

From: [Frank Hawkins](#)
To: [CCB Regulations](#)
Cc: [Frank Hawkins](#); ["rhodes andre"](#); [Teddy Parker](#); [operations@nwcdispensary.com](#); [metrc@silverblackcultivation.com](#); [metrc2@silverblackcultivation.com](#); [Shaun Burnett](#); [thenwc702@gmail.com](#); [Linda Pollard](#)
Subject: Questions Following Changes to NCR Regulations 6,7, and 12
Date: Sunday, October 8, 2023 1:33:13 PM
Attachments: [NCCR6712-Packaging-and-Advertising- Questions.pdf](#)

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

Hello,

Please see attached questions following reading the proposed changes to NCCR Regulation 6,7, and 12. We may have additional comments prior to the hearing as well.

Thank you,

Frank Hawkins, Jr.

Cell: (702)400-8995

Nevada Wellness Center West

Silver Black Cultivation

Proposed Changes to NCCR Regulation 6
PRODUCTION AND DISTRIBUTION OF CANNABIS

New

~~Deleted~~

6.010 Establishment of maximum allowable quantity of cannabis products a person may possess for purposes of exemption from state or local prosecution.

1. The maximum allowable quantity of ~~adult-use~~ cannabis products a person may possess is

Is this per day? Per Store?
Per Customer? If so, how
are we to regulate and
submit figures?

- (a) ~~One ounce (28.35 grams)~~ 2.5 ounces of usable cannabis.
- (b) The equivalent to one-~~quarter~~~~eight~~ ounce of concentrated cannabis, not to exceed ~~3,543~~ 7,087 milligrams of THC;
- (c) ~~3,543~~ 7,087 milligrams of THC contained within edible cannabis products; or
- (d) A combination of usable and concentrated cannabis not to exceed the legal limit.

~~2. The maximum allowable quantity of medical cannabis products a holder of a valid registry identification card may possess is:~~

- ~~(a) Two and one half ounces (70.875 grams) of usable cannabis;~~
- ~~(b) 10,000 milligrams of THC concentrate;~~
- ~~(c) 10,000 milligrams of THC contained within one or more edible cannabis products;~~
- ~~or~~
- ~~(d) A combination of usable and concentrated cannabis not to exceed the legal limit.~~

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

1. To prevent unauthorized access to cannabis at a cannabis establishment, the cannabis establishment must have:

- (a) ~~One single secure~~ All entrances s of the physical building secured with accompanied written security measures;

...

6.120 Restrictions on advertising; required posting of signs in cannabis sales facility.

1. A cannabis establishment:

- (a) Shall not engage in advertising which contains any statement or illustration that:
 - (1) Is false or misleading;
 - (2) Promotes overconsumption of cannabis or cannabis products;
 - (3) Depicts the actual consumption of what appears to be cannabis or cannabis products; or
 - (4) Depicts a child or other person who appears to be less than 21 years of age consuming cannabis or cannabis products or objects suggesting the presence of a child, including, without limitation, toys, characters or cartoons, or contains any other depiction which is designed in any manner to be appealing to or encourage consumption of cannabis or cannabis products by a person who is less than 21 years of age.
- (b) Shall not advertise in any publication or on radio, television or any other medium if 30 percent or more of the audience of that medium is reasonably expected to be persons who are less than 21 years of age.

(c) Shall not place an advertisement:

(1) Within 1,000 feet of a public or private school, playground, public park or library, but may maintain such an advertisement if it was initially placed before the school, playground, public park or library was located within 1,000 feet of the location of the advertisement;

(2) On or inside of a motor vehicle used for public transportation or any shelter for public transportation;

Does this include billboards? Ex: Billboards outside Raiders Stadium or inside the stadium for event venues. Does this have to be reported to the CCB?

(3) At a sports ~~or entertainment~~ event to which persons who are less than 21 years of age are allowed entry or at an entertainment event which is reasonably estimated that 30 percent or more of the persons who will attend that event are less than 21 years of age;

(4) On or inside of a motor vehicle used by a cannabis establishment for private transportation;

Is it okay to send direct mail advertising THC and or CBD products?

(5) On signs carried by a natural person, including, without limitation, handbills, pamphlets, cards or other types of advertisements that are distributed to the general public, but excluding an advertisement placed in a newspaper of general circulation, trade publication or other form of print media; and

(6) Where prohibited by local ordinance.

(d) Shall not advertise or offer any cannabis or cannabis product as “free” or “donated” without a purchase in the same transaction.

2. A cannabis sales facility shall post signs in prominent locations inside cannabis sales facility, including customer entrance and drive-through windows, which state activities that are strictly prohibited and punishable by law, including, without limitation, the following statements:

2a- What about if the minor has the appropriate documentation on their ID? If they are a designated medical patient

(a) “No minors permitted on the premises unless the minor holds a letter of approval and is accompanied by a designated primary caregiver”;

(b) “No on-site or public consumption of any cannabis or cannabis products”;

(c) “Distribution to persons under the age of 21 is prohibited”;

(d) ~~“Except for medical cannabis patients, p~~ Possession of over ~~4~~ 2.5 ounces ~~s~~ of usable cannabis, ~~a~~ cannabis product ~~s~~ containing more than ~~3,543~~ 7,087 milligrams of THC or a combination of the two which exceeds the legal limit is prohibited”; and

(e) “Transportation of cannabis or cannabis products across state lines is prohibited.”

Proposed Changes to NCCR Regulation 7

CANNABIS SALES FACILITY

New~~Deleted~~**7.025 Prohibition on sale that exceeds maximum usable quantity of cannabis.**

A cannabis sales facility shall not sell to any consumer an amount of cannabis or cannabis products which exceeds:

1. ~~One~~2.5 ounces ~~s~~ (~~28.35~~70.87 grams) of usable cannabis other than concentrated cannabis;
2. One-~~quarter~~eighth ounce of concentrated cannabis or cannabis products containing not more than ~~3,543~~ 7,087 milligrams of THC; or
3. A combination of usable and concentrated cannabis not to exceed the legal limit.

7.030 Products required to be offered for sale; restrictions on sale of other products; restrictions on advertising.

1. A cannabis sales facility shall only offer for sale cannabis, cannabis products, cannabis paraphernalia, cannabis-related accessories, products containing CBD and products containing industrial hemp which are related to cannabis.

a. Cannabis-related accessories include items required for consumption, storage items, branded merchandise, lighters, and/or air purifiers. Such items must not appeal to children, including without limitation, an image of a cartoon character, mascot, action figure, balloon, fruit or toy. Such products must not be modeled after a brand of products primarily consumed by or marketed to children.

...

Proposed Changes to NCCR Regulation 12
PACKAGING AND LABELING OF CANNABIS

New

~~Deleted~~

12.010 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:

Is 1a
relating to
cultivation
to
cultivation?

- (a) More than 1 ounce (28.35 grams) of usable cannabis.
- (b) For a cannabis product sold as a *pill or* capsule, more than 100 milligrams of THC per *pill or* 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.

Need clarification on 1a-g

~~2. An edible cannabis product must be packaged in a manner which indicates the number of servings of THC in the product, measured in servings of a maximum of 10 milligrams of THC per serving, and include a statement that the edible cannabis product contains cannabis and its potency was tested with an allowable variance of plus or minus 15 percent of the allowable limit.~~

~~3.~~ 2. For cannabis or cannabis products that are intended to be sold to a consumer, the text used on all labeling must be printed in at least 8-point font and may not be in italics.

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

1. Any edible product containing cannabis must:

- (a) Be clearly and unambiguously packaged as cannabis with the words ~~“THIS IS A CANNABIS PRODUCT”~~ “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;
- (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~~ 321(qq); 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) 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”;
 - (j) be packaged in a manner which indicates the number of servings of THC in the product, measured in servings of a maximum of 10 milligrams of THC per serving.
 - (k) When sold at a cannabis sales facility, 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.
 - (l) Protect the contents from contamination and must be of a food grade material.

~~2. When sold at a cannabis sales facility, any cannabis or cannabis product must be 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. Except as otherwise provided in subsection 4, cannabis products in solid or liquid form must be packaged in: (a) Plastic which is 4 mils or more in thickness; or (b) If the product is in liquid form, a food-grade container.~~

~~4.2. 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.

Is 1e relating to flower as well? When will the symbol be released?

I looked at CFR, has the CCB does the child and senior test. What is defined as multiple openings before leaving sales facility?

Does 1k mean that you can use paper bags? Are plastic bags/ brown paper bags that are non-sealable non-compliant?

~~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

5. Packaging for cannabis or other cannabis products 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) When sold at a cannabis sales facility, 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.

(f) Protect the contents from contamination and must be of a food grade material.

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, or supply through an electronic medium approved by the appropriate board agent, if not already on or affixed to the container or package, a label that includes, without limitation, in legible English:

- (a) The name of the cannabis establishment and the establishment ID ~~its license number or~~ of the cannabis cultivation facility. ~~establishment ID~~;
- ~~(b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment license of the cannabis cultivation facility operated by the dual licensee;~~
- ~~(c) The batch number;~~ (b) The inventory package ID number as assigned in the state required seed-to-sale inventory tracking system;
- ~~(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~~ (c) The detected cannabinoid profile and potency levels and terpenoid profile of the top three ~~T~~ terpenes, if detected, 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~~ (d) The quantity of cannabis in the bulk or individual package. ~~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 usable cannabis sold by a cannabis cultivation facility must be in substantially the following form:

[Label Example]

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, or supply through an electronic medium approved by the appropriate board agent each container, if not already included on the container or 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~~ the establishment ID of the cannabis production facility;
- ~~(b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment license or cannabis establishment ID of the facility for the production of cannabis operated by the dual licensee;~~
- ~~(c) The production run number;~~ (b) The inventory package ID number as assigned in the state required seed-to-sale inventory tracking system;
- ~~(d) A warning that states: "Keep out of reach of children."~~
- ~~(e) (c) If the product is not an edible cannabis product, T~~ (c) If the product is not an edible cannabis product, T the date of production;

- ~~(d)~~ (d) The cannabinoid profile and potency levels as determined by the cannabis testing facility;
- ~~(e)~~ (e) If the product is an edible cannabis product, the expiration date;
- ~~(f)~~ (f) The total amount of THC in the cannabis product, measured in milligrams;
- ~~(g)~~ (g) The total amount of THC in each serving of the edible cannabis product;
- ~~(h)~~ (h) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § ~~343~~ 321(qq);
- ~~(i)~~ (i) The net weight of the product;
- ~~(j)~~ (j) 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;
- ~~(k)~~ (k) 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:
[Label Example]

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

If the cultivation sells to the dispensary with the metric tab and then the dispensary sells to the consumption lounge, does the consumption lounge have to repackage with new metric tag?

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 in the form of usable cannabis 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 ~~license number~~ cannabis establishment ID 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 number of the medical cannabis establishment license of the cannabis cultivation facility operated by the dual licensee;~~
- ~~(c) The batch number;~~ The inventory package ID number as assigned in the state required seed-to-sale inventory tracking system.
- ~~(d) The lot number;~~
- ~~(e) (c)~~ (c) The quantity sold, including the net weight measured in ounces and grams or by volume, as appropriate;
- ~~(d)~~ (d) The name and address of the cannabis sales facility or cannabis consumption lounge;
- ~~(e)~~ (e) 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;
- ~~(i) The statement: "This product may be unlawful outside of the State of Nevada";~~
- ~~(j) The date on which the cannabis was harvested;~~
- ~~(f)~~ (f) A warning that states: "THIS PRODUCT CONTAINS CANNABIS"; and
- ~~(g)~~ (g) A warning that states: "Keep out of Reach of Children".

...

12.045 Cannabis sales facility and cannabis consumption lounge: Required labeling of cannabis products and single-use 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 and Single-use cannabis product in the form of cannabis products sold at consumption lounges, if not already on the container or package, a label which must not mislead consumers and must include, without limitation:

- (a) The business or trade name and the ~~license number~~ establishment ID 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;~~ The inventory package ID number as assigned in the state required seed-to-sale inventory tracking system.
- ~~(d) The name and address of the cannabis sales facility or cannabis consumption lounge;~~
- ~~(e) If the product is not an edible cannabis product, 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. § 343-321(qq).~~
- ~~(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:

[Label Example]

If the consumption lounge is different than the dispensary company, does the consumption lounge need their own metric tab?

What is the form? There is no example

12.050 Cannabis sales facility and cannabis consumption lounge: Required disclosures and warnings.

1. Upon consumer request, a cannabis sales facility and cannabis consumption lounge must provide with all usable cannabis and cannabis products sold at retail or ready-to-consume cannabis product and single-use cannabis product sold at cannabis consumption lounges, accompanying [soil amendment report and copy of certificate of analysis from the testing laboratory.](#) ~~material that discloses any pesticides applied to the cannabis plants and growing medium during production and processing.~~

Does this need to be on each package? can it be posted in our dispensary? lounge?

Consumption Lounge will have to reported a metric tag, and a label for each products purchased through dispensary?

Can this be posted in the lobby to meet intent of requirement?

2. A cannabis sales facility and cannabis consumption lounge must provide with all usable cannabis and cannabis products sold at retail or ready-to-consume cannabis product and single-use cannabis product sold at cannabis consumption lounges, a written notification or an electronic notification through an electronic medium approved by the appropriate board agent which contains the following warnings:

(a) That cannabis and cannabis products must be kept out of the reach of children;

(b) That cannabis and cannabis products can cause severe illness in children;

(c) That allowing children to ingest cannabis or cannabis products or storing cannabis or cannabis products in a location which is accessible to children may result in an investigation by an agency which provides child welfare services or criminal prosecution for child abuse or neglect;

(d) “THE INTOXICATING EFFECTS OF CANNABIS MAY BE DELAYED BY 2 HOURS OR MORE AND USERS OF CANNABIS PRODUCTS SHOULD INITIALLY INGEST A SMALL AMOUNT OF THE PRODUCT CONTAINING NO MORE THAN 10 MILLIGRAMS OF THC, THEN WAIT AT LEAST 2 HOURS BEFORE INGESTING ANY ADDITIONAL AMOUNT OF CANNABIS”;

~~(e) “Cannabis or cannabis products may have intoxicating effects and may be habit forming. Smoking is hazardous to your health.”;~~

~~(f)~~ (e) “Ingesting cannabis or cannabis products with alcohol or other drugs, including prescription medication, may result in unpredictable levels of impairment and a person should consult with a physician before doing so.”;

~~(g)~~ (f) “There may be mental or physical health risks associated with consumption of cannabis or cannabis products, including but not limited to cardiovascular problems, psychosis, or exacerbation of anxiety and/or depression. People with health concerns should consult with a physician before ingesting cannabis.”;

~~(h)~~ (g) “WARNING: Pregnant or breastfeeding people should not use cannabis or cannabis products. Using cannabis during pregnancy or while breastfeeding may be harmful to your baby’s development.”;

~~(i)~~ (h) “Cannabis or cannabis products can impair concentration, coordination and judgment. Do not operate a vehicle or machinery under the influence of cannabis or cannabis products”;

~~(j)~~ (i) “Ingestion of any amount of cannabis or cannabis products before driving may result in criminal prosecution for driving under the influence.”

~~(k)~~ (j) “Overconsumption of cannabis or cannabis products may cause negative health effects such as nausea, vomiting, anxiety, agitation, paranoia, and psychosis. Individuals with symptoms of overconsumption should seek immediate medical attention.”; and

(k) A statement that: “This product may be unlawful outside of the State of Nevada”

Previously
stated 8
font, now
it is 12,
please
clarify

3. For cannabis consumption lounges that allow inhalation of cannabis, the following warning must be included with the warnings listed in NCCR 12.050 subsection 2 a-k above:

(a) "WARNING: This is a smoking lounge. Occupants will be exposed to secondhand smoke. Secondhand smoke is hazardous to your health";

4. The text used on all accompanying material and warnings must be printed in at least 12-point font and may not be in italics.

Can this be posted in lobby/entry?

12.070 Advertising of cannabis (Subsection 3 of this section becomes effective May 1, 2022). A cannabis establishment shall ensure that all advertising by the cannabis establishment contains such warnings as may be prescribed by the Board, which must include, without limitation, the following words:

1. "Keep out of reach of children";

2. "For use only by adults 21 years of age and older"; and

3. Shall ensure that all advertising by the cannabis establishment contains:

(a) The name of the cannabis establishment; and

(b) The adult-use cannabis establishment Identification number assigned to the cannabis establishment by the Board.

is only ONE license required?

(i) If a cannabis establishment holds more than one license, the cannabis establishment must include any one of the adult-use cannabis establishment identification number or medical cannabis establishment identification number in all the cannabis establishment's advertisements.

(4) Such warnings and information required in sections 1 through 3 must be visible and legible

(5) Advertisements such as branded displays or images which are posted inside a licensed cannabis establishment, and not for distribution, are not subject to the restrictions outlined in sections 1 through 3.

~~If a cannabis establishment holds more than one license, the cannabis establishment must include any one of the adult-use cannabis establishment identification number or medical cannabis establishment identification number in all the cannabis establishment's advertisements.~~

4.(6) A cannabis establishment shall not engage in advertising that in any way makes cannabis or cannabis products appeal to children, including without limitation, advertising which uses an image of a cartoon character, mascot, action figure, balloon, fruit or toy. The cannabis establishment shall ensure that the advertisement is not modeled after a brand of products primarily consumed by or marketed to children.

(a) Advertisements such as branded displays or images which are posted inside a licensed cannabis establishment are not subject to the restriction on use of fruit.

Final Questions

- When Inspectors come out, some say that product display of live product needs to have a metric tag attached to it, I'd like to ensure that is the case? Other inspectors have been saying that live products state that the metric tag can be on the bottom of the case, meaning it is not directly attached to the product.

Which is accurate?

- In regards to labels. if logo includes business name, address, and id number that is required, can we omit that from label or does it have to be in both spots?

From: [Dan S](#)
To: [CAC Meetings](#)
Subject: Re: Part 2 CAC comment
Date: Friday, October 13, 2023 9:43:04 AM
Attachments: [Exhibit C and D.pdf](#)

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

Hello CCB,

I spent some time revising a document I recently submitted titled [Exhibit A and B](#). If it may be possible, I'd like to replace them for the public comment record of the workshop, as I prefer this current model, [Exhibit C and D](#).

This updated list provides a further refined example of safe adult use cannabis for the Nevada market, reducing laboratory cost should also have a reflection on price reduction in the market.

On Thu, Oct 12, 2023 at 4:33 PM Dan S <danthebiologist21@gmail.com> wrote:
Hello CCB,

I think the workshop is a good fit.

Thank you

On Thu, Oct 12, 2023 at 4:03 PM CAC Meetings <CACmeetings@ccb.nv.gov> wrote:

Hi Dan,

Is this public comment for the Cannabis Advisory Commission (or one of it's subcommittees) or would you like to provide public comment for the upcoming workshop on packaging and advertising? If it is for the latter, I can forward this on to that inbox or you can email directly at regulationsn@ccb.nv.gov. You can find out more about the workshop here: <https://ccb.nv.gov/public-meetings/#public-meetings-2>

Thank you.

From: Dan S <danthebiologist21@gmail.com>
Sent: Wednesday, October 11, 2023 9:07 PM
To: CAC Meetings <CACmeetings@ccb.nv.gov>
Subject: Part 2 CAC comment

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

Document attached.

REVISED 10/13/23

For the record, Dan Steele. Time of drafting this document is 8:30 AM, 10/13/2023

The following documents can help Nevada's industry by creating a separation between cannabis intended for Adult-use vs medical patients. A separation may not be necessary, but this updated adult-use microbial testing can greatly reduce costs and waste in a laboratory.

Extensive PCR testing shouldnt be necessary for adult-use cannabis. As they are certainly not an immunocompromised group.

Labels could say "This cannabis product is intended for Adult-use"

Adult-use tests would cover safety for medical patients as well. I dont assume there are any immunocompromised individuals who are licensed patients in Nevada, nor should a health care provider recommend cannabis to someone in an at risk group. But separation by microbial testing is an option.

Regards

Dan

Nevada Adult-use cannabis (Exhibit C)

Inhalable cannabis and cannabis products	
<i>Salmonella</i> spp.	is not detected in 1 gram
Shiga toxin producing <i>E. coli</i> (STEC)	is not detected in 1 gram
<i>Bile tolerant gram negative bacteria</i>	<10 ³ CFU/gram
<i>Total yeast and mold</i>	<10 ⁴ CFU/gram
Non-inhalable cannabis and cannabis products	
<i>Salmonella</i> spp.	is not detected in 1 gram
Shiga toxin producing <i>E. coli</i> (STEC)	is not detected in 1 gram

Nevada Medical cannabis for licensed patients (Exhibit D)

Inhalable cannabis and cannabis products	
<i>Salmonella</i> spp.	is not detected in 1 gram
Shiga toxin producing <i>E. coli</i> (STEC)	is not detected in 1 gram
<i>Aspergillus</i> <ul style="list-style-type: none"> • <i>A. flavus</i> • <i>A. fumigatus</i> • <i>A. niger</i> • <i>A. terreus</i> 	Is not detectable in 1 gram
Non-inhalable cannabis and cannabis products	
<i>Salmonella</i> spp.	is not detected in 1 gram
Shiga toxin producing <i>E. coli</i> (STEC)	is not detected in 1 gram
<i>Bile tolerant</i> gram negative bacteria	<10 ³ CFU/gram

For the record, Dan Steele

I'd like to add onto my previous comment, titled Exhibit C and D. Just the following line
Any mention of immunocompromised may be considered "severely-immunocompromised"

I'd like to showcase the microbial testing model recently developed by Oregon. **This model came from honest and upfront communication** with all parties represented under Oregon's cannabis regulatory framework and body.

It should be noted that, when cannabis is turned down for microbial testing it can end up on the black market. Because many facilities already have a storage room full of material destined for remediation.

Historically (dating back to before Christ), cannabis farmers inspect crops for visible molds during the growing and trimming process.

Oregon, adult and medical

Marijuana, Usable marijuana (dried leaves/flowers), Cannabinoid concentrates and extracts, Cannabinoid products, Finished inhalable cannabinoid products, and Industrial hemp concentrates and extracts	
Shiga toxin producing <i>E. coli</i>	Absent in 1 g
<i>Salmonella</i> spp.	Absent in 1 g



October 17, 2023

Cannabis Compliance Board
700 Warm Springs Road, Suite 100
Las Vegas, NV 89119

Via email to: regulations@ccb.nv.gov

Subject: Workshop on Proposed Changes to NCCR Regulation 6, 7 & 12

Dear Cannabis Compliance Board Members and Director Klimas,

On behalf of the Nevada Cannabis Association, we are submitting this public comment on the proposed changes to NCCR 6, 7 & 12.

In 2021, the NCA brought Senate Bill 168, removing many of the statutory restrictions on packaging. This bill gave the CCB more flexibility to make common sense reforms to the regulations. It is positive to see that many of the proposed changes to regulations 6, 7 & 12 would allow for more efficient (and environmentally friendly) methods for conveying information.

Our comments below largely focus on seeking clarification and noting where information and language is confusing and duplicative, which can obscure critical safety information that ends up being buried in overly detailed text and warnings.

Further, while this preliminary workshop is an excellent step, we would ask the CCB to consider an additional roundtable or listening session with licensees and other industry stakeholders on the topic of packaging and labeling.

NCCR 12.010 and Removal of the 15% +/- Variance on Packaging

We raised the question of whether the proposed change in language to NCCR 11.060 in last month's workshop would, in effect, eliminate the 15% +/- variance of the allowable limit. Similarly, the proposed deletion of NCCR 12.010(2) would remove the statement on packaging that "its potency was tested with an allowable variance of plus or minus 15 percent of the allowable limit." During the previous workshop, we were pleased to hear from staff that the intention was not to remove the variance. However, we are concerned that the deletion of the variance language in NCCR 12.010(2) and the proposed changes to 11.060 still appear to have that effect.

Both statute and regulation have acknowledged and allowed a variance since at least 2017. Senate Bill 344 in 2017 required that 10mg edibles be labeled in a manner that indicates the milligrams of THC in the product and a statement that "its potency was tested with an allowable variance of the amount determined by the Division by regulation." The Department of Taxation soon after adopted regulations in July 2017 that set the allowable variance at plus or minus 15% (LCB File No. E001-17). Over the various iterations of the NRS, NAC, and now NCCR, the statute and regulation advising consumers of a 15% plus or minus variance were read together with the statutory caps of 10mg and 100mg in edible products.



The existing variance is smart policy because it acknowledges that small fluctuations will occur even where producers are targeting 10mg/100mg. Further, labeling adequately advises consumers that in a 10mg or 100mg product, the actual potency could be plus or minus 15 percent. The current policy balances realistic fluctuations in potency (within strict limits) with public safety and consumer education. In the absence of clear legislative direction or significant public safety concerns, this regulation – which has been relied upon by licensees and consumers for at least six years – should not be amended.

NCCR 12.015

The proposed revisions to NCCR 12.015(i) would move the warning “Caution: When eaten or swallowed, the intoxicating effects of this product may be delayed by 2 or more hours” from the label of edible products (NCCR 12.045) to the packaging itself. This proposed change is problematic because it would require licensees to purchase all new edible packaging. Additionally, it is duplicative of currently existing methods to convey the warning and is too verbose to fit on smaller packaging.

Moving the warning from printed on the label to printed on the packaging itself would render existing packaging obsolete. Requiring a complete overhaul of existing packaging to change one warning, which is already being conveyed on the label and in the list of written warnings provided to consumers, adds additional cost to licensees making it even more challenging for the licensed market to compete with unlicensed sellers.

Currently all edible products must be affixed with a label warning “Caution: When eaten or swallowed, the intoxicating effects of this product may be delayed by 2 or more hours” pursuant to NCCR 12.045. This label is affixed to the product by the retail sales facility or consumption lounge. Additionally, at the point of sale, the dispensary or lounge must also provide the consumer with the list of warnings in NCCR 12.050, including the warning in all caps that:

THE INTOXICATING EFFECTS OF CANNABIS MAY BE DELAYED BY 2 HOURS OR MORE AND USERS OF CANNABIS PRODUCTS SHOULD INITIALLY INGEST A SMALL AMOUNT OF THE PRODUCT CONTAINING NO MORE THAN 10 MILLIGRAMS OF THC, THEN WAIT AT LEAST 2 HOURS BEFORE INGESTING ANY ADDITIONAL AMOUNT OF CANNABIS.

It is unclear why the existing two methods of conveying the two-hour warning to edible consumers are not sufficient.

Additionally, edible packaging is already required to be printed with the language specified in NCCR 12.015(a)(e)(f)(g) & (h). On many smaller edible packages, the additional 109 character warning would not even fit, at least not in a font large enough to be legible to the consumer.

We hope that when considering requiring such a significant expense and potential waste, the Board will weigh the cost versus any perceived benefit.

12.030, 12.035 & 12.040

We support the proposed changes to reduce the amount of content required on each label and to allow certain information to be conveyed by electronic means.



Thank you for your consideration of these comments. Additionally, we again want to reiterate the potential benefit of an informal roundtable discussion regarding packaging and labeling before the next workshop on these regulations.

Respectfully,

A handwritten signature in black ink, appearing to read "L. Martin".

Layke A. Martin, Esq.
Executive Director
Nevada Cannabis Association

Good afternoon,

My name is Charles Watson. I am a Las Vegas resident, cannabis industry worker, and a cannabis consumer. The ideas presented in this letter are my own and I do not represent any company or organization. Thank you for the opportunity to address these topics.

Regarding regulations 12.015(1)(k) / 12.015(5)(e):

Cannabis products should not be required to be child resistant or be placed in a child resistant bag. It is the responsibility of parents and not the State to keep cannabis out of the hands of children similar to alcohol. Alcohol is far more dangerous and deadly than cannabis and it is not child resistant. The child resistant bags also contribute to unnecessary waste and can often be found as litter across the city.

Regarding regulations 12.030(1) / 12.035(1) / 12.040(1) / 12.045(1):

All required information should be on the packaging, and not on an additional included label that usually gets thrown away. If I buy a bottle of bleach at the grocery store, the container has all the compliance information on the packaging. I don't receive an additional label at the point of sale with the compliance information. The extra labels also contribute to additional waste and can often be found as litter across the city.

Regarding regulations 12.030(1)(a) / 12.035(1)(a) / 12.040(1)(a) / 12.045(1)(a):

It should be easier to lookup the establishment ID on the CCB website. I downloaded the cannabis license list, but I was unable to sort or search for Establishment IDs as the spreadsheet is protected. Perhaps add a search feature to the CCB website so the public can type in the establishment ID to verify it.

Regarding regulation 12.030(1)(b) / 12.035(1)(b) / 12.040(1)(b) / 12.045(1)(b):

I would recommend keeping the batch and lot number as the inventory package ID number can change but the batch and lot number do not change. If the CCB does decide to change from the batch and lot number to the inventory package ID, the manufacturer or cultivator should have to add a barcode or QR code of the inventory package ID number so that it can be used in retailers point of sale software.

Regarding regulation 12.030(1)(e) / 12.040(1)(j):

I agree that the final testing date and package date are unnecessary and can be removed, but I would suggest keeping the final harvest date. This is useful information for the consumer as it lets the customer know if the product is fresh or not.

Regarding regulation 12.050(1):

To reduce paper waste and to ensure compliance, I would encourage the CCB to reach out to METRC and request that the soil amendment be attached to the package in METRC similar to how COAs are attached in METRC.

Regarding regulation 12.050(2):

Remove the word "That" from 12.050(2)a,b,& c. so that the verbiage is consistent throughout the regulation.