

# Nevada Cannabis Advisory Commission – Public Health Subcommittee

## Meeting Minutes September 29, 2021\*

The Nevada Cannabis Advisory Commission's Subcommittee on Public Health held a virtual public meeting via Zoom. on September 29, 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 provided an outline for the meeting and took roll.**

**No public comment given**

**Chair Pearson 02:38**

Okay, so we're going to talk about air quality regulation recommendations, health notices and disclosure recommendations, ready to consume product recommendations, occupational health, and training recommendations, and finally, inspections, recommendations. So, the first thing on that list is air quality regulation recommendations. And that was the area that I took on. I'm just going to go through these [slides], and then we'll go back and discuss them in detail. But I first want to give you an overview. So, you get an idea of, you know, the lay of the land. So, you know, obviously, I come from a background in tobacco control, and therefore I have a special kind of focus on air quality, because I'm very familiar with the consequences of exposure to particulate matter, particularly. One more that I see we have, I see that we have a q&a question. Will the PowerPoint slides be available later? I'm happy to send those to the CCB so that it can be posted online. Yes. So how I came to these recommendations was a review of the scientific literature on the consequences of exposure to secondhand marijuana smoke, and also review of existing regulations, but what the state and jurisdiction levels so I kind of took that a Frankenstein approach I took the best, the best regulations I could find from all over the country. So many jurisdictions require a separate smoking room, if they do indeed allow smoking at consumption lounges, which not all of them do. And I'm going to be just to simplify and say smoking. So really when I say smoking, I mean smoking, vaping, or dabbing. However, I recognize that dabbing and vaping do not produce the same amount of secondhand smoke or air pollution as smoking nowhere near as much and likely they are significantly less harmful for the primary user and for the person who's exposed to the aerosols and the emissions from that those ways. But just to be just for simplification, this is how I'm going to go about things. So, 13 jurisdictions in three states require a separate smoking room. I do think we need to recognize that anything, all the rest of the recommendations that we're going to be discussing, it's not going to eliminate the risks of exposure to secondhand smoke, whether it's marijuana smoke or wildfire, smoke, or tobacco smoke. But what we're trying to do is mitigate as much as possible, given the constraints we have from the legislation. So, in order to have a smoking room, several jurisdictions have some mandates as to how that room should be constructed. So, one of the things that I believe this one, the top one is from Alaska, businesses with an onsite consumption endorsement and an

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onsite consumption lounge must be freestanding. The reasoning behind that is that it's next to impossible to keep smoke from a smoking room from leaking into a nonsmoking, you know, adjacent business that for example, shares, you know, ceilings or you know, like a roof structure, it's, it's just pretty much impossible to do to have that next door business not have some sort of consequence of what they're next to. A designated smoking room must also meet the following standards. This is kind of a several taken from several different places from I believe, San Francisco, Alaska, I want us to Denver, so they say must have a separate heating, ventilation, air conditioning and a track system so that the smoking-room air is not recirculated to other parts of the premises. They also say that the smoking-room air must be directly exhausted to the outdoors, and it must be filtered. So that it's not a kind of a nuisance to neighbors, but also it shouldn't be exhausted in a place where it can therefore reenter the building through windows, doors, etc. And then they also say that the filtration system on that exhaust must be sufficient to remove visible smoke and adequate to eliminate odor at the property line. I'm personally less concerned about this. Because once it gets outdoors, you know it's a nuisance, but it's going to be dissipated, most likely, but still, this is a pretty common requirement by across multiple jurisdictions, so I've included it. Um, the room itself has several different jurisdictions have clear standards. So, for example, it has to be completely separated from the nonsmoking portions of the premises by solid partitions are glass without openings other than doors. So just kind of putting people off to the side behind the, you know, a partial wall, for example, is not adequate. And then all doors leading to the smoking room have to be self-closing and have to have a seal so that you know, the door is closed, there's not smoke leaking out around the around the cracks around the door. And so that's, that's for the, you know, the smoking room specifically. And then my second recommendation is to mandate indoor air quality standards and protocols that minimize employee's exposure to secondhand smoke, SHS is secondhand smoke, and ensure safe and healthy workplace environment for employees. So, you know, we've heard from the experts from UC San Francisco, talk about two different types of exposure that could have either immediate or long-term health consequences. There's the long-term exposure to, you know, moderate, even moderate kind of particulate matter. And then there's also the kind of immediate risks of being exposed to moderate to high levels of particulate matter. So, I haven't quite figured out what the standard should be. For air quality, excluding the smoking room in the nonsmoking areas of the consumption lounge, this is still something I'm thinking about. I would welcome comments from the public. Certainly, we should talk about this among the commissioners. But what I'm thinking about is, you know, we need to have some sort of average during operating hours, where the parts per million PM 2.5, does not exceed that average during operating hours. And then also, we want to make sure that there's not spikes. For example, if the smoking room is not appropriately pressurized, whenever someone opens the door, you get a big spike, then, you know, how effective is that? Is that a smoking room from keeping secondhand smoke in the smoky room. And then also in the spirit of reducing risk for employees. This first bullet, I believe, is from San Francisco. And it states employers may not require employees to enter the smoking room as a condition of employment. So, let's say you are you have asthma, you know, you shouldn't have to go into the smoking room if especially if you're having a particularly sensitive day. And then consumption lounges must design smoking rooms and work protocols such that the need for employees to enter the smoking room isn't minimize, the employees can monitor activities in the smoking room from a smoke free room. And employees can fulfill kind of your regular anticipated patron requests without entering the smoking room itself. So, for example, they can serve more products, they can answer questions, they can take payment without actually having to be exposed to secondhand smoke. There's also recognize that they are going to have to go in there occasionally. But let's minimize their exposure as much as possible. And then my third recommendation is kind of similar to two but this one focuses on what's going on in the smoky room. So, my current understanding is that in the smoking room, no kind of main public health concern is we want to make sure that this that the PM 2.5 in there is not so concentrated that you know you're going to enter that room and you're going to increased risk of some sort of cardiopulmonary event. So, I am again still trying to think through how to fill in these axis here, so it does not exceed a certain X PM 2.5 On average, does not exceed some peak PM 2.5. You know, our experts from UC San Francisco suggested things like including

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exhaust hoods over seeding areas or limiting capacity, I think those are things that we could consider. But I don't necessarily, I don't know that we have to mandate those things, if we just say, here's the standard that you have to conform to get there, however, you want to get there. And then recommendation number four, for outdoor smoking areas, which from a public health point of view, this is much preferable to an indoor smoking area. So, I'd also say this is probably the least developed of my kind of recommendation so far. But I have seen from other jurisdictions kind of a similar concern about odor and visible smoke from the property line. And this is, again, more of a kind of a nuisance concern for neighbors. And then also, many jurisdictions say you can have that smoking area visible from the property line, which I think is reasonable, just if nothing else, just for, you know, kind of social, social norm reasons. And then I think it would be important to just like in recommendation number two, or we're saying you need to create protocols and structures to allow employees to, to spend as much time as possible outside of the smoking area, I think the same thing should be employed for the outdoor smoking area. And then I also have this kind of lingering question that I'm not sure how to deal with, I have heard people talk about, especially in the media, the desire to have things like concert spaces where people could consume cannabis. And so, I assume that concert that you know, it'd be a lounge that also has concert space, right? Which would therefore bring in both people who are there to listen to music and use marijuana, but also people who are just there to listen to music, and perhaps don't want to be exposed to secondhand smoke. So how to deal with that? I have not sure. So, I'd love to hear your thoughts. So that's it. That's my recommendation. So, I'm going to come out of out of presenter mode and go into just kind of regular mode so that I can take notes and make changes. So, Commissioner Chew? Yes.

**Member Chew** 17:44

I'm just for your peak and your exposure, I guess you're trying to help these concentrations. I'm just wondering if it may make sense to go back to what OSHA would use for chemical exposure? Yeah, so you have an eight-hour exposure limit. And then you have a 15 minute, the short term exposure limit, usually 15 minutes of exposure, as opposed to a peak, because I think you can hit some weird things in there, you know, any real time sort of thing, but and I don't know what the what would be considered a safe level, but I'm thinking that might be a cultural standard to go with, because then you could actually apply monitors to employees from time to time, and go and do this and make sure things are working. Right,

**Chair Pearson** 18:35

exactly. Yeah, I'm imagining, you know, there's a there's a period a randomly selected one or two week period, where it's like, okay, now's your here's your time, where you put, you know, monitors on your employees. And we see we see how it goes. Yeah, I liked that idea.

**Member DiPrete** 19:05

So, I like what you have here, I would recommend maybe thinking about for the nuisance odor for outdoor stuff. As far as like air pollution goes, we borrow kind of from that domain. A lot of factories and manufacturers have to use a smokestack so that the exhaust isn't released until it's so far up above where people are walking around, and that I don't know what the recommended height might be. But I think people would appreciate an eyesore, more than, you know, having to smell marijuana odor all day long, because I think that you, I could anticipate neighbors being grumpy about the locations of these if we don't find a way to get rid of that odor. So, recommending a smokestack or like a certain height requirement before it's really East into the air might be helpful.

**Chair Pearson** 20:06

That's great idea. Okay, great. Mr. Teacher, is your hand still upset? New? No idea.

**Member Chew** 20:17

Sorry, no fret over.

**Chair Pearson** 20:20

Commissioner Nelson. Yes. Okay.

**Member Nelson** 20:22

So just kind of continuing on to Commissioner DiPrete was suggesting with odor control requirements. One of the things that existing cannabis companies have to do in Nevada right now, specifically cultivators and producers. Because we deal with some stinky things. Sometimes we've had to come up with odor control programs and submit those to the CCB. In order to, you know, we get complaints sometimes. And so, we've had to use carbon filters or different things to help mitigate odor. So perhaps in the application for consumption lounge and odor control program that could be required for applicants for consumption lounges.

**Chair Pearson** 21:10

Right, wonderful. Are there any thoughts about specifically this slide? Concerning ways to minimize employee exposure? Yeah, Mr. Nelson.

**Member Nelson** 21:34

Um, so I guess I have a question about your point for employers may not require employees to enter a smoke room as a condition of employment with regard to that. So, does that mean like if someone was hired as like a smoke room attendant that they could essentially refuse to go into the smoke room? Correct?

**Chair Pearson** 21:53

Well, I think that would be. Yeah, I think technically, that is true. Yep.

**Member Nelson** 22:02

Yep. Okay. All right. Um, so is there any like, I know, we've talked about respirators or masks or other sort of like PPE? Is that something that could be entertained? Or employee protections as well?

**Chair Pearson** 22:17

Yeah, I think so. I think that we could also recommend that like, we could modify this. If, if I'm, if I can be certain that the PPE is adequate to reduce risk right, then which it should be like a well fitted respirator should do it certainly can keep viruses out like to keep the PM 2.5. You know, PM 2.5. I mean, so we could say something like, like modify so that they can't have to provide PPE.

**Member Nelson** 23:03

Yeah, I think that's probably good that or Malta to like, applicants for consumption lounges would have to provide an employee protection program that would have to be reviewed and approved by the CCB.

**Chair Pearson** 23:14

Yep. See? Two to? Yep. Okay. Like it? Um, not sure. Who raised their hand. First. Yeah, let's say Commissioner Hayes.

**Member Hayes** 23:49

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So, some of these, you know, PPE is hard to get these days. It's expensive. If they didn't want to do those kinds of things. They could just make sure every service was provided outside. So, they come out not, not employees go in, but they come out to get whatever they need. And then they go back in. So that has to be a two-way door.

**Chair Pearson 24:15**

Yeah, right. Yeah. Yeah, I guess that's kind of I think that's probably the spirit of this statement from San Francisco. is like, you can do your job without having to go into the smoking room. I don't know. I do think it's PPE is not as difficult to find, as you know, it used to be I can order respirators on Amazon no problem. I can do it. dispensaries can do it, or cannabis managers can do it, um, Commissioner DiPrete.

**Member DiPrete 24:53**

I was just thinking we might be able to avoid having to say that first of all, bullet point if we stick with Commissioner Chew's idea to make the requirement a 15-minute exposure level, right. So, if we make it more vague, and we say cannabis or consumption lounges, it's up to you to make sure that your workflow prevents 15-minute exposure levels above a certain amount. And then they can decide what you know, whether that means a respiratory, respiratory rate or before entering the smoking rooms. Or if that means, you know, you pop in and pop out, you do a quick sanitization before the next group or, you know, it gives a little bit more flexibility. And I think you'll get less pushback. Yeah, let's see.

**Chair Pearson 25:41**

I'm sorry. Can you say that say that again? So, I want to make sure that

**Member DiPrete 25:44**

so, if we reword it to just say that the consumption lounges are responsible for ensuring that we're workers 15-minute exposure level does not exceed X.

**Chair Pearson 26:12**

Yeah, the only thing I'm concerned about here is, is some data that I'm looking at that suggests that very brief exposures to find particulate matter, can kind of push someone who's on the brink, over the edge, you know, so, I'm going to, I'm going to do more research into this.

**Member DiPrete 26:44**

I think it is important that we have staff that go in there for cleaning and emergencies, though, right? Because later we're going to talk about like, you know, preventing sexual assault or whatever, like we need to, I'm glad that you added the be able to monitor from the outside for sure. But if there's an intervention needs to happen, we need staff to be able to go in Yeah, I agree that it's riskier.

**Chair Pearson 27:08**

I agree with you. I think I'm imagining a situation where a person is like, you know, my asthma is acting up today, I don't have the option of calling in sick. But here, so here I am, you know, working on site, and, you know, my boss wants me to go in and change the ashtrays, you know, like, I but I'm concerned that's going to push me over the edge into an asthma attack. Like, you know, there's, like, in what situation? Do we require workers to do things that are risky? I guess that's the question. I will have to at least have to think about this more. Because I hear what you guys are saying to like, it's we don't want to have a staff full of people working on assumption lounge, we're like, Nope, I'm not going in that room. Right. That's, that's not going to work, either.

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**Member Hayes 28:04**

Yeah, every time we have a violent incident,

**Chair Pearson 28:07**

say that again.

**Member Hayes 28:09**

Every time we have a vomit incident, we have an area that people don't want to go in. And you have to the bathrooms. People don't want to clean him, and vomit incident. So those are the two things, and we just have to provide the equipment for you to do what's safe.

**Chair Pearson 28:26**

Yes, right. Yes. Right. Provide the equipment to do it safely. That's a good, that's a good way to put it like that. There we go. Um, Commissioner Chew?

**Member Chew 28:49**

Aye. Yes. So, if you look at this from an OSHA perspective, they usually say there are three ways you control employee exposure. So, the very first one are your engineering controls such as ventilation. The second one is scheduling. So, you have your eight-hour first exposure limit you ever 15 Min exposure limits, and you schedule okay, you have certain breaks, or you switch their job off. So, you're doing something else, we're lessening that exposure over time. The very last one that they allow there to be can't do it by the other two methods is your personal protective equipment. Yeah. And that's because it is so hard to deal with is when you're talking about respirators, now you're talking about respirator programs that need to be approved by OSHA. The employees who have respirators need to get your medical examination for that regularly to check their lung capacity, things like that. It's proper training of cleaning the respirators. It is changing the cartridges. You know, I can I believe the number of times I've seen people just pull cartridges out of a drawer that have been there for months. Like this should have been disposed of, you know, two months ago, you can't be using this anymore. Again, yeah. And you and you can't tell on these cartridges, like really, you know, once you write the date that they're actually used, you can't tell, you know, are they still good anymore. So, it's a lot more complicated with the PPE requirement on here. So that's just kind of, and as I said, I don't know what a safe exposure limit is. For this, but it's going to add a lot more into here, if we're going to rely on this. And in certain cases, yes, in an emergency, you're going to have to have them available, you know, for people to go in there to go out, but that will slow it down, as well. Meals, going to take a couple of minutes to put up with us on and if somebody is having a health crisis in there. That's going to slow that down on there. Yeah, the only other thing I want to talk a little bit was, I think, earlier, this one about pushing the outside air up over certain heights. I have worked in the chemical industry for and that works for most times, until we get an inversion layer over the city. And then sometimes it just dumps it back down. And we've, I've worked with other ones were chemical plants do have that in there. So, I think it's probably better if you can control it from even leaving the facility to begin with through. You know, just the filtering of the air. There's probably a little more consistence. You know, down here in Vegas, you probably don't get very many inversion layers, but I don't know what it is up in the Reno area, that sort of weather patterns up there.

**Chair Pearson 31:49**

Definitely version layers. Most definitely not today. All right, I want to be sensitive of time. So, does anyone else have anything you want to comment on? Thank you. These are really helpful. Okay, all right. Well, then let's, let's move on. To Commissioner Nelson, you are going to take us through the health notices and disclosure recommendations.

**Member Nelson** 32:31

Okay, so bear with me as I share my screen with you guys. Yes. Okay, can you do you guys see which screen Do you see?

**Chair Pearson** 32:48

You see no screen?

**Member Nelson** 32:50

No screen? Yeah. Oh, goodness. Okay.

**Chair Pearson** 32:54

I can walk you through if you'd like.

**Member Nelson** 32:56

Yeah, it'd be a little assistance. I'm sorry. Okay,

**Chair Pearson** 33:00

we're perfectly fine. So, if you go down to the bottom of your zoom Webinar screen, you should see the share screen button. Yes. Click on that. Okay, and that should bring up a pop-up window that gives you probably several different options. And if yeah, let me go.

**Member DiPrete** 33:17

Is that okay?

**Member Nelson** 33:19

Is it shared now?

**Chair Pearson** 33:21

This Yep, got it. Okay, perfect.

**Member Nelson** 33:23

So, see, is that point is that showing you the screen with my like full like the full screen of the PowerPoint slide? Or is that showing the secondary sites as well?

**Chair Pearson** 33:35

It's showing neither one is showing a drop down like a zoomed in drop down menu. That's very strange. Weird. I am. So now you're back. Now you're back to just the regular PowerPoint view.

**Member Nelson** 33:49

Okay. All right. So, is this now visible? I am so sorry. Yes, it is. Okay, perfect. Okay. Um, so to kind of dive right in. These are the topics for what we had previously discussed about our health notices and disclosures. We all kind of are

aware of those. So, I'm just going to dive right into what the existing laws are at dispensaries in Nevada, have the disclosures that they need to provide to patrons who are purchasing at the dispensary level. So, I'm going to go through all of these in a little bit more detail, but it just so you understand like this is what every dispensary needs to provide to a consumer who's purchasing medical or recreational cannabis. And what I'd like to recommend is that we keep things consistent in the industry. So, I think what is required for at dispensaries to give to patrons should also be required for consumption lounges to make people aware or warn people of the effects of cannabis or possibly possible like you know, health issues that they may have, and maintaining the industry consistent or maintaining consistency in the industry habits to benefit, but the biggest one is that we're giving everybody the same sort of same sort of disclosures and public education is overall the same. Having different disclosures at dispensaries versus different disclosures at consumption lounges, I think would be a disservice to the industry. So, to kind of go from that, though, I think that these disclosures and warnings do need some improvements. So, to move into the next one, the statements for pregnant or breastfeeding women. The current statement is pregnant women should consult with a physician before ingesting cannabis or cannabis products. And the statement is pretty open ended and doesn't really address the issues of consuming cannabis while pregnant or breastfeeding. It doesn't really communicate that there's any health risks associated with it. Another thing too is there's another part of the law that I put at the bottom there that says a cannabis fails to show us facilities should not recommend products to women that are pregnant or breastfeeding. But I thought that was a little interesting because it seems to be a bit contradictory. But nonetheless, what do we actually recommend? Right now, the CDC, the FDA, the US Surgeon General, the general consensus is that pregnant or breastfeeding women should not consume cannabis. There are health effects to developing fetuses. THC can pass through breast milk and affect a baby that is breastfeeding. THC consumption or cannabis consumption during pregnancy is affiliated with low birth weight, and also is traced to possibly affecting the development of the endocannabinoid system of a developing fetus. So recently, Colorado actually required that dispensaries put posting warning women, or people or pregnant people from consuming THC, and they pretty much said like consuming THC could be harmful to a baby. That being said, the recommendation that I think we should make to this, CPB would be to just suggest that pregnant people should not consume cannabis at all and saying that using cannabis during pregnancy could harm or during pregnancy or breastfeeding could harm a baby's development. Also, with this, one thing I think we should do is require this be posted in restaurants similar to what the birth defects affiliation with alcohol warnings are currently posted in women's restroom in Nevada. And I think we should kind of continue on with that, for cannabis, as well as that has, in my opinion turned out to be a really great public health campaign of warning people of the effects for alcohol use during pregnancy. This could also be the same sort of tactically use to address cannabis use during pregnancy as well. An idea of what this might look like, is just this little finer put together. But obviously, if this language I if you guys see room for improvement with this language, I would love to hear it. I think this is just a baseline of what we could do. But there's a lot of possibilities and better ways that we can warn people about the effects of consuming cannabis while pregnant or breastfeeding. The next thing is for people with respiratory or cardiovascular condition. So, the current regulations just say that there may be health risks associated with consuming cannabis. And it doesn't really address the issues that we see with respiratory or cardiovascular conditions in cannabis use. And I was doing a lot of research on this. And it's a bit it's a bit open ended. So, when we're talking about somebody with a respiratory condition, are we talking about somebody with bronchitis? Or are we talking about somebody with emphysema? Both of those people have very different conditions that are equally like valid and should be made aware that hey, there's, you know, possible risks of you consuming cannabis with your current condition. But based upon what, you know, those people are dealing with, they could kind of have different reactions, or they you know, they could possibly be okay for edibles and not for smoking. And who knows. The other thing too, is with addressing only respiratory and cardiovascular conditions. I think that we're omitting a whole realm of other conditions that people are possibly concerned about, specifically, like mental health conditions or other bodily conditions that people should be aware of. So, while I don't think we should address these

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things directly, I think that we should at least give people the opportunity to think twice about consuming cannabis if they have a health concern, and advising people to consult with a physician before consuming cannabis if they're concerned about anything with regard to their body. I think if they're safe is that I understand if they're coming into a dispensary or I mean not a dispensary if they're coming into a consumption lounge. These came with the idea that they want to consume cannabis. And don't me wrong, I think a lot of people are still going to do it right regardless of what we warn them to do or not do. But this may at least cause some people to second guess their decision. And it might help some people who are like on the fence. Moving on with regard to statements of the CO use of marijuana with alcohol or prescription medications, there is a disclosure right now in the existing NCCR that covers this pretty well. I didn't really see any, any room for improvement or you know, any, any reason why we should possibly change this. But if you guys again, have recommendations, I'm totally open to hearing that. The next one would be about driving after cannabis use. Again, the NCCR do address this already with what dispensaries have to provide to consumers. And I think that these two disclosures are pretty sound and what they are requiring, and they could be easily recycled for consumption lounges. The next one is the general health effects of smoking or secondhand smoke. Currently, there is this line on the existing NCCR for disclosures. And the only suggestion that I would have is that instead of you know, saying this product, I think we should possibly change that to say cannabis or cannabis products. They do have a mind saying that smoking is hazardous to your health. But that being said, there's nothing in the NCCR is addressing the risks of secondhand smoke. And this is something that we obviously need to warn people of. So, in doing the research and looking at what the Nevada Clean Indoor Air Act was and Clean Indoor Air Act of other states, I came across the requirements for what Arkansas mandates be posted and disclose to people who are going into smoking areas, and they have these postings required for any place that has that is a smoking venue. I think that this sign is pretty good. I really liked the language of it. I thought it was very effective. It you know, told people like hey, you're going to be exposed to secondhand smoke and the age limit to is also beneficial because they assume that there will be age limits or consumption lounges as well. So, with that, what do we recommend to the CD or the CDC or CCB? Sorry, I would say that having a statement similar to what Arkansas requires would be super beneficial. And then also requiring is that signage be posted on any external doors are our points of entry to a smoking consumption lounge. Obviously, as consumption lounges, only serving edibles, they wouldn't be, you know, they wouldn't be mandated to the same sort of thing. But if we have a lounge that does have a smoking room in it, I think that this is a worthwhile disclosure. And the next thing is delayed onset. Again, the existing NCCR have a line in there that warn people about cannabis taking upwards of two hours to kick in. I thought again, this was something that was very effective and communicating the potential risks to consumers. So, kind of just maintaining an industry consistency for disclosures is beneficial in this case. Next would be a statement of overconsumption, and there's really not anything in the existing law or the existing cannabis law about overconsumption. So, I was doing different research and came up with this based off of the recommendations of the US Surgeon General. So, nausea, vomiting, anxiety, agitation, paranoia, and psychosis. These are all risks of excessive cannabis consumption. I did add a line in there and I think that we possibly should consider advising people who are experiencing symptoms of overconsumption to seek medical attention. I'm recommending this just because there is an uptick in the occurrence of high cannabis consumption, users experiencing hyperemesis which is uncontrolled nausea and vomiting. While it may not necessarily be like an overdose of cannabis per se, any person who is in it who is in impaired state of mind, who is experiencing uncontrollable vomiting as they are at risk of choking and extreme dehydration. So that's kind of where I came up with this idea to recommend people seek medical attention. But again, like if you guys have other recommendations, I'm totally opening up totally open to hearing that as well. So, collectively, this is kind of why I think would be a good baseline to start recommending to the CCB. Kind of just working in the same sort of format of what the existing cannabis regulations are formatted as and doubling down on some things adding some new disclosures in there, obviously the font minimum for signage that would be posted in the consumption lounges, and just kind of keeping things the same as what we've had before, but improving upon what we've established. And lastly

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is just getting down to the overconsumption line. That was really the last one I have there. And I guess my resources, if anybody wants to see those, but essentially that that's all that I had for coming up with recommendations. I'd really love to hear what you guys have to have to say or other suggestions of what would make sense. So, Commissioner DiPrete.

**Member DiPrete** 45:44

Yeah, I think this is great. Thank you. I did have a few small suggestions. One is, on our side, we really tried to make things easy to understand and when there are ways to make it simpler to do that. So, for example, on one of the warnings you suggested negatively impact, we could easily just sub that out for harm, right?

**Member Nelson** 46:09

That's a great idea.

**Member DiPrete** 46:12

Yeah, I think so too. You know, not everyone's a native English speaker, not everyone has the same reading level. So, the easier the better just around the board. I also would suggest the pregnancy signage, to not save that information for just the women's restroom. I think that's important knowledge for everyone to have to be trans inclusive, but also men, no women write and talk to him and see women and if they see a woman who's smoking, it would be great that they had that information to share with them to maybe try to convince them not to smoke while pregnant. So, I would recommend that pregnancy signage be visible to everyone whether we want to keep it in the bathrooms or just out in the open. Either way, and then I had one more note. Oh, the secondhand smoking warning that you found from another Yeah, I think that's great. But I think it's missing a statement that secondhand smoke is harmful. Okay. Yeah. So, it's like warning secondhand smoke. I love that. But also, it could hurt you, you know, some version of that. negative health effects or whatever. And we might want to make it cannabis related to some people might just think that tobacco smoke is harmful. But to make it clear that cannabis secondhand smoke can be harmful.

**Member Nelson** 47:44

Yeah, for sure. That's awesome. Thank you so much. Yeah. That's all I have. Thanks. All right. Commissioner Pearson.

**Chair Pearson** 48:02

Well, I'm Mr. deplete pretty much stole my thunder. So, I have to say this is a wonderful job. I'm quite impressed by all the work you've put in, like, really? Well done. I think this is great. Thank you. The could you go to the I think it was recommendation number two. I don't know. With that drought, note. Whatever is after pregnancy

**Member Nelson** 48:37

after pregnancy. Okay. I think that was sorry if I hadn't tested one. Respiratory, either respiratory or cardiovascular condition.

**Chair Pearson** 48:48

Yes. People with Yes, yes. Yes. Okay. There may be helpful. There may be physical or mental health risks associated with consumption of cannabis.

**Member Nelson** 49:00

That's a good one. Wait, so you're saying like adding on like there may be physical or mental health risks associated with the consumption of cannabis?

**Chair Pearson** 49:12

Yep. Just at the beginning of the call just at the beginning of the statement. There are mental health risks associated with consumption of cannabis. Great. Yeah, yeah. And yeah, that's fine. Yeah. Good. Um, and then there's the kind of polypharmacy one. Yeah, that's fine. See, yes. alcohol or other drugs, including prescription? I would so in in the in the spirit of bringing down the reading kind of level requirements of these warnings. And I think, are you suggesting that these changes would be made to All health warnings.

**Member Nelson** 50:03

Like, sorry, sorry to interrupt you, I apologize. Yes. So, what I'm saying is what we disclose at consumption lounges should in essence be the same as what is disclosed to consumers buying products at a dispensary having two sets of disclosures, in my opinion, I think would cause a lot of confusion. So, if we're going to make these recommendations of what a consumption lounge should provide and warn people with, I think that it would be fair to keep that language consistent for what the disclosures are at the dispensary level.

**Chair Pearson** 50:35

Yeah, I totally agree with you. So, I would just make some, some kind of simplification here. Like, you know, ingesting cannabis or cannabis products with alcohol, or other drugs, including prescription drugs may result in you know, what's gosh, I guess unpredictable levels of impairment? Is

**Member Nelson** 51:03

it wordy?

**Chair Pearson** 51:04

Yeah, I just I'm not exactly sure how to make that easier to understand. But, um, maybe you could work on that. Okay, pretty much If a word is more than one more than one or two syllables, that there's a way to get rid of that, then that's great, because actually, there used to be on Microsoft Word, a tool that, you know, you can highlight the you could highlight the text, and it will tell you the reading level, the required reading level to understand that text, and I believe that kind of general goal is an eighth grade reading level.

**Member Nelson** 51:47

Okay. Yeah, that makes a lot of time. Oh, sorry, I

**Member DiPrete** 51:52

just wanted to pop in to say that the CDC has a great resource, a plain language resource. So, if you just Google CDC plain language as lots of good, like, substitutes and things like that. So that might be worth checking just for our document in general, not necessarily just for this section. Yeah, definitely. No, but I think that competes with the legal standpoint of wanting to be like very, those two probably fight a little bit of being, like legally specific. And also understandable,

**Chair Pearson** 52:29

informative and understandable. Yeah, I mean, let's prioritize people's understanding over legalese, please. I mean, yes, agree. We'll see. But thank you. That's all I have. Thank you. Commissioner Hayes.

**Member Nelson** 52:54

Commissioner Hayes

**Member Hayes** 52:57

I would like to support Commissioner DiPrete's previous statement about the bathrooms. As you know, the state entity where we have that NRS in law, you know, while it says bathrooms are appropriate, and that is your target audience, we get hundreds and hundreds of letters a year about how that information needs to be out in the public. And so, then we turn around and send out letters, you know, stating this information has to be out in the public. Something I also learned from my adventure into the training world was that instead of words, images are better. And so, the FDA and the CDC have all kinds of training materials that are just images. And I think that if some of these words could be transported into an image, an image for medication, an image for pod, an image for mental health, we, you know, transcend that need to read English, or to have, you know, a higher reading level. I was very excited to see some, uh, labels being transferred, transferred to images instead. And so, I'll talk about that later. But I think we should try some images as well as language.

**Member Nelson** 54:23

Yeah. Brilliant. So that's a great suggestion. Thank you so much.

**Chair Pearson** 54:33

Images also draw the eye more, you know, so if you if you can't necessarily figure out a way to translate the whole warning into you know, pictographs essentially even just including a picture can draw attention, which is half the battle.

**Member Nelson** 54:49

Yeah, for sure. I think that that is all really great and like useful feedback. Thank you, guys, so much. Again, if you have anything else or any other like, points of feedback change I'd love to hear it. Um, obviously, this is just kind of the baseline that I came up with. But you guys have definitely made some like awesome suggestions. And I think this would be very useful and excreting proper disclosures to educate people. So, if that is it, that's all I really have for this section. So, Commissioner Pearson and I'll just turn it back over to you then.

**Chair Pearson** 55:21

Great, thank you. Wonderful job. Um, let's see what folks like to take a bathroom, or just a 10-minute break now or do you want to go through another section and then take a break?

**Member Hayes** 55:38

Brakes are good, right, sir? Good. And I'm even happy to go five instead.

**Chair Pearson** 55:45

Okay. Well, let's How about this? How about we take? It's 11 am Right. Now, how about we take a five-minute break? So, 1105 We'll get back to work.

**Member Chew** 1:02:48

Can you see the presentation now? Yes. Okay. So, I went through a lot of these things, the questions we had, in this presentation, there's going to be some bullet points that have question marks after them. Those are the ones that I

kind of thought of as I was doing this and said, well, I don't have a good answer for this. So, I'm looking for input on some of those. So ready to consume products, just some general considerations. The Nevada regulations, do you say that no leftovers may be taken out of out of the lounge. So that's one thing we have to consider. So that would include purchasing a multi serving prepackaged items at a question of can a patron purchase flour and roll their own? Or are we limiting this to prerolls? Only? And then there's a question on vape cartridges. Would they bring their own pens and buy cartridges? And then I started thinking a little more about cartridges themselves and how many servings are in a single cartridge, either half a gram of an 80% oil that's 400 milligrams of THC. Most vape cartridges, I believe are designed to be used over multiple days. So, there's a question here as to if you purchase a vape cartridge, I don't know how you would expect anyone to finish off a vape cartridge in a single session at a consumption lounge or 400 milligrams of THC that could be quite debilitating. And so then how do you control any leftover flour or vape content coming from these things? And then how do you control outside items being brought into the facility? I mean, if you allow people to bring their own pens, they're probably going to have cartridges in there. So how do you deal with that? In there, alcohol cannot be served at the lounge that is in the rules. I would assume that if this was being treated like a restaurant, then you would need your standard food permits for food safety handling. Anyone who's doing these for Pairing fresh food. There should be options to serve non infused items, which the other infused beverages. So, if somebody is there who is smoking or vaping, you know, they don't necessarily want to have another input of just another infused item, maybe they just want, you know, just other Coke, whatever, soft drinks or water that are not infused. Or if you know, they're there with other people who are also eating, you know, an infused item, you know, maybe they want something else, you know, to snack on as well. So, there's a question that would propose to the health department's workers or do you need a food permit if you're selling a single serve packets item for consumption? So, something has already been cleared? You know, that's it. That's what their business plan is. A I'm only going to serve things that you can buy at a dispensary just have a place for them to open this up. So, you might have a something that's attached to a dispensary, maybe a little cafe or something where you say, Okay, you can buy a dispensary, bring it in here and use that. Do you need a food permit? And I think that's just a question for the health department's other considerations are a METRC, you do need to be able to track the total purchase history from both on the lounges and the dispensary to understand what the overall limits are. And again, you are going to perform a METRC transfer at the time of ordering. That's just in case in a blocking somebody who may have just purchased close to the limit at a dispensary. And then they're going to go to the lounge weren't expecting to his friend as a, hey, let's go down to here. They might have hit their limits as to what they could purchase. So, you just need to be able to control all that. And then there's consideration how do you control sharing of items? I mean, we've all been to restaurants and other things where, you know, food gets passed back and forth between people in the same group. And so how do you control all of this, then we'll get into testing requirements a little bit later. So prepackaged products are pretty straightforward. In Nevada, a single serving is defined as a maximum of 10 milligrams of THC, they do allow plus around 15% of that potency, that's for recreational your multi serving items are the maximum of 100 milligrams of THC again, plus or minus 15%. Again, no leftovers can be taken home, you cannot buy this, you know, a multiorgan candy bar and share it with a group because that would be impossible to track that in METRC. You just fold it to a single person. So, you can't do that. And so, my recommendation here will be just don't allow multi serving items to be served in a consumption lounge. Now you do have medical patients, they are exempted from the limits. And so, the question is, can they sell higher dosage single serving items in a lounge. And then that has its own issues of how to control sharing of these items, or mistakenly swapping a high potency item with a standard item. And so, in that case, you know, one way to try to avoid mixing it up is every customer here is a single transaction. You know, you hand this off to the person who purchased it, they show you a medical card then you're getting this one over here. But it is just making sure that you're getting the right item into there. And full testing will have already been performed by the labs. The COA should be available if requested. That's the same as a dispensary anyone who asks for the certificate of analysis at a dispensary, they should also be able to do the pull that up. And then similar to

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alcohol, you've ever prepackaged item, you know needs to be opened when sold and handed to the customer or transferred to a non-saleable certain container. That's you know, when you go to a bar, and you order a beer, they pop the top of the beer open and handed to you. So, you can't take this home on you. And again, we're back to this whole vape cartridge, which is, you know, that higher amount that's in there. How do you deal with that? There are some interesting challenges with freshly prepared products. And no one question is how do you test to verify the final dosing onto their cooking of the products like alter the THC, which decomposes the high temperatures? It can react with other components presence, your acids, bases, sugars, anything else that's in the food. And just a reminder that all cooking research you're looking at, so I want heating, you're involved in a chemical reaction some sort. And that may or may not react, what's the THC that's in there? It's incredibly difficult to predict this. And then we get into homogeneity and how to keep it from separating. So, for example, the salad dressing or sauce, you have oil water layers, while THC likes to hang out in the oil doesn't like water. So, it is it is going to, it may separate on you into there. So how do you keep the THC suspended and consistent every time it's dispensed. So, this is where, you know, we're talking about, you know, let's say they have a bottle of salad dressing that they've infused. And they'll say I'm going to sell a salad and Miguel a certain amount of this dressing. How do you keep that, so that one dosage is the same every time we do that. And something about brewed coffee and tea. Just being aware that the THC oil often separates, and washy kind of wine the mug or container surface. And so, in this case, I would discourage a bulk dispenser of coffee or tea. For this, you probably want to make a single serving item off of there. surfactants can help with this you know and how you keep an emulsion going. And I will say how you do this with a consult with food scientists. And then there's also just the general food safety protocols that are in place. So, for testing of the final products, as I said, it's very difficult to test to verify the final dosing. Testing a recipe is going to be difficult, especially if you're trying to accurately measure 10 milligrams in an entire dish or drink that is a very large item to be trying to push through a laboratory to say, you know, can you get? Can you measure there's 10 milligrams in this entire dish. And that's it because it's very low level and homogeneity. Depending on where it is in that dish, it's going to play a very large role. And it's going to cause a lot of errors in that measurements. If you're using an oil infused oil on the cooking process, you can decompose the THC at high temperatures and current edibles that are going to for prepackaged items that are sold in dispensary. We test for the potency terpenes. As far FL we'll get into that one, microbial testing, water activity and pH are in there. terpenes are usually removed from edibles, there are some of them that do add them back into there. But that's I think most of the time is because they recognize that the terpenes do have a flavor associated with them. And it does affect that the quality or the perceived quality of that final product, if you have certain terpenes in there, that may not be what the flavor profile that they're looking for. There was a proposed regulation I saw last month about removing terpenes from testing. So that's what that's the other reason for the star here that this might, this might change the microbial the reason why we search for that and testing for water activity is that there's, we're making a shelf stable products. And so, we're looking to make sure that something was not contaminated into that product as it may sit on the shelf for a certain amount of time. That could be weeks or months. Okay, so recommendations for testing, you're going to have your initial bulk oil. So that's, that gets your standard full testing. So, when you do an extraction from the flower, you're looking for potency metals, pesticides, solvents, terpenes, microbial analysis, things, all that that has to clear this so that that would not change. Then I'm suggesting that we believe that bulk oil down to a final concentration around 1%. Because 1% would be 10 milligrams per gram. And I chose that because one gram of oil is a reasonable amount to try to dispense outs. You know, if it's more concentrated than that one, then you're talking about some very small amounts that you need to dispense out onto your final dish. So, I'm just saying bring us down to about 1% in concentration and submit that for the same testing that's a standard edible gifts. So that is your potency, your microbial and you're looking for salmonella, E coli water activity, and then the terpenes would be as I said, optional, but only because it's it might be changing. I'm also suggesting that dilution is needed to send out that oil for Easy dispensing. And it could be the sourcing of surfactants. Like for a beverage. And then, as a category in METRC you can call an edible oil or something like that for lounges.

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So, we have that sort of a distinction as to what sort of testing it will be required. And then I'm suggesting we create Friedel containers or syringes that contain that one gram of oil, or whatever it is that 10 milligrams, again, plus minus 15%. So, it's, it's an, it'll be individual doses, doses of these oil. So that said, it's a 10-milligram dose, if that is the 1% oil, the one gram. And then as I said, it'd be harder to dispense higher concentrations of oil, you know, just this thing where 10% oil, you've tried to put out a 10th of a gram into your products, I think that'd be very difficult to do, and not accidentally put in a lot more into there. And then this pre dosing makes it easier to what actual misto some of the final product, so you have a, you know, at the lounges, they're storing, you know, 100 little syringes of these things, and you just pull one out, and you'll you add it to your final product. And then I'm also guessing that if standard food safety protocols are followed, then your do not have to test the final infused products. Because if the oil has been tested, as in Istanbul, it's cleared everything off there. Than as long as all your other foods, you're doing your standard food safety stuff onto there, then you're not testing that that final product. Well, the oil itself, question was should the grade and expiration date on the old being used? Your potency can change over time light exposure? So that should be six months or nine months? I don't know. And a perishable matrix, like butter or other dairy be used for that. And that said that one, I would you know, what sort of expiration date with you want in there? And that, again, I would defer to the health department as to whether or not you would allow something like that, or does it have to be something more like a coconut oil or something that is more shelf stable? What are the storage requirements as that heat can accelerate the composition or making oil go rancid. So, you know you have hot kitchens in there, it does need to be locked up with restricted access. So, your fridge or freezer would have to have locks on it. And only certain people will be allowed to access it as needed. You have to do METRC inventory checks. So, every other component of the marijuana businesses do you have to do a quarterly inventory check and report that to the state. And again, I would just defer the standard food safety protocols for that. And then a fridge or freezer a document put onto there for restricted access. If it fails, you know, unless it's in a perishable matrix, it should be okay for one or two days, that wasn't so I wouldn't necessarily say that would have to be thrown out. There, the food might have to be thrown out. But if it's in there, then you're it should be okay. For a short term at room temperature. Your final fish or a final dish or drink should be added at the end of the cooking process to do void decomposition from high temperatures. You know I was with an oil as it's in there, we should not be full tang with it. That is definitely going to be a high enough temperature to cause some problems and there is a need to be thin enough to be easily dispensed and distributes. And my single serve dosages to avoid accidental or under dosing isn't there. I'm suggesting that no bulk infused products be used. So that's these are the sauces, dressings because they might separate on you. And then you can mix it in the final edition of free portion come on at the ends. Again, this was simplified in METRC. In this case, you are transferring one syringe of oil and you're not creating multiple items. The other way that METRC, if you were to infuse in something else, you know, especially in a bulk thing, you would have to create a new item in METRC a which one you use went into that one and then you're transferring off of there. I'm saying at this point, if you just say hey, I have 100 syringes in my stock. I'm just going to ask people order this I'm just going to transfer one syringe of oil to that customer. Some questions here about how to avoid mixing up dishes. I mean, certainly, you know everyone's been in the restaurants server comes out You know, has multiple dishes? If you got the wrong thing? Yeah, I have something to say, you know, you have five things coming out, they say, Okay, who ordered what's on this one, you're trying to deal with that. So, you have servers handing it to the wrong person could be going up to the wrong table. You can use a tag for the system. But then how do you avoid a customer who's just swapping tags, you know, things like that. Information disclosures, I think was on the list as well. Definitely allergy information needs to be on there. It should include the source of the oil that we use to dilute the cannabis. And this is because, you know, I've some places use coconut oil, and that can be an allergen, I have a friend who is deathly allergic to coconut oil. And I told him it's like be very careful as to what you're ordering. When you if you go to a dispensary to make sure they didn't use some form of coconut oil there. And that's sourced that oil needs to be disclosed from the supplier. As the standard warns about CZ posted here on the menu, that's what we discussed that earlier. Or warnings around there. I

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think it needs to explain which portion of the dish is infused. Because you can take that one gram of oil and you're going to you're not going to put it all over the whole dish, they might do a smaller portion of it. Like if you make a portion of the gravy, or whatever it is, infuse it into that and pour into there. So, I think people should know which portion of the dish actually is infused or is it throughout the whole thing. To the limits on servings, like alcohol, cannabis affects people differently. It's going to be very difficult to enforce this to provide a good experience for every patron because some people do have a resistance to it. So, recreation limits or Kendler. Grants for a single dose is 100 milliwatts for multi servings, some customers will have a tolerance built up. Some customers have a genetic intolerance, and so a tiny amount could have a major effect on them. So, I'm kind of recommending a 10-milligram dosage for each item. Customers can purchase additional 10 milligram dosage, and maybe some options to offer lower dosages for beginners or clear instructions to them as to only eat a portion of what they were given. Again, the whole question of medical consumers accessing higher dosages, the risk liability issues addictions are mixed up proper training for staff to recognize when someone has had enough again, no sharing addictions or drinks and how do you enforce this? Especially if we are you know, you talked about CO limiting access to certain, you know, to your employees in certain areas, you know, if you have a mixed area where someone is bringing infused things into a smoking area, because they're part of the same group and you are having your employees staying thing out of there to avoid the secondhand smoke. How do you enforce something like this? Again, we talked about METRC that was on the earlier one disposal so all uneaten items must be disposed of per state regulations. So, the garbage needs to be locked and under control until disposals is performed. You all know that people go dumpster diving outside of restaurants or the food areas so just you need to control that you have other trash so being able to control what goes where so other trash cans that around there your satellite trash outside front trash, you know, do we need to be concerned about that for what people are throwing into there? The disposal requirements are that it'd be mixed with immaterial to make an unusable one question is Can unfinished beverages be poured down the sink for a lot of liquid it's very low dosage. You know that small amount of THC it goes down here directly into Lake Mead. If you have happy fish or, you know, they're so low that just diluted down to the city that doesn't really matter that much. So, it's kind of a summary of what I got here that prepackaged items are fairly straightforward. If we only allow single serving sizes, as I said, vape cartridges are an interesting hurdle that we need to we should be discussing. For freshly made items, just add a pre measured cannabis oil at the ends to avoid a lot of potential issues in here. Learning from policies in place to avoid mistakes, swapping of items or sharing and then any novel items. I would leave up to the CCB to approve because, you know certain things, people could come up with things that's, you know, don't necessarily have to be shelf stable if they're not informing the dispensary. So, there are certain things that's going to leave that open for CCB to approve. Well, that's about it. And I would welcome discussion points on this. So, I guess, the previous person I saw.

**Member DiPrete** 1:25:23

So, this has been really interesting. I have a couple of comments and a couple of questions. So, is it already requirements that they're not allowed to take anything home with them from the consumption lounge? Or is that what you're suggesting here?

**Member Chew** 1:25:41

This is what I was told by the States, I asked the CCB. And they said, you cannot take anything out of the lounge,

**Member DiPrete** 1:25:49

okay? Because my concern with that is that it might encourage overconsumption, right, if I'm trying to be frugal, and you know, I don't want to waste my money, I might just eat it all, and then walk out the door or whatever that may be.

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So, but if it's already a rule, it's already a rule. But I think I love that rule. So, and then, just to clarify, is the suggestion to only add the THC oil at plating for individual service.

**Member Chew** 1:26:25

Right, or at the origins of the end of the when the dish is being prepared, I'm trying to keep away from that oil. So, it's not that we'd be handing a syringe to the consumer, because I think the chef may have some ideas as to how they want that in the food item, whether it's in whipped cream, whether it's in you know, whatever, the gravy, or whether they're just going to disperse it throughout the plates, I think they have their own ideas as to how they want to do that. So, I'm just saying it should be done towards the ends. And it should not be exposed to high heat.

**Member DiPrete** 1:27:07

Right. Okay. So, I think that's good clarification. Because I could see chefs like creating their gravy and getting everything ready. And then adding the THC at that point, and then serving from the gravy with THC in it, which sometimes hot holding is just as high as cook temperatures. And then homogeneity issues as well. So yeah, I think that clarification for at plating or just prior to serve individual service, not being added to anything that's still being stored in the kitchen. And avoiding that high heat.

**Member Chew** 1:27:52

Right. So, my thought was, you know, you would have whatever portion of that gravy or whatever, measure that out, add the oil to that, if you wanted to, to mix it up into there, and then dispense that entire serving onto the plate. If that's how they wanted to do it. Try not put too many restrictions on it. But just to avoid the heat at the end.

**Member DiPrete** 1:28:17

Would it be acceptable in your opinion, too, so maybe I'm the chef, I want to add it to the gravy just like you said. So, I'm going to scoop out the gravy that I'm going to use for this dish. I'm going to add the THC oil, mix it up and then drizzle that grape gravy over the top. Could I then still use this same mixing container to do the next dish? Can I then? Or is there a concern that there's you know, residual from the previous and then it could keep building up in that in that mixing dish? That is a possibility. Okay, so it would need to be. So yeah, each mixing container would need to be fresh for each service. So, we'd have to find an elegant way of doing that. You had a note about locking the fridge on the freezers. From a safety standpoint, I would just recommend that we don't add that feature for Watkins. Because there have been instances of people getting stuck in walk in fridges or walk in freezers. And that is not a good situation to be in. Although rare. We want to reduce the likelihood of that happening at all. So, anything that a person can be inside. I don't think that should be locking from the outside.

**Member Chew** 1:29:41

Sure. I would think this would be a smaller fridge or freezer because you shouldn't be having that much talk, I guess you could have stock in there but there is a requirement for security wise from the state for everyone else that things be but this, these items be locked up.

**Member DiPrete** 1:30:05

And then my only other kind of more for discussion comment was that I think I would lean on the side of not enforcing a limit for patrons per patron. I think you wrote out a lot of reasons why that could be unenforceable and might make the consumption lounge, not as enticing to customers, right? Businesses might not like that. So, I like I like the idea of, you know, making it very clear to the customers that 10 milligrams is a single serving. And then having all of the options very clear on how many milligrams are in each option, whether it's a food item, whether it's a

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dab, whether it's a, you know, any version and then let the customers make good decisions for themselves, as long as we provide them the information about how much they're consuming, how much is recommended. And health effects. Okay. Think posts recommended serving Yeah, amounts, and then we have to know, amount per item. And then health effects, which we will, will be already involved. But I think if we give, if we give that those three types of information to customers, I think that they'll have what they need to make good choices.

**Member Chew** 1:31:39

I guess to tie back to what Mr. Nelson had on there. I think she posted something about the current recommendations, I think from the state's biggest small edible and wait two hours? I think we are that's enough of a long time to be in allowance. I think, personally, but I guess people could make a whole day event of this, but I would think that, you know, two hours a long time in a restaurant. So, I think that's there's some interesting things there about, you know, what, recognizing how long it can take for it to affect you, and how long people would be expected to be in a lounge.

**Member DiPrete** 1:32:21

If you're high, you might want to hang out.

**Member Chew** 1:32:24

That's true. Your high you should hang out.

**Member DiPrete** 1:32:28

Alright, those are all my notes. Thank

**Member Chew** 1:32:29

you. All right. Okay, thank you. I'd say who's next, but I'm just going to go down on my thing. So, Commissioner Pearson.

**Chair Pearson** 1:32:39

Yeah, I perhaps a naive question. But you know, you're mentioning METRC and the challenges with making sure that people keep within their individual limit for sales. I'm wondering, is the purpose of the METRC limits to reduce the likelihood of reselling outside of the dispensary environment?

**Member Chew** 1:33:06

I'm not sure what the limits are on there. There are there are no limits of your medical patients,

**Member Nelson** 1:33:10

I believe. Actually, the daily limit is about 3500 milligrams, even inclusive to medical patients. So, if a medical patient purchases at a dispensary and they're buying edibles, they can purchase no more than about 3500 milligram. And I think that that's right, but that's what I've researched before. So

**Chair Pearson** 1:33:29

Okay. Does anyone know why that single?

**Member Chew** 1:33:33

Or is that a single day? Or is it in like a two-week period?

**Member Nelson** 1:33:37

I believe that the daily limit, so but I can do some additional research on that to confirm.

**Chair Pearson** 1:33:43

I guess I'm bringing this up. Because from a public health perspective, the only kind of thing that the thing that makes the most sense to me is just concerned that someone's going to go into a dispensary, buy a bunch of products and go outside and resell it to underage people specifically, right. And so, if that is the case, if that is the purpose of the metric, individual sales limits, then the fact that people can't bring products outside of the lounge kind of negates that concern. So therefore, we wouldn't also need to be concerned about sharing products, for example, between people because it's like, Okay, this one person bought X amount of this other person bought X amount. And, you know, Joe is suddenly right up against his limit, like he's not going to go he can't take it out. He can't resell it. So, you know, I'd be interested to know, perhaps we should talk to CCB about what's the situation there but if it truly is about just reducing likelihood of reselling, then I think we can recommend that. You know, it is important to know that you know that this 10 milligram or this one was one gram dispenser of oil, left the lounge and went to Customer B. But I don't know that the like, connection to how much Customer B bought is necessary. And that would just that would just simplify a lot of things too.

**Member Chew** 1:35:20

Okay. Yeah, I will ask the CCB

**Chair Pearson** 1:35:23

. And relatedly also, is homogeneity, important for a plated dish?

**Member Chew** 1:35:37

You know, so that's where I kind of asked, you know, the, in the disclosures that they tell people were huge portion of this is infused. Right? Right. And so, people can understand, you know, you know, because you have other people that are counting the calories for whatever reason, as well, right. So, they say, hey, I'm going to avoid, you know, the starches that are in here, or it could be, you know, partially diabetic things like that, and trying to avoid certain things onto there. I don't want to eat this portion of what it comes with, or, you know, if it's a pasta dish, you know, so you're going to just eat the sauce, right? Let's try to it's kind of important to know where they infuse it because it's, again, this is one gram of oil, trying to be dispersed throughout the entire thing. Yeah. So, I think just making sure that they understand where, where is it?

**Chair Pearson** 1:36:27

Yeah, I agree with you, I guess, homogeneity within the part of the dish that is infused, as long as the total dose is 10 milligrams on that dish, and it's like, sauce. Do I care if you know, the first part of this of the sauce coming out of the dispenser has more concentration? And the last part? I don't know that we do. You know, it just right.

**Member Chew** 1:36:53

I don't think I'm considering this as a single item. So same thing, like in a dispensary, you have a single serving item, where you might have a cookie you that has an infused frosting on there. What is this tested? We mash up the whole thing, knowing it's in there, and we test it. But it's also known that it's Hey, it's only in the frosting.

**Chair Pearson** 1:37:19

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Yep. Okay, I think we're on the same page. Thank you. I also just want to know that we just want to keep an eye on the time. So maybe, let's try to limit discussion to the next 10 minutes.

**Member Chew** 1:37:34

So, I guess, Commissioner Hayes,

**Member Hayes** 1:37:37

I will share with you that your question about the dairy and the butter would have to go to not the health department from the Nevada Department of Agriculture. They would also do ice cream. So, we should defer to them on any butter or dairy questions.

**Member Chew** 1:37:59

So, Department of Ag, not the health department?

**Member Hayes** 1:38:05

So, we have, we have our side, which is more hands-on retail, and their side, which is dairy. They have an entire lab for that.

**Member Chew** 1:38:24

Right. Anything else? Commissioner Nelson.

**Member Nelson** 1:38:31

Hey, good job on this presentation. I thought you brought up a lot of really great points. A few notes. So, one, I think that limiting the plated servings to be 10 milligrams, kind of continuing on to Commissioner DiPrete said, I think that that would do a disservice to the patrons of a consumption lounge just because everybody's tolerance and preference is so different. Educating people that 10 milligrams is a good dose for most people is a great idea. But I think that consumption lounges should be able to prepare doses to the request of what a consumer is asking for. And that could even be less than 10 milligrams. I know a lot of people that consume five milligrams in one sitting and that's the happy dose for them. I know people that consume 50. So being able to allow consumption lounges to produce plates to what a consumer requests I think would be the best tactic for this. Also, to start to note on that most edibles that are sold at dispensaries right now are multi serving edibles. And I think that's kind of just essentially proving my point that people are obviously consuming more than just 10 milligrams in a sitting so we should answer to what the consumer demand is. Also, to with regard to serving our plate plated, are plated food items that are infused with THC at a consumption lounge will they have to be marked with the same symbols that are required? are on prepackaged edibles in Nevada. So as producers, we have to put a THC stamp on each of the edibles that we make are each serving of an edible that we make. So, would consumption lounges be subject to the same sort of marketing requirements? Also, to would it be beneficial, it's like if we consider like if we, if we consider the idea of multi serving edibles being able to be served, what it makes sense that if someone orders plates of, you know, infused foods, should the plate be marked with what that dosing is for at that place. So, if somebody orders a 50-milligram serving of let's just say like spaghetti, should we say on the plate, it has to be marked that it says 50 milligrams, and that might help avoid any accidental consumption, or mixing plates, people know what they're getting at that point. Also, to your points with METRC, I thought were very valid, because this could get very, very messy with a consumption lounge, maybe just having like a bulk amount of let's say, like cannabutter, they have like, you know, 1000 grams of cannabutter. And if they're trying to, like serve this out to, you know, 1000 different servings, how is METRC going to mark that are they going to have to require tags of every serving of cannabis that goes out. These are things that obviously may make

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consumption lounge serving very messy, but it should definitely be addressed prior to getting our recommendations to the CCB. And the last thing about dumping things down the drain THC as a fat and so what we've noticed in our work as a production and manufacturing facility, grease traps actually filter out a lot of those oils and fats and THC kind of gets caught up in it. So, we just wanted to add that

**Member Chew** 1:42:01

that's good. Thank you. That's good to know. All right. So, I got marketing the items one customer satisfied the dosage. So, then this will be to then allow multi during prepackaged items, building about the marketing of the items I thought that was mainly for and you have it at your home that you don't get things mixed up, right, you know, that, hey, this is something that, you know, kids should not be the available to them or someone else coming into your home that has, you know, picked something up from there. In a lounge, I would think you've got the whole the whole purpose of being there is that they I would assume anything you pick up in the lounge is going to have THC in it.

**Member Nelson** 1:42:55

But we can also have consumers to order and use plants that are just there for the social aspects, even their friends. So

**Member Chew** 1:43:01

true. Right. I guess I was talking about the actual item itself. I guess it was yeah, it was a prepackaged item they order it would already have it on there. Right? Because I don't think it would make these Would you ever make something separate for a lounge versus what goes to a dispensary?

**Member DiPrete** 1:43:25

Unless you're thinking about like a plated like pasta or like a plated like lunch meal dish to be marked with like a little metal piece on the side that says like five for five milligrams or 10 for 10 milligrams? Is that what you're thinking of?

**Member Nelson** 1:43:42

Yeah, you know, I think that that could be like effective, just some sort of way that like the dishes are marked with what the dosing is of that dish. So, whether that be like, you know, it's marked on the plate with edible ink or it's got a flag on it, something of that nature to help indicate that hey, this product has THC in it. And this is how much THC is in this product because I assume that these dishes are not going to be served, like packaged. They're not going to have the same sort of label requirements that other edibles in the state have but given that's the case, we obviously need to be able to communicate to consumers what they're getting, and make it like readily known so there isn't like swapping plates or anything to minimize it minimizes the risk of mistakes happening. So

**Member Chew** 1:44:36

So yeah, I Yeah, I'm fine with marking what the dosage is. I was I thought you were talking about, you know, that stamp it has to go on every item.

**Member Nelson** 1:44:45

Oh, sorry. I did have a question on that too. I guess the thing is, like, should we make it where I can function managers are exempt from having that stamp.

**Member Chew** 1:44:55

Right. I think we could probably exempt them from that. stamp, just given that, you know, while there might be I think the fact that it's being opened on site there, and you know what you're getting? I think that their safety and their

granted, yes are certain ones that I just said if we should open us up to having other options for unenthused items, and I guess you don't want to get that mixed up. But if we're saying none of us can leave the lounge anyway. And I would think I would probably enforce that for any food item at the lounge just so you don't have to deal with that. Then you may not need that marking itself.

**Member DiPrete** 1:45:44

On the food side of things. We require a menu marking for undercooked meats and no menu marking for not undercooked meats, right. So, we could do something similar to that like the THC infused items have the stamp and then if they're offering non infused items, then it's not stamped on the menu itself.

**Member Hayes** 1:46:06

Yeah, it should be marked on the menu itself. So much like a consumer advisory. You know, if you have an undercooked product, you say confused, there's little star, maybe it should have that symbol right there that says this is a product, you know, that isn't infused, and it is plus or minus 10%, like Colorado did about how close to that five milligrams or 10 milligrams. That is. In addition, if meals are served in several courses, you have a soup course a solid course a, you know, a main menu and a dessert course, when you ordered the beginning of the meal, you should be able to add up how many doses you're getting at that time. So, you can follow along for your own. And perhaps it should be a requirement that you get your own copy of the menu. And at the end, they have added up for you how much you're getting out of the entire mill, everything you eat everything you drink, everything you consume. That would be you know, a little bulky other some other people have done it. But I think much in line with consumer advisory service, this would be a great way to go.

**Member Chew** 1:47:24

All right, I think that's a good idea. There are certainly, you know, restaurants out there we are kind of ordering Alik ala carte, and actually have the customer mark what they want, you know, I've seen this in like sushi restaurants, things like that you mark what you want there, I think it would also help with communication, if you're going to stay on there as to how many milligrams you want. Especially if we still have a mass mandate in place. And someone says 15, and the server interprets that as 50 that can be very hard to tell the difference behind the mask. And especially, probably a noisy place. So, I think it would be helpful to you know, for liability, as well is just the consumer has written down exactly how much they want. Because then same thing and you know, they just tell you, Hey, I'm good with 50 on there, and they're really a beginner. And they're only going to that one because someone else in the party has pushed into that. I've certainly seen that in restaurants where you set what heat level you want. You get kind of goaded on by the other people in your party as to what you can handle. But if you have that written down by the consumer, then at least the Lounge has a document that you can say, this is what you asked for. And this is what we provided. Okay, any other comments? These are all great feedback on here. So

**Chair Pearson** 1:49:11

thank you this was very complete. And you had a very large area to consider but fabulous. Thank you. So next up just looking at the time it's only half an hour left we have two more sections and public comment to take. If you do need to step away to use the restroom, please just go ahead and do that. But I think we're going to continue through, and we want to the Occupational Health and training recommendations.

**Member DiPrete** 1:49:38

Okay, I will share my screen. I've actually been deleting slides as we go because other topics have kind of covered it more in depth than I did so. Mine should not take very long here we go. Can you guys see that? Okay? All right. So, I

just went through the outline. So, for notices for employees, I am suggesting that we model what's required for food handlers. So, there are five reportable illnesses and five symptoms that if any employees have been diagnosed with or experiencing, they are not allowed to come into work. This is an example from SN HD. So, your five reporting symptoms are here, we've got the images, and the five illnesses, not everybody remembers the five illnesses, not everybody remembers the five symptoms, which is why I like the idea of having it as required signage that wouldn't need to be visible by the public just for the employees. This would reduce the likelihood of foodborne illness outbreaks or any other outbreaks that are basically hand to mouth like fecal oral stuff, since I mean, putting food in your mouth and putting it in your mouth seemed pretty similar to me. And in terms of illness transmission. So, I would recommend that secondhand smoke effects. So, Commissioner Nelson covered this really well, I think this should be if it's already visible for the customers sorry, my brain didn't work for a second, that it doesn't need to be repeated here. I like the idea of potentially, I mean, I don't know that I've seen this before and in notices, but I don't know why we couldn't add a QR code to a webpage that maybe CCB or somebody or to a CDC page or something like that, that gives more information. A lot of these notices, we want them to be vague and easy to understand, right? Like this could have health effects. But there's a lot more information behind it, which is evident in all of these conversations. So, it might be something new that we could try to just add a QR code to an established page. And then we just have that visible for patrons to take a look at as they walk in. And then air quality has been discussed at length, I'm essentially kind of echoing what earpiece Pearson has put out, find a way to monitor the real time, pm to 2.5 levels in that main entrance or service, counter area, the smoke free area. And then I think that should be visible to the patrons who are coming in, right. It's not just the employees who are exposed to it the patrons, the inspectors who come through the fire department who comes through and then to have a way to interpret that PM 2.5 level. So, to have like a color chart that says you know, this range is green, this green range is yellow, this range is red. I think that would be helpful to customers to inspectors to anybody else who needs to walk in, as well as to the employees who are obviously exposed the most. And that would have to include a requirement to maintain and calibrate those devices per manufacturer directions. I think as a public health committee, I'm happy to err on being a little too strict on this side of things, and then the board itself can compromise as needed. But I think this would be a really helpful tool to have for anybody who walks in the building, especially knowing how harmful secondhand cannabis smoke can be, as we've discussed in previous meetings. That's an example of the health policy handout that we could know and drafting the language, we can just kind of describe this, something similar. As far as certifications and licenses. I think for all of course, the registered agent card that's required. Also, I would recommend creating a cannabis consumption training license similar to your alcohol awareness card. And I think all employees should have those two items, for lounges. For employees who are working in lounges that serve food or beverages, I imagine some might not. So, the ones that do what I think we should require a Food Handler Card and the Food Safety Protection Manager at all hours of operation as well. That is not very different from existing regulations. And then this is a copy of the NRS that explains the development of the Alcohol Awareness Program. And it talks about I know it's quite small here, but it describes what it should include. I'm adding here in red sexual assaults. I think that's important. And then I think that we could kind of have a conversation if there are other things that we would want to, of course, like swap alcohol for cannabis. But then other, you know, items that we would want to include, or maybe items here that don't apply as much. On the cannabis side of things, I think I'd be open to ideas. But otherwise, I think this gives a really great framework for how to develop this. And the way that they did it for alcohol judging by this is that the commission itself created the training. And, you know, even set forth the amount of money that it would cost and that sort of thing, how it would be available. So, I think these are good things to consider. And I hope that the board would be amenable to producing an education training like this. And then cleaning of devices was kind of tacked on. And I know that we didn't discuss it a lot. So, from the research that I've done, I would like to recommend the one-use model which some dispensaries use, or excuse me, consumption lounges use where all the devices are provided to each party brand new and the party walks out with the device. That's obviously the lowest RX option from what I was seeing. I mean, I know that food

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contact surfaces are required to be smooth and easily cleanable. And each section, especially for items that are going from customer to customer, and each item that we require, we require has to be accessible to be brushed, right. So, if you have any bottles, like sometimes restaurants have the big water bottles, and we require that they have a brush that they can get in and cleaned them out. A lot of the devices that I'm seeing are not smooth and needlessly cleanable some of them have small and accessible, you know, passageways within the glass that you wouldn't be able to scrub. I looked at some of the federal agencies, FDA discourages the use of alternative sanitization. So, they made it very clear that ozone and UV are not approved for sanitization of CPAPs, which I think is an interesting kind of comparison, because of course, they don't have recommendations, CDC and FDA don't have recommendations for how to clean your bong or anything. But if you're going to CPAP was a pretty comparable device, since it's, you know, breathing in through this device, and they are discouraging against UV and ozone for a variety of reasons outlined in that link. They recommend soap and water to clean a CPAP. I think we would also need a standardization step for something that's not personal use, right. And I think that would have to be a food grade sanitizer, which is, you know, there are a handful that are common, and then there are a couple others I did see, it seems like alcohol is the preferred method for cleaning some of these devices. That's been temporarily approved by EPA as a food grade sanitizer for the supply chain concerns of COVID right now. So, I don't know if that would be continued to be approved afterwards. So, I would recommend the one-use model if we or CCB decide to allow for reuse and requiring the cleaning of devices. I've added those bottom two bullets are a consideration of things to kind of take into account when moving forward on that. But I'm open to ideas or suggestions here. Like I said there was not a lot of background discussion on this. I'm not sure where we all lie. I think what's easiest is when use model. I don't know how industry would feel about that. But I think that reduces a lot of risk and liability in terms of the individual consumption lounges, especially knowing that these devices are not smooth and easily cleanable. And microbes love to hang out in secret little hidey holes. And I don't know that we have a good, approved method of cleaning them and sanitizing them and ensuring their safety from party to parts. So, that's all I have. Commissioner Hayes I see your hand up.

**Member Hayes** 1:59:56

Me and my mute button so not every jurisdiction has a food safety card. So, if we're going to do this statewide, we're going to have to figure out how to bring a card like that to them, we don't have one we just have the certified food manager. Washoe County has eliminated theirs, and Carson City never had one at all. So that could be a challenge bringing that to others. It is not as implementable as you know, you guys already have a set level for that. So that that is going to be a challenge, I think. I think there are a lot of trainings out there when I was doing my homework, there are about 100 and a half different visions of what constitute training ServSafe has IMPEIC had one. There's a cannabis for professional certificate, those kinds of things. And to get off the ground, we recognize some of those items, as opposed to trying to reinvent the wheel ourselves. Things that are online, in a class, you know, can be done on Zoom, especially in the earth COVID that we rely on some of these already pre created programs, because there's honestly 100 and a half of them.

**Member DiPrete** 2:01:29

So that's great information and realize not all jurisdictions have them. Cannabis Corp ServSafe, and all of these initials over here, you use those in instead of a Food Handler Card, or are you thinking instead of the cannabis training,

**Member Hayes** 2:01:48

in addition, so if you're going to have food, you would have to have ServSafe, you know, where some certified food manager or recognized certified food manager program. And then on top of it, there are an awful lot of certifications for core curriculum that would also need to be done. So, when we get into the training section, we'll be talking about

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all of those, you know, different things you should be learning about, but it is going to be a significant list of required traits.

**Member DiPrete** 2:02:20

So, can you list them here so I can add them? Okay, I don't know which ones are the same as others.

**Member Hayes** 2:02:26

Um, let me go back to this one. Okay. So, um,

**Member DiPrete** 2:02:31

and which ones are interchangeable?

**Member Hayes** 2:02:33

Okay. Um, so security procedures, emergency procedures, record keeping procedures, quality control, hazards analysis, proper use of equipment? It's a significant list.

**Member DiPrete** 2:02:49

So that those are the items within the trainings. Yeah. And

**Member Hayes** 2:02:56

so, at the minimum, they should start out with ServSafe, or some sort of CFM.

**Member DiPrete** 2:03:02

Yeah. So, you're proposing each individual in the facility has a ServSafe, not just one person per shift,

**Member Hayes** 2:03:11

you could probably, you could do that. But the rest of them would have to have somebody with that training would have to train others and keep a record of that training. So, it may not be through ServSafe. But, you know, even if it's a one-page diagram, a one-page training like we do with a lot of OSHA trainings every day, every week or something, you get one training, you could go through that one, have people sign it, you know, so that they have their training, much like we do in manufacturing.

**Member DiPrete** 2:03:48

Okay, and then the topics that you listed here, where are you pulling those from cannabis core or so that come from?

**Member Hayes** 2:03:58

So, part of this is from a list from the California manufacturer of food, medical, medical, cannabis manufacturing, has an entire list of trainings. And I can show you that later. And I can even send you this document, which was really good. And then Neha also has a significant list of trainings. So, I was really great. See Neha getting ahead of the power curve. So, you'll see the list of things we can talk about.

**Member DiPrete** 2:04:34

Okay, and those are items that should be covered in the cannabis consumption training license, or, if they already exist could be in lieu of whether it's us developing our own, or there's one that already is equivalent. Pick your favorite  
Okay, okay. I think I am

**Member Hayes 2:04:54**

I would not want to put us in a position of having to create our own courses. You get into issues with whether or not we're educated enough to provide those courses. So, when they are created by educators, I think we are better off.

**Member DiPrete 2:05:12**

And then I think I just realized that I missed a page here for the training the employees, but also for the lounges. I wanted to add to that for each lounge to have a written plan on how they would handle a customer is incapacitated and at risk of assault, sexual or otherwise. And then do we like the idea of also having because one of the items on the outline for me to cover was, you know, driving under the influence? Do we also want a written plan for how a lounge would handle that? We could include that here? Okay, I see some thumbs up in the crowd.

**Chair Pearson 2:06:08**

Yes. So, for the devices, cleaning of devices. I am all over the place. I'm sure there are people. I'm sure there's public comments out there, people might have opinions. I'm concerned that the one-use model will limit modes of administration. And therefore, limit who was able to use lounges and very sensitive to one of the reasons we want lounges is to allow people to have a place where they can use legally, where they might not otherwise be able to use legally, right? If they don't own their own home if people don't allow consuming cannabis in their, you know, their rental, for example. So, you know, I'm imagining, for example, someone purchasing a new, like a, like a single survey, like a disposable vape pen, okay, fine, you know, doable. But what if someone uses a volcano like device, right, or like a plume, like device, those things are expensive, like, I can't just, it's not, it's not a disposable place. So, I'm wondering if we can figure out a way to allow people to bring in their own stuff. But requiring that employees check it so that it doesn't have any flour, you know, liquid, etc. In it, you know, it, the device needs to be independent of the cannabis product. I think that would be a lot easier. And then hey, if people want to just show up to a lounge and they want to buy a pipe, because they don't want to smoke a joint or if they want to buy a volcano or whatever, you know, whatever they want to do fine. But we're not requiring them to do that. What do people think about that?

**Member DiPrete 2:08:17**

I'm open to that. I see Commissioner Hayes, raise your hand again. Go ahead.

**Member Hayes 2:08:23**

I was on mute. Oh. So, I did a little homework on devices. And I had no idea how many kinds of different devices there were out there. I was literally amazed. By but some of these. I'm going to use words. I don't know anything about stewed garden glass, gravity, hookahs, things like that. Moose Labs has a mouthpiece that is silicone. And so, if you have one of those large devices, I think that this person was discussing earlier, that is a shared device that you should be able to buy dispensable so that they transfer. So, you have your own personal device with a filter, and then it comes off. And then it goes on to the next so then the hose or whatever how it works goes on to the next person. So, I think they're starting to come out with those things.

**Chair Pearson 2:09:24**

Yeah. I don't know. For example, for a hookah. The mouthpiece is only part of the problem. It's the hose also. Okay. So, you know, some things I mean, a hookah might not be Oh, no. I think that if people bring in their own shareable device and keep it to sharing within their party, I don't have a problem with that. I don't know if there's live It'll be issues or something like that, that we have to consider. But to me, that's no more risky than what a person would do at home with their friends. So, I don't I think that's fine. And it's a vicious, it's really, I think the summary, just my

own experience with doing human administration of tobacco products on campus here is that there's really not a lot you can do to clean things that people inhale through, it's really hard. So, I think, not requiring lounges have to clean them would make life a lot easier. So, either single use or bring in your own.

**Member Hayes** 2:10:51

Right. By the time I got to the end of my research, and it was just I'm pretty convinced it was just the surface of it. It was either bring your own device and use your own device and don't share your own device, or buy a single service and throw in the garbage afterwards. Right. But there was no cleaning. There. I got no place where there was cleaning, there was single service pieces that can be used. But you know that there would be no cleaning of them. That's what I was pretty convinced.

**Chair Pearson** 2:11:25

Okay, yeah. And there might be single service pieces that will allow a lounge to offer something like a hookah, maybe I'm just not aware of them. And somebody asks them to what was it? That's gone now? Shoot, oh, just that, you know, people leave, they would have to show that the device is empty. Because they're not allowed to leave. Right. So, empty your pipe and clean out your you know, dump out your reservoir on your vape pen. Whatever. That's doable to end. Thank you. That's it. And great job. I'm sure to be wonderful. This hard.

**Member DiPrete** 2:12:22

Thank you, Commissioner Nelson.

**Member Nelson** 2:12:27

Hey, again, I took off to Commissioner Pearson's compliment. I thought your presentation was really like well done. I guess I just had a question on is there what is the current acceptable SOPs at hookah lounges for what they do to clean hookah? Because I know to your point, like obviously, pipes, and vaporizers. They have a lot of small parts. But who could do as well. So, I'm wondering if there's any research out there of what might be acceptable to clean and reuse devices to those same standards? Yeah, I

**Member DiPrete** 2:13:01

agree that that would be an interesting comparison. I don't know that hookah is regulated by any one in terms of health and safety. Right. I couldn't find anything on CDC and FDA. In terms of maybe I didn't go too in depth into hookah specifically. I can certainly do that. I, I know it's not something that that we regulate. Unless they have alcohol or food. We don't touch the hookah side of things. I don't know if it's just it was existing and Tibet, big tobacco was already existing and that sort of thing. I'm not sure. But I agree that would be an interesting comparison.

**Chair Pearson** 2:13:50

I would bet money that there are no meeting requirements for who this.

**Member DiPrete** 2:13:59

And I don't, I wouldn't want to repeat that now that we have the ability to put some recommendations in place. But if there are cleaning protocols that we could incorporate, I'm open to that. Are there comments? No. Okay.  
Commissioner Chew

**Member Chew** 2:14:26

just got a question about the hookah. This is a this is a great presentation as well. Is a hookah going to imply that multiple people are sharing the same marijuana or THC product?

**Member DiPrete** 2:14:43

Usually, right, how

**Member Chew** 2:14:44

do you? Right? And so, the question would be How are you tracking this? You know, it's only going to go one person they're going to make the purchase, right in METRC. So that there's that question out that's out there as opposed to Individual other vaping products as well. And then again, as he talks, I think, especially for that, you know, a single vape cartridge is going to have a lot of THC in there. And is there going to be a lot more waste that points are people going to complain about? Well, I just spent, you know, X dollars on this. And I told him, you have to throw this away, what's left of it? It can be some interesting conversations around that.

**Member DiPrete** 2:15:28

Um, so I'm not familiar with METRC, is there a requirement to for the establishment to track the THC consumed by each individual.

**Member Chew** 2:15:41

So, at the dispensary level, you're making a purchase, and it gets trapped there as to who it was sold to, at that point of sale. So commercial Nelson may know better than I do. I'm on the testing side. I don't see that side of this. But I believe it's extracted every stage every time I transfer is made. So, whether that is from the flower to the producers to the dispensary, the track is there. And then at the final point of sale, it is also tracked to see how much an individual person is purchasing of that.

**Member DiPrete** 2:16:20

So, it sounds like the requirements stop at point of sale, potentially.

**Member Nelson** 2:16:25

Yes, at the sensory level, they track how many milligrams that person is purchasing, and their total purchase has to be less than 3500 milligrams between, I believe between all forms of cannabis. So, they there's calculations of like forming that with flour and edibles so on and so forth. So, to your point, especially to create, if the dispensary standards are the tracing stops at the point of sale, it may be a little bit excessive to try to then trace after that of what each person is individually consuming. I'm not sure if that if that's necessarily what's needed to maintain industry safety.

**Member DiPrete** 2:17:16

Yeah. Okay, that's helpful, because I agree it's going to be hard just in general to track what each individual is consuming. So, if that's not an explicit requirement, I think that makes it easier on us for recommendations for it. But yeah, I think hookah would be hard just in general. I did notice some questions in the chat. Do you want me to go over those or Commissioner? Do you have another point? And I cut you off? Nope. Okay. No, I'm good.

**Chair Pearson** 2:17:48

Let's address the questions in the chat during public comment. Okay.

**Member DiPrete** 2:17:55

Then, if there aren't any other comments, thank you so much for the feedback so far. And I think we can incorporate those to help kind of firm these up a bit. And I'll hand it over. Thank you.

**Chair Pearson** 2:18:08

Wonderful. Thank you. So now we're on to our last section here with Commissioner Hayes. finishing strong

**Member DiPrete** 2:18:23

you're muted still.

**Member Hayes** 2:18:26

Um, I just lost the button to help me get remote control so I can show the documents.

**Chair Pearson** 2:18:34

Oh, yeah. Zoom always likes to hide the buttons that you need. Are you in some sort of like full screen mode or anything like that?

**Member Hayes** 2:18:45

Full Screen. All right. Yeah.

**Chair Pearson** 2:18:48

Don't be don't be in full screen. And if you just move your cursor to the bottom of the Zoom webinar, you should see a Share Screen button pop up

**Member Hayes** 2:19:07

can you see something? Yes.

**Chair Pearson** 2:19:09

Got it. Great.

**Member Hayes** 2:19:13

So, I went into this thinking there would be no information out there. I was so wrong. There is a lot of information on one of my favorite places and some national environmental health association that has prepared food safety guidance for cannabis products. This was such a comprehensive document that except for a couple of items. I saw a lot of benefit in in borrowing with respect a lot of the stuff in here and it had a comprehensive list except for two things that I think should go in. This is an available document on the website. I was also hoping that at some point we could get NEHA to come in and speak with us about this this document if we have time for that later. So, this is they have some training online. What I found very encouraging about this document is that it also takes you to links where specific states have specific information that they thought was a leader in that group. But that information, so they had already compiled it for you. These types of documents could get really complicated. It does talk about what each state does with, you know, all 29 states, you know, that do this, and how many different kinds of edibles they are. So, the training could be pinpointed to what you do. So maybe a cannabis consumption lounge only does infuse cocktails, they have a level for that. It was only packaged products, they had a level for that. And I guess I didn't realize how many different versions there were, of how you could get this. I also learned about, you know, improper growing conditions, so that this starts, you know, we also, you know, we work with both things like a cola, and salmonella, and

Shigella, and all these different things. But we have to start back when we're doing the training at the growing because of aflatoxins, and mold and storage, and how molds and humidity can be grown in storage after it's packaged. So that was important. So, diseases for mold, mildew, and bacteria in it, you know, with all this other stuff that we normally do. So, food safety, talk of topic areas would be storage and sanitation, collection and testing, Laboratory Accreditation, tracking, transporting and distribution, serving size, and homogeneity and these are all things we've talked about all day. So, as we went through talking about these things, I'm like, oh, yeah, there's a training topic for that. Oh, yeah, that was a training topic for that. So, I think they've done a really good job thinking about except for those two things, and talked about and I'm going to add 11 and 12 to the end of this list, labeling and packaging, education, and training food safety plans, which is more of a manufactured food item that will go with people who need it those hassle plans. So, then there would need to be hassle training so that again, multiple levels print waste disposal, hadn't really thought about waste disposal, other than throwing things in the garbage. But now you're throwing a different level of hazardous waste into the mix. And we need may need to discuss that with NDEP and when Commissioner Chew talked about security of that garbage and like, yep, somebody thought about that. And the regulatory considerations. So, what this document does is going to go through and recommends language and then tells you where the best languages to steal from those documents still, with respect, the two things I do not think this food safety topic airs, covers is staff safety and devices. Those are the two things I had. So, I would add staff safety and devices to the bottom of this list. So, when we go into storage, lighting, ventilation, temperature, humidity, and space are all really important. Some of the things we already do, which is pest and rodent free spaces, storage area, and security precautions for over 21. I thought the refrigerator comment was very interesting from before. Because I didn't think based on my reading here that a lot of it would be in a refrigerator, that the storage conditions would have to be based so that the product itself did not grow mold. And I liked the idea of having, you know, an amount, a gravy, and you mix those two, immediately. Because when you mix them together immediately you do not have time for those chemical reactions to happen later. So, I would like to learn more about storage of these products and how that could you know affect how we write regulation and what we add to regulation. labeling requirements, contamination, storage separation for multiple deliveries. Part of what we're seeing right now is that like a food facility and I'm just I'm just going to bring up Dottie's. Dottie's has a main manufacturing facility, and then they take food to each individual sight. And that happens statewide. And so how are we going to, you know, do this when they want to have one main production site and then transferred to another location, would these regulations make sure it had to be produced on site. And I don't know if that's possible all the time. So that got me thinking about transportation difficulties, you know, certainly inside the state, and it wouldn't be possible to cross the state line. So, when you started talking about examples of strong state regulations, that this link takes you right to the regulation that you would need to, to use that they thought were the best ones. So, I thought this was a really great document. Oregon also had some good ones. So then, when you get to collection and testing, what I learned, especially when we were doing some of the head stuff is that I no longer know how to read a testing document. So, this particular section, you have to actually have training on how to read those documents, uniform sampling methods, you know, when we get into manufacturer food manufacturing, we start recognizing what testing methods are really good, and what testing methods are really poor. We would also have to have a level of instruction, where we were teaching that. And so, this document actually had some examples of what a certified analysis looks at. But then there were multiple levels, there's dry, and there's abused, and there's liquid, and there's not liquid in all of these different things. So, this would have to be a very big part of our training. Because I was looking at these and I don't even know what I'm looking at. So, I think we're going to have to get somebody from a lab to come in and help us especially develop this portion, where we're looking at these documents. Example five for a concentrated and you know, and the documents just got more and more and more complicated. And then lab accreditation, of course, we have an accredited lab here, you know, can everybody create their own lab? Are you going to have to go to a certified lab, we're going to have to know about those lab testings and which ones, we're going to have to create lists where these labs are approved in these labs or

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not. So, it got even more complicated. So, regulations or considerations for regulation would be requiring laboratories to test to be ISO accredited, requiring lapse of tests to have the same accreditation, requiring tests to validate their test results, requiring accreditation for third parties. Which third party accreditation, especially for inspections is, you know, the new and upcoming thing, especially for manufacturing food products. Um, Colorado had strong regulations in regard to this. And I thought they were so good, there was no point in recreating the wheel that we could go borrow some of these. So, for the training programs, this is a significant list. And this is only half list. So, the training would be required within 30 days of employment, health and safety standards, health hazards presented by solvents or chemicals used at the premises, emergency procedures, and I'm sure that they would cover things like you know, somebody passing out in a facility. You know how to get and then I started thinking about it, how do you get emergency responders in there? And how do you get them into that room safely? If they had to have, you know, scuba gear on their face in order to go in security procedures, how to keep stuff locked down, record keeping requirements, training requirements, and, you know, Lauren, and I discussed earlier how one person and the facility could have that training, and then take small pieces out of it and make sure everybody gets that training over time. overview of the process of that they understand the whole process hazards analysis, and of course this would be, you know, based on what it is you do. A busboy may not need the same training as a chef. Proper uses of equipment and machinery based on my reading, residue, and cross contamination, cross contamination for residue, which can transfer molds into other food products became a big deal. So, more work on cross contamination or cross contact, especially with allergens would

**Member Chew** 2:30:32

also be nurses very

**Member Hayes** 2:30:35

safe work practices to an employee's jobs or tasks, cleaning, and maintenance emergency operations, including shutdown, which got me to thinking about how many different permit levels there could be when we start doing the inspections, the inspections would have to be based on your permit level. So, whether or not you are doing what we would call full service, or whether or not your everything is ready packaged, there would have to be multiple levels. Any information reasonable to the employees' job duties. Additionally, a licensee that produces edible cannabis products shall ensure that all personnel who prepare handle or package edibles successfully complete the food handler core course by antsy. antsy is the person we recognize through food. So, anything that just answer your credit, credited, we recognize already in the food code, which is a great place to start and not reinventing the wheel. And that would happen within 90 days of employment. So, some things we would have to have pretty quickly. And other things could take time. And we could also base that on what you did there. And I think that would help. You know, people grow in their employment. You know, and have, make sure they have that information right off. Also, what I thought was important was annual refresher training, certified food managers is somewhere depending on which accreditation you get is three, five or eight years. I think that it is important that annual refresher training must be completed every 12 months here. Information, especially with this is growing so quickly and so fast, that just like food safety, you would need annual refreshers. And at test station, it doesn't mean that they could not bring training from one place to the next. So, they work at cannabis consumption lounge instead of it just being a training that just stays with the facility. But that training should be transferable to other facilities, I thought was very important. And then, of course, you know, based on your jobs, the code for Colorado got way more in depth. So, when they started talking about certification training crest core curriculum, they had specific topics. So, I think when we start stealing with respect, it should be from Colorado. So, when they were discussing marijuana's effects on the human body, they were very specific physical effects, the amount of time to feel impairment, visible signs, recognizing the signs of impairment, sales to minors, acceptable forms of identification, and these are not things I would have thought of before. How to

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check an identification spotting false identification, you know, fraudulent identifications, common mistakes, you know, those kinds of things. I wouldn't even thought about half of this stuff. But going out and looking at other people's labels like, wow, that's really important. So, there's also waste disposal and having that locked down. And, you know, when Commissioner Chew started talking about that, I'm like, Yeah, I think that is where we need to ask NDP and their solid waste and hazardous waste, about how we could do this safely. Because not right now, garbage is not always locked down. You know, they have chintzy latches, and anybody can crawl over the wall and dumpster diving is a thing and we would not want to mix anything with those products that could result in an even more harmful outcome than just dealing to inform a garbage can. So, I really thought these were really great. was a really great comprehensive list. It did not need none of these. None of these talks About staff safety. So, we would have to make sure that they had masks and gloves and coveralls and, you know, knew about cross contamination, being able to demonstrate good hand washing, and how to change your clothes at the end. I've been in some of these places on some tours, and I knew that I could not go to my following inspection after this, I could probably go do another, you know, marijuana facility, but I could not go into any other facilities smelling like I smelled. So, I think those are things we have to be able to, to help people with. And, you know, I know that when I did mosquito abatement, yes, I brought other clothes, because I could fall into a mud puddle. But I would not think of that when I was doing this kind of inspection. When you're doing manufacturing inspections, you know, you may have to edit at the end of the day. And we may have to think about how we send out people to inspections very differently than we do today. So, this is your, this would be your one inspection for the day. And after that, we'd have to give you, you know, cut you loose or personal free time. And so, the devices, the last thing that I looked into was the devices and cleaning of those devices. So, when I started thinking about our inspections and inspection reports, our inspection report now is just based on food safety, and would need to be reinvented and added on to for those significant health hazards that we found in these facilities. We would have, you know, serving too much does that go on in inspection report? How do we translate that information onto an inspection report? You know, that does not do a disservice to the to the facilities. And maybe we do that by permit type. But as I started thinking about what went into an inspection report, it opened up a lot of other questions about how we would actually be, you know, how do you translate this information into a way that can become public record. And so, I thought that was, you know, pretty important that we think about those things. So, I would like to take the two lists from California for the training, and Colorado that helped open up those things. And certainly, the document for neonic to start out as our training. As we learn more about this, the training could probably be narrowed down, and we could have some handouts on refreshers. Um, but this became a fairly extensive topic. So, I'm happy to answer any questions if you have any. And I'll leave these up just in case you want to see them later.

**Member DiPrete** 2:38:07

So, you definitely brought up a lot of important things. I know that I think the majority of those are covered in the existing regulations for manufacturing and dispensaries. I think what's really key for discussion is how the inspection process would work for consumption lounge. And I think at this point, correct me if I'm wrong, it's under CCB's jurisdiction, right? It's the cannabis program existing who already do the manufacturing and dispensary inspections, they would also take on these consumption, lounge inspections as it's written now. And I think that it would be prudent for us to discuss ways to support them in being able to address the food safety components being from health departments, and then also some of the specific enforcement that is new in a consumption lounge that that hasn't been an issue and just point of sale to spent dispensary. So, for example, you know, how they're enacting their plans and that sort of thing. So, I think that would be useful recommendations to send up to CCB.

**Member Hayes** 2:39:24

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I don't think, based on my discussions with the CCB earlier, I don't think it's been just decided who would inspect what portion I think the last time we spoke it was more of a combination approach like much like we do our hospital where we pair a nurse with an environmental health specialist, and they go out and do a joint inspection so that they can feed off each other specialties. And so, this would be they don't know a lot about the food side. They know a lot about the marijuana side, so that there could be Team inspections where teams went out and did inspections, so that we could feed off each other's you know, knowledge

**Member DiPrete** 2:40:08

and nurse from the hospital. So, like the equivalent of a PIC from the restaurant?

**Member Hayes** 2:40:12

No, we have our own nurses. So, for HCQC, we hire nurses to go and inspect other nurses. So, they're both state employed, both the nurse and the environmental health specialist are from state employee. And they go together, and it's more based a team effort. And they just do the inspection at the same time. So that as I asked questions about, you know, record keeping and employee training, you know, it because there's such an overlap. You know, we help each other out with where the information is. So, we're not asking the same questions twice.

**Member DiPrete** 2:40:58

Yeah, I think that, if that's still up for discussion for which jurisdictions will handle which components of inspection and regulation and enforcement, I think that's a discussion that should be had at a bit of a higher level than the public health committee, because we're going to have to get a lot of cooperation between agencies and permitting and fees and responsibilities and that sort of thing. So maybe chairperson, what do you think is the kind of recommendation they're expecting from us in this regard? Do you think?

**Chair Pearson** 2:41:28

I feel terribly uneducated in order to answer that question, but I think your, your overarching question of how would the inspection process? How should the inspection process work for consumption lounges in order to implement some of the other recommendations we're going to make to, for example, their quality standards? And how are how, what are unique problems that we're facing and consumption lounge inspections that are that we don't have when it comes to, you know, all the stuff that's already existing for manufacturing and for dispensaries? Right. There's, as you were mentioning, Commissioner Hayes, like how what's the process for allowing emergency personnel into the latch? For example, what type of PPE do inspectors need in order to inspect a lounge? Should they be entering the lounge during operating hours, or does allow me to close in order for them to inspect things like that? Is what I imagined about one of the things I'm going to do after this meeting is get some clear guidance on exactly how they want these recommendations provided, because we have all different kinds of levels of detail. And I don't know, to what degree detail is needed, or desire. So that's my best guess.

**Member Chew** 2:43:11

Yes, I just want to comment that what everyone else is saying as well, that is the CCB inspectors are already well versed in all of the marijuana regulations. So, talking about the laboratories, you know, all those requirements, those are all codified already in the regulations, and they know what to look for. In terms of the disposal, there are parameters are saying, hey, what's what do you need to do to make things non usable? And in certain cases, they say, you know, just mixing it with coffee grounds, things like that, and mixing it with Sam, stuff, like, that's just so it's, it's, it's not usable. In the trash. If somebody were to go into it, it's not something dangerous to them, but it's just make it you know, just not something that somebody's going to want to access that way. So, I do agree that I think it probably

would be a little more of a team efforts where the CCD inspectors would be looking for, you know, are things being transferred correctly? Are they being tracked, you know, from one place to the other when they receive it? And all those security requirements, and then the other party inspection would be more on the, the food establishment sort of inspections, saying, you know, are you following those types of things onto there?

**Member Hayes** 2:44:36

Yeah, especially with the waste, you know, you could be multiplying waste tenfold. You know, I don't know how much waste goes out of a cannabis facility at this point. But I know that, you know, food facilities generate a significant amount of waste.

**Member Chew** 2:44:55

Right. I think that would be a discussion out there as to you know, how much THC is, you know, leaving a building? You know, do you have a separate waste stream for that, you know, hey, this is this is the stuff you have to deal with, you know, make sure you're separating it, you know, at that point, so you're not dealing with large quantities of stuff that you're trying to, you know, make unusable. And then wouldn't really matter if somebody dumpster told and that's something else out of there.

**Member Hayes** 2:45:26

I will add one comment about the grease interceptors that we talked about earlier. grease interceptors are usually required at a more local level. I don't know how it's done a Clark County. But for our 13 counties, I cannot necessarily require a grease interceptor that has to be done at a county level. And so, when the county says no, your prepackaged foods, and would not need a grease interceptor, that answer would change with, you know, if the food couldn't leave, and they were going to put it, you know, you know, dispose of it, somehow, that answer may change. And so, we may have to reach out to our county partners, building departments, code enforcement who require those kinds of things in smaller jurisdictions where the health department is non chargeable.

**Chair Pearson** 2:46:28

Okay, looking at the time. So, I think I'm going to move on to our plan for our next meeting. So, we are still trying to nail down a time for our next meeting. But the goal of the next meeting is for us to decide on what we're what we're going to bring to Cannabis Advisory Commission as a whole. So that means, you know, I think I, I'm going to be making those presentation those recommendations on our behalf. And so, it would be great. To make my job a little easier. If really, we could all have like, just, here's, here's the recommendation. Pretty, pretty straightforward. And then I'll probably ask you for justification for those recommendations. And of course, you all will be there to answer questions if people have them. But what I'm, what I'm wanting to do at the next meeting, again, is really get us all to agree on language, and what we're going to put up. So, um, so we all have kind of feedback, things to run down. I think if, you know, after the meeting, if you need additional clarification on what exactly what your recommendations will look like, to what detail, you know there's a little bit of overlap and some people sections, I think we can nail that down via email. And, and yeah, and the next meeting is going to be the last meeting before we make recommendations. So just keep that in mind. So, comments, questions on next steps? Okay,

**Member Nelson** 2:48:24

sorry. Commissioner Pearson. So, with, with your comment of email, or so are you saying that like we can, like communicate with each other? Or is that like a violation of the Open Meeting Law?

**Chair Pearson** 2:48:35

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What I was saying about the email is I will communicate to you the kind of format and level of detail and if needed clarification on exactly which topics, you should be preparing for your final recommendations. We will not be discussing them within amongst ourselves, but clarifying what needs to be brought to the next week.

**Asheesh Bhalla** 2:49:00

Madam Chair, Asheesh from the AG's office, could just for one minute, clarify, if members want to send suggestions or feedback back to you, then I would suggest that they send it to Amber or the Board coordinator to ensure that we're complying with the Open Meeting Law because we don't want the back and forth. And if you are sending out a group message, please ensure to just BCC everybody to ensure that there's no reply back. But it should just be this as you note, just sort of format of how we are communicating and not the substance and if there's any substantive stuff, then it should go to the Board Coordinator, Amber.

**Chair Pearson** 2:49:48

Oh, yes, please send them to Amber and Sara so that they can post them like so that they can be available to the public. And so, I would also now like to unless there's any, any other discussion about come next steps. Okay, so we're going to move on to public comments. And we might go a little a couple minutes over, folks. So, I apologize, we had so much good conversation, I didn't want to cut us off too much. So, the first thing I'm going to do is just address some of the questions in the Q&A. And then as people are kind of thinking through what they might want to say they can, they can start either raising their hands, if they're on a participant on Zoom, or star nine, if they're on the phone. So, Ed Alexander asks, I am wondering if the state intends upon putting Dram Shop protections in place, a Dram Shop is any business that sells alcoholic beverages, usually a nightlife establishment, like a bar or nightclub, essentially Dram Shop liability insurance or liquor liability insurance is protection against classes that you would incur from a certain from certain incidents involving your nightlife business. I think that is a great question. I think it's probably outside of the public health committee's question, but I think that's a worthwhile thing to bring up to the cannabis advisory board in general. I guess maybe that would go under public safety? Maybe? I'm not quite sure. But yeah, great question. Good idea. And then he also asks, when someone brings in their own personal device, and it falls and breaks, injuring someone in close proximity, who is responsible? I'd say that's very much related to your Dram Shop question. And don't know. And then Mr. Alexander also notes with the extreme amount of waste currently generated in the industry like multiple layers of childproof and exit plastic packaging. How is it the disposal of single use devices going to give you? Yeah, I think that would be a probable push back to single use limits, definitely. And something we should keep in mind. And I think, probably our discussion after, you know about, like, perhaps allowing people to bring in their own devices and their own their own witness as long as it's empty, and as long as they empty it before they leave. Could help with that. And anonymous attendee asks, what is the single serving for inhalants? I don't know that, that is has been established or needs to be established. And, you know, please, if someone else on the commission has something else to add, let me know. But I think the general idea is that people would purchase enough adequate amount for them to use while at the lounge and not have a bunch of leftovers. So, they're not, you know, wasting their money and wasting the product. They just need to have enough so that they can consume it on site and then leave. So, I don't think we would need to necessarily limit how much someone would purchase. Course, if they get incredibly intoxicated, then they would be cut off. And then since there's no tracking of individual customer names in METRC, okay, the current sales limits are based on possession and not consumption, right? Will the Committee be establishing a consumption limit with the thought in mind that no one leaving the lounge will be in possession of any product? I think we establish know that we don't feel that we need to establish a certain number as a limit. The limit will be from the server side pay, that person seems to be approaching incapacitation. That person, we should not be serving that person anymore. So, it's not a formal limit linked to for example, milligrams, but to whether or not a person can operate. Does that reflect our, our discussion?

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**Asheesh Bhalla** 2:54:27

Madam Chair, I apologize. This is Asheesh from the AG's Office. Are we in public comment right now?

**Chair Pearson** 2:54:35

Yes, we are

**Asheesh Bhalla** 2:54:36

Okay. I just want to make sure we're just reading the public comments since the board cannot engage in discussion

**Chair Pearson** 2:54:46

Sorry. I'm treating this like a class. This is not a review session for a quiz. Okay, so let me just go back to reading the reading the questions and answers and then we'll go to Another public comment. Thank you. Um, as so anonymous attendee asks, how are establishments allowed to serve food when smoking is occurring in the same place? And then Alexander asks, with various metabolism rates edible ingestion may require participants to save for six to eight hours Is this realistic? Anonymous attend attendee writes the proper a check system will solve the inspection proper. Just depends, I think probably inspection problem. The public safety anonymous attendee asks the Public Safety Commission discussed taking home products not consumed. You had a representative speak on this? I know the board mentioned it wasn't legal. But is that the case? And how should anonymous attendee asks, how should an establishment determine a negotiation? All right. And then I see we have some public comment from start with Mark Cohen.

**Mark Cohen** 2:56:10

Hello, and thank you, Commissioner. I had two comments one was about the first of all, I don't know how you can say you're going to set a single use limit. And then say, you can't take anything home. Or you can take something home, as you just read at the last week at one of the public safety meetings, that was a representative. And after the end of going through his entire explanation, and the points that he made, pretty much everybody to a man or woman on the committee agreed that it would be somewhat of an encouragement to over indulge or finish everything you bought before you leave, if you cannot take what you haven't finished consuming with you. And with regard to the air quality, again, a comment that I heard you read it would be the age fax system and right now if you just would use the most strenuous Cal OSHA requirements say the same for a toxic environment and or a cigar lounge, then you have the beginnings already absurd of solving your air quality and, and, and problem of the inspections. So pretty much that's what I have to say on those. And the other thing is there are a lot of dispensary people who are going to do consumption lounges. But in addition to that there will be independent lounges, which are only about bringing your own in and consuming on premises and then leaving some will have food, some won't. But those are also items that we have to begin to take into consideration as we form these rules. And that's pretty much what I had to say.

**Chair Pearson** 2:58:04

Hey, thank you. I next see Ed Alexander; I'm going to allow you to talk

**Ed Alexander** 2:58:11

Thank you for taking the time, a couple of points. You know the market is mixed that we're going to have independent facilities. So now it sounds to me like we're going to issue licenses where non dispensary related consumption lounges will have the ability to transact retail sales, which feels like we're essentially opening up a whole new stream of dispensaries in an already crowded space. My primary concerns, though revolve around the fact that

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there is significant liability on behalf of the establishments and the state as it relates to Dram Shop. I'm very concerned that we're limiting the ability for consumers to come into, you know, I have a dispensary that was that was built with the purpose of at some point having a co located consumption facility on site. And so, when we say that people can't leave with product, theoretically, just for the sake of argument we'll say that a one gram is a consumable limit, so I can sell them 27 grams of material that was intended for consumption after they left the facility and a single use item that was intended for consumption. Wow. In said lounge, I just hope we're not painting a path where the only time somebody comes to visit a lounge which may be co located with a dispensary. They're only allowed to make a purchase of that single use it Um, I would and I appreciate the extensive amount of time that's been spent on the safety of the products. But I'd also like to remind, you know, the committee, that every item that would be available for consumption would have already been required to have third party lab certification associated with it. So, layering on additional layers of cost associated with subsequent testing. Seems odd when you know, Benjamin's lab has certified that the flower is free of pesticides, molds, and other contaminants. All we're doing is changing the package that it's essentially being dispensed in. So, I would just ask that we, we don't unduly burden an industry that's already hyper scrutinized. So, I appreciate the effort that you guys are putting in and, and I, I hope that we take time to consider some commonsensical approaches to moving this topic along.

**Chair Pearson** 3:01:11

Thank you. Do we have any public comment on the phone?

**Nate** 3:01:36

Um, yes, hello. I did want to say one thing. I've been listening to the other subcommittees too. And I'm noticing that we're drawing a lot of the pre-established regulations from other states, such as Colorado and California, and not taking into account that Nevada is trying to create our consumption lounges, where smoking flour is readily accessible because of the problem we're having, where people can purchase it and not having no place to actually consume it once they go into the casinos or anywhere else. Whereas Colorado explicitly did not want smoking in their establishments, or California's restrictions are limited to more of a paid membership. I just think that we need to also be encouraged to think outside of the box in marriage, marry our two industries with the nightclubs, the comedy lounges, the social events that we have that thrive in our community, that have so many tourist implications, where they're being able to take all of that in considerations as well. As everyone has said, You guys are doing a great job. And hopefully we just, you know, also try to make our industry more tailored to our strong suits. That's all Thank you.

**Chair Pearson** 3:03:09

Thank you. Any other public comment either on the phone or on the web? No more public comments. I see no other public comment. Okay. Thank you. All right. Only seven minutes over. Well done, everyone. Okay, so we've got our but our input, we've got an idea of where we need to go. And we're in the process of scheduling that next meetings so we I we will talk probably in another two weeks. Thank you everyone for your time and engagement.

**Meeting Adjourned**