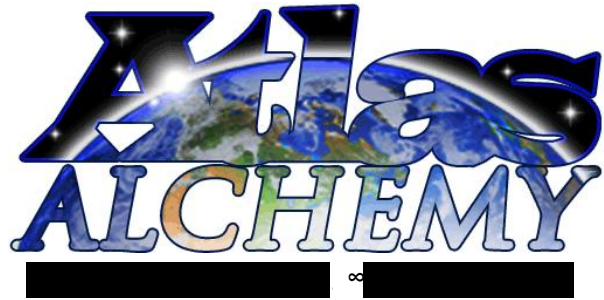


January 29, 2024

Cannabis Compliance Board  
700 E. Warm Springs Road, Suite 150  
Las Vegas, NV 89119

Via email to [regulations@ccb.nv.gov](mailto:regulations@ccb.nv.gov)



**Esteemed members of the Cannabis Compliance Board and Executive Director Humm,  
For The Record: my name is Jason Greninger ∞ G R E N I N G E R ∞ Owner Atlas Alchemy &  
member of the Chamber Of Cannabis.**

**Thank you for this venue and your open request to provide positive change for Nevada  
consumers. In fact, we have a huge opportunity for Nevada RIGHT NOW, to lead our nation by  
setting the example in cannabis quality, science, consumer direction, & satisfaction.  
Nevada has yet to set up the COA database as presented in resolution 11.050 (13)**

**With a very simple adjustment in data management, Nevada can lead our nation and facilitate a  
scientifically capable COA database as presented in resolution 11.050 (13) → The COA document  
need only be in a spreadsheet format, with the numbered lines dedicated to specific data points.  
Such a spreadsheet will allow all the variables from the COA analysis to be database separately.  
This will provide research quality data for all the cannabis and hemp sold in Nevada, including;  
medical, animal, and adult use. This database can provide clinical trial and cohort research  
quality data for NIH, (National Institute of Health) including NIC (National Institute of Cancer) or  
any research entity with all the cannabis and hemp consumed in Nevada, in situ.**

**The Demands for the Certificate of Analysis (COA's) are present in over 12 regulations, including  
grounds for disciplinary action for failure to comply.**

**↳ These resolutions clearly indicate the importance of the data, and the intention to provide this  
important data for public *and* regulatory needs.**

**In addition, the language should allow the state to outsource their electronic COA data; it is that  
data that is of priority here. So long as the CCB and regulators have full access to all the COA  
data throughout Nevada, it should not be incumbent on the state to invent that wheel.**

**There are some third party solutions already in existence.**

**For example <https://mrnbook.com/live-effects-outcomes-leaderboard/> An “Empowered Health”  
database providing live effects and outcomes data linked directly to the molecules and the  
milligrams consumed. With a simple survey consumers provide direction to empower each other  
to find the best quality products locally directed by live effects and outcomes linked to each  
specific lot / COA. This database is currently being resubmitted to NIC per their request; our goal  
is to eventually host the COA Database Nationally, and Nevada would lead our nation by example.**

**Atlas Alchemy is happy to consult with and is providing this powerful consumer satisfaction and  
research tool for Nevada's cannabis & hemp industry; regardless, perhaps for the CCB as well.**

**Only a QR code is needed on or added to Nevada products to facilitate COA & database access;  
providing all the data now printed and duplicated in packaging; reducing waste & costs as well.**

**Thank you**

**Jason Greninger**

January 29, 2024

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**To better facilitate a scientific COA database the following changes below may be necessary.**

★ **Blue writing to show additions and red to show removals .**

7.035 Storage and location of products; disclosure of cannabis testing facility performing quality assurance tests upon request of consumer; approved sources of products for sale; maintenance and availability of **certificate** of analysis; exemption for industrial hemp.

► 2. Upon the request of a consumer, a cannabis sales facility must disclose the name of the cannabis testing facility which performed the required quality assurance tests for the cannabis sales facility and **access (physical or electronic)** the corresponding **certificate** of analysis.

► 5. Except as otherwise provided in subsection 6, a cannabis sales facility may not sell a product other than usable cannabis, concentrated cannabis or cannabis products which contain any level of THC or CBD without the approval of the appropriate Board Agent. Each cannabis sales facility shall maintain a file **or electronic access** which contains a **certificate** of analysis for any such approved

► (Reasoning = The goal is to have the information available to the public and for regulation, providing a paperless process is paramount.) Only a QR code is needed to reduce tons of waste (literally) and cost.!

6. The provisions of subsection 4 does not apply to industrial hemp, as defined in NRS 557.040, which is certified and registered with the State Department of Agriculture.

11.050 Required quality assurance tests; submission of wet cannabis for testing.

► 7. A cannabis independent testing laboratory shall provide the final **certificate** of analysis to the Board and to the cannabis establishment from which the sample was collected within 2 business days after obtaining the results.

► 8. The **certificate** of analysis shall include a photo of the product, as received.

11.070 Testing: Selection of representative samples and random samples; segregation period for entire lot; duties of testing laboratory; disposal of lot if sample fails test; release of lot if sample passes test; filing of electronic copy of **certificate** of analysis for tests performed by testing laboratory; grounds for disciplinary action for failure to comply.

► (The resolutions clearly states the value and necessity for such data and an intention to provide this valuable data to the public.)

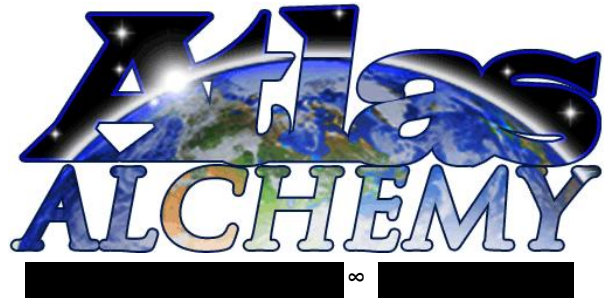
► 9. A cannabis independent testing laboratory shall file with the Board, in a manner prescribed by the Board, an electronic copy of the **certificate** of analysis for all tests performed by the cannabis independent testing laboratory, regardless of the outcome of the test, including all testing required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

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

January 29, 2024

Cannabis Compliance Board  
700 E. Warm Springs Road, Suite 150  
Las Vegas, NV 89119

Via email to [regulations@ccb.nv.gov](mailto:regulations@ccb.nv.gov)



To

**facilitate the future COA database in resolution 11.050(13) → A document in a standard spreadsheet format, will be uploaded, with the numbered lines dedicated to known specific data points. Such a simple spreadsheet document uploaded will allow all the variables from a COA analysis to be entered into a scientific database separately**

(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 an underscore, followed by:

11. The Board will take immediate disciplinary action against any cannabis establishment which fails to comply with the provisions of this section or falsifies records related to this section, including, without limitation, revoking the license of the cannabis establishment.

12. A cannabis independent testing laboratory may subcontract its testing of cannabis or cannabis products only to another cannabis independent testing laboratory.

13. The Board **may must by 1/1/2025 (or appropriate date)** publish on their, **or a 3rd party** website all **Certificates** of Analysis issued to them in the preceding time.

► (The resolution clearly states the importance of the data, and the intention to provide this important data for many public and regulatory needs.

The state should be free to outsource their electronic COA access; it is the data that is of priority here. So long as the CCB and regulators have full access to all the COA data throughout Nevada, it should not be incumbent on the state to invent that wheel.

There are some third party solutions.

For example

<https://mrnbook.com/live-effects-outcomes-leaderboard/>

has just such a database already in running. An “Empowered Health” database providing live effects and outcomes data linked directly to the molecules and the milligrams consumed. With a simple survey consumers provide direction to empower each other to find the best quality products locally ∞ Live effects and outcomes data linked to each specific lot & COA. Atlas Alchemy would be very happy to incorporate such a powerful consumer and scientific tool for Nevada’s cannabis industry and the CCB)

ii All the printed data is available a the database, only a QR code is needed on or added to the product to manage all the needed COA access. Thus reducing the redundant printed materials, reducing waste and costs for our industry!!

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

► 1. Relative to cannabis, CBD, and cannabis related products, a cannabis consumption lounge shall only offer for sale single-use cannabis products, ready-to-consume cannabis products, cannabis paraphernalia, cannabis-related accessories, products containing CBD, and products

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containing industrial hemp which are related to cannabis.

(a) Hemp and hemp derived products must be accompanied by a **certificate of analysis** from a cannabis independent testing laboratory or the appropriate Nevada state testing laboratory, and a copy of the hemp grower's **certificate**. Such products must be labeled with the amount of THC and state "this product **does not contain cannabis** **Contains ≤ 0.3% THC**" or **is a "Hemp" product**" in at least 8-point font.

► (Reasoning = all hemp and adult use products are made with the same plant called **cannabis sativa**, and have all that is in common with cannabis with the exception of the misscheduled regulation of ONE molecule.

To label any hemp product → not containing cannabis is in error; the only plant in question here on both sides of hemp and cannabis is called **cannabis sativa**. Let us all please not add more confusing language to regulations and to the public as we free this plant.)

15.035 Storage and location of products; disclosure of cannabis independent testing laboratory performing quality assurance tests upon request of consumer; approved sources of products for sale; maintenance and availability of certificate of analysis.

► 1. A cannabis consumption lounge must store all single-use cannabis products, and ready-to-consume cannabis products behind a counter or other barrier to ensure a consumer does not have direct access to the products. Such products must be stored in a manner that prevents physical, biological, or chemical contamination.

► 2. Upon the request of a consumer, a cannabis consumption lounge must disclose the name of the cannabis independent testing laboratory which performed the required quality assurance tests and the corresponding **certificate** of analysis.

► 6. A cannabis consumption lounge may not sell a product other than single-use cannabis products or ready-to-consume cannabis products which contain any level of THC or CBD without the approval of the appropriate Board Agent. Each cannabis consumption lounge shall maintain a file **or provide electronic access** which contains a **certificate** of analysis for any such approved product at the cannabis consumption lounge and shall make the file available for review upon request.

► (Reasoning = The goal is to have the information available to the public and for regulation, providing a paperless process is paramount.) Only a QR code is needed to reduce tons (literally) of waste and cost!

**From:** [Peggy Shaner](#)  
**To:** [CCB Regulations](#)  
**Subject:** Fwd: 5.150 Categories of registration cards-CCB Workshop 1/31/24  
**Date:** Monday, January 29, 2024 9:12:35 PM  
**Attachments:** [CCB Staffing for Remediation Process.pdf.docx](#)

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

Hello,

This is to correct the email below. I showed "5.150 Categories of registration cards"  
This is incorrect. The Subject line should read: 11.075 Testing: Authorized use of  
cannabis upon failure of microbial screening; Please disregard the subject line  
below and replace with the correct one, as stated.

Thank you,  
Peggy Shaner

----- Forwarded message -----

From: **Peggy Shaner** [REDACTED] >  
Date: Mon, Jan 29, 2024 at 9:05 PM  
Subject: 5.150 Categories of registration cards-CCB Workshop 1/31/24  
To: <[regulations@ccb.nv.gov](mailto:regulations@ccb.nv.gov)>

Hello,

Please accept this as my written submission for your review. It is my intention to  
present this verbally during the CCB workshop scheduled for 1/31/24

Thank you,  
Peggy Shaner

For the record, my name is Peggy Shaner, P-E-G-G-Y S-H-A-N-E-R. I'm here today, in my role as a member of the Board of Directors for the Chamber of Cannabis, to share my concerns regarding the CCB's allocation of resources, in the **remediation process**.

As an accountant, I've kept books for Nevada Cannabis businesses since 2016. Recently a client endured a 4-week bottleneck within this process. Another, a 3-week delay, who says this has become the norm.

These delays have significant consequences for cultivators which in turn negatively impacts the entire industry's supply chain. Their cash-flow depends on a quick turn-around because their entire harvest is in lock-down until **remediation** is completed.

Any delays, for any reason, can be catastrophic, particularly for **smaller** businesses that have only one harvest at a time. One cultivation owner was forced to buy \$30K of product from his competitors.... just to have something to sell... to keep the doors open, and food on his employees' kitchen tables! He's very bitter and resentful over this.

As you know, while in lock-down, the product becomes dated, and begins to lose its value to consumers who want only the  **freshest** products. Less Fresh...Less Sales...Less Income....Less Cannabis Taxes in your coffers. It's a Lose/Lose

But despite these high stakes, there seems to be a severe lack of personnel and attention dedicated to this **critical remediation** process. Especially in relation to the **abundance** of personnel and resources the CCB allocates to audits and inspections.

For example, another client faced a minor, category V violation. And the CCB leveraged two auditors and three inspectors, 5 people to address it. In contrast, the **remediation process**, which holds far **greater significance** for the industry, is reportedly manned by only one person. This stark contrast in personnel allocation is indicative of an issue that requires urgent attention and immediate corrective action. With appropriate staffing, there's no reason the process should take any more than a couple days, rather than weeks and weeks and weeks.

In closing, and on behalf of the Chamber, I strongly urge the CCB to reassess its staffing priorities and allocate the resources necessary to resolve the inefficiencies of its current remediation process.





January 29, 2024

Cannabis Compliance Board  
700 E. Warm Springs Road, Suite 150  
Las Vegas, NV 89119

Via email to [regulations@ccb.nv.gov](mailto:regulations@ccb.nv.gov)

**Subject:** Input on NCCRs for January 2024 CCB Workshop

Esteemed members of the Cannabis Compliance Board and Executive Director Humm,

On behalf of the Chamber of Cannabis (“Chamber”), a volunteer-driven 501(c)6 non-profit that is Nevada's largest cannabis industry trade organization, we would like to thank the Cannabis Compliance Board (“CCB”) for providing industry stakeholders with a public forum to share our input on the cannabis regulations that we navigate on a daily basis.

Since receiving notice of this workshop, members of our Commerce Committee have spoken with individuals in nearly every sector of Nevada’s cannabis industry to produce a comprehensive list of the regulations that our members wish to see amended, the specific changes we are proposing, and our collective reasoning for these amendments.

Over the course of the workshop, several members of our organization and of our committee will be speaking to the regulations and proposed changes that are outlined in this document.

It is our hope that the experiences and insights that these industry professionals share will further illustrate the need to amend the regulations as described below.

---

Updated Language

~~Deleted Language~~

**X.XXX NCCR Name.**

Existing text of regulation

*Commentary and explanation*

**1.125 “Lot” defined.**

“Lot” means:

1. The flowers from one or more cannabis plants of the same batch, in a quantity that weighs 15 pounds (~~2,268~~ 6,804 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 maximum lot size for flowers imposes an unnecessarily high burden on our cultivators not only financially but also operationally. We understand that, in theory, a smaller lot size could allow issues to be caught sooner rather than later. However, the reality is that cultivators must spend tens of thousands of dollars for each harvest. The current 5 pound lot size necessitates a significant amount of space and time for proper storage and transport.*

*To provide a frame of reference, California's regulations define a lot of flowers as no more than 50 pounds, 10 times our current size. We are asking the CCB to meet us in the middle and increase the flower lot size in NCCR 1.125 subsection 1 to 15 pounds, which is aligned with the lot size for leaves and plant matter in subsection 2 of this same regulation.*

#### **4.030 Imposition of civil penalty; revocation or suspension of license or cannabis establishment agent registration card; corrective action**

1. The Board may:

(a) Subject to the provisions of NCCR 4, impose a civil penalty of not more than \$90,000 per violation on any person who fails to comply with or violates any provision of the NCCR and Title 56 of NRS. **Such a civil penalty must be paid to the State of Nevada for deposit in the State General Fund;**

*In Title 56 of NRS it outlines **fees** that must be deposited to the State General Fund and it outlines **administrative expenses** that must be deposited to the State General Fund. Presuming that civil penalties are a third category not specifically mentioned in statute, I implore the CCB to consider developing regulations whereby the amounts collected from violations can be set aside to provide funding for recipients of social equity licenses.*

#### **4.145 Adoption, amendment or repeal of a regulation.**

3. A petition to the Board to request the adoption, amendment or repeal of a regulation shall be filed with the Executive Director. ~~together with a nonrefundable filing fee in the amount of \$500.00.~~

*Nevada's statutes include provisions allowing "any interested person to petition with the Board requesting the adoption, amendment or repeal of a regulation"-- this is in NRS678A for the CCB and is in NRS 233B.100 of the APA.*





*Nowhere in statute does it mention or mandate fees for petitions. It does not appear that the regulations for other state agencies and boards in Nevada, charge a fee for an interested person to engage in public regulatory discourse via petition.*

*If the CCB has no obligation to follow up on concerns raised during public comment and, prior to this workshop, has not taken the initiative to do so, it is imperative that barriers be removed for the industry to help contribute to fostering a more equitable and efficient regulatory environment.*

**5.120 Submission of information by cannabis establishment to obtain or renew registration card for person employed by or contracted with establishment or for volunteer; fingerprinting and application fee; issuance of registration card; temporary registration...**

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

12. If a cannabis establishment agent registration cardholder wishes to remain a cardholder they must, prior to the expiration date of the card:

- (a) Resubmit the information set forth in this section; and
- (b) Pay **no more than** the renewal fee set forth in NRS 678B.390.

*NRS 678B.390, as referenced in this regulation, lists the **maximum** fees that the CCB is allowed to charge; it does not necessitate that the full amount be collected.*

*The [language on the CCB website](#) says "PAYMENT AMOUNT: Pursuant to NRS 678B.390 and 678B.340, effective July 1, 2020, the cost of an agent card is \$150 per category and each card is valid for 2 years. If you are applying for multiple categories of cards such as cultivation, production, and dispensary, you must apply for a card for each category at \$150 each."*

*The actual cost is not \$150. This is what the CCB is choosing to charge.*

**5.130 Submission of information by cannabis establishment to obtain or renew a registration card for a cannabis executive; temporary registration; registration card for a cannabis executive required for officer, board member and person holding 5 percent or more ownership interest in cannabis establishment.**

...

~~6. A person to whom a cannabis establishment agent registration card for a cannabis executive is issued or for whom such a registration card is renewed shall submit to the Board on the date of the first anniversary of the issuance or renewal an affidavit attesting that in the preceding year there has been no change in the information previously provided to the Board which would subject the person to disciplinary action by the Board.~~



*If the agent card does not expire for 2 years after the date of issuance (per NCCR 5.120.11), it should be the responsibility of the individuals who do have changes in information to communicate this to the Board. It is not logical to require this extra step and potential disciplinary action for individuals who have not had any changes in information.*

*Our members have expressed that, in its current state, this regulation is not enforced consistently and, therefore, the cannabis establishment agents who are trying to comply with regulations are stuck performing this redundant task each year.*

#### **5.140 Registration cards: Requirements for requesting replacement card.**

To request a replacement cannabis establishment agent registration card or cannabis establishment agent registration card for a cannabis executive that has been lost, stolen or destroyed, the cannabis establishment agent shall submit to the Board, within 3 working days after the card was lost, stolen or destroyed, a request for a replacement card which must include:...

4. An application fee of ~~\$75~~-\$40.

*Considering that the background check and related investigation has already been completed, the \$75 application fee for a replacement agent card is quite inflated. If the actual physical card costs \$1-3 in materials, is shipped in state (\$10), and requires a maximum of 1 hour of labor, even at \$25/hour, the actual cost would be no more than \$40, not \$75.*

#### **5.150 Categories of registration cards.**

1. The Board will issue a universal cannabis establishment agent registration cards containing a designation 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

*NRS 678B.840 does not mandate a separate agent card for each function or for each establishment type. Rather than requiring individuals to be issued multiple registration*



*cards and undergo multiple rounds of fingerprinting with each card, we ask the CCB to consider adding a designation to one universal agent card. Presumably, the intended purpose of multiple card types is to ensure oversight of agent activities. This can be achieved without forcing individuals to incur a \$150 fee for every role they have in the industry.*

*To some, \$150 may not seem like much but the average hourly pay for a cannabis establishment agent is less than \$20/hour and is closer to \$15/hour for many roles; the \$150 fee that is currently charged is more than some industry stakeholders make in a full work day. When you take into account that these agents must also pay \$65 for fingerprinting and \$15 for a passport photo, this brings the grand total to \$230 per card.*

*If consolidating the agent card types is not well-received by the board, please consider removing the need for fingerprinting to be done with the issuance of every card.*

*Beyond the financial burden of multiple card categories, is the operational burden that limits a cannabis establishment's ability to cross-train its employees and to improve efficiency.*

**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

- (a) ~~One ounce (28.34 grams)~~ 2.5 ounces (70.87 grams) of usable cannabis.
- (b) The equivalent to one-~~(quarter)~~ eighth ounce of concentrated cannabis, not to exceed ~~3,543~~ 7,087 8,857 milligrams of THC;
- (c) ~~3,543~~ 7,087 8,857 milligrams of THC contained within edible cannabis products; or
- (d) A combination of usable and concentrated cannabis not to exceed the legal limit

*In the CCB's [proposed revisions to NCCRs 6.7, 12](#) from October 2023 and [on the CCB's Website](#), there is a calculation error with the equivalency calculations.*

*Prior to January 1, 2024, the THC milligram equivalent for 1 ounce of flower in subsection 1(b)-(c) was 3,543 mg. With the new flower limit being 2.5 ounces, the THC milligram equivalent should be increased by 2.5x, not by 2x.*

*1 oz. flower = 3,543 mg THC*

*2 oz. flower = 7,087 mg THC (3,543 x 2)*

*2.5 oz. flower = 8,857 mg THC (3,543 x 2.5)*



**6.025 Board authorized to collect fee for certain costs ~~for oversight~~; hourly rate.**

*Despite the fact that SB195 went into effect upon passage, it does not appear that the CCB has introduced any revisions to this critical regulatory change limiting the board's ability to collect fees for oversight. We propose that this regulation be re-written in its entirety in such a manner that reflects SB195 such as:*

1. The Board may charge a cannabis establishment for the actual costs paid by the Board to a law enforcement agency or other person who is not an employee of the Board to conduct any background checks in connection with a transfer of ownership interest in the cannabis establishment pursuant to the regulations adopted by the Board pursuant to NRS 678B.380.
2. In addition to the the amounts specified in NRS678B.380, the Board may charge a license or an applicant for a license the costs incurred by the Board and its staff for an investigation conducted in connection with:
  - a. A transfer of ownership interest in a cannabis establishment pursuant to the regulations adopted by the Board
  - b. An application for the initial issuance of a license
  - c. A request to obtain any approval that may be required by the Board to enter into an agreement to provide management services to a cannabis establishment;
  - d. A waiver that is requested pursuant to the provisions of this title or the regulations adopted pursuant thereto.
3. The charges authorized by subsection 2 of this regulation must be limited to:
  - a. A reasonable hourly fee at a rate established by the Board by regulation for each hour spent by agents of the Board in conducting the investigation;
  - b. Costs for the travel expenses and per diem allowances of the agents of the Board conducting the investigation. The per diem allowances and travel expenses must be assessed at the rate established by the State Board of Examiners for state officers and employees generally.
4. The Board shall not charge a licensee, registrant or applicant for a license or registration card any fee, cost, fine or other charge that is not expressly authorized by statute. Such prohibited charges include, without limitation, any charge for the costs of ongoing activities of the Board relating to the oversight of a cannabis establishment, including, without limitation, any charge for costs relating to:
  - a. Except as otherwise provided in subsection 2, travel or lodging for an agent of the Board
  - b. Any routine inspection or audit
  - c. The preparation for and attendance at a hearing by an agent of the Board;



- d. An investigation of a complaint submitted to the Board by a person who is not associated with the Board; or
- e. Except as otherwise provided in NRS678B.380, any other type of inspection, audit or investigation.

**6.080 Inventory control system; authorized sources for acquisition of cannabis and cannabis products; duties of establishment if loss incurred; maintenance and availability of documentation.**

8. Each cannabis establishment shall:

- (a) Establish and maintain a seed-to-sale tracking system which adequately documents the flow of materials through the manufacturing process.
- (b) Establish procedures which reconcile the raw material used to the finished product on the basis of each job. **Significant variances** must be documented, investigated by management personnel and immediately reported to the Executive Director and to the cannabis establishment that ordered the concentrated cannabis or cannabis product.
- (c) Provide for quarterly physical inventory counts to be performed by persons independent of the manufacturing process which are reconciled to the perpetual inventory records. **Significant variances** must be documented, investigated by management personnel and immediately reported to the Executive Director.

*Like any other agricultural product, cannabis flower crops are susceptible to environmental conditions such as temperature and humidity. We live in a very dry, desert climate with extreme temperatures. The cannabis flower is spongy and will retain and shed moisture based on its environment which, in turn, causes its weight to fluctuate.*

*Since weight fluctuations are a normal part of the cultivation process, we request the CCB issue more concrete guidance and justification for the definition of a significant variance to better account for the natural fluctuations in weight with all plant material.*

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

*Regulation 6.120, pertaining to advertising restrictions for cannabis establishments, should be integrated with the relevant information from two key bulletins: "[Cannabis Advertising Guidance](#)" dated May 14, 2021, and "[Advertising Guidance](#)" from January 2023.*

*The language of the consolidation that is outlined in the [public comment from Hadhinah Felice](#) (transmitted via email on January 24, 2024) is aligned with the Chamber of Cannabis' desire to streamline access to critical regulatory details, preventing the need to refer to multiple documents. We are in favor of changing of title of Regulation 6.120 to*



*explicitly include "and guidance" to emphasize its dual purpose in setting rules and providing direction for compliance in the cannabis advertising domain.*

#### **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, [who shall grant or deny approval within 3 business days of submission.](#)

*Wherever possible, the Chamber of Cannabis is in favor of holding the CCB to the same standards of timeliness that it sets for the industry. It is our belief that setting expectations for timelines will help the industry to plan more effectively and will minimize costly delays by adding a layer of accountability.*

#### **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 (28.35~~ 70.87 grams) of usable cannabis other than concentrated cannabis;
2. One ~~eighth -quarter~~ ounce of concentrated cannabis or cannabis products containing not more than ~~3,543-7,087~~ 8,857 milligrams of THC; or
3. A combination of usable and concentrated cannabis not to exceed the legal limit

*See notes for proposed [amendments to NCCR 6.010](#) for details on error in equivalency calculations.*

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

~~3. A cannabis sales facility shall not sell any food, beverage or personal care item that does not contain cannabis.~~

*A U.S. survey found that [41 percent of 1,082 non-food retail stores](#) also sold candy, soft drinks, chips and other snacks. With the introduction of non-infused food and beverage alongside cannabis at consumption lounges, why not allow cannabis sales facilities to benefit in this easy source of additional revenue?*

*Beyond the financial benefits of introducing non-infused, pre-packaged consumables to the customer experience, there are public health benefits. We live in a desert and have tourists who do not know how to handle the heat and who are forced to travel away from the Strip to get to a dispensary; many of these consumers would appreciate the ability to buy a bottle of cold water when they check out at the dispensary.*





**7.050 Delivery to consumer: Restrictions; duties of cannabis establishment agent making delivery.**

1. A cannabis sales facility shall not deliver more than **12.5 ounces (354.36 grams)** ~~5 ounces (141.75 grams)~~ of cannabis or an equivalent amount of cannabis products to any combination of consumers within a single trip
- ~~2. A medical cannabis sales facility shall not deliver more than 10 ounces (283.5 grams) of cannabis, edible cannabis products or cannabis-infused products, or any combination thereof when making a sales delivery exclusively to persons who hold a valid registry identification card or designated as a primary caregiver.~~
3. A cannabis sales facility shall not deliver cannabis or cannabis products to a consumer at any location that has been issued a gaming license, as defined in NRS 463.0159.
4. A cannabis sales facility shall not knowingly deliver more than **2.5 ounces (70.87 grams)** ~~1 ounce (28.35 grams)~~ of cannabis or cannabis products to a consumer in a private residence in one calendar day.

*When the Chamber of Cannabis suggested that the CCB increase delivery limits in February 2023, we were told that the 5 ounce limit for adult-use cannabis deliveries was put into place with public safety in mind. Yet, the following line of the regulation states that a medical cannabis sales facility can deliver up to 10 ounces in a single trip, presumably without jeopardizing public safety.*

*In Oregon, Colorado, and California, the limit for cannabis delivery vehicle is \$10,000 in retail value of regulated cannabis.*

- [California - §15418](#). Cannabis Goods Carried During Delivery
- [Oregon- 475C.117](#) Delivery of marijuana items to consumer; requirements; limitations; rules.
- [Colorado - E](#). Delivery Motor Vehicle Requirements.

*From these states' regulations, it does appear that other mature markets base their delivery limits on retail value, rather than weight like we do. If we wanted to follow suit than we propose that subsection 1 read:*

- 1. A cannabis sales facility's delivery vehicle shall not carry cannabis goods with a value in excess of \$10,000 at any time.*

*Depending on pricing in each state and quality of the flower, this would translate to a weight limit of 30-100 ounces. If nothing else, we request that the CCB increase the delivery limit to accommodate the new purchase limit, since the current regulations could result in a delivery vehicle only being able to deliver 2 orders at a time (2.5 ounce max purchase x 2 customers = 5 ounce limit).*



*Independent of the language in subsection 1 of this regulation, the language in subsection 4 of NCCR 7.050 should reflect the new limits that went into effect on January 1, 2024.*

**9.040 Clear marking of potentially hazardous cannabis products; determination of expiration date and shelf life of perishable products.**

1. Each cannabis production facility and cannabis consumption lounge shall ensure that:
  - (a) Potentially hazardous cannabis products and ingredients prepared and held by the facility for more than 24 hours are clearly marked to indicate the date or day by which the item must be consumed, sold or discarded when held at a temperature of 41°F (5°C) or less for a maximum of 7 days or, if the item is frozen, when the item is subsequently thawed and held at a temperature of 41°F (5°C) or less for a maximum of 7 days; and
  - (b) Potentially hazardous cannabis products and ingredients that are prepared and packaged by a commercial processing plant are clearly marked at the time that the original container is opened and, if the item is held for more than 24 hours, indicate the date or day by which the item must be consumed, sold or discarded, based on the temperature and time combination set forth in paragraph (a). The day on which the original container is opened in the cannabis establishment must be counted as “day 1.” The day or date marked by the cannabis product manufacturing facility may not exceed a use-by date of the manufacturer if the manufacturer determined the use-by date.
  - (c) Products are not held past the expiration, sell by or use-by date.
2. If a cannabis production facility produces a cannabis product which is perishable, the expiration date for the cannabis product must:
  - (a) Be determined as a result of shelf-life testing pursuant to subsection 3; or
  - (b) Not exceed 7 days, including the date of preparation of the cannabis product if the cannabis product is refrigerated.
  - (c) Be included on the label as outlined in NCCRs 12.030-12.050

*Our members have expressed a desire to re-adopt a portion of the previous regulation NAC453A.508 by include expiration dates in labeling requirements. It was also communicated to us that flower should have an expiration date of 1 year from the date of harvest.*

**11.070 Testing: Selection of representative samples and random samples; segregation period for entire lot; duties of testing laboratory; disposal of lot if sample fails test; release of lot if sample passes test; filing of electronic copy of certificate of analysis for tests performed by testing laboratory; grounds for disciplinary action for failure to comply....**

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.

..

13. The Board may **publish on their website all Certificates of Analysis** issued to them in the preceding time.

*During previous workshops on packaging and labeling, the industry has expressed interest in developing an online database to track and share Certificates of Analysis. Per NCCR 11.070, the CCB not only is already in possession of electronic copies of these Certificates of Analysis but also has the ability to publish these documents on their website.*

*In alignment with a desire to 1) minimize packaging 2) ensure consumer safety, 3) educate consumers on cannabis products, an online CoA database combined with guidance on an approved "electronic medium" in 12.040, 12.045, and 12.050 would achieve all three of these objectives.*

**11.075 Testing: Authorized use of cannabis upon failure of microbial screening; automatic failure to pass; request for retest; retest for pesticide residue must be performed by State Department of Agriculture; effect of passing or failing retest.**

1. Upon approval of the appropriate Board Agent, a lot or production run of cannabis that fails a residual solvents, pH, water activity (aw), homogeneity, or microbial screening test may be remediated or used to make an extract. After processing, the remediated lot or extract must pass all required quality assurance tests.
2. If a sample from a cannabis production facility fails a quality assurance test, the entire production run from which the sample was taken automatically fails the quality assurance test.
3. At the request of a cannabis cultivation facility or a cannabis production facility, the appropriate Board Agent may, on a case-by-case basis, authorize a retest to validate the results of a failed test. The cannabis cultivation facility or cannabis production facility is responsible for all costs involved in a retest performed pursuant to this section, **so long as the retest occurs within a reasonable amount of time following the approval of the cannabis cultivation facility or cannabis production facility's request.**
4. A cannabis cultivation facility or a cannabis production facility may not request a retest pursuant to this section if the lot or production run has undergone any type of remediation since the time samples were initially taken for testing.
5. A cannabis cultivation facility or a cannabis production facility shall submit a request for retesting to the appropriate Board Agent in writing and on a form designated by the Board. **The Board Agent shall provide a decision regarding the request within 5 business days.**
6. If the appropriate Board Agent grants a request for retesting, the Board Agent will select the cannabis independent testing laboratory that will perform the retest **within 5 business days.**



*Wherever possible, the Chamber of Cannabis is in favor of holding the CCB to the same standards of timeliness that it sets for the industry. It is our belief that setting expectations for timelines will help the industry to plan more effectively and will minimize costly delays by adding a layer of accountability.*

**11.085 Random quality assurance compliance checks; costs for screening or testing.**

1. Upon the request of the Board, a cannabis facility must provide a cannabis independent testing laboratory designated by the Board with a sample of cannabis or a cannabis product in an amount determined by the cannabis independent testing laboratory to be sufficient for random quality assurance compliance checks in a secure manner such that the cannabis independent testing laboratory can confirm that it has received and is testing the correct sample.
2. The cannabis independent testing laboratory that receives a sample pursuant to subsection 1 shall, as directed by the Board:
  - (a) Screen the sample for pesticides, chemical residues, herbicides, growth regulators and unsafe levels of metals;
  - (b) Perform any other quality assurance test deemed necessary by the Board; and
  - (c) Report its results to the Board
3. *In the result of a failed quality assurance compliance check, the cannabis cultivation facility or cannabis production facility is responsible for all costs involved in screening or testing performed pursuant to this section. If the findings of the report do not indicate any areas of concern for a cannabis cultivation facility or cannabis production facility, the Board is responsible for the all costs involved in screening or testing performed pursuant to this section.*

*If this is a random compliance check that can be requested by the Board at any time, it is not fair to charge any establishments who are in full compliance. This should not serve as a significant revenue stream for the Board. If the Board is not amenable to this proposed revision, we strongly encourage the Board to set parameters to limit the frequency and clarify the motivations for requesting a quality assurance compliance check at the expense of the operators.*

**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:
  - (a) More than ~~2.5 ounces~~ ~~1-ounce~~ (28.35 70.87 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~~ 2,000 milligrams of THC per package.



- (c) For a cannabis product sold as a tincture, more than ~~800~~ 2,000 milligrams of THC.
- (d) For a cannabis product sold as an edible cannabis product, more than ~~100~~ 250 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~~ 2,000 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~~ 2,000 milligrams of THC per package.
- (g) For any other cannabis product, more than ~~800~~ 2,000 milligrams of THC.

*If the amount for usable cannabis has increased by 2.5x, it is logical that the milligram equivalency for packaging is permitted to increase as well.*

**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.~~**

→ [Regulation language below reflects the proposed revisions published in October 2023](#)

**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.

*The consolidation of language as outlined in the CCB’s proposed revisions from October 2023 (and as reflected above) provides more clarity and flexibility. Our members are appreciative of the flexibility created with the inclusion of the word “or” – placed in a package OR directly packaged in child resistant packaging subsection– in subsection 5(e).*



*Since the packaging is already child-resistant, it seems unnecessary to require this child-resistant packaging to maintain its effectiveness for multiple openings. It is also somewhat counterintuitive that this effectiveness only applies to the packaging **before** it leaves a cannabis sales facility.*

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

1. *If not already included on the container or package*, 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:

*For the sake of clarity, please consider re-ordering the stipulation that the labels need not be affixed, included or supplied if the necessary information is already included on the packaging. There is quite a bit of confusion surrounding this regulation amongst our members and most cannabis establishments err on the side of caution to avoid being fined.*

*In subsection 1 of NCCR 12.040, 12.045, and in NCCR 12.050, there is mention of “an electronic medium approved by the appropriate board agent”. Given the extensive discussion on the excessive costs and wastes associated with our current packaging regulations, we request that the CCB issue formal guidance on the electronic mediums that would receive approval from the appropriate board agent and instructions for moving forward with this method of labeling.*

#### **12.065 Cannabis treated with radiation.**

If any cannabis or cannabis product has been treated with radiation at any time, any and all packaging of the irradiated cannabis or cannabis product must include labeling that contains the following statement: “NOTICE: This product contains ingredients that have been treated with irradiation” in bold lettering, along with the Radura symbol as used by the U.S. Food and Drug Administration.

*This regulation is in alignment with the FDA regulations which state: “If whole foods have been irradiated, FDA requires that the label bear the radura symbol and the phrase “treated with radiation” or “treated by irradiation.””*

*Gamma radiation does not alter plant chemistry or biology, and has no effect on terpenes, cannabinoids or any other carbon compounds therefore we do not believe that this practice should be discouraged. That said, pre-treating a flower with radiation is problematic because the mold is still present on the flower. It is the position of our committee that consumers have the right to know if their cannabis products have been irradiated and that the CCB should consistently enforce this regulation, ensuring that this activity is properly tagged in Metrc.*





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By embracing the pillars of justice, commerce, and community, the Chamber strives to promote a thriving, responsible, and inclusive cannabis industry. We are dedicated to championing the interests of our members, working towards equitable regulations, fostering economic growth, and building strong partnerships within the cannabis community.

We are available to answer any questions and hope that this workshop signifies the first of many future opportunities for the CCB to work alongside the industry to impact positive change for legal cannabis in Nevada.

Thank you for your consideration of these comments.

Highest regards,

**Abby Kaufmann**  
***on behalf of the Commerce Committee***  
Chamber of Cannabis



**From:** [Peggy Shaner](#)  
**To:** [CCB Regulations](#)  
**Subject:** 5.150 Categories of registration cards-CC Workshop 1/31/24  
**Date:** Monday, January 29, 2024 9:16:41 PM  
**Attachments:** [CCB Agent Card Fees Presentation 1-31-24.docx](#)

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Hello,  
Please accept this as my written submission for your review. It is my intention to present this verbally during the CCB workshop scheduled for 1/31/24.

Thank you,  
Peggy Shaner

For the record, my name is Peggy Shaner. I'm here in my role as member of the Board of Directors for the Chamber of Cannabis, to discuss the \$150 fee for each Agent Card across 8 different categories of work.

From an employer's viewpoint, these multiple fees place a significant burden on the operation of their businesses. It hinders the ability of employees to expand their skill levels. As a result, employers face the challenge of having a workforce that is not sufficiently versatile and well-rounded.

Cross-training is paramount. It allows employees to gain expertise in multiple roles. But the multiple fees discourage employees from pursuing additional cards. This, in turn, restricts the employer's ability to have a team that can seamlessly transition between different tasks. It prevents them from efficiently managing their human resources, especially in cases of absences due to sick leave, vacations etc. The inability to cross-train increases the overall cost of workforce management, diminishes the flexibility required to handle variations in staffing needs, while diminishing the value of the employee.

Employees are the most valuable assets a business has. When well-educated in all aspects of the operations, it enhances their job satisfaction, increases staff morale and thus contributes to the overall success of the industry..

The current policy exacerbates the issue by limiting employees to training in only one operation, often resulting in part-time employment due to the reduced hours required in that specific role. In contrast, if employees were allowed to cross-train without the financial hurdle of multiple fees, they would have the opportunity to work full-time or at least more hours by contributing their skills to various facets of the business.

I'm advocating for a more inclusive and supportive approach that encourages cross-training and fosters employee development. By removing the financial barriers to obtaining multiple cards, we can create a workforce that is not only well-educated but also versatile, adaptable, and capable of meeting the diverse needs of the cannabis industry.

Peggy Shaner

**From:** [Nick Puliz](#)  
**To:** [CCB Regulations](#)  
**Cc:** [Layke Martin](#)  
**Subject:** Regulations workshop comments  
**Date:** Tuesday, January 30, 2024 10:20:00 AM

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Hello,

Regulation 1.125 - Lot defined: This needs to be changed to allow for at least 15 pounds for flower Lot's and 30 pounds for Trim Lots. When this number was originally selected it was just an arbitrary weight allowed and I believe it would benefit all cultivators to have the option to make larger lot sizes and will save cultivators a lot of money.

We should not be required to physically attached the Metrc tags to plants at such a small size of 12" tall. The plants can triple or more in size from this height and it makes it difficult for the tags to stay on the plant when pruning the plants at a larger size. The tag in the pot of the plant works fine for tacking purposes.

There needs to be an addition to the regulations that allows for independent cultivators to provide quality control/testers to themselves. We currently are required to transfer any testers to a dispensary (if they allow this) and we must sell to and go to that dispensary to pick them up just to be able to quality control our own products. I suggest that you add a way for cultivators to be able to legally transfer testers to their staff to be able to perform quality control. You can limit the amount that we can transfer to employees, we just need to be able to try our own product before we sell it to the dispensaries!

The current labeling requirements are extremely onerous and costly. I believe that they need to be reviewed and remove anything not necessary for the labels on products.

Just as a note, the Accela Website that we use to submit requests and submit required reports is incredibly slow to load and to upload documents. The website needs to be updated to make this process less time-consuming.

Nick Puliz  
North Las Vegas Cultivation

**From:** [Jillian Nelson](#)  
**To:** [CCB Regulations](#)  
**Subject:** Requests for Extraction  
**Date:** Friday, January 26, 2024 10:20:36 AM

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I would like to propose that requests for extraction no longer require CCB approval in Accela. The turnaround time for CCB approval for these requests is currently taking weeks and this is bogging down many businesses. Between the backlog in approvals and the time it takes to enter submissions into Accela in the first place, this process is both time consuming and burdensome. My suggestion instead would be that extraction approvals be marked directly on COAs and in Metrc by laboratories when failures occur. The CCB could create and share guidelines for what sort of failures are approved to extract and what are not. This could also be easily tracked in Metrc under the "Lab Results" tab and failures could then be categorized in metrc as "TestFailed – Approved to Extract" or "TestFailed – Not Approved to Extract". I believe that an approval flow chart could be shared with the industry and help streamline this aspect of our business. Of course, some unique circumstances would need to be consulted with the CCB directly, however most microbial failures for things such as aspergillus could be factored without the need for CCB review and approval.

Assuming the CCB approves this, I believe this would have cascading effects for both CCB and industry efficiencies. The CCB would not have to review every request for extraction, thus freeing up time for CCB agents to prioritize other requests and potentially move to issuing extraction, remediation, and retest approvals to be returned within 2 business days of submission.

**Electronic Mail**

**Cannabis Compliance Board  
700 E. Warm Springs Road, Room 150  
Las Vegas, Nevada 89119**

Re: **JANUARY 31, 2024 WORKSHOP ON REGULATION 1-15;**  
Comments of Hadhinah Felice, Board Member of Chamber of Cannabis.

Dear Sir or Madam:

As a Board Member representing the Chamber of Cannabis, I am submitting this letter to convey my written comments on Regulation 6.120. This regulation is slated to be discussed at the upcoming Nevada Cannabis Compliance Board (NVCCB) workshop scheduled for January 31, 2024. The intent of this correspondence is to offer valuable insights and perspectives from a cannabis compliance employee/agent regarding Regulation 6.120 during the workshop.

**Summary of Comments**

CCB Regulation 6.120 aims to regulate the advertising practices of cannabis establishments and ensure responsible promotion, with specific attention to preventing exposure to individuals under 21 years of age. Regulation 6.120, pertaining to advertising restrictions for cannabis establishments, should be integrated with the relevant information from two key bulletins: "Cannabis Advertising Guidance" dated May 14, 2021, and "Advertising Guidance" from January 2023. This consolidation is recommended to streamline access to critical regulatory details, preventing the need to refer to multiple documents. Additionally, the title of Regulation 6.120 should explicitly include "and guidance" to emphasize its dual purpose in setting rules and providing direction for compliance in the cannabis advertising domain.

**Recommendations**

Below, you'll find a delineation of the proposed consolidation.

**6.120 Restrictions and guidance 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 **statements or illustrations;**
  - (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, **candy, fruit**, 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.

**(5) Depicts the consumption of cannabis products i.e. smoking, eating, vaping, dabbing, or using a topical;**

(b) **Media:** 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.

Suggestion for consolidation(from Cannabis Advertising Guidance, May 14, 2021):

**Advertising on social media and business-to-business advertisements must follow the same guidelines.**

Suggestion for consolidation(from Cannabis Advertising Guidance, May 14, 2021):

**(c)Entertainment Events: Advertising is allowed if it is ~~reasonable~~ reasonably estimated that less than 30% of the persons in attendance are under 21 years of age.**

Suggestion for consolidation(from Advertising Guidance in January 2023):

**Tented table displays, banners, etc are considered advertising and must still comply with all other advertising statutes and regulations.**

~~(c)~~**(d)** Shall not place an advertisement:

(1) Within 1,000 feet of a public or private school, **daycares**, playground, **community centers**, 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; **line should include “This includes vehicle wraps and mobile billboards” as written in Cannabis Advertising Guidance on May 14, 2021**

(3) At a sports ~~or entertainment~~ event to which persons who are less than 21 years of age are allowed entry;

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

Transportation; **line should include “This includes vehicle wraps and mobile billboards” as written in Cannabis Advertising Guidance on May 14, 2021**

(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.

~~(e)~~ **(e)** Shall not advertise or offer any cannabis or cannabis product as “free” or “donated” without a purchase.

~~(f)~~ **(f)** Shall ensure that all advertising by the cannabis establishment contains such warnings as may be prescribed by the Board, which must be visible, legible, and include, without limitation, the following words:

(1) “Keep out of reach of children”; and

(2) “For use only by adults 21 years of age and older.”

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

(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, possession of over 1 ounce of usable cannabis, a cannabis product containing more than 3,543 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.”

Suggestion for consolidation(from Advertising Guidance in January 2023):

**3. Signage of the business name, company logos, and other forms of media (on a case-by-case basis) must still comply with all other advertising statutes and regulations, but otherwise those media need not contain the wording “Keep out of Reach of Children” or “For use only by adults 21 years of age or older.”**

Suggestion for consolidation(from Cannabis Advertising Guidance, May 14, 2021):

**4. A cannabis establishment must maintain documentation for at least five years, if advertising to an audience and determining the percentage of persons under 21 years of age. The cannabis establishment must be able to demonstrate the manner in which it determined the reasonably expected age of the audience for that advertisement.**

I respectfully propose that the CCB consider revising Regulation 6.120 in accordance with the suggestions outlined in this letter. I eagerly anticipate engaging in the workshop on January 30th and value this opportunity to collaborate with the CCB in enhancing clarity and consistency in the regulations pertaining to cannabis advertising.

Should you have any questions or need further information, please do not hesitate to reach out.

Sincerely,

HADHINAH FELICE  
Board Member, Chamber of Cannabis

**From:** [Jillian Nelson](#)  
**To:** [CCB Regulations](#)  
**Subject:** Solicitation of Input NCCR 5.150  
**Date:** Friday, January 26, 2024 9:49:34 AM

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I would like to propose that the NCCRs be amended to either simplify or remove NCCR 5.150 in its entirety. The need for one person to hold multiple agent cards to work in the Nevada cannabis industry is excessive, redundant, and expensive. This law must be updated and streamlined. Having a uniform agent card category for all Nevada cannabis personnel should be sufficient for compliance needs. If additional information is needed for cannabis receivers or owners, receiver permits could easily be filed by with the CCB with no additional need for an agent registration card category; and ownership is already filed annually during facility license renewals – having a specific ownership card category is again, unnecessary.

This change could be easily implemented and would be huge for the industry, but it would especially benefit vertically integrated operators and individuals for work for multiple cannabis establishments. Many operators do not cover the agent card expense for their agents, so the cost burden of agent registration falls back on individuals to cover themselves. At \$150 a card, a person who has 3 agent cards to work in a production, cultivation, and distribution must pay \$450 to the state in addition to fingerprinting fees every 2 years. This cost is beyond burdensome for many people and is a serious barrier for those seeking employment in the Nevada cannabis sector.

Thank you for your consideration.

For the record, Dan Steele

Lots of regs to read over here, I might do it later. Just wanted to add a quick note.

6.072 - workplace harassment training for employees. It's important for someone to understand when they are being harassed and how to handle it. Or What behavior is harassment.

**From:** [Jared Pitts](#)  
**To:** [CCB Regulations](#)  
**Subject:** 01-31-24 CCB Workshop Public Comment - Reg. 12.065  
**Date:** Tuesday, January 30, 2024 3:01:58 PM

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12.065 - Remediation

Dear Sir or Madam,

A label stating whether a product has been irradiated will only perpetuate the myth that the irradiation process itself is harmful.

It is not.

Gamma radiation does not alter plant chemistry or biology, and has no effect on terpenes, cannabinoids or any other carbon compounds. In fact, irradiation of food and spices is a common practice.

Instead, a better approach would be to address the core issues that lead to a majority of commercial cannabis being irradiated in the first place. While I applaud the CCB for their rigid and high level of testing standards, there need be changes made to address the science and reality of the situation

Further, Cultivators should not be allowed to irradiate or remediate flower before testing. It is unethical for a cultivator to pre-treat their moldy and contaminated cannabis flower in order to get a passing COA, because that mold is still visible and present on the flower. It also creates an uneven playing field between small scale and large scale producers who can afford the equipment to remediate before testing.

Respectfully,

--

Jared Pitts

[JaredPitts.com](#)  
[linkedin.com/JaredPitts](#)



**From:** [Jared Pitts](#)  
**To:** [CCB Regulations](#)  
**Subject:** 01-31-24 CCB Workshop Public Comment - Reg. 6.080  
**Date:** Tuesday, January 30, 2024 3:01:50 PM

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## 6.080 subsection 6(b) - Flower Weight Variances

Dear Sir or Madam,

Cannabis flower is an agricultural product. That means that cannabis flower is a crop, and like any other crop, it is susceptible to environmental conditions such as temperature and humidity.

Cannabis flower also acts like a sponge in that it will absorb and lose moisture causing its weight to fluctuate.

Simply put, weight fluctuations are a normal part of the cultivation process, and there needs to be looser and more reasonable systems in place to address the natural and normal weight fluctuations of plant material.

Respectfully,

--

Jared Pitts



[JaredPitts.com](http://JaredPitts.com)

[linkedin.com/JaredPitts](https://linkedin.com/JaredPitts)

**From:** [Jared Pitts](#)  
**To:** [CCB Regulations](#)  
**Subject:** 01-31-24 CCB Workshop Public Comment - Reg. 1.125  
**Date:** Tuesday, January 30, 2024 3:01:48 PM

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## Reg. 1.125 - Flower Lot Size

Dear Sir or Madam,

The current 5 pound lot size for flower is incredibly burdensome and expensive when it comes to testing and storage. The small lot size makes storage and inventory of flower very difficult and confusing considering that every last crumb has to be so diligently tracked and recorded.

This leads to vaults brimming with plastic bins, each containing numerous small plastic bags holding the flower lots. Within these bags, smaller plastic bags are used to segregate shake, stems, and budlets from the main flower. All of these bags require meticulous tracking, logging, and recording, necessitating the assignment of labels and RFID tags, each costing 27 cents per tag.

This is not only needlessly expensive, but it creates a massive amount of unnecessary plastic waste, not to mention the enormous amount of time, labor and manpower involved in accurately maintaining that inventory.

The expenses incurred for testing each of these small 5-pound lots amount to testing fees that often reach tens of thousands of dollars for every harvest. These costs are additional to the multitude of taxes and fees already borne by cultivators on a daily basis.

If Nevada ever expects to seriously compete with the illicit market on pricing and quality, these types of redundant costs and pointlessly labor intensive procedures need to be severely reduced or eliminated.

I am suggesting increasing the flower lot size to 15 pounds to match the trim lot size.

Respectfully,

--

Jared Pitts



[JaredPitts.com](http://JaredPitts.com)

[linkedin.com/JaredPitts](https://linkedin.com/JaredPitts)

**From:** [Jared Pitts](#)  
**To:** [CCB Regulations](#)  
**Subject:** 01-31-24 CCB Workshop Public Comment - Reg. 11.050  
**Date:** Tuesday, January 30, 2024 3:01:48 PM

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Reg. 11.050 - Aspergillus

Dear Sir or Madam,

Banning the sale of flower that simply tests positive for the presence of Aspergillus DNA is a massive financial burden on cultivation facilities, and has no scientific basis.

The CCB should instead redirect its focus to environmental aspergillus testing in cultivation and production facilities. This will better address the concerns of employee safety and lead to overall cleaner and safer working conditions throughout the industry.

If flower tests positive for Aspergillus, it should still be allowed to be sold, but with a disclaimer on the label clearly stating that Aspergillus might be present in the product that they are purchasing. This is because the risk Aspergillus poses to the general population is so infinitesimally small. And for people who are immunocompromised and are at risk for aspergillosis, they most likely should not be smoking anything to begin with.

Therefore it should be the responsibility of the individual consumer to make their own informed health and lifestyle decisions. This would be no different than a consumer with food allergies reading the ingredients list on their groceries to make informed shopping decisions.

If these changes are made, the legal cannabis industry will be better able to compete with the illicit market in terms of cost and quality, and continue to generate jobs and revenue.

Respectfully,

--

Jared Pitts



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**From:** [Glenn C Miller](#)  
**To:** [CCB Regulations](#)  
**Subject:** Submission on the analytical aspects  
**Date:** Tuesday, January 30, 2024 2:57:05 PM  
**Attachments:** [Cannabis comments.pdf](#)

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Dear Sir/Madam

I wish to comment verbally on potential regulations regarding cannabis at the workshop on Jan. 31, 2024. I was a member of the ILAC committee during the initial discussions on cannabis regulation some years back. I previously submitted comments in September, 2023, and will review those comments during the workshop.

I have attached a copy of those comments.

Sincerely,

Glenn C. Miller, Ph.D., Professor Emeritus  
Department of Natural Resources and  
Environmental Science  
University of Nevada  
Reno, NV 89557

[REDACTED]  
[REDACTED]

September 18, 2023

**Memorandum**

**To:** Nevada Cannabis Compliance Board

**From:** Glenn C. Miller, Ph.D.  
Emeritus Professor of Natural Resources and Environmental Science

**Re:** Proposed Changes to NCCR Regulation 5, 7, and 10.

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I have been asked to review the proposed changes to NCCR regulations and comment on existing regulations regarding the analytical aspects of determining cannabis quality. I am a retired member of the UNR faculty with a background in analytical chemistry related to environmental contaminants. While a professor at UNR I taught courses on modern methods for determining organic and inorganic contaminants, toxicology and risk assessment, and also conducted studies on measurements of cannabinoids in a variety of cannabis products. During that work we developed an aqueous extraction method for cannabinoid carboxylic acids (CBDA and THCA). I also served on the original ILAC Committee for considering methods for determining contaminants in cannabis products.

First of all, I note the extensive regulatory development for cannabis products that has occurred since those initial ILAC discussions several years ago. As in other states with legalized cannabis sales, the regulations have evolved in sophistication as a response to issues that have arisen. During the discussions that occurred during the ILAC process, the primary focus was on establishing a framework where human health would be protected under the notion of risk reduction by limiting the exposure to toxic contaminants (e.g., pesticides, metals and microbial toxins), but also wary of how over regulation could increase costs to produce the cannabis products if the risk/benefit ratio was not considered. There is no reason to require excessive costs (in this analytical sense) when there is very little or no risk reduction to human health of a regulation.

Excessive and unwarranted costs may push the public to seek out illegal production of cannabis products, and those costs can ultimately increase the risk to the public by making the illegal (and potentially unsafe) products much cheaper. This balance is always a concern, and in California, the illegal market continues to thrive simply because the cost of the legal products is substantially higher than the illegal products.

I do not have any serious comment on the proposed changes. To a large extent, they are refinements and a response to issues that have arisen. Tightening the regulations will have cost implications but should be acceptable to the labs. I do feel that Section 11.053 has particular merit in that it requires tight analytical control of sample analysis and meets good standards for quality assurance. One additional comment- the requirements that "internal standards have retention times similar to the analytes" and the term "... Have similar chemical properties as the analytes being tested. ." are not easily definable. I know what is being asked, but the term "similar" is not really enforceable. The rest of that section is quite good.

### ***Concerns and Suggestions***

1. Even during the ILAC discussions the requirement to test 5 pound lots of dried flower did not make much sense. There is no scientific reason to choose 5 pounds compared to other weights. Other options that exist is to use 20-50 lb lots (similar to what Washington State requires). The question must be asked- is there any substantial risk reduction to the general public for using 5 pounds. There is certainly an increased cost, and if the lot size is 20 or 50 lbs, the analytical cost is going to decrease by a factor of 4 to 10. A well-homogenized much larger sample with a larger analytical subsample should provide a clear indication of cannabis quality. I recommend a study be conducted to determine if the larger sample size is sufficient to protect the public, but also reduce the product cost. Homogenization of the flower (or the trim) production, I believe can be accomplished

Or, particularly in regard to microbial contamination, the regulations could specify the lot size based on the room that the cannabis is planted. Different strains of cannabis should probably also be sampled separately. This would probably affect grower practices but achieve analytical cost savings. The goal again is to protect the public, but at the same time reduce the cost of the product so that illegal products are less competitive.

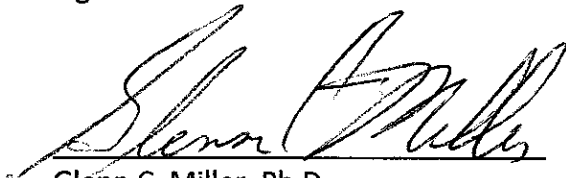
Similarly, for concentrates, there is really no reason to require 1 kg weights. Liquid samples that are homogeneous should be sampled based on production lot characteristics.

2. During the ILAC discussions, pesticide testing was a major issue, and it appeared to me that the great fear of pesticide residues compelled an overly aggressive requirement for pesticide testing. While this issue is perhaps lessened, I do feel that the cost of this set of analyses can be reduced. If we compare the risks of pesticides in marijuana to the risks in food, there is some basis for suggesting that randomized testing for pesticides can be equally effective in risk reduction. Only a very low percentage of the food we consume is actually examined for pesticides. Although we should expect that analyses of marijuana should be done with increased frequency compared to food, a more randomized testing protocol could effectively both prevent misuse of pesticides for controlling pests on cannabis and reduce the cost of analyses. An increase in lot-weight

would help, but it is also possible to have a reduced list of pesticides determined. This could also involve an assessment of relative risks for use of these chemicals. Not all pesticides have equal toxicity/risk and a further assessment of those risks may be considered. I have both taught courses in pesticide use and risk and do feel that those analytical costs for cannabis can be reduced, without a significant increase in risk.

3. The microbial contamination section also deserves some additional discussion. This is actually similar to the section above. We all consume large amounts of vegetables that have various amounts of microorganisms (mold, fungi and bacteria), which are generally not subject to detailed determinations. While everyone should be concerned about organisms that can cause ill health, I question whether this particular set of tests means much for risk reduction. Failure of cannabis products for microbial contamination are fairly common, and I am not aware that many studies have been conducted on the risk of these sources of microorganisms. I do suggest that this issue be also subject to additional studies and discussions. Again, the cannabis products should be as free from health risk as reasonably possible, but tests that really do not show anything are not helpful.

Signed

A handwritten signature in black ink, appearing to read "Glenn C. Miller", written over a horizontal line.

Glenn C. Miller, Ph.D.

Professor Emeritus, University of Nevada  
581 Creighton Way  
Reno, NV 89503

