed; and
  - (e) The number of the license for the cannabis establishment.

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. ~~3.5 grams 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. ~~Edible 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. 0.5 grams of concentrated cannabis products; or
4. A combination of usable, edible, and concentrated cannabis not to exceed the single sale limit.
5. For the purposes of this section, a single sale occurs when a consumer orders cannabis or cannabis products.
  - (a) If a cannabis consumption lounge allows multiple orders, the lounge may process the orders as a single final transaction.
  - (b) The final transaction must be recorded in a manner which details the date, time, and quantity of cannabis or cannabis products transferred to a consumer in each order.

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 and shall inform the consumer that removing such products from the lounge is illegal.

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,~~ or within a secure container designed to prevent theft 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.

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

(a) Consumer illness log for illness related to lounge visit.

(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; ; and

~~(c) Sexual Assault; and~~

~~(d) (c) 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 smoking room, while still being able to monitor activities within the smoking room.

(b) Allow ~~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;~~

1. A separate ventilation 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;~~

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

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

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

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

6. Atmospheric monitoring of the non-smoking room of the lounge focusing, at a minimum on an 8-hr average and 15 min peak CO2 and PM 2.5 concentrations; and



7. Any local jurisdiction requirements.

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, if the elevation of the consumption area is within eight vertical feet of the surrounding area, 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 offered ~~provided~~ without request and free of charge to all consumers.



JUSTICE  
COMMERCE  
COMMUNITY

Comments on CCB Proposed Changes to NCCRs 1, 4, 6, 13 and 15

From: Scot Rutledge, Argentum Partners on behalf of the Chamber of Cannabis

To: Tyler Kilmas, Executive Director, Cannabis Compliance Board

Date: February 28, 2022

Submitted via electronic mail to: [regulations@ccb.nv.gov](mailto:regulations@ccb.nv.gov)

---

**1. Regulation 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 gram of usable cannabis or may not contain more than 10mg of THC in a cannabis product.*

We recommend changing the limit for a single-use cannabis product to 3.5 grams of usable cannabis. After several weeks of additional industry feedback, we believe that allowing up to 3.5 grams to be purchased by an individual will account for the industry standardization of 1/8<sup>th</sup> packaging. Based on industry data provided in December by the Nevada Dispensary Association, we expect that many guests will visit a cannabis venue with a friend or group of friends and that buying an 1/8<sup>th</sup> and sharing will be a regular consumer practice. This will also allow for less wasteful packaging while still focusing on the training and education around overconsumption, including Serve Smart procedures.

**2. Regulation 4.050 Category III Violations.**

*(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;*

We recommend making the following change: "Except within licensed cannabis consumption lounges, allowing consumption..." This change will accommodate the addition of these new licenses allowing for consumption.

*(30) Permitting the use or consumption of cannabis by any person displaying any visible signs of intoxication at a cannabis consumption lounge;*

We recommend making the following change: "Permitting the use or consumption of cannabis by any person displaying any visible signs of overconsumption at a cannabis consumption lounge;" The term "overconsumption" more clearly defines the problem being solved for.

### **3. Regulation 4.060 Category V Violations**

*(10) Failing to provide required water service at a cannabis consumption lounge;*

We fully support the requirement for cannabis lounges to provide water service for free, but we recommend changing the word "provide" to "offer" in the case that a customer refuses free water service, which is customary at bars and restaurants. Requiring businesses to bring water to the table that is not consumed is a wasteful policy.

### **4. Regulation 6.075 Development, documentation and implementation of certain policies and procedures; maintenance and availability.**

*(6) Disclosure of health risks involved with the performance of job duties.*

We recommend some clean-up language so as to not require unnecessary documentation for other cannabis establishment license types: "For cannabis consumption lounges, disclosure of health risks involved with the performance of job duties."

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

*(3)(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;*

We suggest deleting the following language due to the cost and burden this will place on cannabis establishment licensees: "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;"

*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.*

We suggest deleting the following language given the vagueness and the potential for biased claims against cannabis establishments: "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.*

We suggest changing the language to read: "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 cooperating with such law enforcement or public safety personnel."

We believe this language still provides for compliance by the cannabis establishment while also not disrupting the course of business in the case of an isolated situation at an area within or adjacent to the cannabis establishment where sales or consumption would not impede or disrupt the investigation.

**6. Regulation 13.040 Transportation by cannabis cultivation facility, cannabis production facility, cannabis independent testing laboratory or cannabis sales facility; applicability of provisions relating to distributors.**

*1. A cannabis cultivation facility or a cannabis production facility may transport cannabis or cannabis products to or from a cannabis cultivation facility, a cannabis production facility or a cannabis independent testing laboratory.*

*2. A cannabis independent testing laboratory or a cannabis sales facility may transport cannabis or cannabis products to or from a cannabis independent testing laboratory for testing.*

*3. The requirements of NCCR 13.010 for a cannabis distributor apply to a cannabis establishment that transports cannabis or cannabis products pursuant to this section without using a cannabis distributor.*

We suggest adding the following language to account for the delivery of cannabis products between a cannabis sales facility and a cannabis consumption lounge: “A cannabis sales facility may transport single-use cannabis and cannabis products needed for ready-to-consume cannabis products to or from a cannabis consumption lounge to sell or acquire single-use cannabis products.”

**7. Regulation 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;*

We recommend changing the limit for a single-use cannabis product to 3.5 grams of usable cannabis. After several weeks of additional industry feedback, we believe that allowing up to 3.5 grams to be purchased by an individual will account for the industry standardization of 1/8<sup>th</sup> packaging. Based on industry data provided in December by the Nevada Dispensary Association, we expect that many guests will visit a cannabis venue with a friend or group of friends and that buying an 1/8<sup>th</sup> and sharing will be a regular consumer practice. This will also allow for less wasteful packaging while still focusing on the training and education around overconsumption, including Serve Smart procedures.

*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.*

We recommend making the following changes/additions to this section:

2. Edible cannabis products containing not more than 20 milligrams of THC. For any sale of a cannabis product containing more than 10 milligrams of THC to an individual consumer, the product must be transferred to the individual consumer in separate serving sizes containing no more than 10 milligrams of THC per serving;

3. 0.5 grams of concentrated cannabis products; or

4. A combination of usable, edible, and concentrated cannabis not to exceed the single sale limit.

5. For the purposes of this section, a single sale occurs when a consumer orders cannabis or cannabis products.

(a) If a cannabis consumption lounge allows multiple orders, the lounge may process the orders as a single transaction.

(b) The final transaction must be recorded in a manner which details the date, time, and quantity of cannabis or cannabis products transferred to a consumer in each order.

**8. 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; ; and*

*(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.*

We recommend deleting subsection (c) Sexual Assault from the required employee training. This explicit language regarding sexual assault is an offensive characterization of cannabis consumers. Every cannabis establishment licensee is required to provide employee training on public health and safety. We do not agree that requiring a specific training for sexual assault is indicative of cannabis consumers and in fact further exasperates antiquated and derogatory beliefs about cannabis.

**9. 15.050 Separate room for cannabis smoking, vaping, and inhalation. All indoor cannabis smoking or inhalation must be confined to a designated 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.*

We recommend replacing the word "Require" with "Allow" given recent changes to state mandates on indoor mask requirements that no longer require masks to be worn by employees. We do respect each employees decision to wear a mask if they believe doing so will be in their best interest.

**10. 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.*

We suggest the following changes to this section:

The Board (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, or public welfare, may temporarily close any cannabis consumption lounge for a period not to exceed seventy-two consecutive hours.