



Regulations Identified for Removal Pursuant to Executive Order 2023-03, Section 2

In accordance with Section 2 of Governor Joe Lombardo’s Executive Order 2023-03 to identify and rank in descending order of priority regulations for removal, the Nevada Cannabis Compliance Board has identified and submitted the following Nevada Cannabis Compliance Regulations (NCCR) for consideration.

Regulations for Removal	
Regulations identified by CCB staff	
1.	NCCR 1.145
2.	NCCR 1.230
3.	NCCR 5.025
4.	NCCR 5.030
5.	NCCR 10.010
6.	NCCR 11.070(9)(a)
7.	NCCR 11.070(9)(b)
8.	NCCR 11.070(10)(a)
9.	NCCR 11.070(10)(b)
Additional regulations proposed by stakeholders that require additional public input	
10.	NCCR 6.025
11.	NCCR 12.030
12.	NCCR 12.035
13.	NCCR 12.040
14.	NCCR 12.045

Proposed Repeal to NCCR Regulation 1

New

~~Deleted~~

~~1.145- Repealed “Physician” defined.~~

~~1.230- Repealed “Taxpayer” defined.~~

~~1.145- “Physician” defined. “Physician” has the meaning ascribed to it in NRS 0.040.~~

~~1.230- “Taxpayer” defined. “Taxpayer” means cannabis establishments as required.~~

Proposed Repeal to NCCR Regulation 5

New

~~Deleted~~

~~5.025- Repealed Submission of application by person who holds medical cannabis establishment registration certificate for cannabis establishment of same type; issuance of license; refund of fee if application not approved.~~

~~5.030- Repealed Submission of application by person who holds medical cannabis establishment registration license for cannabis establishment of same type or different type; submission of application by person in response to request for applications.~~

~~5.025- Submission of application by person who holds medical cannabis establishment registration certificate for cannabis establishment of same type; issuance of license; refund of fee if application not approved. The Board may consider an application by a person who already holds a medical cannabis establishment license for no more than one license for a cannabis establishment of the same type if the person must meet all requirements of the NCCR and Title 56 of the NRS.~~

~~5.030- Submission of application by person who holds medical cannabis establishment registration license for cannabis establishment of same type or different type; submission of application by person in response to request for applications. Prior to requesting applications pursuant to NCCR 5.020, the Board will promulgate regulations on how a person who holds medical cannabis establishment license will submit an application for a cannabis establishment of same type or different type in response to a request by the Board pursuant to NCCR 5.020.~~

Proposed Repeal to NCCR Regulation 10

New

~~Deleted~~

~~10.010-Repealed Establishment of minimum good manufacturing practices.~~

~~10.010-Establishment of minimum good manufacturing practices. NCCR 10.010 to 10.080, inclusive, set forth the minimum good manufacturing practices for the cultivation and preparation of cannabis and cannabis products for administration to humans.~~

Proposed Repeal to NCCR Regulation 11

~~11.070 9. A cannabis independent testing laboratory shall file with the Board, in a manner prescribed by the Board, an electronic copy of the certificate of analysis for all tests performed by the cannabis independent testing laboratory, regardless of the outcome of the test, including all testing required by NCCR 11.050 to 11.065, inclusive, at the same time that it transmits those results to the facility which provided the sample. The cannabis independent testing laboratory shall transmit an electronic copy of the certificate of analysis for each test to the Board by electronic mail at:~~

- ~~(a) If the test was passed, cannabislabpass@ceb.nv.gov; or~~
- ~~(b) If the test was failed, cannabislabfail@ceb.nv.gov.~~

~~11.070 10. An electronic mail message transmitted pursuant to subsection 9 must be formatted as follows:~~

- ~~(a) The subject line of the electronic mail message must be the name of the cannabis establishment from which the sample was collected.~~
- ~~(b) The name of the electronic file containing the certificate of analysis must be:
 - ~~(1) Except as otherwise provided in subparagraph (2) or (3), the Facility ID assigned by the Board to the cannabis independent testing laboratory, followed by an underscore, followed by the four digit identifier assigned by the Board to the cannabis establishment from which the sample was collected, followed by:~~
 - ~~(I) If the sample was from a production run, the production run number; or~~
 - ~~(II) If the sample was not from a production run, the batch number, followed by an underscore, followed by the lot number.~~~~

NCCR 6.025 – Time and effort billing regulation.

- A. Removal of time and effort billing.
- B. Change is being sought to end the practice of time and effort billing. CCB believes this would require a statutory change and there is a bill attempting to remove time and effort billing from the CCB in the legislature.
- C. Persons who commented on NCCR 6.025 at the April 14, 2023, public meeting on Executive Order 2023-003
 - a. Layke Martin
 - i. Organization Represented: NCA
 - ii. Address: P.O. Box 370398. Las Vegas, NV 89137
 - iii. Phone Number: 702-606-9668
 - iv. E-mail: layke@nvcann.org
 - v. Summary of testimony: Board authorization to collect fees, is not protected by statute and the costs are burdensome to the industry.
 - b. Jillian Nelson
 - i. Organization Represented: Evergreen Organix
 - ii. Address: 3480 W. Hacienda Ave., Las Vegas, NV
 - iii. Phone Number: 702-550-4855
 - iv. E-mail: jnelson@evergreenorganix.com
 - v. Summary of testimony: Recommend removal of time and effort billing.
- D. Adverse and beneficial effects: Removing time and effort assessments would eliminate fees currently charged to licensees.
- E. Positive or negative economic impact: Cannabis licensees would save on time and effort billing fees that the CCB issues to licensees for performing work related to regular audits and inspections as well as applications for license transfers. The State of Nevada would lose upwards of \$1.7 million dollars annually in collected time and efforts fees.
- F. Cost Savings to the state or agency: This change would result in a loss in revenue to the state.

NCCR 12.030(1)(h) and 12.035(h) - Labeling requirements.

- A. Allowed facilities to round to the nearest tenth of a milligram for cannabis products and tenth of a percentage point for flower.
- B. Change is being sought to standardize the rounding of percentage points on labels. CCB understands that this regulation could be improved, so a workshop on labeling and packaging regulations will be conducted in June of 2023 to obtain more input from industry regarding this potential change. CCB agrees that this regulation needs to be standardized.
- C. Persons who commented on NCCR 12.030(1)(h) and 12.035(h) at the April 14, 2023, public meeting on Executive Order 2023-003
 - a. Jillian Nelson
 - i. Organization Represented: Evergreen Organix
 - ii. Address: 3480 W. Hacienda Ave., Las Vegas, NV
 - iii. Phone Number: 702-550-4855
 - iv. E-mail: jnelson@evergreenorganix.com
 - v. Summary of testimony: Recommend facilities be allowed to round to the nearest tenth of a milligram for cannabis products and tenth of a percentage point for flower.
- D. Adverse and beneficial effects: There is potential for beneficial effects throughout the industry in a number of the proposed suggestions and changes. Many of the suggestions will need further feedback from industry participants and will be incorporated in an upcoming agency workshop.
- E. Positive or negative economic impact: Further analysis is required but CCB staff has identified potential for positive economic impact for industry participants and the agency.
- F. Cost Savings to the state or agency: N/A

Proposed Changes to NCCR Regulation 12

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

1. A cannabis cultivation facility 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 *cannabis establishment ID* number of the medical ~~cannabis establishment license of the~~ cannabis cultivation facility operated by the dual licensee;
- (c) The batch number;
- (d) The lot number;
- (e) The date of final harvest;
- (f) The date of final testing;
- (g) The date on which the product was packaged;
- (h) The cannabinoid profile and potency levels and terpenoid profile of the top three terpenes as determined by the cannabis testing facility, which may include the potential total THC but must not include any other calculated level of THC;
- (i) The quantity of cannabis being sold;
- (j) A warning that states: "THIS PRODUCT CONTAINS CANNABIS"; and
- (k) A warning that states: "Keep out of Reach of Children."

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:

TK's Cannabis Products

~~License Number~~ *cannabis*

establishment ID: 123-456-789-001-0001-RCXXX

~~Medical License Number~~ *medical cannabis*

establishment ID: 543-210789-000-0010 CXXX

(if applicable)

Production Run Number: 1234

THIS PRODUCT CONTAINS CANNABIS

Keep out of Reach of Children

Produced on: 01/01/2020

Best if used by: 03/17/2020 (for edibles only)

Cannabinoid profile:

Total THC content (mg):

THC content per serving +/- 15%: (for edibles only)

Serving size – 1 piece

This product contains concentrated cannabis produced with butane.

Ingredients: Wheat, Sugar, Milk Chocolate

Allergy Warning: Peanuts, Tree Nuts, Eggs, Wheat, Soy

Net Weight: 100mg

12.035 Cannabis production facility: Required labeling of cannabis products before sale to retail store.

1. A cannabis production facility 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 *cannabis establishment ID* 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:

TK's Cannabis Products

~~License Number~~ *cannabis*
~~establishment ID: 123-456-789-001-0001~~ RCXXX

~~Medical License Number~~ *medical cannabis*
~~establishment ID: 543-210789-000-0010~~ CXXX

(if applicable)

Production Run Number: 1234

THIS PRODUCT CONTAINS CANNABIS

Keep out of Reach of Children

Produced on: 01/01/2020

Best if used by: 03/17/2020 (for edibles only)

Cannabinoid profile:

Total THC content (mg):

THC content per serving +/- 15%: (for edibles only)

Serving size – 1 piece

**This product contains concentrated cannabis
produced with butane.**

Ingredients: Wheat, Sugar, Milk Chocolate

Allergy Warning: Peanuts, Tree Nuts, Eggs, Wheat, Soy

Net Weight: 100mg

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

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

- (a) The business or trade name and the *cannabis establishment ID* ~~license number~~ of the cannabis cultivation facility that cultivated and sold the usable cannabis;
- (b) If the cannabis cultivation facility is operated by a dual licensee, the *cannabis establishment ID* number of the medical ~~cannabis establishment license of the~~ cannabis cultivation facility operated by the dual licensee;
- (c) The batch number;
- (d) The lot number;
- (e) The quantity sold, including the net weight measured in ounces and grams or by volume, as appropriate;
- (f) The name and address of the cannabis sales facility or cannabis consumption lounge;
- (g) The cannabinoid profile and potency levels and terpenoid profile as determined by the cannabis independent testing laboratory, which may include the potential total THC but must not include any other calculated level of THC;
- (h) A warning that states: “This product may have intoxicating effects and may be habit forming;”
- (i) The statement: “This product may be unlawful outside of the State of Nevada”;
- (j) The date on which the cannabis was harvested;
- (k) A warning that states: “THIS PRODUCT CONTAINS CANNABIS”;
- (l) A warning that states: “Keep out of Reach of Children”; and

2. The label required by subsection 1 for a container or package containing usable cannabis sold at retail must be in substantially the following form:

We Care Cannabis sales facility or cannabis
consumption lounge
123 Main Street, Carson City, NV 89701
THIS PRODUCT CONTAINS CANNABIS

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

MM's Plant Emporium

~~License Number~~ *cannabis*

establishment ID: ~~123-456-789-001-0001~~ RCXXX

~~Medical License Number~~ *medical cannabis*

establishment ID: ~~543-210789-000-0010~~ CXXX

(if applicable)

Keep out of Reach of Children

Batch #: 1234

Lot #: 1234

Final harvest: 01/01/2020

WARNING:

This product may have intoxicating effects and may be habit forming.

Net Weight: .25 ounces (7 grams)

This product may be unlawful outside the State of Nevada.

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

1. A cannabis sales facility and cannabis consumption lounge must affix to, 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 *cannabis establishment ID* ~~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 *cannabis establishment ID* 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.”

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

We Care Cannabis Sales Facility or cannabis consumption lounge
123 Main Street, Carson City, NV 89701

THIS PRODUCT CONTAINS CANNABIS

Cookie

Net Weight: 2 ounces (56 grams)

Produced on: 1/1/2020

Best if used by: 6/3/2020

Cannabinoid profile:

THC content per serving +/- 15%:

CAUTION: When eaten or swallowed the intoxicating effects of this product can be delayed by 2 or more hours.

Keep out of Reach of Children

This product may be unlawful outside the State of Nevada.

Manufactured at: KC's Kitchen

~~License Number~~ *cannabis*

establishment ID: ~~123-456-789-001-0001~~ RCXXX

~~Medical License Number~~ *medical cannabis*

establishment ID: ~~543-210789-000-0010~~ CXXX

(if applicable)

Production Run #5463

INGREDIENTS: Flour, Butter, Canola Oil, Sugar, Chocolate, Cannabis, Strawberries

CONTAINS ALLERGENS: Milk, Wheat

Contains cannabis extract processed with butane.

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