

From: [Jillian Nelson](#)
To: [CCB Regulations](#)
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Good afternoon,

I am writing to submit the attached comments regarding today's workshop. I apologize for missing the deadline yesterday as my email had got stuck in my outbox and I only now caught this.

Thank you for your consideration.

Jillian Nelson
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3480 Hacienda Partners LLC
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ISSUE: 800mg serving limit

NCCR 12.010 (1) Requirements for single packages. 1. Unless preparing bulk packages only for delivery to another cannabis establishment and not for sale to a consumer, a cannabis establishment that packages cannabis or cannabis products must individually package, label and seal the cannabis or cannabis products in a single package for sale. A cannabis sales facility shall only sell cannabis or cannabis products in a single package which must not contain: (a) More than 1 ounce (28.35 grams) of usable cannabis. (b) For a cannabis product sold as a capsule, more than 100 milligrams of THC per capsule or more than 800 milligrams of THC per package. (c) For a cannabis product sold as a tincture, more than 800 milligrams of THC. (d) For a cannabis product sold as an edible cannabis product, more than 100 milligrams of THC. (e) For a cannabis product sold as a topical product, a concentration of more than 6 percent THC or more than 800 milligrams of THC per package. (f) For a cannabis product sold as a suppository or transdermal patch, more than 100 milligrams of THC per suppository or transdermal patch or more than 800 milligrams of THC per package. (g) For any other cannabis product, more than 800 milligrams of THC

The 800mg limit prevents many concentrates from being sold in 1g portions and should be reconsidered as many consumers would like the ability to purchase 1g options of concentrate products. It prevents an concentrate with greater than 80% potency from being sold in 1g increments. I propose that NCCR 12.010 be amended to increase the THC limit to 1000mg instead of 800mg for non-edible products. Edibles should say at 100mg per package.

ISSUE: The 10mg serving limit on edibles

NCCR 12.010 (4) Edible Cannabis products in liquid form containing more than 10 milligrams THC must be packaged using a resealable cap in a container that: (a) Clearly demarks each serving of cannabis in a way that enables a reasonable person to intuitively determine how much of the product constitutes a single serving of THC; and (b) Includes a device that allows a reasonable person to intuitively measure and serve a single serving of THC. → The portion of such a container that demarks each serving of cannabis need not be opaque.

(8) If an edible cannabis product is of a kind that is impracticable to clearly demark each serving of cannabis with the dose in milligrams of THC, the edible cannabis product must: (a) Contain not more than 10 milligrams of THC per unit of sale; or (b) Be sold in a package that contains more than one individually wrapped single-serving edible cannabis product.

NCCR 12.020 Stamp or mold required for edible cannabis products; exception. 1. Except as otherwise provided in subsection 3, each single-serving edible cannabis product and each individual serving containing not more than 10 milligrams of THC of a multiple serving edible cannabis product must be stamped or molded with a Nevada universal cannabis symbol approved by the Board to indicate that the product contains cannabis

NCCR 1.130 “Multiple-serving edible cannabis product” defined. “Multiple-serving edible cannabis product” means an edible cannabis product which is offered for sale to a consumer and contains, within a variance of 15 percent of the potency allowable, more than 10 milligrams and not more than 100 milligrams of THC. The term includes an edible cannabis product which contains multiple pieces, each of

which contains 10 milligrams or less of THC, if the edible cannabis product offered for sale contains a total of more than 10 milligrams of THC.

NCCR 9. (2) A cannabis production facility shall not sell an edible cannabis product other than a multiple serving edible cannabis product or a single-serving edible cannabis product. An edible cannabis product sold as a multiple-serving edible cannabis product must not contain more than 100 milligrams of THC. An edible cannabis product sold as a single-serving edible cannabis product must not contain more than 10 milligrams of THC.

The requirements for scoring or demarking edibles into 10mg servings is excessive and not in line with consumption trends of most edible consumers. I propose that the 10mg serving limit be removed and edible production companies be permitted to create their own serving sizes of product as long as the total THC content of a package of adult use edible be no more than 100mg THC.

Example – We sell both 20mg brownies and 100mg brownies because consumers have different dose preferences and purchase accordingly. Despite both products being demarked into 10mg servings, people do not typically consume the products that way. My suggestions would be that we can just stamp each edible with the NV THC symbol and milligram content according to our serving suggestions versus having to demark into 10 servings.

ISSUE - Flower lot size

NCCR 1.125 “Lot” defined. “Lot” means: 1. The flowers from one or more cannabis plants of the same batch, in a quantity that weighs 5 pounds (2,268 grams) or less; 2. The leaves or other plant matter from one or more cannabis plants of the same batch, other than full female flowers, in a quantity that weighs 15 pounds (6,804 grams) or less; or 3. The wet flower, leaves or other plant matter from one or more cannabis plants of the same batch used only for extraction, in a quantity that weighs 125 pounds (56,700 grams) or less within 2 hours of harvest.

The current flower lot size limit is very costly and inefficient for cultivators to uphold. I propose that lot sizes be increased to 15lbs for flower and 30lbs for trim.

ISSUE – Agent Card Expirations

NCCR 5.120 (11) A cannabis establishment agent registration card will expire 2 years after the date of issuance.

The two year limit on agent cards is costly and excessive. Between the \$150 fee to the State and the costs of fingerprinting, agents have to pay over \$200 each time they renew their agent card. This doubles down for agents who maintain multiple cards (ie: cultivation, production, etc.)

Other industries are much more generous with their time on their work cards and I believe the CCB should do the same. Sheriff’s cards are good for 5 years, TAM cards are good for 4 years. Food Handler cards issues by the SNHD are good for 3 years. I would like to propose that Cannabis Agent Cards expire after 4 years.

ISSUE – The need for multiple types of cannabis agent cards.

NCCR 5.150 Categories of registration cards. 1. The Board will issue cannabis establishment agent registration cards for each of the following categories: (a) A cannabis cultivation facility; (b) A cannabis distributor; (c) A cannabis production facility; (d) A cannabis independent testing laboratory; (e) A cannabis sales facility; or (f) An independent contractor who provides labor to a cannabis establishment or an employee of such an independent contractor; (g) A cannabis receiver; or (h) A cannabis consumption lounge 2. Each cannabis establishment agent registration card issued pursuant to NCCR 5.120 must indicate the applicable category. A person who is employed by or volunteers at a cannabis establishment and to whom a cannabis establishment agent registration card is issued may only be employed by or volunteer at the type of cannabis establishment for which he or she is registered. Such a person may hold more than one category of cannabis establishment agent registration card and may volunteer or work at any cannabis establishment in this State for which the category of th

The need for multiple agent cards for one person is excessive and difficult to track. Agents should only need one card type that is good for the industry as a whole and not be required to carry individual cards pending the establishment type. As the practice currently stands, one person who works for multiple establishments could potentially have to carry and maintain up to 8 agent cards meaning their renewal fee could total \$1200 to the CCB alone (\$150x8). I would like to propose that the industry move to a general agent card that would be applicable to all cannabis establishment types.

ISSUE – CCB Time & Effort Billing

NCCR 6.025 Board authorized to collect fee for costs for oversight; hourly rate. 1. For the ongoing activities of the Board relating to the oversight of cannabis establishments the Board will collect an assessment from each cannabis establishment for the time and effort attributed to the oversight of the cannabis establishment at an hourly rate established by the Board. Necessary travel accommodations accrued by Board agents, including airfare and hotel stays, will also be billed to the cannabis establishment. These activities where the hourly rate for time and effort will be charged include, but are not limited to: (a) Any type of routine inspection; (b) Any type of routine audit; (c) Hearing preparation and attendance for Board agents; (d) Investigations of complaints submitted to the Board by a consumer, or any other outside individual or entity, if said complaint is substantiated; (e) Investigations based on any type of requested transfer of interest; (f) Investigations based on any type of requested waiver; (g) Investigations based on an application for a new cannabis establishment license; and (h) Any other type of inspection, audit, or investigation deemed necessary by the Board. 2. The assessment for time and effort will be based upon the hourly rate established for the Board agents as determined by the budget of the Board. Licensees will be notified of any fee changes. 3. Cannabis establishments and its agents will not be billed for an investigation regarding an application for a registration card. Furthermore, cannabis establishments will not be billed for Petitions filed pursuant to NCCR 4.140 or 4.145. 4. As used in this section, “substantiated” means supported or established by evidence or proof. (Amended: 11/2021)

The CCB is a government agency for which our tax dollars and renewal feeds directly fund. They are not a consulting firm. Aside from annual renewal fees, taxes, and penalties when applicable, I think the

CCB should not bill for time and effort for routine duties that are the essential base of why the the agency exists in the first place. This model as is has evolved to a point where cannabis establishments are being billed excessively and seemingly penalized for their interactions with the CCB. The industry needs to be able to interact with regulators freely and openly in order to develop a relationship that moves our industry forward. The current billing practices by the CCB prohibit that.

ISSUE – The separation of medical and recreational licenses.

6.055 Requirements of dual licensee. A dual licensee shall: 1. Comply with the provisions of Title 56 of NRS and NCCR with respect to the medical cannabis establishment operated by the dual licensee; and 2. Combine the location and operations of the medical cannabis establishment and adult use cannabis establishment operated by the dual licensee as provided in NCCR 5.155.

The cannabis industry of Nevada was originally founded to serve medical cannabis patients and the current licensing practices by the CCB frankly prohibit this. The medical cannabis market in Nevada is largely going away as many dispensaries don't even have a medical license to allow them to serve medical consumers. We need to fix this as our industry has an obligation to serve the patients as we promised to back in 2014 when the groundwork of our industry was being laid. I propose that medical licenses are standard for all cannabis establishments and that renewal fees for medical licenses be waived for all dual licensed facilities as long as they are maintaining their adult-use license simultaneously.

ISSUE – Metrc Tags

The current practice with METRC requires that we order tags from Metrc directly that have RFID compatibility. Personally, I have never seen anyone use the RFID feature for the tags in the 4 years metrc has been operational. These tags cost tags cost \$0.25/ea for package tags and \$0.45/ea for plant tags. The tags serve essentially as barcodes and nothing more. I propose that metrc tags no longer need to be ordered from metrc and can instead be printed from the software directly instead without the RFID function. Changing to this method will save significant time and effort for all establishments.

ISSUE – Quality Assurance Testing

NCCR 6.100 Quality assurance testing required before sale or transfer of products. A cannabis establishment shall not sell or transfer a lot of usable cannabis, concentrated cannabis or cannabis products until all required quality assurance testing has been completed.

As it stands, wholesale facilities are not permitted to sample their own products. To do this, they must first transfer product to a dispensary and then buy it back in order to sample or consume anything legally. I propose that wholesalers be permitted to QA test their products and give products directly to the registered agents of their facility. Transfer limits could be put in to effect such as an agent transfer being limited to 3.5g of flower, 0.5g concentrate, and 100mg edible, etc per day and such transfers could be logged and manifested in metrc for the sake of traceability and monitoring by the CCB.

ISSUE – CCB Approval of Packaging

NCCR 6.123 Use of packaging: Required approval by Board. A cannabis establishment shall not use packaging unless the packaging has been approved by the appropriate Board Agent.

As long as packaging meets the standards set forth by the CCB, I believe that packaging approval process by the CCB should be voluntary and not mandatory. Establishments could consult the CCB if they so choose to about their packaging, but ultimately, they do not need CCB approval for the packaging. This would be similar to advertising guidelines (NCCR 12.070) for the Nevada cannabis industry wherein establishments have the option of getting CCB approval, and they do assume some risk of penalty this way if they do not create a design in line with CCB law, however that is their risk to assume. This would prevent small changes to existing packaging needing to be reviewed by the CCB each time an edit is made to an existing design. I propose that NCCR 6.123 be removed.

ISSUE – Quarterly Reporting

6.135 Quarterly reporting concerning production, purchases and sales of cannabis and cannabis products. Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall submit the report required pursuant to NRS 372A.285 to the Board on or before the 30th day of each January, April, July and October containing information concerning the 3 months immediately preceding the date of the report. Each cannabis cultivation facility, cannabis production facility and cannabis sales facility shall submit such a report regardless of whether any purchases or sales have occurred.

The quarterly reporting procedure is burdensome and onerous. The CCB already has access to all our live inventory and movement of inventory via metrc. They can access this data without these reports having to be submitted. I propose that the NCCR 6.135 be removed.

ISSUE – CCB approval of production menu items

NCCR 9.025 (3) A cannabis production facility must submit all new menu items and their ingredients to the appropriate Board Agent for approval on a form prescribed by the Board prior to production and sale of new products. A cannabis establishment may not produce nasal spray, inhalers, eye drops, or medical devices.

NCCR 9.045 (4) Any change in the recipe, production run size or equipment used to produce an edible cannabis product must be approved by the appropriate Board Agent. The Board Agent may require new approval or testing pursuant to this section for such a change.

The current law requires that we submit our SOP for a new menu item to the CCB. This current practice means we must disclosure our recipes and trade secrets to the CCB and removes our ability to maintain proprietary information. As long as an establishment creates products that are in line with the current CCB laws, I do not think that CCB product review and approval should be mandated. I propose that

NCCR 9.025 be amended to be a list of products that establishments may not manufacture and that anything outside that list require CCB approval.

ISSUE – Edible homogeneity – ISSUES WITH 15%

NCCR 9.045 (1) Each cannabis production facility shall contract with a cannabis testing facility to perform testing to ensure the homogeneity of the potency of the product on each edible cannabis product produced by the facility. A cannabis production facility shall not sell an edible cannabis product unless the appropriate Board Agent has preapproved the production of the edible cannabis product and a cannabis testing facility has verified the homogeneity of the potency of the product as described in NCCR 11.060.

NCCR 11.060 Performance of testing to verify homogeneity of potency of edible cannabis products. 1. Except as otherwise provided in subsection 2, a cannabis independent testing laboratory shall perform testing to verify the homogeneity of the potency of an edible cannabis product by testing multiple samples from a single production run. 2. A cannabis independent testing laboratory that tests an edible cannabis product which has previously had the homogeneity of the potency of the edible cannabis product verified by a cannabis independent testing laboratory and which has not undergone a change in recipe may verify the homogeneity of the edible cannabis product by testing one or more single units or servings from a production run of the edible cannabis product. 3. The cannabis independent testing laboratory will verify the homogeneity of the potency of the edible cannabis product only if: (a) The concentration of THC and weight of each sample is within 15 percent above or below the intended concentration of THC and weight; and (b) No combination of samples which comprise 10 percent or less of the cannabis product contain 20 percent or more of the total THC in the cannabis product.

Currently if an edible test +/- 15% of the intended dosing, this product fails homogeneity and the edible establishment must submit a remediation request to the CCB to either (1) label the product at the lower THC if it tests <85% of the intended dose or (2) remediation the product by cutting it down if it product tested >115% of the intended dose. I propose that failure of this nature no longer require CCB approval to relabel or remediation the product. The CCB has taken upward of 2 months to approve products that we have submitted for remediation in the past. If a product tests below the 15% variance, I propose that the entity be able to relabel themselves without permission. If a product tested too high and a facility wishes to cut the edible down and get it retested, I propose that this not require CCB permission either. A producer should further be able to re-process a product if they so choose (ie: melting down and remaking a chocolate bar). Producers are capable of fixing these issues on their own and do not need CCB approval to fix these potency issues as the CCB approval process bogs down the efficiency of our operations.

ISSUE – Waste Disposal

NCCR 10.080 Cannabis establishment: Storage, management and disposal of waste. 1. Except as otherwise provided in subsection 2, a cannabis establishment shall: (a) Store, manage and dispose of all solid and liquid waste and wastewater generated during the processing of cannabis or production of cannabis products in accordance with all applicable state and local laws and regulations; and (b) Render waste containing cannabis unusable before the waste leaves the cannabis establishment. Such waste includes, without limitation: (1) Waste from cannabis plants, including, without limitation, roots, stalks, leaves,

stems, flower, trim or solid plant material and any plant material used to create an extract; (2) Solvents used in the processing of cannabis or extraction of concentrated cannabis; (3) Any plant material or solvents discarded as a result of quality assurance testing or any other testing performed by a cannabis testing facility; and (4) Any other waste as determined by the Board. 2. A cannabis distributor or cannabis sales facility may return a cannabis product to a cannabis cultivation facility or cannabis production facility to be rendered unusable.⁷ 3. Unless another method approved by the Board is used, waste containing cannabis must be rendered unusable by grinding and incorporating the waste with: (a) For disposal using an organic method other than composting, the following kinds of compostable mixed waste: (1) Food waste; (2) Yard waste; (3) Soil; or (4) Other waste as approved by the Board; or (b) For disposal in a landfill or other method not described in paragraph (a), the following kinds of non-compostable mixed waste: (1) Paper waste; (2) Cardboard waste; (3) Plastic waste; or (4) Other waste as approved by the Board. → The amount of waste containing cannabis in the resulting mixture must be less than 50 percent by volume. Such waste must not be disposed of by composting

While I understand the importance of proper logging and disposal of usable cannabis (Defined by NRS 378C.100 as the dried leaves, flowers, and seed of cannabis), the current laws require excessive an unnecessary tracking on the non-usable components of the plant such as the fan leaves, stalks, stems, and roots. It is unduly burdensome for cultivators to have to log and track anything beyond the parts of the plant define as usable cannabis. Other parts of the plant should not need to be tracked and added to waste logs after harvest. Furthermore, the law explicitly forbids composting and this is hugely detrimental to the grows pursuing regenerative farming methods. I propose that NCCR 10.080 be amended to permit composting of non-usable cannabis (roots, stems, stalks, and fan leaves) and remove the requirements for waste tracking of the non-usable cannabis components of the plant.

ISSUE – Pesticide Certified Applicator

NCCR 10.75 (4) Each cannabis cultivation facility shall retain at least one person who is a certified applicator, as defined in NRS 555.2618, who is authorized to use pesticides for: (a) If the cannabis cultivation facility engages in the cultivation of cannabis indoors, greenhouse and nursery pest control pursuant to subparagraph (2) of paragraph (c) of subsection 1 of NAC 555.640; and (b) If the cannabis cultivation facility engages in the cultivation of cannabis outdoors, agricultural pest control of animals or plants pursuant to paragraph (a) or (b) of subsection 1 of NAC 555.640.

This law should only be required if a cultivation actively uses pesticides. Organic style farming that does not use pesticides should be exempt from this requirement. I propose that NCCR 10.075 be amended to include exemptions for this requirement for facility that do not use such amendments in their facility.

ISSUE – CCB approvals for failed lots of cannabis destined for extraction

Currently the CCB requires that they must approve any lot of cannabis that failed laboratory analysis. This means we must upload each and every lot to Accela, wait for their review, and then pay time and effort billing for their approval or denial of the extraction request. I believe this can be streamlined. I propose that the CCB metrc or standards for acceptable extraction of failed usable cannabis be shared with laboratories. That way, labs can immediately mark on the COA if a lot of cannabis can be extracted

and what methods of extraction would be permitted. The CCB would no longer need to be involved in the process and cultivators would no longer need to wait for the CCB to review extraction requests.

12.065 Radiation amendment

The CCB has proposed amending NCCR 12.065 to the following:

12.065 Cannabis treatment. *If any cannabis or cannabis product has been treated with any thermal process, ionizing radiation, chemical, or other processes approved by the Board or Board Agent for the purpose of reducing or eradicating microbial contamination at any time postharvest, the label must include the method of treatment and the following statement: "This product has undergone treatment using [method of treatment]" in bold lettering.*

I just want to express my support of this. We must disclose our soil amendments and extraction processes to consumers per current law and this was done to hold our industry accountable and maintain transparency. I believe that disclosing treatment processes as outlined in 12.065 are within reason and critical for consumer knowledge.

ISSUE – Reporting cannabinoids on product labels

Cultivation - NCCR 12.030 (1)(h) The cannabinoid profile and potency levels and terpenoid profile of the top three terpenes as determined by the cannabis testing facility, which may

Production - NCCR 12.030/12.035 (h) The total amount of THC in the cannabis product, measured in milligrams

Currently we have to report the THC content exactly as on the Certificate of Analysis which often leads to reporting THC content and product weight to the ten-thousands of a milligram meaning it has 4 digits beyond the decimal point. This is both excessive and causes confusion for some consumers. I would like to propose that facilities be permitted to round the THC profile of a cannabis products to the nearest tenth of a milligram (one decimal point) and that flower be permitted to be rounded to the nearest tenth of a percentage point (one decimal point).

For example, instead of reporting that an edible contains 10.4256mg THC, a producer could report that it contains 10.4mg THC.

I would like this to further report to product weights as well if possible so we can report that a cookie weights 20.2g instead of 20.1875g.

PROPOSED REGULATIONS FOR REPEAL

Certain warnings on labels, as they are required on packaging

ISSUES TO BE RESOLVED

Non-edible concentrates should be addressed separately from edibles section

Some packaging requirements are repeated

Warning requirements redundant

Labeling requirements redundant to METRC tags and must be repeated by each facility

Designation of persons

PACKAGING

Edibles

12.015 Requirements for packaging of edible cannabis products, ~~products in solid or liquid form, usable cannabis and concentrated cannabis or cannabis products.~~

1. Any edible cannabis product containing cannabis must:

- (a) Be clearly and unambiguously packaged as cannabis with the words "THIS PRODUCT CONTAINS CANNABIS" and includes the warning "KEEP OUT OF REACH OF CHILDREN" in bold type that clearly identifies that the product contains cannabis;
- (b) Be packaged in a manner which is not modeled after a brand of products primarily consumed by or marketed to children;
- (c) Be presented in packaging which does not contain an image of a cartoon character, mascot, action figure, balloon or toy, except that such an item may appear in the logo of the cannabis production facility which produced the product;
- (d) Not be packaged or marketed as candy;
- (e) Include a Nevada universal cannabis symbol approved by the Board to indicate that the product contains cannabis; and
- (f) The net weight of the product;
- (g) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343; and
- (h) A notice that the actual amount of THC may be within 15 percent of the stated amount for the edible cannabis product;
- (i) Be placed into a package or directly packaged in opaque, child-resistant packaging in accordance with 16 C.F.R. Part 1700 and the standards specified in subsection 3 or 4. The child-resistant packaging must maintain its effectiveness for multiple openings before leaving the cannabis sales facility with the consumer.
- (j) Protect the contents from contamination and must be of a food grade material.

3. ~~Except as otherwise provided in subsection 4, cannabis products in solid or liquid form must be packaged in a food-grade material or container.~~

~~4. Edible cannabis~~ 2. Edible cannabis products in liquid form containing more than 10 milligrams THC must be packaged using a resealable cap in a container that:

- (a) Clearly demarks each serving of cannabis in a way that enables a reasonable person to intuitively determine how much of the product constitutes a single serving of THC; or
- (b) Includes a device that allows a reasonable person to intuitively measure and serve a single serving of THC. → The portion of such a container that demarks each serving of cannabis need not be opaque.

5. ~~Any container or packaging containing usable cannabis, concentrated cannabis or cannabis products must protect the contents from contamination and must be of a food grade material.~~

6. ~~An edible cannabis product must be sealed in a container which is not transparent and sold in packaging which is opaque.~~

7. 3. Each single serving in a multiple-serving edible cannabis product must be physically demarked in a way that enables a reasonable person to intuitively determine how much of the edible cannabis product constitutes a single serving. Each demarked serving must be easily separable in a manner that allows an average person who is 21 years of age or over to physically separate, with minimal effort, an individual serving of the edible cannabis product.

8. 4. If an edible cannabis product is of a kind that is impracticable to clearly demark each serving of cannabis with the dose in milligrams of THC, the edible cannabis product must:

- (a) Contain not more than 10 milligrams of THC per unit of sale; or
- (b) Be sold in a package that contains more than one individually wrapped single-serving edible cannabis product.

Usable and Concentrated cannabis (everything but edible)

12.... Requirements for packaging of cannabis or cannabis products, other than edibles.

1. Packaging for cannabis or cannabis products, other than edibles, must:

- (a) Be clearly and unambiguously packaged as cannabis with the words "THIS PRODUCT CONTAINS CANNABIS" and includes the warning "KEEP OUT OF REACH OF CHILDREN" in bold type that clearly identifies that the product contains cannabis;
- (b) Be packaged in a manner which is not modeled after a brand of products primarily consumed by or marketed to children;
- (c) Be presented in packaging which does not contain an image of a cartoon character, mascot, action figure, balloon or toy, except that such an item may appear in the logo of the cannabis production facility which produced the product;
- (d) Not be packaged or marketed as candy;
- (e) Contain a list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343;

2. When sold at a cannabis sales facility, any cannabis or cannabis product must be placed into a package or directly packaged in opaque, child-resistant packaging in accordance with 16 C.F.R. Part 1700 and the standards specified in subsection 3 or 4. The child-resistant packaging must maintain its effectiveness for multiple openings before leaving the cannabis sales facility with the consumer.

3. Must be packaged in a food-grade material or container.

LABELING

Usable Flower

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

1. A cannabis cultivation facility ~~may~~ **shall** label all cannabis before it sells the cannabis to another cannabis establishment and shall securely affix to or include with the package a label that includes, without limitation, in legible English:

- (a) The name of the cannabis establishment and its license number or cannabis establishment ID;
- (b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment license of the facility for the production of cannabis operated by the dual licensee;
- (c) The production run number;
- (d) A warning that states: ~~"Keep out of reach of children."~~
- (e) The date of production;
- (f) The cannabinoid profile and potency levels as determined by the cannabis testing facility,
- (g) If the product is an edible cannabis product, the expiration date;
- (h) The total amount of THC in the cannabis product, measured in milligrams;
- (i) The total amount of THC in each serving of the edible cannabis product;
- (j) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343;
- (k) The net weight of the product;
- (l) If concentrated cannabis or a cannabis extract was added to the product, a disclosure of the type of extraction process used and any solvent, gas or other chemical used in the extraction process or any other compound added to the concentrated cannabis;
- (m) If the product is an edible cannabis product other than extracts and tinctures, the serving size; and
- (n) A warning that states: ~~"THIS PRODUCT CONTAINS CANNABIS."~~

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

...

Concentrated cannabis (everything but usable and edible)

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

- (a) The name of the cannabis establishment and its license number or cannabis establishment ID;
- (b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment license of the facility for the production of cannabis operated by the dual licensee;
- (c) The production run number;
- (d) A warning that states: ~~"Keep out of reach of children."~~

- (e) The date of production;
- (f) The cannabinoid profile and potency levels as determined by the cannabis testing facility,
- (g) If the product is an edible cannabis product, the expiration date;
- (h) The total amount of THC in the cannabis product, measured in milligrams;
- (i) The total amount of THC in each serving of the edible cannabis product;
- (j) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343;
- (k) ~~If not an edible~~, the net weight of the product;
- (l) If concentrated cannabis or a cannabis extract was added to the product, a disclosure of the type of extraction process used and any solvent, gas or other chemical used in the extraction process or any other compound added to the concentrated cannabis;
- (m) If the product is an edible cannabis product other than extracts and tinctures, the serving size; and
- (n) A warning that states: ~~"THIS PRODUCT CONTAINS CANNABIS."~~

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

...

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

1. A cannabis sales facility and cannabis consumption lounge must affix to, include with, or supply through an electronic medium approved by the appropriate board agent each container or package containing cannabis products sold at retail or ready-to-consume cannabis product and Single-use cannabis product sold at consumption lounges, if not already on the container package, a label which must not mislead consumers and must include, without limitation:

- (a) The business or trade name and the license number of the cannabis production facility that manufactured and sold the product;
- (b) If the cannabis production facility is operated by a dual licensee, the number of the medical cannabis establishment license of the facility for the production of edible cannabis products or cannabis-infused products operated by the dual licensee;
- (c) The production run number that accounts for all lot numbers of all cannabis used in the extraction of the concentrated cannabis or contained in the product, as recorded in the inventory control system of the cannabis production facility that sold the concentrated cannabis or product;
- (d) The name and address of the cannabis sales facility or cannabis consumption lounge;
- (e) The date on which the cannabis product was manufactured;
- (f) If the product is an edible, a suggested use-by date;
- (g) The cannabinoid profile and potency levels of the product, as determined by the cannabis independent testing laboratory that tested the product;
- (h) For edible cannabis products, the total amount of THC in each serving of the product ~~and a notice that the actual amount of THC in each serving may be within 15 percent of the stated amount;~~
- (i) ~~A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343.~~

- (j) The concentration of THC in the product, measured in milligrams;
- (k) The net weight of the cannabis or cannabis product;
- (l) For edible cannabis products, a warning that states: "Caution: When eaten or swallowed, the intoxicating effects of this product may be delayed by 2 or more hours";
- (m) If concentrated cannabis or a cannabis extract was added to the product, a disclosure of the type of extraction process and any solvent, gas or other chemical used in the extraction process, or any other compound added to the concentrated cannabis or the cannabis extract;
- (n) A warning that states: "This product may have intoxicating effects and may be habit forming";
- (o) ~~A warning that states: "Keep out of Reach of Children"~~
- (p) A statement that: "This product may be unlawful outside of the State of Nevada"; and
- (q) ~~A warning that states: "THIS PRODUCT CONTAINS CANNABIS."~~

DESIGNATIONS OF PERSONS

5.010....

2. For the purposes of this chapter and chapter 678B of NRS, ~~the following persons~~ **persons that are natural persons falling within the following categories** must comply with the provisions governing owners, officers and board members of a cannabis establishment:

- (a) If a corporation is applying for a license for a cannabis establishment, the shareholders, officers, and board members of the corporation;
- (b) If a limited partnership is applying for a license for a cannabis establishment, the partners;
- (c) If a limited-liability company is applying for a license for a cannabis establishment, the members and managers of the limited-liability company;
- (d) If an association or cooperative is applying for a license for a cannabis establishment, the members of the association or cooperative;
- (e) If a joint venture is applying for a license for a cannabis establishment, the natural persons who signed the joint venture agreement;
- (f) If a trust is applying for a license for a cannabis establishment, the trustees of the trust, and
- (g) If a business organization other than those described in paragraphs (a) to (f), inclusive, is applying for a license for a cannabis establishment, the members of the business organization.

From: Carina Robinson <carina@taprootbrands.com>

Sent: Friday, April 14, 2023 3:21 PM

Cc: Jason Banales <JBanales@ccb.nv.gov>; Riana Durrett <rdurrett@ccb.nv.gov>

Subject: Workshop comments 4/14/2023 CROBINSON

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear CCB Board,

Please accept this email as a back up for my public comments at the Workshop April 14, 2023.

1. Packaging & Labeling: I support changes to 12.015 and 12.035(b) to remove redundancy and improve efficiency with product compliance labels. Please repeal the requirement for the METRC Medical ID# and company name. Please include production and cultivation in industry comments, not just the dispensaries. Production and Cultivation can provide labels or disclosures for allergens, method of extraction, and edible variances. We can simplify the labeling system. Also, with all products in child resistant containers, stores can eliminate the child resistant exit bags, per the regulations too.
2. Please clean up the verbiage of a sublingual/tincture, verse edible or concentrate. The onset of a sublingual (tincture and RSO type products) is immediate up to 10-15 minutes. Edibles can take up to 2 hours per Nevada law. Flowers and **most** concentrates are immediate.
3. I support removing the redundancy of public warnings in product compliance labeling. "This is a cannabis product" and "keep away from children" should be on packaging.

I look forward to participating in more workshops to reduce the labeling & packaging measure and simplify the regulations. The redundancy is very expensive and time consuming. Let's streamline the labels and make room for efficiency.

Thanks,
Carina

Carina Robinson
Training and Compliance Director
[TapRoot Brands](#)
702.546.8847





<https://www.instagram.com/rootsnv/>

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Sala Consulting

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

April 14, 2023

Proposed Changes to NCCR Regulation 15

New

~~Deleted~~

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

1. A separate ventilation system within any designated smoking room capable of 30 complete air changes per hour at a minimum. Excess air required to create negative pressure volume that must be directly exhausted to the outdoors;
2. A separate system within the rest of the cannabis consumption lounge capable of 20 complete air changes per hour at a minimum. Excess air required to create negative pressure volume that must be directly exhausted to the outdoors;
3. The ventilation system within any smoking room must create a negative air pressure within the room;
4. A ~~High Efficiency Particulate Air (HEPA)~~ MERV 14 or higher filtration system, or equivalent system, capable of handling the entire volume of air within any separate room of the lounge;
5. An odor mitigation plan that identifies, at a minimum, the following:
 - (a) The specific odor control equipment to be installed and operated to mitigate odor emissions prior to leaving the building;
 - (b) An engineering assessment approved by a certified professional engineer ensuring the odor control equipment installed and operated will mitigate odor emissions prior to leaving the building; and
 - (c) An operation and maintenance plan showing the monitoring frequency for preventative maintenance, the timely responses to equipment malfunctions and the record keeping and employee training in place to ensure the odor control equipment to be installed and operating is maintained per manufacturer's specifications.
 - (d) Any deviations from the odor mitigation plan or malfunction of equipment must be documented on a log that shall be provided to the Board upon request.
6. If the cannabis consumption lounge plans to use has an outdoor smoking area, the applicant must submit a request to the local jurisdiction and comply with any requirements the local jurisdiction may have regarding an outdoor smoking area.
7. Atmospheric monitoring of the non-smoking room of the cannabis consumption lounge focusing, at a minimum on an 8-hr average and 15 min peak CO₂ and PM 2.5 concentrations which must include an audible and visual notification system, alerting the facility to any failures.
8. Any local jurisdiction requirements. Local jurisdiction requirements can be more restrictive than the NCCRs.



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Filter Breakdown (ASHRAE 52.2)

TABLE 1: APPLICATION GUIDELINES

MERV Std 52.2	Intended Dust Spot Efficiency Std 52.1 (1)	Average Arrestance	Particle Size Ranges	Typical Applications	Typical Filter Type
1 - 4	<20%	60 to 80%	> 10.0 μm	Residential/Minimum Light Commercial/ Minimum Equipment Protection	Permanent / Self Charging (passive) Washable / Metal, Foam / Synthetics Disposable Panels Fiberglass / Synthetics
5 - 8	<20 to 60%	80 to 95%	3.0-10.0 μm	Industrial Workplaces Commercial Better / Residential Paint Booth / Finishing	Pleated Filters Extended Surface Filters Media Panel Filters
9 - 12	40 to 85%	>90 to 98%	1.0-3.0 μm	Superior/Residential Better/Industrial Workplaces Better/Commercial Buildings	Non-Supported / Pocket Filter / Rigid Box Rigid Cell / Cartridge V-Cells
13 - 16	70 - 98%	>95 to 99%	0.30-1.0 μm	Smoke Removal General Surgery Hospitals & Health Care Superior/ Commercial Buildings	Rigid Cell / Cartridge Rigid Box / Non-Supported / Pocket Filter V-Cells

Note: This table is intended to be a general guide to filter use and does not address specific applications or individual filter performance in a given application. Refer to manufacturer test results for additional information.

(1) ANSI/ASHRAE 52.1 ranges are provided for reference only. The ANSI/ASHRAE 52.1 Standard was discontinued as of January 2009.

HEPA air filtration is above the 99% particulate removal range and would not be required to remove marijuana smoke particles from the air stream. Marijuana smoke particles have been found to be approximately 0.35-0.43 micrometers in diameter and would be effectively removed utilizing a MERV 13-16 type air filtration system.

Additionally, this guide references typical applications for MERV 13-16 for smoke removal.

Dennis R. Landsberg, PhD, PE, FASHRAE

The Cannabis Compliance Board's ventilation requirements have the potential to dramatically increase the energy costs to operate cannabis consumption lounges. The purpose of this report is to minimize the energy impact of the regulations, while meeting the regulatory standards. The requirements of the lounges and surrounding spaces are quite different and shall be treated separately.

Consumption Lounge Smoking Rooms

Leakage to surrounding spaces is a concern, so it is anticipated that the lounge will have the following elements:

- solid ceiling and walls,
- fixed fenestration (windowpanes), if any
- a single gasketed door
- separate supply and exhaust ducts that connect to a dedicated HVAC system.

The lounge should be blower door tested and the ducts should be leak tested. A HERS rater has the equipment to perform these tests.

Air Change Rate

The air change rate in Regulation 15.055 is far higher than the typical rate specified by codes for occupied spaces. Supplying this much 100% outside air will increase fan sizing and HVAC coil sizing.

The current HVAC system requirement is 30 air changes per hour (ACH) capability. To reduce wasted energy and reduce operating costs, variable frequency drives can be installed alongside supply and exhaust air fans. CO₂ and particulate measurements in the lounge can be used to modulate the fans to ensure that required air quality conditions are consistently maintained.

Excess Negative Pressurization

The lounge must be negatively pressurized at a value greater than the surrounding spaces, which also must be pressurized. To accomplish negative pressurization, exhaust should exceed supply by approximately 100 cfm in a smoking room and 50 cfm in surrounding spaces. A Test

and Balance (TAB) firm should ensure that these values or met or exceeded throughout the operating range of the equipment.

[Similar to the Regulation 15 changes submitted in November on behalf of Planet 13, the Board could change 15.055(1.-2.) to mandate 100 cfm of air in smoking rooms and 50 cfm of air in surrounding spaces to be exhausted directly to the outdoors. This change would preserve air quality via negative pressure while saving significant energy and expense.]

Consumption Lounge Surrounding Spaces

Air Change Rate

The air change rate is far higher than the typical rate specified by codes for occupied spaces. Supplying this much 100% outside air will increase fan sizing and HVAC coil sizing.

Like the previous suggestion for smoking rooms, variable frequency drives can be installed in concert with supply and exhaust air fans. CO₂ and particulate measurements in the lounge can be used to modulate the fans to ensure that required air quality conditions are maintained while conserving energy when practicable.

Excess Negative Pressurization

The surrounding spaces must be negatively pressurized at a value that is less than the lounge, to ensure that lounge air will not be drawn into these spaces. To accomplish this, exhaust should exceed supply by say 50 cfm, while lounge exhaust will exceed supply by say 100 cfm. A Test and Balance Firm should ensure that these values or met or exceeded throughout the operating range of the equipment.

[Similar to the Regulation 15 changes submitted in November on behalf of Planet 13, the Board could change 15.055(1.-2.) to mandate 100 cfm of air in smoking rooms and 50 cfm of air in surrounding spaces to be exhausted directly to the outdoors. This change would preserve air quality via negative pressure while saving significant energy and expense.]



NV CANNLABS
FROM ART TO SCIENCE

4/18/2023

Cannabis Compliance Board of Nevada
700 E. Warm Springs Road, Suite 100
Las Vegas, NV 89119

Subject: Proposed Changes to NCCR under Governor's Order

Dear Board Members,

On behalf of NV Cann Labs, I am writing this letter to propose the following changes to be made, as discussed at the public workshop on April 14, 2023.

We would like to suggest a fee schedule, detailing the exact fees allowed to be charged and to include detail as to what those charges are for to be added to the regulations. As a scientist who has worked with many regulatory agencies throughout my career, including ISO accreditation bodies at many levels, the FDA, EPA, DEA, and USDA, I can firmly say it is common practice to know exactly what fees to expect for accreditation, licensing, auditing, and inspections. Even within the cannabis industry, this is a common practice in other states. Not having a clear fee schedule set and understood by all parties creates the opportunity for excessive billing and extortion.

We would also like to propose a change in the requirements of the credentials a CCB board agent or inspector must have. To properly regulate something, the regulator must be an expert in what they are regulating. The minimum requirements for a CCB board agent that inspects cannabis laboratories specifically, should match the minimum requirements that are required of the scientific directors, at the very least. Furthermore, a set template should be provided to a cannabis establishment before the inspection or audit of the establishment that includes what the inspectors will look for during an audit. Again, this is a common practice of most regulatory agencies and accreditation bodies.

I would like to reference NCCR 11.025 subsection 6. This regulation describes the requirements for method validation, and it is a perfect example of how current regulations leave room for approval at the discretion of the board agent or agents and without the requirement of expert credentials to hold the position of a board agent, this causes inconsistent enforcement and unfair advantages or disadvantage in the market.



NV CANNLABS

FROM ART TO SCIENCE

6. A cannabis independent testing laboratory must use, when available, testing methods that have undergone validation by the Official Methods of Analysis of AOAC International, the Performance Tested Methods Program of the Research Institute of AOAC International, the Bacteriological Analytical Manual of the Food and Drug Administration, the International Organization for Standardization, the United States Pharmacopeia, the Microbiology Laboratory Guidebook of the Food Safety and Inspection Service of the United States Department of Agriculture or an equivalent third-party validation study approved by the Board. If no such testing method is available, a cannabis independent testing laboratory may use an alternative testing method, or a testing method developed by the cannabis independent testing laboratory upon demonstrating the validity of the testing method to and receiving the approval of the Board and that the method meets ISO and AOAC standards regarding the amount of samples, replicates, and overall execution of the validation studies.

If this requirement is not in place, the regulators should not be allowed to decide when something is “satisfactory to the appropriate board agent” as stated several times through the regulations. This language should be removed from all areas of the regulations.

This leaves far too much room for interpretation and opens the door to corruption.

In addition, we would like to propose the following change to **NCCR 11.020, subsection 3**.

The regulations state that “Inspection by an accrediting organization is not a substitute for inspection by the Board or Board Agents.”

We would like the following verbiage or something similar that states, **the results from inspections conducted by accrediting organizations must be utilized during inspections by any CCB board member or board agent and should not contradict parameters set by accrediting organizations.**

In relation to the previous comment, we believe there needs to be a pathway forward during the approval process of emerging technology and methodology that is not halted by the CCB if working with accredited organizations such as ISO and AOAC, that the CCB recognizes as international experts

Lastly, we would like to request standardization of certain methods and regulations within the industry, especially across laboratories and to revisit the needs and methods of some of the requirements for laboratory testing overall, specifically microbial and cannabinoid testing requirements.



NV CANNLABS
FROM ART TO SCIENCE

Current regulations create an unfair and volatile marketplace for not only labs but also cultivators, producers, and dispensaries. There is too much variation between referenced and incorporated guidelines. For example, there are multiple organizations referenced in the regulations that contradict method and operational guidelines in themselves and can be left to each auditor what and how things are enforced.

This change could also remove the act of lab shopping and the incredible number of inconsistencies among labs that have been shown to create another door for corruption to occur.

We appreciate your time and consideration of these proposed changes and look forward to advancing the industry and the relationship between the state.

Sincerely,

A handwritten signature in black ink, appearing to read 'Niki Barber', with a stylized flourish at the end.

Niki Barber
Chief Scientific Officer
NV Cann Labs