

Nevada Cannabis Advisory Commission – Public Health Subcommittee

Meeting Minutes October 19, 2021*

The Nevada Cannabis Advisory Commission's Subcommittee on Public Health held a virtual public meeting via Zoom. On October 19, 2021, at 10:00 a.m.

Public Health Subcommittee Members Present via Zoom:

Jennifer Pearson, Chair

Teresa Hayes

Benjamin Chew

Jillian Nelson

Lauren DiPrete

Chair Pearson 00:00

Good morning, everybody. My name is Jennifer Pearson, I am the chair of this subcommittee. And I see we have all of our committee members here, so Commissioners Chew, Nelson, DiPrete, and Hayes. And so, before we get going, I just want to orient everyone to what we're going to be doing today. So, the purpose of today's meeting is to review our final set of public health related recommendations concerning the cannabis consumption lounges, that the state of Nevada is standing up. So, I'm going to present these recommendations at the next full Cannabis Advisory Commission. We don't really need to formally approve these recommendations. But what I'm going to do is, I'm going to take votes on each section just so I can kind of take the temperature of the committee. And, you know, we're going to discuss them also. And I'm going to summarize those discussions for the overall Cannabis Advisory Commission to identify you know, here's, here's an area where we all really agree strongly. Here's an area where perhaps we agreed in principle, but not the details. Here's an area where there was disagreement. So again, we don't really need to have 100% agreement on everything, though, I think we are pretty close to that for a lot of stuff, right? It's, it's more we're gathering information that I'm going to summarize it for the Cannabis Advisory Commission. When I present to the CAC, then at that point, there will be more discussion. And then as a group, the Cannabis Advisory Commission will decide what they want to put forward to the Cannabis Compliance Board, some confusing names that are very similar, so excuse me for stumbling over some of them. And then the CCB will decide what they want to do with these recommendations. So, all of that is to say that, you know, there'll be opportunity for public comments today. But then there will also be opportunity for public comment at each one of these steps in the future. So, you know, certainly this is, this is likely to be the last public health subcommittee meeting that we're going to have for awhile, I expect that we'll probably reconvene, maybe an early winter to start talking about some of the stuff that we wanted to that we brought up during our first meeting as things that we wanted to revisit. But remember, we were we were tasked with focusing on regulations for the consumption lounges, because that's the first thing that's on the CCBs to do list, and then need to get that going sooner rather than later. So all of that said, then I want to open it up for public comments.

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Katree Saunders 04:51

Hello, thank you so much. My name is Katree Saunders. I'm a longtime patient advocate and activist in the state of Nevada. I got set up by the DEA under Operation Chronic Problem after I helped over 800 patients get legal in the state of Nevada's program. I've also helped to grant open the source dispensary the dispensary in Nevada I've worked at Silver Sage Wellness and Glassy Edibles. For the past two and a half years I've been speaking out in regard to social justice and how I am not able to participate in the industry, due to my cannabis felony from helping patients in the state of Nevada. I was over at the social equity meeting yesterday discussing real social justice issues. And how if you guys are really wanting to fix the problem, and address the non-black ownership in Las Vegas in regard to dispensaries and cultivation and ancillary businesses, not just consumption lounges, those most adversely affected by the war on drugs deserve ownership, not limited to just consumption lounges are the things that you guys think that we should have. All business avenues should be opened up and not have high regulatory fees on us entering into the market. Moving forward, I would like to see more accountability and addressing this subject so that people can begin to heal and repair some of the damage that has been sustained. At a local and at a federal level. I spoke to Tim Sager Blum and regards to having a special session to address some of the issues that I'm dealing with, as well as others, they may not have the platform or the voice to speak out in regard to these matters. So, thank you for letting me speak today. If I could be of any assistance, I can leave my email in the chat. And I'd like to help moving forward to change the narrative on ownership in Nevada. Thank you for your time. I'm done speaking.

Joelle Dodson 07:22

This is Joelle Dodson for the record. Can you hear me? Yes. Thank you. Good morning. So, Committee on Public Health. The Washoe County Health District is recommending that the Nevada cannabis compliance board be responsible for the food safety regulations and inspections on all of Nevada's cannabis consumption lounges. This will ensure consistent regulations and enforcement across the state. The health district's Environmental Health Division is responsible for ensuring compliance with local state and federal laws and regulating food wastewater vector and other areas of public health in Washoe County. There are approximately 4000 permitted retail food establishments in Washoe County that range from full-service restaurants, food trucks, school kitchens, grocery stores, and food manufacturing establishments. In addition, over 900 temporary food. Tents temporary food permits for special events are issued in an average year. Each facility is inspected a minimum of one time annually staffer registered environmental health specialists with the state of Nevada and receive ongoing training in addition to the minimum requirements to maintain there are EHS at this time THC CBD and other count cannabis byproducts are not FDA approved food additives and the health districts regulations governing food establishments prohibit such products to be used in any food product throughout the county. While updating the health districts regulations is possible. It will require workshops for public feedback, adoption by the Washoe County District Board of Health and finally adoption by the Nevada State Board of Health. In Nevada. Each jurisdiction adopts their own food regulations and there's no guarantee that all jurisdictions will be able to adopt the same regulations covering THC CBD and other cannabis byproducts. There are unique challenges to inspecting food preparation and dose dosage of THC, CBD, and other cannabis byproducts as various factors. For example, cooking temperature or fat content of a food product can result in increased or decreased levels of absorption rates in the body. These types of variables will require a significant amount of training and expertise to implement that the health district is not currently prepared nor equipped to engage in the level of expertise and training required to provide effective enough Efficient food safety, food safety inspections deserves a dedicated statewide team of experts, Washoe County Health District values, the work this committee has engaged in to evaluate, evaluate all aspects of public health and safety. Thank you advance. Thank you in advance for your consideration of having the Nevada cannabis compliance board, be responsible for food safety regulations, and inspections of all Nevada's cannabis consumption lounges. Thank you.

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Chair Pearson 10:32

So, what we're going to do now is, we're going to reverse the order of what we did during our last meeting when we first talked about our recommendations from our science sections. So, we're going to go over the inspection recommendations with Commissioner Hayes and then move on to the Occupational Health and training recommendations with Commissioner DiPrete, and then ready to consume with Commissioner Chew, the health notices and disclosures with Commissioner Nelson, and then I'll finish up with the air quality regulations. I what I think I'd like to do, if possible is for us to go over our regulations or recommendations for each one of our sections again, and then open it up for discussion. And then if we have, if anyone wants to make any specific comments, or suggestions on any of the specific recommendations in that section, we can go to that. Once we've gone through that process, we can take a step back again and ask ourselves, are we willing to kind of, you know, take the temperature of the commission by voting on the entire section? Or do we want to break it down by recommendation if maybe there's, you know, strong support for a few recommendations, but like different levels of support for others. And so, I imagine each one of these discussions will take roughly 20 to 30 minutes. So perhaps if you could keep your overview of your recommendations to about 10 minutes, that would be great. So, with that said, Commissioner Hayes, are you ready to take us through your inspection recommendations?

Member Hayes 13:16

My videos not working today, I keep freezing myself. So, I just kept watching myself be frozen. So, um, I first want to clarify the fact that recommendations for inspections should not be put in regulation. So, this is something that would go as an aside a policy a guidance document, recommendations on, you know, you know, what we train on? There are some extent outstanding questions that we still do not have the answers for whether or not county level health departments and jurisdictions would be doing their own inspections. This would be done in like a team like efforts. So, no recommendations that, you know, we have would go into an actual record recommendation into an actual regulation.

Chair Pearson 14:18

Yeah, I think at this point, what we're doing is we're kind of think of it as you know, in an ideal situation, what do we think as experts in this area are as the right way to do things, and fortunately, the CCB you know, the folks we're going to get into the weeds at the CCB can figure out the details. But, you know, we can make kind of top level. You know, principals, you know, recommendations and explain why we're making these recommendations, recognizing that there might be a It might not be practical, there might be other things that are going to happen. But that's You don't need to worry about that.

Member Hayes 15:07

You know, the people that do these inspections should be, you know, trained REHSs. With more than three to five years experience, I do not see an individual who's just coming on board with a health authority to have the kind of inspection experience that would be required to do one of these inspections, because they're very technical. They may have a lot of specialized equipment. And so those are the kinds of things I worry about. So, you would have to be a full REHS, not an REHST, what we call a trainee level.

Chair Pearson 15:49

What does REHS stand for?

Member Hayes 15:53

Registered environmental health specialist. And then there's an REHST. So, for the first three years, essentially, they're in training mode. This may limit our pool of inspectors. And that may be an issue, but being a full REHS with the trainings by you, so 10 inspections, in a in a CCB facility, restaurant type of facility, much like manufacturing, what we do for manufacturing, now, you have to have 10 inspections with a lead, so that you understand what you were looking at food safety, employee health, cross contamination issues, refrigeration issues, and now we're going to add an extra layer of complexity with testing and record keeping and those kinds of things. So, 10 inspections with that lead, you know, recorded and manufactured food training. So, you know, not less than f d 192, which is the manufactured, you know, training classes offered by the FDA. So that we so that we have some, you know, basis of background for, you know, going in there. So those are my recommendations, keep them in a nutshell.

Chair Pearson 17:32

Right. Commissioner Chew do you have any additional

Member Chew 17:40

clarification, when you say, testing? Are you talking about testing and record keeping? Are you talking about testing of the product for in the cannabis industry? Are you?

Member Hayes 17:55

So, there are going to be records on how much THC is in each product? Right? Yes. So, they would have to learn to look at a lab inspection report, you know, ensure that it was in the correct parameters. So, I'm just saying looking at records, not like doing testing, but looking at the records and making sure they're complete.

Member Chew 18:18

Okay, but if this is done, combined with an inspector from CCB, who is used to looking at those records, will that alleviate the training question for the health inspector?

Member Hayes 18:39

If the CCB we can certainly separate it, especially if we go in as a team. I don't think that's been establishment established yet. So, if you had one inspector going in, like we know, normally do now, one inspector going in, they would have to have that full set of experience of food establishments, the record keeping everything. If you had a team, a pair and environmental health specialist for food and a CCB inspector go in, you could certainly separate those requirements. If it was a team, but none of that has been sorted yet.

Chair Pearson 19:18

Well, we could recommend that. So, we could if we think it you know, because your hands if you think that's the best way to do it, we could recommend that there's a CCB and an REHS.

Member Hayes 19:35

Yeah, I think that's the best way to go. They can feed off of each other's expertise. But again, that decision hasn't been made. And of course, if I don't have the staff if, if a county chooses to bail Out of this, I will I do not have the staff to supplement CCBs inspection staff

Chair Pearson 20:16

and Commissioner DiPrete, you have something you wanted to share. Your

Member DiPrete 20:26

Thank you. I just wanted to mention that also, I don't know that it's a given that health inspectors will be inspecting the lounges, right? Yes, there's going to be a food component. But we could also recommend, I mean, in my recommendations, I've actually added one that we didn't talk about last time, that maybe postponing the full-service food of TCS, that the more dangerous foods for a few years, let everybody get their feet wet on the snacky sort of stuff that doesn't require refrigeration that doesn't have cook steps sort of things. And that would give CCB time to train up their existing staff who do their inspections for, you know, the edibles and that sort of thing, train them up on the food side of things. And then CCB could handle all of this. So, kind of, maybe it's hard to vote before seeing all of the recommendations. But in the event that it's just CCB, who's been trained up to handle the full inspection, maybe our recommendation is more of you know, make sure the staff who are doing the inspection, regardless of location, maybe have the REHS training and, you know, are fully trained to handle all aspects of it. So however, we want to word that, but if our concern is that it's tricky. It's intricate, there's a lot of things to address, which we know there will be for multiple different sides. Maybe our recommendation is just a broader, you know, make sure the staff are fully capable and trained. And then depending on which jurisdiction becomes responsible for it, then we can be more clear on what that looks like. But if our concern is they're prepared and capable, I think we can make that recommendation without knowing which jurisdiction we'll be handling it at this point.

Chair Pearson 22:18

Yeah, exactly. So, I am hearing that regardless of who is responsible, we want to recommend that the people doing the inspections that they are registered environmental health specialists and that and that they also have FD 190. Yes. certifications, and that they also have familiarity with

Member Hayes 22:57

so we call them OJEs- on the job experience. Before you're turned loose without your trainer on an inspection. The rest of it is just good old-fashioned inspecting.

Chair Pearson 23:24

Okay, so we want we want it for trainees we want them to have, you know, the is this is the 10. It's kind of apprentice inspections. Is that standard?

Member Hayes 23:38

Yes, for us it is. It depends on where you are. I don't know how Southern Nevada does it. But in when we go through retail inspections, as a as a beginning inspector, you do 75 inspections with a trainer. So, you're watching a trainer for 25 You were leading for 25 and then another 25. You know, we hang back and don't say anything. I think 10 is what we use for manufactured food. And I think 10 is a nice round number for that. But under the tutelage of a trainer familiar with these food facilities, and the complexity and document 10 inspections with that trainer for being allowed to roam around on their own. And that is standard for the state health department. Okay. It would be curious to know what Lauren and SNHD do as their standard training.

Member DiPrete 24:47

So, we have roughly six months on the job training. I don't know exactly what the numbers are. It's been a minute since I've been in training. But we do a similar style where the training is observed for Just then they lead. And then there's still kind of under the umbrella of our training officers as they do them on their own, and then come back and review their paperwork and discuss what they saw before they're signed off. So yeah, I mean, just this job in general is

such a unique position that they asked to be on the job training for a lot of it. And then I think if we want to vote on this recommendation, it would be helpful to share a little more details on what NREHS is, and what FD 190 is, would that be?

Member Hayes 25:34

Okay? So, an REHS is under 625A. It is a Nevada state law. People come into these positions as, as health inspectors, within the first 30 days have to sign up with the REHS board. So, we have our own board, and the board, accept your application, you have to turn in the application at 30 days, then you have three years of on-the-job training, depending on what it is you do. And REHS, covers 18 topics: food, solid waste, air components, you know, pathogens, you know, anything that you can think of that goes into an environmental health specialist position. So, for three years, they, you know, study under us, and then they go and take an exam. And it's a nationwide exam, under the National Environmental Health Association, who provides that exam. And within three years, you become a nationally recognized registered environmental health specialist. For the first three years, your REHST, which is the trainee. And so, you have covered a lot of topics and been tested on it. And, you know, at that point, you're, you know, stand on your own inspector. Although I will agree that most of this is always a team effort.

Chair Pearson 27:14

So, the, when you are a registered environmental health specialist, what is it that you are certified to inspect?

Member Hayes 27:30

everything that's been assigned to you. It covers 18 topics, but depending on your health department, you have certain programs, and then you get training in those programs. So between the REHS and the training you receive in your program, so if you work in the food program, you're going to get, you know, 75 inspections, or six months of training, if you work in an air quality program, you may get, you know, some amount of inspections, and, you know, six months of training, but all of that is documented throughout the process so that we know that you have training in those topics. So here, I can see being food, lab results, air quality, and we would make sure that they had training in all three of those sections.

Chair Pearson 28:20

Okay. So, and then what's the content of the FD 190 certification?

Member Hayes 28:26

FD 190 is manufacturer food because of the intricacies of the equipment that would be used in order to prepare some of these products? FD 190 is a nationwide training program provided by the US Food and Drug Administration. I can provide funding for all people who want to go and take that training. So, we have been fun funneling money to the local health authorities for a while now to get this training. So, it is everything manufactured? So, are you packaging, what kind of packages, you know, lidding caning, you know, those kinds of things. It is a general overview of high-level food.

Chair Pearson 29:19

So, is that an inspection that would happen at the level of the manufacturer or the level of the server? So, for example, you know, if there's like a venue that's serving chips, would an FD 190 certification to inspect that venue where it's serving the chips? Is that necessary? Or is it more go to the, you know,

Member Hayes 29:45

so that that training would be for the manufacturer of the product? So, I'm going to make a chip and put it in a package? Yeah. Yeah. So, I made a chip and put it in the package that would be that train. Nothing more than this. I don't think FD 190 is just for, I'm going to hand you a package of chips.

Chair Pearson 30:09

Okay. If that is if that's the case that I don't think that's necessary for the people inspecting that cannabis consumption lounges, because they're not going to be manufacturing prepared food there, they will be, you know, bringing it into the it'll be manufactured someplace else.

Member Hayes 30:32

I understand that this will, you know, today, we may start out with packaged foods, you know, prepare somebody else. But this is going to grow, I think, fairly quickly. Oh, yeah. People will want to do other things right away.

Chair Pearson 30:50

Um, Commissioner Chew?

Member Chew 30:55

Sorry, yeah. So, I was going to make the same point that we have both the prepackaged and the ready to consume, which would be prepared on site.

Chair Pearson 31:05

they're ready to consume what would be prepared and consumed on site.

Member Chew 31:12

Right. All right. So, I think that might fall under what Theresa was talking about, and that is not the, you know, just opening up a prefab because I'm actually doing some food handling at that point.

Chair Pearson 31:25

Right. Right. Right. Okay.

Member Hayes 31:26

I mean if we can make this all about prepackaged ready, eat foods, you know, forever. I mean, that that's one thing. And you could certainly go to a much lower degree of training, but I just don't think we're going to stay there.

Chair Pearson 31:42

Right. So let me summarize what I'm hearing so far as to recommendations that would come out of this section. The first recommendation is that whoever's doing these inspections, they need a REHS certification and an FD 190 certification. And they also need familiarity with the cannabis product testing process of reports. And then the second recommendation would be that ideally, this, we would fulfill those first recommendation by there being teams of REHS and CCB inspectors, now, you know, where those people come from exactly, TBD. But we do think that that teams would be the best way to achieve the level of expertise, we are recommending

Member Hayes 32:30

I do.

Chair Pearson 32:32

Cool. Is there anything else that you would like to add to these two recommendations that I just summarized? Oh, they are. Okay, so I think we might be in at the point now where we could vote to see if, if we are supportive of us as a group. I propose that we vote on them together. Is there anyone that wants to split them out?

Commissioner DiPrete

Sorry, I would prefer to split them out.

Okay, you would prefer Okay, so let's do for recommendation one. Why don't you commissioners just raise your hand if you're supportive of making this recommendation to the Cannabis Advisory Commission as a general. I will read it again.

Chair Pearson 33:43

Inspectors should have the registered environmental health specialist and the FD 190 certification and also familiarity with cannabis product testing reports.

Member Hayes made a motion to approve the processes for training and inspection. Commissioner Chew seconded

All Members in Favor

Member Hayes made a motion to approve the second portion of Section Two training inspections: we recommend is that there'll be teams of people that have both backgrounds from CCB inspectors as well as registered environmental health specialists with these ft one nine new certifications so that they can provide the degree of expertise needed. Member Chew seconded

Member Pearson, Nelson, Chew, and Hayes in Favor. Member DiPrete opposed.

Member DiPrete 36:17

I'm just thinking that if we're already requiring the people doing the inspections to have all of the training that we just agreed on, and Commissioner Hayes said that she doesn't have the staff to send out there. And I know, Washoe said that they don't want to be handling it. I'm not sure that I want to recommend having health department staff on these inspections if we don't have the capacity for it. And if we're already going to recommend that the existing CCB staff get the training. I don't think it's bad. I just think that we're going to kind of work around it a little bit

Chair Pearson 36:53

Okay. So, when I am summary in our discussion here, I can when I'm summarizing, I can mention this concern. I think that's very reasonable. Also considering the public comment received. So, the concern is that there's not enough capacity from the local health departments to make this happen is something we need to keep in mind.

Member Hayes 37:17

Also, that recommendation may grow if you start out with packaged foods that wouldn't be necessary at the beginning, but only after you've moved to foods prepared on site.

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Member Chew 37:31

Yeah. So, with that, then if we're talking about three years as a trainer, then we're talking a three-year delay and to get the certification for people. And I guess, how were the largest lenders out there that what is the program that you would put CCB inspectors under to get this to do their trainer thing along with somebody else? You know, it turns into a full-time job doing 75 inspections for different departments. Just something to think about,

Chair Pearson 38:06

yeah, I so the flip side of that is, perhaps CCB, does not have inspectors that have this certification already. And if it takes it's a three-year process to go from a trainee to a fully certified inspector than, you know, our CCB in a situation where they can't really provide the level of expertise that they need to. So, this is like, a continuous issue. Right? As resources. Yes. Commissioner DiPrete.

Member DiPrete 38:36

And just as a note, I'm not sure I 100% agree that the inspectors would have to have been through their three years, three years and moved on from trainee to REHS. Just because I know a lot of very capable staff who are two years in and who are doing tricky things. And so, if that alleviates things, as long as there's, you know, I don't know that we have to detail the exact training underneath it, but as long as they're on route to become REHS. And that, you know, internally CCB has a training program that includes observation, conducting under supervision and being approved and released to conduct on their own, then that might alleviate some things.

Chair Pearson 39:23

Yep. Thank you. Okay. It's making some notes.

Member DiPrete 39:32

And I didn't see a chat box today. But I was going to send a link for REHS information just so you guys have a little bit more context.

Chair Pearson 39:41

yeah, I think this type of type of interface is a little different. I'm concerned, Commissioner Nelson.

Member Nelson 39:51

I just wanted to comment kind of to what Commissioner DiPrete was saying, with requiring all of the inspectors to have REHS certification. So, in my experience, we have been audited and inspected by many CCB agents over the years, and not all of them have REHS certification, there are a few people at the CCB that currently have this, and they oversee a lot of the inspections. But at the ground level, the people that have actually come through and done our inspections, several of them haven't had this certification. And, I mean, I may be a little biased in saying this, but I thought that they've done a very good job and they were, you know, very knowledgeable on what they needed to look at and when they needed to inspect, but I just guess I wanted to put that out there because the existing practice has not necessarily required this for all inspectors, but they do have some people available with that certification, for reference purposes and for training purposes.

Member Hayes 40:56

I will update that, um, you know, the REHS board last year passed a requirement for all CCB staff to become REHS

Member Nelson 41:08

Okay. All right.

Chair Pearson 41:11

So, I will summarize when we, I, when I put this forward to the CAC, that the discussion was perhaps that, you know, that there are still people who are not completely finished with their training. So just that recommendation there that, you know, I think there's a balance between emphasizing the need for people who are specialists with experience with also the reality that there are people on the on the pathway to having that full certification, who are skilled on already in probably adequately skilled

Member DiPrete 41:53

and they might feel that they need to make a recommendation as far as like a grace period, right? To get on board with REHS and to get through all that training. So, whether it's a grace period for the first three years, and after that everybody has to be full REHS or something like that. That would make sense.

Chair Pearson 42:07

Okay. All right. Okay, um, I think we're going to move on from inspection recommendations, then unless there's anything else that we want to discuss in this section. Okay, see nothing. Thank you, Commissioner Hayes. That was wonderful. Let's move on to the Occupational Health and training recommendation. So that's Commissioner DiPrete.

Member DiPrete 42:38

Okay, let me pull up a PowerPoint so we can go through them one by one.

Chair Pearson 42:52

while she's doing that, just to remind everyone, let's let her go through it all. And then if you have things that you want to bring up, just make a note of it and then go back.

Member DiPrete 43:05

Okay, please get this up. Any problems seeing the PowerPoint? Okay. So, the first recommendation I'm putting forward is to log customer illness, so to require consumption lounges to log and report any illness observed on site, or reported to the lounge afterward to the regular authority regulatory authority responsible for investigating outbreaks. So, whether that will be CCB. I don't know if CCB wants to be the ones to respond to cases of illness at allowance or if they want it to be the local or state health authority. But whoever makes that decision. Once an action I think consumption lounges should have to log all of the illness and report it. And those reports should include the symptoms of the foodborne of any symptoms of foodborne illness, symptoms of overconsumption, or otherwise anything kind of weird going on, to include the date and time of consumption, type of consumption, date and time of illness onset, a description of the illness, what symptoms they're experiencing, and contact information, as much of that is known from the reports and to make this log of illness available for review during inspections and as requested by the regulatory authority. I think this is important to assist in illness surveillance and investigations because of course, the faster we can identify the illness, the faster it can be addressed, and we can prevent further illness. So, if there's ongoing transmission at a facility, we want to know it as soon as possible so that we can put in corrective actions to stop the spread. Next recommendation is to post an employee health policy. So, require that this employee health policy be visible to all employees that it includes symptoms of foodborne illness and diagnosed illnesses that employees would be excluded from work if they were experiencing, CDC reports that half of restaurant outbreaks are due to ill employees. I think there's a lot of overlap between a restaurant and a lounge, whether they're serving food or

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serving pre rolls, things that are going to be going into their mouths. And employees need to know when they need to call out of work. So, I've included just the same handout, it could be as simple as this or something with the same information just posted somewhere so that the employees can see it so that we're thinking about these foodborne illness symptoms. This is supposed to be three, I'm not good at counting. So, I'll update that log employee illness as well. So first, I recommended logging customer illness. Now I'm recommending logging employee illness. Similar requirements, and again, the reason for that is managers need to know who should and shouldn't be handling items that can be transmitted illness. Also, a lot of restaurant outbreaks, like I said, are due to ill employees. And this requirement is encouraged by the FDA and CDC does not violate HIPAA or the DEA. So, this link that I have here, I've actually copied just right here. So, this is a handout that we use quite a bit during outbreaks, a lot of times managers are hesitant to ask their employees about illness symptoms. And this is just reinforcing the idea that it is encouraged by the FDA Food Code. It does not violate HIPAA or the DEA. This is something that answers a lot of questions in case anybody is hesitant about that. If we're working on public health, or looking on outbreak, you know, detection and response, it's important to know who is sick with what the next recommendation is for cannabis training. We talked about this to require staff to obtain cannabis safety related training and certification. We would want this training to include the clinical effects of cannabis on the human body methods of identifying overconsumption methods of preventing sexual assault and disturbances of the piece and all applicable state and local laws. And then, you know, leaving it up to the CCB to decide whether they want to meet this recommendation by developing a Nevada specific training or utilize the various existing trainings that Commissioner Hayes discussed at our last meeting. I think this is important to ensure safe and lawful consumption and to protect the users. Next recommendation is for a Food Handler Card. So, if the consumption lounge serves food, to require that staff obtain a food handler card or equivalent, so either a Food Handler Card from a local health department, but of course not all health departments offer this in the state. So, to offer to also could meet this requirement by using a food handler training from ServSafe or other anti-equivalent organizations these already exist. Again, I think it's important because foodborne illness against a lot of people and we need staff to know how to prevent it. Next recommendation is for a certified Food Protection Manager This is already a requirement in the dispensaries I believe. So, if the lounge serves food to require that they have a certified Food Protection Manager on site at all hours of operation. Same reasoning here. Foodborne illness gets people sick, and we can prevent it through proper training and procedures. Next step to require written plans. So, all consumption lounges must have a written plan with instructions for how to address the following potentially dangerous scenarios overconsumption sexual assaults or attempts to drive while intoxicated. And this is to keep cannabis consumption safe for all participants and the community around. Next is to adopt appropriate food regulations. So, I'm recommending here to either adopt the food regulations of the local or state health authority, or to adopt equivalent regulate regulations modeled after the FDA Food Code that adequately addresses all aspects of food safety. I think you've noticed from Commissioner Hayes and myself that there's a lot of hesitation about allowing full-service food in these lounges. There's a lot of risk associated with that. And we have a very extensive food regulations here in Southern Nevada, I'm sure elsewhere in the state does as well. We're all modeled after the FDA Food Code, even if there's slight differences between the different authorities. The reason why they're so extensive is because they're addressing all the different ways food can be prepared, and all the different ways food can become a risk to the person eating it, and how to reduce that risk and how to handle it safely. So especially as we open up the possibility of serving what we call TCS foods which are time and temperature controlled for safety foods. So those are your dairy items, your meat, your cooked vegetables, that sort of thing. As we handle those, we're increasing the risk. So, we want to make sure that there are regulations in place to control that. Next recommendation is to postpone using TCS foods. So, I would recommend to temporarily restrict the use of these TCS foods. And that will allow consumption lounges to open with the simpler, safer foods first, for the ones who do want to offer food. It will allow the regulatory agency time to develop or adopt appropriate regulations and train the staff and industry on appropriate food safety. And then the board can allow TCS foods at a later time. So, I don't know if they would want

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to say, you know, today it's not allowed. But in five years, it will be or today it's not allowed. But we'll revisit next year or something like that. But I think in order to get the lounges moving quicker, it makes sense to me to allow the lounges to open, but with this temporary restriction until we can get everything necessary in place to keep it safe. And then we talked about devices. So, this is just summary summarizing our discussion last time required devices to either be brought in by the customer, and verified by staff that it's empty upon arrival. And then if we decide that customers can't carry anything out, then it would need to be verified on departure. But it's empty, or go to a single use model to provide an onsite device to be used on site and then either carried out or discarded. And that's because there's no clear guidance on proper cleaning and sanitization of devices from our federal agencies. And it reduces liability for the lounges, right, that's going to be a really important step, the cleaning and sanitizing between uses. And if we don't have clear federal guidance in the lounges, they're taking it upon themselves, they're really opening themselves up to liability. So, I think, yes, those are all of my recommendations. So, with that, I'll stop for a minute, update my numbers so that when we go through make sense, and then happy to hear comments or questions or different ideas.

Chair Pearson 52:18

Great, thank you. That was the first thing I was going to ask was to update the numbers so that we can all refer to things similarly. So, discussion, would have anything you want to discuss concerning these recommendations. Krishna Nelson.

Member Nelson 52:38

So, with recommendation number three with regard to the training and requiring agents have some sort of like general industry certification, I think that's a really great idea. I guess I'm just trying to think how this is going to be implemented, who's going to be responsible for it like the CFPB? Actually, if the CFPB is responsible for providing this training? Do they actually have the resources to do this? And how often are these agents going to need to go through training?

Member DiPrete 53:07

So great questions, and I left it intentionally vague. So, I don't think that's something that but let's see 123, like you said, there's different ways of going about it for so I left that up to the board. So, like, under methods to meet the recommendation? Does the Board want to develop their own? Or do there's already methods? Are there's already trainings in place? Do they just want to say pick an approved training and show us your certificate from it? And that suffice is this requirement? I'm not sure what they would prefer to do. Again, I don't know their resources, or capacity for implementing something like this. That's a good point. I didn't say when it should renew. I don't know if we want to model it after Alcohol Awareness card. Our food handler cards I think are five, three years or five years. I mean, we can certainly decide to put an expiration on the certification.

Member Nelson 54:13

I'm sorry. So, the current industry requirements, have everybody get an agent cards, so we have to go through background checks. If they recently changed it from being a one year minimum to a two year just because one year was a lot. So, I'm not sure if it's something that could go along with that. But back to the actual trading requirements. So, are there any other states that have cannabis like industry wide training, recommendations or regulations that you're aware of that we could maybe model this after?

Member DiPrete 54:47

Maybe chair Pearson found some in her research. I didn't specifically look for this kind of training. What I did was modeled it after the requirements for alcohol. And I know Commissioner Hayes mentioned that there were not state specific, but like industry pushed trainings that are available. But certainly, something that we can look into more.

Chair Pearson 55:12

Yeah, I, I, I haven't done anything myself, but I haven't looked. I think that at this point, it's okay for us to say, here's the things we think are important for these trainings to hit for public health reasons how they're going to achieve, this is up to them. And whether they're going to achieve this is also up to them. Right? We can just make the make the case that, you know, for example, methods of identifying overconsumption would be good for everybody, good for public health, good for the lounges, good for the customer. You know, this is something that I think we can all get on board with how they're going to do it. Fortunate, fortunately, there are skilled people at CCB, who can look at other states and learn from their experiences as well. And you know, they'll figure out the details, and I'm sure they'll come back to us if they need further advice. By okay.

Member Hayes 56:12

Yeah, last time, when I presented, I presented California and Colorado, they had a really nice, inclusive list of those topics that, you know, they felt should be trained on over a period of time.

Member Nelson 56:28

Like training, though, I guess I'm just looking for if there's like something that we can present them being like, hey, this has been a successful model and this other state, and I think it's a really great idea to have like a baseline industry training requirements. It just, I, I've looked into it a little bit, and doesn't really seem like there's much out there, even though there should be. But it's just a matter of if Nevada has the capacity of creating something like that. I guess my only point

Chair Pearson 56:58

Sounds like a great business opportunities for somebody.

Member Hayes 57:01

I found a lot of them out there that were already pushing, you know, cannabis training for people who worked in these facilities. And I thought that, you know, based on my view of them, I thought they were really well thought out.

Chair Pearson 57:20

So, it sounds like there is stuff out there. And, you know, I might reach out to members of the board of the Commission, just to get some examples that perhaps we can highlight when I summarize our discussion. What I want, you know, I, I like the idea of, of highlighting potential models or potential programs, but I also recognize that this is personally not an area of my own expertise. And so, you know, I, like on an individual level, I am reluctant to say, this is the one you should use, because I don't feel like I have a level of expertise to do that yet. But I would be open to the CCB staff coming back to us and saying, here's a few we're considering which ones do you like?

Member Hayes 58:18

Right, and that I will share that at the state level, we require something called a certified food manager. And what we do here at the State is somebody comes to us with a training, we look at it and to see if it is appropriate training. And then we'll put it on a list of approved programs. And then they can choose from that list and go and take any variety of classes that they would like. But they've been reviewed by us for completeness, you know, what we think should be

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under certified food manager training. And I think that will be a great way to go have a lot of different people be able to put their program up for recommendation and just provide a list of optional trainings, whether it be in class or online or a combination of the above.

Chair Pearson 59:08

Right. Yeah. Commissioner Chew

Member Chew 59:14

I think the last recommendation was only about delaying the ready to consume items for a while and I think it was up mainly for train staff on this. I'm a little concerned about that. Just in that, if we I understand there's a concern about having inspectors trained for these different areas still to do this. But I think we're only talking about 40 potential new businesses across the states. I think there's 20 I can't remember if the regulation I think is like 20, independent lounges and 20 that can be connected to a dispensary

Member DiPrete 1:00:00

Just to clarify, this is for TCS foods not ready to eat foods. So, I'm not promoting postponing ready to eat foods at all. So like gummies and things that are already manufactured totally fine. This is for cooked on site TCS foods. So, if they're planning to cook a chicken or something like that, right?

Member Chew 1:00:21

Yeah. So, what I'm my naive interpretation is, is that we're talking essentially about 40 new restaurants potentially statewide, or 40. To new businesses that allow smoking, for the air quality side of this, if so, I'm talking about just the number of potential businesses that have been authorized in this bill. And if we do go down the route of a team inspection, where, right now, you know, CCV, handles anything associated with, you know, tracking the cannabis, or the, or the potency side of this thing. And then you have, you know, the health department's, you know, dealing with food safety for 14 restaurants. And then you have another one who, in the area of air quality at essentially, you know, 40 small businesses that allow smoking, is that really, as large of a hurdle as we think it is, or is that something that could be worked into the existing staffing or with minimal increase on staff

Member Hayes 1:01:50

so, so based on our experiences with opening, a manufactured food establishment, opening these food establishments will be the initial hurdle. And so, there are plan reviews, and record reviews and documents, reviews and label reviews, that all have to be done. I mean, once you get a business opened, its annual inspections and complete inspections. But opening those first 40 would be a hurdle, it would be as significant hurdle getting them open. And then after that, there's annual inspections. We also have to remember that 40 of these statewide, there are significant driving distances. Depending on where your staff are located, I have staff behind a windshield 6 to 8 hours to get to their first inspection. So that presents another hurdle. Especially if you have a small core group of cadre of inspectors doing these kinds of inspections, just the logistics, getting the team together and getting them there can be a hurdle.

Chair Pearson 1:03:03

I'm pretty sure to what do you have any response to either one of those comments?

Member DiPrete 1:03:10

Yeah, I think I again, we're in a tricky situation, because we don't understand who will be responsible for what. I think, Commissioner Chu, what you proposed is an option that the CCB might go for. I think you're going I think

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they are going to get significant pushback from the local and state health authorities in terms of capacity and resources, like Commissioner Hayes mentioned, and was mentioned in public comment previously. So personally, I think this is a better recommendation, if we're planning to keep it all within CCB. I think this makes the most sense. But, you know, that's, that's why we're here to vote. You know, I think that we could put forth both recommendations and leave it to CCB to decide how they want to really divide the labor of these inspections.

Chair Pearson 1:03:58

Yeah. And one thing I just want to also, I'd like to hear your thoughts about is what I'm hearing is there's concerns about staffing and capacity, but there's also concerns about kind of, I don't know if skill is the right word, but not really knowing how to appropriately inspect cannabis infused foods that are that are made on site that there's there seems to be an additional level of things that we kind of don't know we don't know yet. So, and I think we could know what we don't know yet. Like I think it just might take additional research and training and you know, the CCB is going to have to go deep on this. I know that there definitely have been resources offered to us via public comment that you know, we are aware of and CCP is aware of. So, I can like I hear what everyone is saying, and I part of me If I could go either way, honestly. Commissioner Nelson, you have something you want to add.

Member Nelson 1:05:07

I guess I just wanted a little bit of clarification on this section here because I understand the value of postponing TCS foods. With regard to general servings though is this going to still allow does this recommendation still allow for consumption lounges to prepare more simple foods on site or does this possibly restrict them to only serving prepackaged edibles that were manufactured and tested by a separate production facility? So, I guess I should my point that I'm looking for a little bit more detail on

Member DiPrete 1:05:42

Yeah, I think it's reasonable to allow the kind of the happy the happy medium there so maybe they're doing baked goods on site. Maybe it's like coffee shop style, where they're serving on site doesn't have to be prepackaged. I think it's reasonable to allow for open food preparation at the lounge, but not necessarily TCS food preparation. So, I think the full-service cooking and stuff there's just so much that goes into it, but I think that a happy compromise would be open food preparation within the lounge that doesn't include TCS foods.

Chair Pearson 1:06:22

So, for those of us who are not, inspectors, I'm going to I just Googled TCS foods, so time or temperature controlled for safety foods. So, we're talking about foods that could potentially you know they were undercooked and could give someone salmonella for example. So

Member Hayes 1:06:42

food out of temperature, food not held appropriately, they're hot or cold food not cooked to a proper temperature you know, storage so that you know if you have you know, eggs and fish and chicken and ground beef storage in a particular you know, top down mechanism so that you know if one drops on the other, the other has the higher cook temperature so that you kill all the passages from the fish to the ground beef because now you're cooking ground beef at 150. But that is all the idea behind TCS time and temperature control.

Chair Pearson 1:07:25

Right. So, so when you're saying Open preparation, what do you mean by that? So

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Member DiPrete 1:07:31

it could look like a bakery, cookies, muffins, things like that. Which you can get pretty extensive within the baked world. It could look like a coffee shop with you know, Amana breads, bagels, things like that. And let's see what also doesn't require TCS foods, the cream cheese,

Member Nelson 1:07:59

anything that doesn't need to be refrigerated or served hot, like as long as it can sit out on the counter for, you know, X amount of time and it's okay. Like that's what would be permissible under this model. Right?

Member DiPrete 1:08:10

Exactly. Yep. So, whatever you could produce that like wouldn't require a refrigerator. shelf stable. shelf stable foods, I didn't hear the other. That's right. I didn't hear the other thing that was mentioned. Oh, sorry.

Member Nelson 1:08:27

So just that what that also applies to then ingredients. So, like would you know, using eggs in a bakery to make cookies or brownies or something of the likelihood would those TCS ingredients fall under the limitation of the foods here.

Chair Pearson 1:08:44

Now that's a good point.

Member DiPrete 1:08:49

Because if that's the case that essentially all these are going to be vegan places. That's a good point and then maybe we can put in that's a good point.

Member Nelson 1:09:03

There that's essentially what our company is already doing. And we use, we use ingredients such as liquid eggs, they do have to be pasteurized egg per the existing NCCR regulations. But we do use perishable ingredients. And we do produce products that are shelf stable. So, I think it would be reasonable to allow a consumption lounge to do the same. If you're going to have a consumption lounge in Hughes products with cannabutter for instance, I cannabutter can't be left out on a it can't be held at a room temperature has to be cold. It kind of falls into that same sort of and I might be speaking out of text when I say this, I believe garlic butter is also one of those products that has to be it's a butter that is infused with plant material. It has to be refrigerated because there's ribs. partialism by Yeah, I would say that consumption lounges could have the same sort of preparation needs using cannabutter to infuse products. So just putting that out there.

Member Hayes 1:10:12

But at some point, there should be a way to, you know, even if that, I'm just going to pick a brownie because you've put eggs and brownies, right? It's been a while since I cooked brownie, you put eggs and brownies? Yeah, you do that somewhere else. And then they purchase that product, and then take it to the cannabis consumption lounge where it is already that shelf stable product. Maybe it's not a fresh baked shelf stable product. But we could do them separately. You know, I see that being doable.

Member Nelson 1:10:49

So, you're suggesting that it would be produced at a production facility tested and then sold to a consumption lounge where it could then be served? Or it would be produced as a consumption lounge? Only? Sorry. All right.

Member Hayes 1:11:02

I think this the first one, the first option, I liked your first option. For sure, too.

Member Chew 1:11:11

Yeah, I think, well, first of all, just that last points, obviously don't mind what their regulations state it has to go through the dispensary before going to the consumption lounge. Right. points there. And then I'm just wondering if instead of a blanket postponement of this, could we phrase it that, hey, there are certain hurdles at each level that you have to clear, right. And, you know, so, you know, the first hurdle is, if you only planning to have, you know, an area where you can vape or, you know, eat package, you know, foods, this is the level that you have to clear in order to be part of to do that. And then as you add on and plan for these other things, you know, getting your four kitchens in place, getting all your staff trained for all this stuff, you can then submit and say, okay, I'd like to expand my permit, or whatever you want to call it, to include these prepared foods, and just do that in a tiered state, as opposed to saying, you know, no, we're not going to allow this for six months or whatever. But just put it in, just define for help the CCB define what these hurdles are that that need to be done, so they can prepare at the same time.

Chair Pearson 1:12:33

So, what you're saying is that we could consider a TCS license is the right word that this would be considered kind of the most advanced version of a consumption lounge, because of the requirements for training on the consumption lounge side. I think an additional concern, though, that I'm hearing from commissioners DiPrete and Hayes, is that the state might not have and from public comment is that the state might not have adequate resources to support that. Now, if there's only a few places that are at the point where they're going to need inspections, then that might be okay. I still, though I'm kind of worrying with, with the, you know, capacity versus knowledge, which I think is that's still an issue. Do we know even what we need to inspect when it comes to cannabis infused foods that are prepared on site? I don't know that we do. But I you know, again, I think I can summarize all this. This is all really good information for the CCB. Commissioner Nelson, did you have something you wanted to add?

Member Nelson 1:13:55

Yeah, I kind of just was trying to piece together some of the stuff that Ben was saying, and I'm trying to make sure that I understand this, right. But you're essentially suggesting that instead of just having a blanket postponement of any TCS foods, that are that consumption lounges need to apply for a permit to serve these foods at their location, and this is something that could be opened up down the line. Right.

Member Chew 1:14:27

Right, I would, I guess my what I would say thinking about this would be more like, hey, let's say you have a restaurants, and they open up and they don't have an alcohol permit. And so, let's say like a year goes by and say okay, I like I'd like to serve alcohol. Now you can add on to that. Okay, here are the hurdles I need to jump through in order to be able to serve alcohol. You know, we can do that. So, I'm just, I'm kind of looking at is more of a tiered approach, as opposed to restricting things a little too tight. So, with some timelines that, you know, we don't know how long it will take, or I'm not even sure if the government agencies know how long it would take. But I think we can put that in there and just say, you know, then then we can get an idea of what's who's looking for what's whether that opens the state up to some issues of, you know, three places are saying, I'm ready to go right now. I've got all this

training in here, and you're holding me up? That's a different question. But I'm just wondering if that makes a little more sense than putting some harder timeframes in here?

Member Nelson 1:15:44

No, I think that I think that's a really great idea. And then it just kind of makes it for consumption, managers can open up and they can be operational, and then graduate into preparing and serving like more complex, edible infused foods down the line. I think that that makes a lot of sense to me. So, thank you.

Chair Pearson 1:16:05

Yeah, I'm going to suggest a rephrasing of this so that we could agree on recommendation. And to make it more general, we could say something like, you know, separate licenses permits, whatever the right word is for prepared food from TCS foods. And depending on state capacity those kind of more advanced or graduated permits, well, how do I say this, like, um, like those permits should be based on state capacity and public health considerations. Having to do with, you know, all the things that that Commissioner DiPrete has, has outlined here. So, it's not necessarily a hard and fast postpone, it's just a separate a separate process. Recognizing that this is kind of an order, this is kind of a, you know, an additional level of difficulty. When it comes to both inspections,

Member Chew 1:17:26

we just sort of list what the criteria are at each tier. And that can be determined by

Chair Pearson 1:17:32

right to be determined by the CCB. Yeah. Yeah. So, what do you think about that? Commissioner DiPrete?

Member DiPrete 1:17:44

I have kind of two thoughts. One is that I don't know that it that it addresses that inspection staff need more time to identify what will be required or not in these TCS foods or for facilities using TCS foods? Yeah, you know, if they have to write their own new set of regs, whether you have a tiered permit or not like they're going to have to wait anyway. And also, I think that something to consider in terms of your thinking about like graduating the permits, where will where, you know, there might be this option, this option. And this option, we see this a lot on the food side of things is people open up planning to just do this much and get a specific permit, because we have risk-based permit, so a permit that allows them to do this. And then they want to expand their menu, and then they get mad at us because now they need a new permit. So, they have to go back through Plan Review, they have to go back through the registration fees. And then they plan to again, extend their menu and they wind up spending far more money because we've created a tiered approach than to just these are the regulations, stay within them, and do what you want to do as long as it's within that. So, I don't want to set up CCB to have a very tricky to maneuver process regarding permitting, because we get a lot of confusion about that on our side of things.

Chair Pearson 1:19:18

Okay, how about this summary? Because I think this is all really valuable. Even more broad is simply the subcommittee recognizes that there are separate public health concerns for TCS foods compared to prepackaged ready to consume foods, and that given the concerns of both we're not 100% sure that we think there's going to be probably new regulations that need to be written there's been public comment about resources concerns. Just there's just so much that might need to be done in order to safely rollout TCS foods at the consumption lounge level. But we recommend that CCB consider these types of foods separately. And however, like there's lots of different ways to do that, and I can summarize what we've talked about here as pros and cons. And yeah. What do you think about that?

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Member DiPrete 1:20:27

Yeah, maybe just, I agree with that recommendation to specifically address the concerns regarding service of TCS foods. And then we can work with them to elaborate on what that might look like down the road. But just so that we're getting to the CCB, that there's a lot to consider here. And there's various ways to address it. And it's probably going to need a little more discussion.

Chair Pearson 1:20:52

Yeah. With lots of different stakeholders across the state. Yeah, yeah. Yeah, there's, there's a, there's, there's got to be a way to do this.

Member DiPrete 1:21:05

So, I'll make a new recommendation. Okay. I'm just going to make a new slide. I don't want to delete all of that. Sure,

Chair Pearson 1:21:13

I'll do this. And Commissioner Hayes, do you have something that

Member Hayes 1:21:17

I will agree with much of what Commissioner DiPrete said about, you know, the growth of food facilities, they start out with a vision and then that vision grows, there is also some benefit to having multiple layers, ready to eat, deli style, you know, everything cold, nothing reheated, you know, based on risk category, because if you have a problem in one section, you can close TCS foods, and still have a permit to be ready to eat foods, or all of those cold sandwiches, or salads or things like that, you can keep one part of the business going while closing another and not truly affecting, you know, their income streams. So, there is some benefit to having multiple permit levels that they can have all at one time. Okay, if that makes sense.

Chair Pearson 1:22:11

Yeah, that makes sense. I love this conversation. I think it's been very informative. I'm also looking at the time, and I promised that it wouldn't use all of our time, but we're on the way to probably using all of our time. So, commissioner DiPrete it's going to reformulate this and make it a little bit more broad and then I will summarize what we talked about. address the specific concerns from lounges service assessments as defined by FDA separately. Yeah, yeah. Okay. What do you what have folks think about that wording?

Member Hayes 1:22:56

I'm sorry, I'm on mute. Can you add the words by risk level or risk level? Where? How about just to the end of the sentence?

Member DiPrete 1:23:17

Adjust to specific concerns of TCS foods by risk level, but aren't TCS foods, they're all one risk level. Like we're just I think the request is to say, hey, TCS foods are kind of tricky. Let's address them separately. Not create risks within them yet. I think that's more detailed than we want to add.

Member Hayes 1:23:44

I'm on mute. I agree you can take that out.

Member DiPrete 1:23:46

I see what you're saying that we want it to be risk based.

Chair Pearson 1:23:50

Yeah. I agree with that. Okay. Okay. Are there any other recommendations that we want to discuss? There was just one clarification that I wanted to make for the reporting of employee illness is this illnesses that are Yep. These are these is every single possible illness, so someone calls him with a headache. Is that something that you would love?

Member DiPrete 1:24:28

No, you're right. So, it should be these. These foodborne illnesses. Do you want me to I can write them out specifically, or just clarify that you're the

Member Nelson 1:24:38

one okay. Yeah.

Chair Pearson 1:24:41

Report any of those symptoms then? Yep.

Member DiPrete 1:24:45

Due to borne illness symptoms, yeah, there you go. Yeah. Yeah, they could be confirmed salmonella or something. So, they are confirmed Salma. Ella or symptoms of salmonella,

Chair Pearson 1:25:01

they should be logged. Okay. Yeah, we want to know that. Certainly. Yeah. Yeah.

Member DiPrete 1:25:05

I don't need to get into anybody's chronic health issues or anything else for sure.

Chair Pearson 1:25:10

I'm a so anything else people want to pull out for discussion or clarification All right. So, yeah, maybe we could just blow through these quick ways. So, log customer illness, and then post the health policy as recommendation to recommendation three is to log and flee illnesses. Four is some sort of cannabis training hitting these top-level topics. Five is Food Handler Card. Six is certified Food

Member DiPrete 1:25:56

Protection Manager.

Chair Pearson 1:25:57

Thank you. We would like to see the consumption managers have written plans for these potentially dangerous situations. And then number eight is a hard just adopting Food Regulations using the FDA code. So just kind of, you know, regulating cannabis consumption lounge foods similarly to what we do other food. And then recommendation nine is no by the way to TCS foods are an extra level of difficulty, or they're extra complicated. So, you're going to want to consider these regulating and licensing these foods potentially differently than you do the prepackaged foods. And then recommendation 10 Is that customers should bring in their own devices, staff will verify that they are empty, or everything should be single use. I should clarify that as of right now. There is no carry out alive. So, the

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enacting the legislation. I do you know, other conditions have discussed whether that encourages overconsumption, and I think it does, if there's no changes to packaging, you know, sighs I think it could, but you know, that's kind of another topic for another day.

Member DiPrete 1:27:23

Maybe I'll put that in there, then in case they change it.

Chair Pearson 1:27:26

Yeah, I'll leave it in there for now. Yeah. So, I'm going to ask, would people like anyone like to move to, to vote on these recommendations as a whole? I second that motion. You have to move, move first. Okay,

Member Nelson moved to vote one by one on the occupational health and training recommendations. Member Nelson seconded the motion.

Member DiPrete moved to approve recommendation number one on logging customer illness. Member Hayes seconded the motion.

- All members are in favor.

Member DiPrete moved to approve recommendation number two on posting a health policy for employees. Member Nelson seconded the motion.

- All members in favor.

Member DiPrete moved to approve recommendation number three on logging employee illness. Member Nelson seconded the motion.

- All members in favor.

Member DiPrete moved to approve recommendation number four to require cannabis training. Member Nelson seconded the motion.

- All members in favor

Member DiPrete moved to approve recommendation number five on posting a food handler card requirement. Member Nelson seconded the motion.

- Members Chew, DiPrete, Nelson, and Chair Pearson in favor. Member Hayes abstained.

Member Hayes 1:30:33

So, the Nevada Health District is the only jurisdiction that I know that requires a Food Handler Card. Most other jurisdictions do not have the ability to do this. It would have to be internal because it's not national. And so, it's, it's just not possible for everyone.

Chair Pearson 1:30:53

Got it. Okay, thank you.

Member Chew 1:30:56

Could we change that to say if local governments, local jurisdictions allow it? Or require it for or require it?

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Member DiPrete 1:31:09

Well, and this does have the option for a non-Health Department issued Food Handler Card.

Member Nelson 1:31:16

Like a ServSafe food handler certification? Exactly.

Chair Pearson 1:31:22

I can just I can go,

Member Hayes 1:31:23

isn't that covered by the previous recommendation of certified food manager? That's the serve safe. So, what's the difference between serve safe and a food handler card?

Member DiPrete 1:31:32

So, surf safe has the two options. The later recommendation is saying that at all hours of operation, one person needs to have a surf safe or anti equivalent Food Protection Manager Certification. This is saying that all folks who are handling the food have to have the food handler training, whether that's through ServSafe or through your health department. So, this is for everybody who works there. The later one is for one person per shift.

Member Hayes 1:32:02

Um, yeah, I'm still not. I'm still not good with that.

Chair Pearson 1:32:06

Okay, I can just summarize concerns about capacity and talk about, you know, Southern Nevada versus everyone else, and then highlight the ServSafe, etc. We'll do that. Right. Let's go on to the next one.

Member DiPrete moved to approve recommendation six, requiring a certified Food Protection Manager at all hours of operation. Member Nelson seconded the motion.

- All members in favor.

Member DiPrete moved to approve recommendation seven regarding written plans. Member Nelson seconded the motion.

- All members in favor.

Member DiPrete moved to approve recommendation eight for the CCB to adopt appropriate food regulations. Member Nelson seconded the motion.

- All members in favor.

Member DiPrete moved to approve recommendation nine to encourage CCB to address TCS food concerns separately. Member Nelson seconded the motion.

- All members in favor.

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Member DiPrete moved to approve recommendation ten regarding devices. Member Nelson seconded the motion.

- All members in favor.

Member DiPrete 1:33:52

Thank you. I also wanted to note this didn't make it to the agenda. But we have received the report from the Public Health Law Center that was looking at the NCIA and the consumption lounges. So, we have the results of the report. I don't think we can discuss it today. But I can forward it to Chair Pearson and do with that what you will.

Chair Pearson 1:34:22

Thank you I received it from the Southern Nevada Health District as well. And I have one recommendation that kind of takes that into. So, we'll hit I think that's like my last recommendation. So that'll be the last thing we talked about today. Um, I'm looking at the time would folks like a 10-minute break? Yep. Okay, great. So, we will reconvene at 11:45.

Chair Pearson

All right, it's 11:45 All right, so now we're going to move on to Commissioner Chew's section, ready to consume products just to give a Marijuana heads up, we have an hour and 15 minutes left, and three sections. So, I'm okay with what we've done so far because we started with you know, we flipped the order of conversation. So, you know, I want to I wanted to give those first two sections more conversation and, you know, personally, my air quality regulations have not changed much. So, just keep that in mind as we go about the rest of these sections. All right, Commissioner Chew, take it away.

Member Chew 1:45:31

Okay, can you see the PowerPoint now? Hopefully, good. Alright. So, so jumping into the regulations. First, I kind of want to address some things that I guess from last time some questions or came up in that discussion. So, I looked up the regulations for things. So maybe people you want it says retail independent ones, only differences that wants attachments not attach, and allow single use cannabis products are ready to consume cannabis products. Ready to consume that, by definition is prepared on premises presented from retail for beverage sold, heated or unheated and intended for immediate consumption. Single use is basically anything else that the Board says you can consume. Section 22 of this one says that the lounge have to submit a plan to the board for protocols and procedures ensure that these products are not sold or otherwise distributed. And that's where this one this question came off in the council ounce other than as authorized in this chapter. And so, one question that popped up to me when I read this is does this mean no sharing? Or if it says as authorized in this chapter, can CCB authorize sharing of products? And then just as a point came up last week, that the purchasing limit and dispensaries are for possession, not consumption? So just how much can you have on your person at that time? So, a campus consumption lounge can sell food and beverages? And so, any other item that does not contain cannabis products? This is a question that came up last time as you know, could you sell, you know, a soft drink or whatever that wasn't infused water, things like that? And the answer is yes, you can sell non infused items. But then you still need to have appropriate permits and inspections. We discuss that in the previous sections there as to what you would need for what's being sold. You cannot allow so the shall not allow consumption of any cannabis product in the consumption of there's not a single use cannabis product or ready to consume cannabis products. Okay, or a single use or ready to use consume counteract those purchase at lounge to be removed, so they cannot be removed from the lounge. So, this is why you can't take home any leftovers.

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It's talked about retail says you must obtain this from the retail store that you're connected to. You can fill the single use products and you can sell. You can prepare ready to use products there. And they have to ensure that only products that were purchased from the cannabis consumption lounge are consumed in the lounge. So, this will be no outside. infused products can come into the lounge. Section 27 is essentially the same thing just talked about the independent ones. So, the independent ones just have to purchase it from another dispensary if there's that they're not connected to. But essentially, it's the same thing. So single use, so no leftovers can leave the lounge, because essentially that would turn this into a dispensary that allows consumption. So couldn't this this lead to overindulging not getting your money's worth and all that's been discussed? Here some discuss in other places as well. So that that is a question. There's two, you know, what, what would that lead to? Section 22 is ions are not sold or otherwise distributed? So again, this is about the sharing my interpretation, this one and my understanding is that the distribution part of it was likely the intent was for black market items. So, I'm kind of advocating for allow sharing if the item was legally obtained at the lounge. So, for instance, there could be things like you know, I go in there, hey, I only I'm a beginner at this, I only want a five-milligram dose you only selling 10 milligram doses, you know, person I came in with also wants to try out a little less than that one, we're just going to do half and half on this one. There, he can certainly have a couple of packages, you're going to run into this issue of, hey, this tastes pretty good. Why don't you taste this? And you know, other types of discounts you might have for group. These are all different types of marketing things and I think that's kind of the reason why maybe you want to be able to allow some limited sharing, multi sorting prepackaged items. Predominantly in industry, we're talking about 100 milligram totals per item. So, this is a large candy bar. They are scored or marked in ways to make to tell you what the single servings are. If you were to sell that directly to a consumer that would likely result in some sort of sharing, and possibly overindulgence. But, I'm kind of advocating this one, that's, you know, for cost and for packaging type things, the lounge could purchase a multi serving item from a dispensary, so a whole candy bar, but they would resell it in individual portions. So, for instance, you know, soft shoes, you know, those often come in 10 packs that are available there. And you just sell a 10-milligram piece to the consumer. And I liken this to, you go to a bakery, you go to a pizza parlor, and say, hey, I just want a slice of pizza, or I want a slice of the cake that's, that's in the display, you're not selling the entire cake. And for this one would be no limit to what they can order, or we'll talk about this a little bit later, I think somebody else, but it becomes a conscious decision to purchase it, which says, hey, I really want you know, 510 milligram pieces. And they have to actually just say that, as opposed to selling them 100 milligram bar, whether or not they, you know, they say all of this, you know, a lot of times, it tastes really, really good, they're going to just keep eating and eating, eating. And I think that's one of the things that was brought up a couple of years ago, you know, you know, when they, you know, if they come into someone's hotel room for whatever reason. And they see, you know, wrappers from, you know, a THC product in there, or whatever, you know, they want, they don't want it to be an accidental overdose, and it's okay, this person had to actively decide, I'm going to unwrap this next piece, eat that one and go from there. So, I'm putting a little bit more on the consumer as to how much they are going to consume on that one. And also, this would avoid producers having to deal with additional skews, or packaging and labeling, you know, one little soft chew, things like that. So just trying to deal with this the environmental waste that they would produce, if you force them to do this one, and certainly multi serving prepackaged items may be cheaper per serving for the lounge to purchase. And that would help their profit margins a little bit onto there. This does raise a question as to whether or not medical patients can order higher dosage prepackaged items, and cost sharing these items lead to problems? And would you consider if they shared a medical item to recreational customer, would that be distribution. So, I think just need to some consideration of that vape cartridges, that's a little bit trickier in that your standard vape cartridge holds half a gram of grandma oil, that is a lot of doses in there. You know, 3050? You know, puffs on that into there. I did talk to some people, they said yeah, you can actually fill them with smaller amounts, you know, in there, that is a packaging and labor costs. Definitely an increase there. And so certainly, you know, if you put in, you know, attempt to the gram into there, it would be difficult to dilute that oil down, because then it will start leaking from the cartridge. It has to be

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a certain viscosity in order to stay in that in that cartridge. So that's something to think about there. We discussed this on the last one, which was if you bring your own pen showing its MCF on or entering purchase cartridges, discard leftover leaving enforcement of this could be difficult as you can easily just slip this into your pocket. But we I think we voted on this in the last one. And so, Commissioner DiPrete came up with the same idea for that as well, for outside items being brought in, so it has to then purchase the lounge section 25 and 27. And then, as I said, it has to come directly through a dispensary. You can't the lounge cannot purchase directly from cultivation or production, according to the regulations. And then the consumer cannot buy at a dispensary and bring it in. That's pretty cut and dry in the regulations. And the reason is, you know, how do you control the source of the products? And if somebody were to bring in something, you know, that they purchased on the black market, and it was tainted, you know, and they have some sort of a events, you know, happening there, you know, then how do you trace this back and see what is happening onto there. And again, enforcement of this can be difficult for smaller items that people just have in their pockets, but ready to consume is prepared on sites and infuse on site. Look at the testing side of this one maleficence nulliparous can leave. And the question was could this be shared? And so, we start talking about Foucault's last time, which was you typically share that from a single source. So if that's allowed, is that really any different from sharing a dish and I said, it's going to be really hard to enforce this, you know, again is, you know, sitting at a table, someone's going to say, hey, taste this, you know, people are going to, you know, any normal restaurants, you know, we often have that, you know, person A is going to order one thing for some reason or something else, and they're going to share it off. So that's just something to consider their dosage, if it comes to the customer requires a higher doses is going to cause a problem with sharing again, with a medical or inexperienced recreational user. We did pre last we talked about testing. It's prepackaged obtained by the lounge from the dispensary than it's already tested by the labs, there's no further testing is required. So that's pretty straightforward. If it's ready to consume fresh on site, we talked about having an oil that was prepared individual dosage of that. So 10 milligrams per dose, those are all pre tested by the labs, and the consumer can order multiple doses. And again, there's a question is should there be a maximum dosage allowed, we can discuss that. And then you're that oil would have been tested for the full standard edible testing for the oil. So because this will all other edibles. And then it's added they purchased them or doses they want is added at the end of the cooking process. So stability, microbial issues, your standard food safety is all for standard restaurant level food preparation at that point, and then adding at the end so it doesn't, right before serving. So it's not going to should not cause any issues with you know, food safety at that point that should not have already been addressed earlier. And that we no need to test that final product or the recipe associated with that. So recommendation number one are the prepackaged items, I would recommend a procure multi sorting items from the dispensary where we sell individual pieces if they want to the maximum or pieces sold is only limited by the possession limit. metric, maybe it's a modification to well selling a fractional units. So that's something that would need to address with metric. And a medical items would need some sort of tighter control over sharing to avoid overindulgence. And then it's just basically falling standard food safety protocols to handling money or having food. refilling the original package retain quality and cleanliness. And no additional testing is required. Recommendation number two for ready to consume. Again, this was the single dosage 10 milligram oils. So go through the lousy dispensary, and heels at the ends. notifying the customer the consumer what part of the dish is infused and the allergen information on the menu? And then the question out there was should there be an expiration date for the oil was that six months or a year? I think that's up for debate is for that. For sharing or an external items, let's say Allow limited sharing of items and a lounge with consideration for a transmission of germs you know whether or not you know, sharing a vape pen is probably not a great idea. This is this day and age. But you know, other than that, you know here here's part of whatever I bought. And you cannot bring anything for outside on this. So that that's pretty cut and dry. Leftovers cannot be removed. Again flour and vape may be sold in smaller quantities and minimize waste and overindulgence. So kind of just recalibrating what size people would use in a single sitting on to their storage and disposal. All the souls must meet the same standards and the other cannabis facility. The THC products must be made

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non usable before disposal. Currently, that's fans, other products that they mixed into for the existing regulations. And then all the security requirements for that would be you know, alarm cameras lock storage, including the dumpsters. So we can open this up for any discussion.

Chair Pearson 1:59:14

Great, thank you, um, covered a lot. Thank you for addressing some of those existing questions that we had. Are there any questions on specific recommendations? Commissioner DiPrete?

Member DiPrete 1:59:31

Can you go to recommendation two please? I just want to read it real quick. Allow customer to request the dosage they want notify the consumer of what's infused so I would recommend adding to this recommendation. I know that we had a discussion last time about having a way to identify at time of service how much is in each dish right because we were concerned about like, accidentally mixing them up at service. So whether they decide to put a sticker on a dish, or you know, it comes with something, but some way to identify the dose at time of service just to prevent any mixing up.

Member Chew 2:00:14

That's good. Yep. Thank you for that one.

Chair Pearson 2:00:18

And Commissioner Nelson.

Member Nelson 2:00:21

Okay, so since we're on Recommendation Number two, I just want to point out a logistics issue that might be a problem with the recommendation of easily dispense single dose 10 milligram oil. So it's a, it's a consumption, I'm just buying a kilo of oil, and say that back oil is like, you're talking about something that they would need, I think, nine, or I just, I think I did the math on this. But breaking a kilo oil down into 10 milligrams servings would approximately mean that they would need 90,000 single dose dispensers, which, which is a lot, I would suggest that we don't go about it this way. Frankly, if a consumption Lounge has a precision scale, and a calculator, they should be able to calculate doses properly on their own for what they couldn't, you know, dose a product that just withdrawing a small amount of oil from a bulk fab, I think would be a lot easier, more efficient and less wasteful. Because trying to send that many 10 milligrams serving like syringes or sheets of butter, you name it, I think that that's going to be a big problem. So that was just my commentary on recommendation two.

Member Chew 2:01:43

I guess my concern with that one would be are there would that allow more potential for error being made, especially if you're using a concentrated oil, and of 90%, and you're talking about trying to weigh out, you know, .01 grams, as opposed to if you dilute this down, and have something that could be easily pushed out of a syringe, say, hey, I need they want three doses of this one's going to pull three syringes, put it in there, and not have to worry about that. So it's, I'm, I'm kind of trying to take the whole, doing the calculation out if you know what the, you know, what the potency of the oil is, and then running that calculation through there to figure out how much you have to weigh out and then making sure you have an accurate balance. When you get down to that level. Now, you're talking about an analytical grade balance, and there are issues with that if that balance gets moved, and how accurate it is. And is it being checked routinely? It was my concern about trying to do it at that level? I think it could run into some issues with accidental accidentally putting in too much or miss dosing a products when you're talking about quantities of that

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small and 90,000. Yes. But I guess the question would be, how many? That's 90,000 servings, is what we're talking about here, right? Because we're limiting your you know, your prepackaged stuff to 10 milligrams servings, you can buy multiple, multiple ones up there. But you know, as I guess, you know, the question is, how long would a kilo of oil last?

Member DiPrete 2:03:46

Would you necessarily need to dilute the whole kilo all at once? Like, would you have to have 90,000 syringes at a time? Or could you go off a percentage at a time to send over to the

Member Chew 2:03:57

right, you can make a I guess for the efficiency of the testing. Like we've the limit right now is it produced can make a kilo of oil, and then I think the limit for making a product off of that is however much a kilo will make. So you could make 90,010 milligram gummies off of there, if you wanted to, and then that would be one production run and that would be tested by the laboratories. So for efficiency, I guess, you know, if you want to minimize your testing costs, then yes, you would do that if you had a market for the 90,000 individual doses. If you are getting orders in for something that's you know, the only wants, you know, a 2000 doses or something like that at a time. That would be up to the producer. or, again, this is going through a dispensary. So there's a second layer in there of trying to collect this into that.

Member Nelson 2:05:09

Well, then could we possibly do it? I guess like my issue here is the single dose requirements. I think that that that means I can see some value in that. But I also see that this would just be kind of a problem in the execution of that. So like if we did have, I believe you mentioned before about like, the diluting oils. So like if a producer was to create an infused vegetable oil that was essentially at some down to be 10 milligrams per milliliter. And that could be easily measured at the consumption lounge, that not be an easier, more effective way of going about this versus having to give a bulk amount of pre measured syringes, and transfer all of those through. Because the other thing too, that I'm thinking of here is how inventory would go on. So if you have a consumption lounge, and they have all these pre measured doses, and they're all 10 milligrams, and you've got 90,000 of them, that is a really big problem for inventory control, because tracing all of those individual units would be a struggle. So if you keep things in a bowl that per se, that could be weighed, it could be easier trade. And, you know, I mean, obviously, mistakes are going to happen. But I think that that would be a much easier method about enforcing the dosage measuring aspects of this recommendation than requiring all single doses to be prevented from producers passing through dispensaries to consumption.

Member Chew 2:06:47

I can get behind that.

Chair Pearson 2:06:51

And, you know, we were wondering, well, I was just going to say we can, you can phrase these as May. Right. So they create measurably the sense, I think the idea is that, from a public health perspective, we want something that is easy to dispense. That is a consistent dose, because we want to make sure that people are getting what they think they're getting. And so there are lots of ways to do that. And here are a couple of ways.

Member Chew 2:07:28

Right? And the only other thing I thought was if they were pre-measured here, then could dispensaries sell that to the public. If you wanted that. That might be an easier way for that one as another source from there, because then it's it

hasn't been pre tested in in those forms. And I don't see any reason why this country couldn't just sell these dosages directly to the to the public, either.

Member Nelson 2:07:56

Now, I mean that they'd have to be packaged to the child resistance standards.

Member Chew 2:08:03

Right. So you put them into something else that's child resistant. Right.

Member Nelson 2:08:05

Yeah. I guess also to the other thing that that I was thinking about with this was, so the whole requirement of consumption launches, acquiring their goods from dispensaries. Does that mean that the same sort of child resistant packaging limits are applied to everything that a producer is setting to his or is making essentially send to a consumption lounge? I think that's kind of a flag for me because that could be very problematic. Especially if we're going to, like if we're talking about sending bulk infusion materials to consumption lounges, there might need to be some sort of exemption of what is required of the packaging of those products to be passed through to get to the consumption

Member Chew 2:08:50

lounge. Right? That's a good point in that whether or not this bolt could be sold at a dispensary. That is to begin with,

Member Nelson 2:09:02

I think we might need to make a recommendation. And I don't even know if this is a possibility. So I apologize for my ignorance in this suggestion, but I think that we do need to recommend that producers and cultivators can sell directly to consumption lounges for the sake of bulk transfers. Passing through dispensary, I think would be a very, I see a lot of room for problems there. And it would be just more efficient for the industry to go directly for our producers to a consumption lounge and just have isolate that down to where there's less hands transferring this and less manifests that need to be made.

Member Chew 2:09:46

So this will be a regulation change because right now it specifically states that has to come through a dispensary. So I'll go Do you want to transfer just the bulk material?

Member Nelson 2:10:06

I, um, or I wouldn't be transfers in general? Because correct me if I'm wrong, but some of the consumption lounges may eventually not be connected to dispensaries. Right. They might be independent.

Member Chew 2:10:19

There are there are independent ones. And there are other ones. Yes, the ones that are connected.

Member Nelson 2:10:23

Okay. Yeah. So I think that that's definitely a logistics issue that needs to be addressed. An independent consumption manager may have difficulty acquiring from sensory directly, I mean, obviously, depends on lounges attached to them won't have the same restrictions or limitations, but maybe something that just needs to be addressed. That's all.

Member Chew 2:10:46

I have the other issue that it kind of brings up too if you're going from a dispensary to the lounges. Is this another tier of taxation? Kind of you want to bring that up. But that's every transfer causes a taxation on here, and yeah, I wasn't going to do that.

Chair Pearson 2:11:06

I think. I think just for the purpose of time, I'm going to ask us to back in because this is kind of sorry, it's practical, but it's, it's, um, you know, I just this this conversation and makes me think that it's just highlighting, again, the kind of extra level of difficulty when it comes to foods prepared on site, right, because we're talking about oils for supplementing ready to consume, there's just a lot to consider here. And that's what I'm going to convey to the Cannabis Advisory Commission as a as a whole. Are there any other comments on these recommendations?

Member Nelson 2:11:46

I just want to put a comment that I think that restricting at doses or pizzas to 10 milligrams per consumer, I think that's going to be a problem, because some consumers may just order excessive amounts of doses to get what they want, like somebody who normally doses at 50 milligrams shouldn't have to order five servings or five plates in order to get with their doses. But that's just my two cents.

Chair Pearson 2:12:11

Well, I think it would be okay, as long as they're not being penalized in price, right? So if it's just a standard amount, and you say I want 50 milligrams, and then you get charged for 50 milligrams versus, you know, 10 I, what I what I like about this recommendation is us me, that that we're not we're not telling people 100 milligrams, regardless of how much they want to eat. So, you know, someone who wants a 50, I guess? If, if someone who wants 10 milligrams, and someone wants 50 milligrams, if the price is relative to milligram dosage is, that seems fine to me is there

Member Nelson 2:13:02

outside of pricing, though, so if you're talking about limiting 10 milligrams per piece, or 10 milligrams per plate, so that means if I want a 50-milligram dose, I'm going to have to order five servings of a product and eat this. five servings of them even though like, yeah, one piece is plenty.

Chair Pearson 2:13:22

Got it? Got it. Yep, I can see that. Maybe once you have

Member Chew 2:13:27

a medical card, you can get the higher dosage items. And I guess it's I'm, I'm just saying is this is the multi serving is in the century, like the state has already defines one serving as 10 milligrams per item for recreational. That's, that's kind of out there in the regulations right now. And we're saying you can order more than just the one if you wanted to. But it's not going to change. You know, the amount of THC versus how much sugar you're ingesting. If you ordered more pieces of or if you order, you know, half of a chocolate bar.

Chair Pearson 2:14:06

Yeah. Yeah. That's kind of that's how it is, anyway, I guess is what you're saying.

Member Chew 2:14:17

Yeah. Any other one you want to discuss? Sorry?

Chair Pearson 2:14:24

Nope, that was going to ask the same thing. Okay, well then seeing no other discussion points. I'm going to ask for someone to move to either approve them all in one vote or to go by recommendation. So I'll go with whatever you guys want to do.

Member Hayes moved to take the recommendations one by one. **Member DiPrete** seconded the motion.

Commissioner Chew moved to approve the first recommendation on pre-packaged items. **Member DiPrete** seconded the motion.

Members Chew, DiPrete, Hayes, and Pearson in Favor. **Member Nelson** abstained

Member Nelson 2:15:44

I think the limitations of only serving 10 milligram and honestly to consumers I think that's going to be a disservice to the industry and the capacity of a consumption man should be able to do

Chair Pearson 2:15:59

yep, I can convey that. Very good. Let's go on to number two.

Commissioner Chew moved to approve the second recommendation on ready to consume items. **Member DiPrete** seconded the motion.

All members in favor.

Commissioner Chew moved to approve the third recommendation on sharing/external items. **Member DiPrete** seconded the motion.

All members in favor.

Commissioner Chew moved to approve the fourth recommendation on leftovers and quantities. **Member Nelson** seconded the motion.

Members Chew, Hayes, Nelson, and Pearson in Favor. **Member DiPrete** abstained

Member DiPrete 2:17:35

Yeah, I just think it's unnecessary because it's already in the law. But also, I think that there might be discussion about allowing leftovers which I would support.

Chair Pearson 2:17:44

I would support leftovers as well. I don't see any public health reason not to allow them. Okay. Let's go on to recommendation number five.

Commissioner Chew moved to approve the fifth recommendation on storage/disposal. Member Nelson seconded the motion.

All members in favor.

Commissioner Chew moved to approve the sixth recommendation on allowing direct sales. Member Nelson seconded the motion.

All members in favor.

Member Nelson 2:19:17

Okay, so I'm following on to a lot of the stuff that I proposed last time. Essentially, the recommendation would be to keep the notices and disclosures similar or the same as what is required at dispensaries. Benefits of this is that it maintains industry consistency and it's really beneficial to public education. We can use some of the basic or the basis of the NCCR just establish this but there are some changes that would need to be made or expanded upon. So essentially, this is what I come up with based upon everyone's feedback from last time, but we're addressing disclosures that would be either passed out to people or posted on the walls of consumption lounges or posted on the menu. It's talking about like the onset of edibles with sorry, the onset of edibles being delayed, you know, recommending people consume 10 milligrams to start, and also certain amounts of warnings with regard to hazards of smoking and the intoxicating effects of cannabis. It also is talking about using cannabis along with the lines are using cannabis with alcohol or other you know, things that could affect the person's level of impairment such as prescription drugs or other drugs and warn people against this, also to advising people with existing health risks, to consult with physicians prior to using cannabis. As we discussed, there is a whole array of health risks for people, especially those with preexisting conditions. And while it does make sense, or why it would be beneficial to address all of them, it's not reasonably feasible to do so we'd have you know, 1000s of pages of fine print trying to address each and every concern that needs to be addressed. So unfortunately, this recommendation needs to be a little bit vague and open ended to put a little bit of accountability on consumers. Continuing on what the recommendations are meaning to say that pregnant people should not consume cannabis. This varies a little bit away from the current NCCR is where it's being that pregnant women are should consult with a physician prior to cannabis use. This would mean changing the focus of the morning to be that pregnant people should not consume cannabis at all. And also changing the recommendation or changing that language to be gender neutral. So instead of addressing women addressing people in general,

Member Nelson 2:23:01

All right. I'm sorry about that. All right. Okay. So it does the screen say recommendation number one. Thank goodness. Yes. Okay. All right. So I'm sorry, kind of going back to it. So I'll just recap this quickly. So I'm not repeating myself too much, because I know we have a time limit here. But first recommendation would be to keep the industry language the same between consumption lounges and dispensaries. I'm using the baseline of NCCR 12.05 to kind of establish this but making some tweaks to this and elaborating on these regulations further. So the first one is talking about that it should be disclosed, putting it on menus, giving pamphlets to people having it posted on the walls of dispensaries. Those could all be options for this. This the first real exposure would be warning people that edibles take a while to kick in. And that you know they should start with about 10 milligrams if they're new to cannabis and waiting for the that to kick in before consuming any additional cannabis. Also to making warnings that people should know that smoking is hazardous and intoxicating. The continuing on and warning people that cannabis should not be

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consumed with alcohol or other prescription medication. And also to like it could cause unpredictable levels of impairment and people should be wary of consuming cannabis if they're under the influence of other things. And also to warning people about the health risks of cannabis, especially if they do have preexisting conditions. Because lives are changing, right. Okay, all right, perfect. Okay, so continuing on. We need to obviously have warnings for pregnant people. As discussed, before it should be with regard to people in general, the current regulations specify women, but as we are in about putting in the time, it just makes more sense to be gender inclusive in these warning statements. And kind of continuing on without these should be posted in various aspects or various areas of a consumption lounge. But so many other sites of Belfast also warning people about how cannabis could impair concentration and affect their ability to operate machinery or drive and warning people that driving under the influence of cannabis is illegal and could lead to prosecution if you know they're caught. Lastly, warning people about entering a smoking lounge means that you're going to be exposed to secondhand smoke and putting age limits very clearly on each avenue of the entrance or, you know, at each place that a person can walk into a consumption lounge, making it known that no one under the age of 21 is permitted. They're having warnings with regard to overconsumption of cannabis and possible effects of overconsumption, and just requirements of where these should be posted. And you know, the sizes so we don't have consumption lounges giving these disclosures to people on business cards in one point font. So with regards to signage requirements, and requiring similar to what is in establishments in Nevada, that serve alcohol, there's posting and restroom saying that consuming alcohol is dangerous while pregnant. Kind of doubling down on this for consumption lounges and having similar posting requirements in restroom making the making it known that consuming cannabis while pregnant, it could be harmful to a developing baby, also including, you know, consuming cannabis while breastfeeding. So having those posted in addition to being posted on a menu or signage in a consumption lounge, I think has a lot of value. And also to this is kind of what I was talking about what's that sign something small, but still big enough that people could see it. Again, similar to what's required in bars and restaurants that serve liquor with liquor, just have morning, having something like that, I think would be a very effective tool and educating the public that you shouldn't consume cannabis when you're pregnant or breastfeeding. The other one would be posting about it being a smoking lounge and the warnings of you know, exposure to secondhand smoke. This is similar to what is required under the Arkansas Clean Indoor Air Act. So that's kind of where I got this from. But having a posting similar to what is required in Arkansas might be beneficial at consumption lounges at every point of entry, or however persons coming into a consumption lounge, whether it be through this an employee coming in through the back door or somebody walking in through the front door. Having this there I think is a very healthy tool to educate the public about what they're walking into and preventing other people from coming in. That shouldn't be. That's essentially it. Does anybody have any questions or feedback? Lauren?

Member DiPrete 2:28:06

I think these look great. I think I would just recommend taking out or work in the warnings about no one under 21 can enter our work, because if they can't enter then that already covers they can't work inside.

Chair Pearson 2:28:26

I was actually going to comment on this as well. I don't really follow why there's a 21 years of age statement in the secondhand smoke exposure to me, doesn't matter what your age is. Secondhand smoke is hazardous to your health period.

Member Nelson 2:28:42

Okay, so just reducing it to like, like that. Yeah. Perfect. All right. Yeah.

Chair Pearson 2:28:51

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And just more generally, um, I would like to see a little bit more information in these and, you know, I'm open to just, you know, just kind of discussing, you know, if we can't agree exactly on what should go in there right now. That's okay. But I like yeah, for example. Yeah, that's good idea. But I think there were a couple places in here telling people to consult with their doctor, which, you know, okay. But, um, let's see. Like, Yeah, yeah, I think I think that's okay.

[Chair Pearson is responding to changes Member Nelson made to her slides] And predictable levels of impairment. Uh huh. So, but like people with health concern should consult I mean, sure, okay. But I think we are giving people a little bit more information about what's possible is, is helpful. So you know, there may be mental or physical health risks associated with consumption of cannabis products such as You know, cardiovascular problems, risks of, you know, psychosis, for example, these are all things that are well established in the literature. And because, you know, for example, if you're someone who's, I don't know, has a has a, like a, like underlying schizophrenia in your family, for example, and you know, you don't understand that it's possible that cannabis can exacerbate the risk that you're going to develop schizophrenia in the future, you know, you might want to know that.

Member Nelson 2:30:45

Okay, so with regard to the detail, though, like what, what conditions should be covered here. So, if we're talking about people with cardiovascular conditions, or we're talking about people with schizophrenia, like, you know, cannabis also might not be advice for people who are bipolar, manic depressive, or, you know, it could actually exacerbate symptoms of depression for some people. It could make people with anxiety, feel more anxious. So if we're going to talk about like, one, one condition here. What is the level by which we're rating these? Because obviously, like, I know, there's certain dangers associated with certain conditions. But there's other conditions to that might be arguably as important.

Chair Pearson 2:31:35

Right? That's a good point. That's a very good point. Um, I wonder if we could give, like a such as, okay. So that doesn't mean it's the only thing? Yeah, and I don't, I don't even know that we need to decide exactly, and what the "such as" is, you know, we could say, hey, CCB, and you guys can, you know, review the evidence and make a decision as to, you know, looking at like prevalence of, of underlying health conditions in the population, you can make a decision as to like, what to highlight. So that people have a little bit more information.

Member DiPrete 2:32:21

I think if we go that route, we should, instead of such as we should say, including but not limited to, because I think that that, you know, that is a concern that people will read the four things that, you know, were agreed upon, and they said, Nope, that's not an issue for me and walk right in and then say, but you didn't tell me you said the other things, but not the these ones. Right? That way people don't know, it's not an exhaustive list.

Chair Pearson 2:32:43

Yeah, I like that.

Member Nelson 2:32:48

So, okay, so just to kind of get a better idea of like, so how would you reword this disclosure then?

Chair Pearson 2:32:56

So there may be mental or physical health risks associated with subjective cannabis products, including but not limited to cardiovascular problems, psychosis, exacerbation of anxiety or depression symptoms, etc. People with health

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concerns should consult a physician. I think that's, that's reasonable. And then CCB can review both the occurrence of the conditions and also just the state of the science on, you know, what's the, what's the what's the state of the science as far as you know, association of these conditions with consumption? And pick the ones with the best science and the highest prevalence in the population so that it affects kind of we're picking like the big ones, you know, we won't have to like mess around with details.

Member Nelson 2:33:46

I know that makes a lot of sense. Sorry I wasn't typing fast enough. Was there anything else that you wanted to add into this?

Chair Pearson 2:33:55

You Yeah, I think put just a comma after products. There you go. And then number two, cardiovascular problems, psychosis, or exacerbation of anxiety or depression symptoms, something like that, or I guess maybe exacerbations. A bad word, but like, you know, we they can wordsmith it.

Member Nelson 2:34:17

Okay. All right. Make sense? All right. Was there any other recommendation or feedback? Or what other thing

Chair Pearson 2:34:28

for the ingestion of any amount of cannabis or cannabis products before driving may result in criminal prosecution? I wonder if it's also good here to say impairs your ability to dwell now. That's sorry, that's the first time Okay, nevermind. If no, otherwise, I really like it. I'm very appreciative of the inclusive language and the right pregnant or breastfeeding one too. I like that.

Member Nelson 2:35:00

Yeah, I definitely think it's something that we need to embrace moving forward. So yeah.

Member DiPrete 2:35:06

I just to clarify, are we recommending these disclosures that can be like printed on a brochure when you walk in or something like that? And then some of them are posted signs that have like the, in the restroom,

Member Nelson 2:35:20

for example? Um, yes. So I'm sorry if I didn't make that more clear. But one, these things should just be kind of printed on the menu and given to each of the people coming to a consumption lounge. And then or post on the wall, as I kind of would like some feedback on what you guys would think would be the best with regard to where and how these things should be posted, to effectively educate consumers. But the two that I highlighted in specific are specifically with regard to cannabis and pregnancy, having those posted in the restroom, and then the smoking lounge warning like saying at the doors, so when someone walks in, they are obviously being warned that this is a smoking lounge, and they're walking into a place that is going to expose them to secondhand smoke. But okay, perfect. I

Member DiPrete 2:36:15

just didn't catch the delineation between the separate ones. Got it. Thank you.

Chair Pearson 2:36:20

Yeah, I think those are appropriate. Okay, cool. All right. Any more discussion of these? You know, something that we might want to discuss in the future is I would like to see the cannabis in pregnancy and breastfeeding. I would like to see that in places outside of cannabis consumption areas. I just think it's, it's a really, it's a part of public education that we really need to step up because I think people are really, they misunderstand.

Member Nelson 2:36:51

Yeah. I think it needs to be at dispensaries

Chair Pearson 2:36:55

as well amongst other places. So I'd like to see at McDonald's lobby. Really, because not everyone is going into these legal places to purchase cannabis. You know, so I just think it needs to be general knowledge. But you know, we can discuss that later. So let's go on then. I think we're ready to vote. Would anyone like to move? Well, I will give you the option. Would you like to move to adopt them all at once? Or do adopt them one by one?

Member DiPrete moved to adopt all Health Notice and Disclosure Recommendations. Member Nelson seconded the motion. 2:37:25

Member Chew, DiPrete, Nelson, and Chair Pearson all in favor. Member Hayes was absent for the vote.

Chair Pearson 2:38:35

I'm going to bring us home with the air quality recommendations All right. So everyone can see my, my slides. Yep. Okay. So these are very similar to what I proposed last time. So I will briefly walk you through and then we can discuss if you'd like. My first recommendation is to combine all indoor cannabis smoking vaping and dabbing into a designated smoking room. And the why is just that you know, secondhand smoke exposure is secondhand smoke exposure. It doesn't really matter where it's from, it could be for a wildfire from a cigarette or from you know, Bernie cannabis flower or marijuana flower. So what we want to do is protect workers and patrons as much as possible from secondhand smoke exposure because of its negative health effects. It's important to realize this will not eliminate risk for folks, especially for workers and so we're going to need to consider additional means to protect workers, but this is, you know, a way to make a first step especially considering that the regulations or the law is pretty clear that they do want to allow smoking in the consumption lounges. The second recommendation is to reduce the risk that smoke or aerosolized PM 2.5, etcetera, exits the designated smoking room into other parts of the consumption lounge that that the CCB should consider requiring the following. And these are all taken from other states that have designated smoking rooms. So, for example, to completely separate the rest of the lounge by solid partitions or glass with no openings other than doors, but the doors must be self-closing that they must have a gasket so that they're sealed, that they must have a separate each fact system that the smoking room air must be directly exhausted to the outdoors and be filtered and not be placed in a place where you know, if you were if you opened a window into the nonsmoking area of allowance, that it would allow the smoke to enter through that. That the filtration system must be sufficient to remove visible smoke and adequate, adequate to eliminate odor at the property line. And, you know, this might already be kind of addressed in the existing law. But one thing that's important to consider is that if a lounge, were able to share a building with an unaffiliated business, for example, if a lounge is in a strip mall and is next to a coffee shop, those buildings share, you know, walls, they share ceilings, and it's really difficult to kind of reverse or, you know, engineer after the fact in a way to keep the smoke from entering into those neighboring businesses. So for that reason, a lot of jurisdictions say that the lounges have to be in freestanding buildings. I think it would be okay to say, you know, freestanding building, next to a dispensary and connected to a dispensary, I think would be okay,

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because it's kind of a reasonable expectation that, you know, those are related businesses. Recommendation Number three, that the CCB mandate work protocols and indoor air quality standards that minimize employee secondhand smoke exposure. So they could consider using the EPA ambient air quality standards for the nonsmoking lounge spaces, focusing on eight-hour average and 15-minute peak. And I pulled out two potential pollutants as kind of things to focus on PM 2.5, for the reasons that we've already learned. And then carbon dioxide because it is correlated with a lot of other air pollutants, and it's easy to measure. So if you have high CO₂ in a room, it suggests that you don't have adequate ventilation. And you know, probably you're also going to have high PM 2.5. And I want to recommend that they not use current Nevada indoor air quality standards for smoking areas of casinos and bars because they are not adequate to protect public health. So let's not use just because it's existing now does not mean it's what we should it's not a gold standard. So I would like to see them improve upon what we already have. Number four is consumption lounges must be must design smoking rooms and work protocols such that the need to enter a smoking room is minimized for the employees and we're going to talk about this, but the employees can monitor their activities in the smoking room when the smoke free area that they can fulfill kind of regular anticipated patron requests from that smoke free area. And then that they have adequate PPE for that time that they do need to enter the smoking area so that they can minimize their exposure while at work. And relatedly I'd like to recommend that this CCB mandate indoor air quality standards and protocols that reduce the risk of cardiopulmonary or other acute health effects for workers and patrons fall in the smoking room. So remember, you know, someone who's, you know, has asthma. Exposure to the PM 2.5 in the smoking room could push them over the edge into an asthma attack someone who is kind of unknowingly on the edge of a heart attack. Entering a smoking room could push them over the edge into an active heart attack. So ways to accomplish these goals. They could include exhaust hoods over the seating areas in the smoking room, they could limit capacity. These are just two ways that I think we could recommend. But this recommendation is intentionally vague. It's because I think there's lots of ways to achieve this goal. Recommendation six mandate that outdoor smoking areas meet the following standards so that they have a filtration system sufficient to remove visible smoke from the smoking area and eliminate odor at the property line. Not the smoking areas not be visible from the property line, and that they provide the same protections to employees as in recommendation number four, so that there are protocols that minimize the need for employees to enter the outdoor smoking area. And finally, this last one is related to something that Commissioner DiPrete brought up. So remember how we were talking about, we're not really clear what the Nevada Clean Indoor Air Act allows, does it allow for tobacco smoking in cannabis consumption lounges, doesn't even allow for cannabis consumption and cannabis consumption lounges? You know, I think a second question is something that's outside of our purview. But the question as to whether or not tobacco smoking and nicotine vaping are allowed and consumption lounges. The Public Health Law Center evaluation of Nevada law suggests that it does not. And so this might be a recommendation that is unnecessary, but I still felt the need to put it out there and get it on public record, because from a public health perspective, it's very important that we not allowed tobacco smoking and nicotine vaping in cannabis consumption managers. And the reason for that is, is we've made so much progress on this topic, tobacco control in society, it continues to be the number one cause of preventable death in United States. 450,000 people a year die from tobacco use. Indoor smoking bans discouraged consumption and encouraged to smoking cessation, and I say smoking and tobacco smoking. Nevada has a really poor record when it comes to indoor, clean air. And I would hate to see us concede more ground to this. I think cannabis consumption lounges have a lot of social justice and kind of practical reasons why they need to exist, I don't see the social justice or the practical reasons for allowing tobacco smoking indoors. I recognize and most public health professionals recognize that nicotine vaping is significantly less harmful than tobacco smoking. And so, you know, I don't feel as strongly about that. But it still does create indoor air pollution. It's not clean air. And so you know, that's why I'm kind of including the two together. There's also a very practical reason for this recommendation, which is, if the reg the legislation says people can't bring cannabis products purchased off site, on site. And so if for whatever reason in the future, the CCP decides people can smoke tobacco or nicotine in the

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consumption lounges, I think it's going really hard to enforce that no outside product, because you know, especially nicotine vaping. How can you tell if someone says I'm vaping nicotine? Okay, fine, you know, you're going to like, bring out your mass spectrometer and see if there's really nicotine in it like, no, you're not, you know. So I think there's a practical reason, but also an overarching public health reason. And I also think that if this recommends that, you know, if, if the CCP did end up deciding to allow tobacco smoking in consumption lounges, there would be a huge amount of pushback from the public health world. So with all that said, let's open it up to discussions. So Commissioner, Chew?

Member Chew 2:49:25

Alright, um, just a clarification. I don't know if I missed the beginning is this. The smoking area is out for smoking and vaping in the same area?

Chair Pearson 2:49:36

The designated smoking room Yes. Would be defined as a place where you could smoke, vape, or dab cannabis. Okay. All right. Thank you. That should be Yeah, cannabis smoking.

Member Chew 2:49:54

Yep. Yep. I just missed it. Sorry. The other question I had was, I think you mentioned the eight-hour time weighted average exposure. I think there's also a 15-minute short term exposure limits.

Chair Pearson 2:50:08

Yep. There's that 15-minute peak times

Chair Pearson 2:50:16

Commissioner DiPrete.

Member DiPrete 2:50:18

Minor, just very minor. I think this looks good on recommendation three, which you're on, I just want to make sure that it's very clear that we want the CCB to require a way to enforce this or monitor this, I think it's really easy to say, make sure your air quality is good. And then it's up to the inspector once a year to show up and measure the air quality and say, You guys have been operating wrong for the last year or something like that. So just a method of monitoring or enforcement that's, that's put on the lounge itself. And then my other just to throw it out there. I don't know if you want to pick it up or not. But my understanding of the Public Health Law Center's response, also said that NCIA blocks smoking of cannabis in general. Yeah, yeah. So I don't know if we want to make another recommendation that just says either change NCIA to allow cannabis within consumption lounges, or like, somehow bring it up to CCB. That there's a there's a conflict between these two laws? I don't know. Yeah, you want to approach that?

Chair Pearson 2:51:39

I think I think that's more of a heads up rather than a recommendation. Yeah, sure. Just, you know, I wish I can summarize, in this part of the discussion. Just, it's, it's, there seems to be a clear conflict between what was intended in the cannabis lounge legislation and in the Clean Indoor Air Act, and they're going to have to figure out a way to resolve it.

Member DiPrete 2:52:05

Okay, perfect. That's all I had.

Chair Pearson 2:52:07

Thank you. Any other comments? I saw, I think I saw Commissioner Hayes.

Member Hayes 2:52:19

I was just going to say I thought the record keeping would be really great for the air quality if people weren't. If there was only going to be an annual inspection, knowing it was right over a period of year I think would be important. I'm sorry, for earlier, I got locked out of this conference room. I sought out to get some water, because I ran out of water and the door swung shut behind me.

Chair Pearson 2:52:45

That's okay. That's it. That was actually one of my leaving my office during the break. I have to remember to make sure I bring my keys. All right. Anything else? Okay, see nothing, then I am going to move that we approve these recommendations all at once. I second. All right. I'm going to stop sharing so I can see stuff better. So please raise your hand if you approve, recommending these recommendations as a group. Okay, great. I see everyone's hand. Wonderful. Thank you. Look at us. I think we might actually get done on time. Way. Okay. Well, now our next agenda item is future meetings.

All members in favor of passing Air Quality recommendations.

Member DiPrete 2:53:51

So we need to circle back and vote on the last round.

Chair Pearson 2:53:55

Yes, actually, thank you for that. So Commissioner Hayes, we had previously voted on the health notices and disclosure recommendations. I don't know how much of the

Member Hayes 2:54:10

I heard most of it. Okay. And so I'm good. I was good with voting on most of it. But then I, my phone was in here and I didn't have anybody's phone number. And I tried calling the CCB. And nobody would pick up the phone and I was like, Oh my god.

Chair Pearson 2:54:28

So okay. I think for the purposes of time, I think it's okay for us to just move forward as we are, because I think otherwise, we'd have to go back and review everything. And I can just clarify that. We just had a commissioner down during that section. And, of course, if things come to mind, Commissioner Hayes as you know, you're looking back at what we did today. Please let me know if you have additional concerns that I can communicate.

Member Hayes 2:55:02

I was really okay with the whole thing. Okay. All right, great, wonderful.

Chair Pearson 2:55:07

Um, so future meetings. So, we're going to take a little bit of a rest. And I anticipate that we're going to reconvene in, you know, January, February, somewhere in there. As a subcommittee, of course, there will be another Cannabis Advisory Commission meeting. And I believe they're trying to schedule that for the first half of November. So, I will be presenting our discussion and recommendations that we had today to the Cannabis Advisory Commission to that next. So, you can take a little rest, let your brains relax, and I'll be in touch, you know, January. And we can start thinking about what else we might want to what topics we might want to tackle for the future. I think there was some shared interest in you know, packaging, for example, there's probably better ways to do that. You know, I'd love to hear from everybody. But will. We'll tackle that at our next meeting. Any additional comments from the Commission on that topic?

Member DiPrete 2:56:21

I just have a note as you carry our conversations up to the committee. And they're making a decision about how to handle the inspections. If they ask or if it's relevant to the conversation, you might want to let them know that I think as SNHD if, if they want us to help with the food inspection side of things, I don't know whether SNHD will require a permit from SNHD for us to go in and inspect, which would be an added cost to the lounge or a contract for consulting fees or something like that. I'm sure that that that would that's another conversation but just for them to consider as they decide who to inspect what. Okay, just carry that along.

Chair Pearson 2:57:12

I will do that. Any other comments before we move on to public comments? Okay, so now we've entered the public comment section. So, for those of you on Zoom, you can go ahead and raise your hand and we will open up your lines, but you can speak or if you're on the phone, you can push star nine to indicate that you would like to provide public comments. I see one hand up. Christopher's Stokes, you are open for public comment.

Christopher Stokes 2:57:59

Hello, thank you all for being here today. Yesterday I attended a subcommittee on the Social Equity Diversity and Inclusion program. And although the meeting was held with the best of intention, several major factors kind of stood out in regard to accomplishing the committee's goals and recommendations for equity, diversity and inclusion. An issue became obvious as the Chair I should go and lead the meeting mentioned a minority cannabis business was going out of business. This led to awareness that the cannabis industry as it stands in Las Vegas has no incentive to do business with social equity candidates or applicants. Once anyone attains this license what next? As of October 2021, the cannabis industry in Clark County took in 721 million in revenue. The marijuana sales market is forecast to grow over the coming years to 1.2 billion and allowing for social equity candidates is a testament to the corrective actions of the cannabis Advisory Committee and it is commendable in their attempt to right or wrong yet most in our industry will continue this hustling sideways or operating for appearances. Having a license for social use does not instantly create any value to the applicant or ultimately the holder of valued business plan and various items associated with startup funds are needed. From concept to soft opening. To speak to chair Pearson's point, the HVAC system with the availability the ability to deodorize the air is a major cost and of itself. So, with this said true equity would be the access to funding US banks and the SBA will not do business with marijuana related businesses providing licensed to an applicant and then leaving the applicant to fend for themselves financially seems disingenuous. The next step in building our industry from the ground up must be inclusion and access to fund the community and local incubators and abatement can benefit the tax base and increase in excise and sales taxes and ultimately job creation. Therefore, addressing these factors would be the first step towards true equity inclusion, because currently there is no incentive to do business with a minority owned or socially disadvantaged cannabis concern. And to speak to Dr. Chews point we have to buy from dispensaries, but they necessarily don't have to sell to us or to a discount, or to any SEA.

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Concern. So, with there being so some of the recommendations could be that the first licensing go to those who already have minority owned businesses, and can somehow incorporate the lounge effect into their businesses, that would immediately impact sales and excise funds, excise taxes. And I think that was really, we don't really get any banks or loans. So there really are no funds for and there's no incentive to do business. So, giving a license to me is, you know, kind of, again, kind of hustling sideways. And I think we need to address that. Changing the language in ownership from 51%. I don't know of any business that is going to invest in a company and give the owner 51%. So that affects business valuations, which we as small businesses will need to move forward, we're going to need the ability to evaluate our business 49% equity, I think the language could probably be changed to controlling equity, as opposed to 51%. Because this will affect our business valuations and then need to raise funds. And if we're giving licenses to people have in disadvantaged situations, then you would doubt that they would have the equity to invest in this company or concern. So, we would need to invest in that as well. So that's my comment.

Zarmish Tariq 3:03:29

So, I was just going to say a public comment on behalf of Washoe County Health District in the chronic disease and injury prevention program. We already submitted this letter. So, I just wanted to be here and say, So, to start off, there is no safe level of exposure level to secondhand smoke whether resulting from cannabis or tobacco smoking, smoking and vaping cannabis produces fine particulates that pollute indoor air to unhealthy levels. Secondhand cannabis smoke contains many of the same toxic and cancer-causing chemicals found in tobacco smoke, including some in higher amounts, including those linked to lung cancer. cannabis smoke exposure has more damaging and long-lasting effect on blood vessel function with negative effects on the cardiovascular system than exposure to secondhand tobacco smoke. Everyone has the right to breathe clean air cannabis would employees and patrons alike. Washoe County Health District recommends the following sealing of cross contamination pathways in ensuring physical barriers between the smoking and nonsmoking areas are airtight having separate ventilation systems, serving the smoking and nonsmoking spaces. If smoking room shares a common plenum, such as air circulation space with adjacent nonsmoking spaces, either block of plenum or ensure that the smoking room is under slightly negative pressure relative to the ceiling plenum. Limiting contamination from smoking permitted areas to other areas inside the building, but exhausting from the smoking rooms to the outside without recirculation to other occupied spaces. So, altogether Washoe County Health District appreciate Cannabis Advisory Committee, specifically public health subcommittee for their planning efforts to make cannabis lounges safe and healthy places through outlining recommendations and informing relevant discussions. Washoe County Health District chronic disease and injury prevention program is happy to provide any resources to assist in the committee's decisions regarding the public health and safety decisions for cannabis lounges. And that's all I have.

Chair Pearson 3:06:11

Right, thank you. Are there any other folks on Zoom or on the telephone who would like to make public comments?

Member DiPrete 3:06:20

Chair Pearson, I just have a quick question. It's been a long morning, so I might have missed it did in your recommendations? Did we include a way to filter the exhaust air?

Chair Pearson 3:06:30

I just said that it should be filtered.

Member Nelson 3:06:33

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Okay. Perfect. Thank you.

Chair Pearson 3:06:38

Any other comments on Zoom or on the phone? If you want to make a comment on the phone? You can press star nine. So, I am going to adjourn this meeting. I really want to thank everyone on the public health subcommittee. You all have worked really hard, and I've been really just it's been a wonderful experience working with all of you. So, I really look forward to doing it more in the future. I think we're an effective group of people and with really nicely kind of complementary areas of expertise. So, thank you. It's been a pleasure and I will see you either at the overall CAC Meeting or in our next meeting in January.

Meeting Adjourned