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NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of

NCCR 4, 5, 6, 7, 12, and 13

Cannabis Compliance Board

The Cannabis Compliance Board will hold a Public Hearing at **9:00 a.m.** on **Thursday, May 16, 2024**. The purpose of the hearing is to receive comments from all interested parties regarding the adoption of the regulations that pertain to NCCR 4, 5, 6, 7, 12, and 13.

You may attend this meeting at either of the following physical locations:

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

Department of Taxation
4600 Kietzke Lane, Suite L235
Reno, NV 89502

The public may also view the meeting at the time noticed herein by live stream link located at:
<https://ccb.nv.gov/public-meetings/>

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. Need and purpose of the proposed regulations or amendments

The Cannabis Compliance Board drafted proposed regulation changes to Nevada Cannabis Compliance Regulations (“NCCR”) 4, 5, 6, 7, 12, and 13 to clarify, reduce, and improve packaging and advertising, possession and purchase limits, annual agent card costs, and wholesale cannabis distribution regulations pursuant to 678A-D.

2. How to obtain the approved or revised text of regulations prepared by LCB

You may obtain a copy of the proposed permanent regulation by writing to the Nevada Cannabis Compliance Board, 700 E. Warm Springs Rd. Suite 100, Las Vegas, NV 89119; or by calling the office at (775) 687-6299. The proposed permanent regulation is also available for review and download on the Cannabis Compliance Board website at <https://ccb.nv.gov/> or on the Nevada Legislature website at <https://www.leg.state.nv.us/>.

3. Methods used in determining the impact on a small business

The Agency used informed, reasonable judgment in determining that there would not be an impact on small businesses due to the nature of the regulation changes. The proposed permanent regulations make minor changes to requirements already established and in place by license holders.

The Agency analyzed the written responses from the Small Business Impact Survey, public comment from the January 31, 2024 solicitation of input meeting, and public comment from the workshop held March 28, 2024 to determine the likely impact of the proposed permanent regulations on small businesses. This analysis included categorizing responses to identify themes and the frequency with which impacts were named. The Agency also looked at issues named with less frequency but could potentially have impact. The Agency has determined that there will be no adverse impacts to small businesses after making these revisions.

4. Estimated economic effect of regulation on businesses and the public

a. Adverse and beneficial effects

The Agency finds that there is no adverse economic effect on small business. The changes make updates to existing regulations as well as lessening requirements upon small businesses in a manner that would not impose substantial burdens.

The Agency anticipates that those cannabis businesses that may be impacted will realize the beneficial economic impacts by the lessened labeling requirements made by the updated regulations. Additionally, lessened replacement agent card fees may allow small business to provide funds for their employees to obtain cannabis agent cards, a practice that is not required by regulation but may be common among some businesses.

b. Immediate and long-term effects

The proposed permanent regulation does not present any reasonable, foreseeable, or anticipated immediate or long-term economic effects on small businesses or the public.

5. Cost for enforcement of the regulations

The proposed permanent regulations present no significant foreseeable or anticipated cost or decrease in costs for enforcement. The proposed changes merely make minor updates to regulations that are already in effect.

6. Overlap or duplication of other state or local governmental agencies

The proposed permanent regulations do not overlap or duplicate any regulation of other federal, State or local governmental entities, but does reference regulatory authority granted by NRS 678A through NRS 678D.

7. Regulation required by federal law

Not Applicable

8. More stringent than federal regulations

The Department is not aware of any similar federal regulations of the same activity in which the state regulations are more stringent.

9. New or increases in existing fees

The proposed permanent regulation does not include new fees or increase an existing fee.

The proposed changes to the regulation(s) will be considered by the CCB in accordance with the provisions of NRS 233B.0603, which provides that on the date and at the time and place designated, interested persons may present their views regarding the proposed regulation. Any person desiring to present statements, arguments, or contentions concerning the proposed regulation changes may provide such in writing to the Executive Assistant at regulations@ccb.nv.gov by 5 P.M. on the day prior to the meeting. Allowances for remote appearance may be made for those with disabilities only, but such requests must be made at least eight calendar days prior to the meeting.

These item(s) will be heard by the CCB at the May 16, 2024, meeting, and may be continued and heard at subsequent meetings of the CCB as required to effectuate the above-stated purposes.

The proposed changes to the regulation language will be posted on the Cannabis Compliance Board website <https://ccb.nv.gov/public-meetings/>. Any questions should be directed to regulations@ccb.nv.gov.

Notice of this meeting was posted on the Internet through the Cannabis Compliance Board website <https://ccb.nv.gov/public-meetings/> and on the Internet website maintained by the Legislative Counsel Bureau <http://leg.state.nv.us/> and the Department of Administration website <https://notice.nv.gov/>. This notice has been emailed for posting at the following locations: 700 E. Warm Springs Road, Suite 100, Las Vegas, Nevada; 3850 Arrowhead Dr, Carson City, Nevada; Department of Taxation, 4600 Kietzke Lane, Suite L235, Reno, Nevada; Nevada State Library, 100 Stewart St., Carson City, Nevada; Legislative Building, 401 S. Carson St., Carson City, Nevada; and Office of the Governor, One Nevada, 1 Harrah's Court, Las Vegas.

Proposed Changes to NCCR Regulation 4

DISCIPLINARY AND OTHER PROCEEDINGS BEFORE THE BOARD

New

~~Deleted~~

4.065 Imminent health hazard.

1. The Board, through its Board Agents, will determine whether an event is an imminent health hazard that requires immediate correction or cessation of operations to prevent injury or serious illness based on the nature, severity and duration of any anticipated injury, illness or disease and the number of injuries or illnesses to members of the public which may occur

Events that are presumed to be imminent health hazards include, without limitation:

- (a) Interruption of electrical service;
- (b) Lack of potable water or hot water;
- (c) Grossly unsanitary occurrences or conditions including, without limitation, pest infestation or sewage or liquid waste not being disposed of in an approved manner;
- (d) Lack of adequate refrigeration;
- (e) Lack of adequate toilet and hand-washing facilities for employees;
- (f) Misuse of poisonous or toxic materials;
- (g) A suspected outbreak of foodborne illness;
- (h) A fire or flood;
- (i) Governor's emergency directives; or
- (j) Any other condition or circumstance which endangers public health.

2. If a cannabis facility becomes aware of any such condition listed above, independently and not through the Board's Agent, it must report said hazard to the Board or Board Agents ~~within two hours of the hazard's discovery~~ immediately, after ensuring safety of all persons in the vicinity.

Proposed Changes to NCCR Regulation 5

LICENSING, BACKGROUND CHECKS, AND REGISTRATION CARDS

New

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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:

1. The name and date of birth of the cardholder;
2. If known, the number of the lost, stolen or destroyed cannabis establishment agent registration card or cannabis establishment agent registration card for a cannabis executive;
3. If the cardholder cannot provide the number of the lost, stolen or destroyed cannabis establishment agent registration card or cannabis establishment agent registration card for a cannabis executive, a copy of: (a) Any valid government-issued identification card of the cardholder which includes a photograph of the person; or (b) A cannabis establishment agent registration card or cannabis establishment agent registration card for a cannabis executive previously issued to the person.
4. An application fee of \$~~75~~40.

Proposed Changes to NCCR Regulation 6
PRODUCTION AND DISTRIBUTION OF CANNABIS

New

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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 (28.35 grams)~~ Two and one-half ounces (70.875 grams) of usable cannabis.
 - (b) The equivalent to ~~one-eighth~~ one-quarter 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.~~

6.080 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 appropriate board agent within 24 hours after investigation is completed ~~Executive Director~~.
9. If a cannabis establishment identifies a reduction in the amount of cannabis in the inventory of the cannabis establishment which is not due to documented causes, the cannabis establishment shall determine where the loss has occurred and take and document corrective action. If the reduction in the amount of cannabis in the inventory of the cannabis establishment is due to suspected criminal activity by a cannabis establishment agent, the cannabis establishment shall report the cannabis establishment agent to the Board and to the appropriate law enforcement agencies within 24 hours. The Board may require the cannabis establishment to provide additional information as it determines necessary to conduct an investigation.

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 of the physical building *secured with accompanied written standard operating procedures for 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;
- (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;
- (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:

- (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 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.”

3. Signage of the business name, company logos, and other forms of media as approved by the appropriate board agent need not contain the wording “Keep out of Reach of Children” or “For use only by adults 21 years of age or older.”

4. A cannabis establishment must maintain advertisement 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.

Proposed Changes to NCCR Regulation 7

CANNABIS SALES FACILITY

New

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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~~ Two and one-half ounces ~~(28.35~~ 70.875 grams) of usable cannabis other than concentrated cannabis;
2. ~~One-eighth~~ One-quarter 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, branded merchandise, 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 air purifiers. Such items must not appeal to children and shall not depict, 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.

2. Each cannabis sales facility shall offer for sale containers for the storage of cannabis and cannabis products which lock and are designed to prohibit children from unlocking and opening the container.

3. A cannabis sales facility shall not sell any food, beverage or personal care item that does not contain cannabis unless such items are exempt from requiring a permit by NAC 446.042(2).

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

- ~~1.~~ A cannabis sales facility shall not deliver more than 5 ounces (141.75 grams) of cannabis or an equivalent amount of cannabis products to any combination of consumers within a single trip.
- ~~2.~~ 1. A ~~medical~~ cannabis sales facility shall not deliver more than ~~10~~ 12.5 ounces (283.5 354.3 grams) of cannabis, edible cannabis products or cannabis-infused products, or any combination thereof when making a sales delivery ~~exclusively~~ to consumers, persons who hold a valid registry identification card or designated as a primary caregiver.
- ~~3.~~ 2. 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.~~ 3. A cannabis sales facility shall not knowingly deliver more than ~~1~~ 2.5 ounces (28.35 70.875 grams) of cannabis or cannabis products to a consumer in a private residence in one calendar day. ~~4.~~ A cannabis sales facility shall not knowingly deliver more than 1 ounce (28.35 grams) of cannabis or cannabis products to a consumer in a private residence in one calendar day.
- ~~5.~~ 4. A cannabis sales facility shall not deliver cannabis or cannabis products to any person other than the consumer who ordered the cannabis or cannabis products. Before delivering cannabis or cannabis products to a consumer, the cannabis establishment agent delivering the cannabis or cannabis products for a cannabis sales facility shall:
 - (a) Confirm by telephone that the consumer ordered the cannabis or cannabis products and verify the identity of the consumer; and
 - (b) Enter the details of such a confirmation in a log which must be made available for inspection by an appropriate law enforcement agency, the Board and Board Agents.
- ~~6.~~ 5. A cannabis sales facility shall not allow a cannabis establishment agent to deliver cannabis or cannabis products unless the cannabis or cannabis products are:
 - (a) Stored in a lockbox or locked cargo area within the vehicle being used for delivery;
 - (b) Not visible from outside the vehicle; and
 - (c) Contained in sealed packages and containers which remain unopened during delivery.

→For the purpose of this subsection, the trunk of a vehicle is not considered to be a lockbox or locked cargo area unless the trunk cannot be accessed from within the vehicle and can only be accessed using a key which is different from the key used to access and operate the vehicle.
- ~~7.~~ 6. A cannabis sales facility shall ensure that a cannabis establishment agent delivering cannabis or cannabis products for the cannabis sales facility has a means of communicating with the cannabis sales facility while he or she provides delivery.
- ~~8.~~ 7. A person shall not be present within any vehicle while it is being used for the delivery of cannabis or cannabis products unless the person is a cannabis establishment agent for the cannabis sales facility providing delivery of the cannabis or cannabis products or an independent contractor retained by the cannabis sales facility to provide delivery.
- ~~9.~~ 8. Each cannabis establishment agent delivering cannabis or cannabis products must:
 - (a) Report to ~~a person designated by the cannabis establishment to receive such reports~~ the appropriate board agent any motor vehicle crash that occurs during the delivery as soon as reasonably possible after the crash occurs, but in no instance shall such time to report exceed ~~12~~ 4 hours;
 - (b) Report to Board Agents any unauthorized stop; and

(c) Report to a person designated by the cannabis establishment to receive such reports any loss or theft of cannabis or cannabis products that occurs during the delivery immediately after the cannabis establishment agent becomes aware of the loss or theft. A cannabis sales facility that receives a report of loss or theft pursuant to this paragraph must immediately report the loss or theft to the appropriate law enforcement agency, and to the Board after any risk to public safety has been alleviated ~~and to the Executive Director.~~

Proposed Changes to NCCR Regulation 12
PACKAGING AND LABELING OF CANNABIS

New

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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 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.

~~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) ~~Include~~ the net weight of the product;
- (g) ~~Include a~~ A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343 321(qq);
- (h) ~~Include a~~ A notice that the actual amount of THC may be within 15 percent of the stated amount for the edible cannabis product;
- (i) Contain a warning that states: “Caution: intoxicating effects 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, 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;
- (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. Pt. 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; and
- (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.

~~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 this section. The child-resistant packaging must maintain its effectiveness for multiple openings before leaving the cannabis sales facility with the consumer.

(f) Be of a food-grade material and protect the contents from contamination.

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

1. *If not already included on the container or package, a ~~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,~~ a label that includes, without limitation, in legible English:*
 - (a) The name of the cannabis establishment and ~~its license number or~~ the cannabis 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;~~ *The inventory package ID number (parent tag) number as assigned in the state required seed-to-sale inventory tracking system;*
 - ~~(d) The lot number;~~
 - (e) (c) The date of final harvest;
 - ~~(f) The date of final testing;~~
 - ~~(g) The date on which the product was packaged;~~
 - ~~(h) (d)~~ (d) 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) (e)~~ (e) The quantity of cannabis in the bulk or individual package being sold; and
 - ~~(f) If the cannabis was treated with any process approved by a Board Agent for the purpose of reducing or eradicating microbial contamination at any time post-harvest, a disclosure of the type of treatment process used.~~
 - ~~(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 of cannabis products to another cannabis establishment ~~retail store~~.

1. If not already included on the container or package, ~~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 a label that includes, without limitation, in legible English and in a manner which must not mislead consumers:

(a) The name of the cannabis establishment and its ~~license number or~~ cannabis establishment ID;

~~(b) If the cannabis establishment is operated by a dual licensee, the number of the medical cannabis establishment license or cannabis establishment ID of the facility for the production of cannabis operated by the dual licensee;~~

~~(c) The production run number;~~ The inventory package ID (parent tag) 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) If the product is not an edible cannabis product,~~ the date of production;

~~(f) The detected~~ detected cannabinoid profile, ~~and~~ potency levels, and terpenoid profile of the top three terpenes, if detected, as determined by the cannabis testing facility;

~~(g) If the product is an edible cannabis product,~~ the expiration date;

~~(h) The total amount of THC in the cannabis product,~~ measured in milligrams;

~~(i) The total amount of THC in each serving of the edible cannabis product;~~

~~(j) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343.321(qq);~~

~~(k) The net weight of the product;~~

~~(l) If concentrated cannabis or a cannabis extract was added to the product, a disclosure of the type of extraction process used and any solvent, gas or other chemical used in the extraction process, or any other compound added to the concentrated cannabis;~~

If cannabis being used to make cannabis products was treated with any process approved by a Board Agent for the purpose of reducing or eradicating microbial contamination at any time post-harvest, a disclosure of the type of treatment process used; and

~~(m) If the product is an edible cannabis product other than extracts and tinctures, the serving size; and~~

~~(n) A warning that states: "THIS PRODUCT CONTAINS CANNABIS."~~

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

[Label Example]

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* ~~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 (parent tag) number as assigned in the state required seed-to-sale inventory tracking system;*

~~(d) The lot number;~~

~~(e) (c)~~ The quantity sold, including the net weight measured in ounces and grams or by volume, as appropriate;

~~(f) (d)~~ The name and address of the cannabis sales facility or cannabis consumption lounge;

~~(g) (e)~~ The *detected* cannabinoid profile ~~and~~ potency levels and terpenoid profile *of the top three terpenes, if detected*, as determined by the cannabis independent testing laboratory, which may include the potential total THC but must not include any other calculated level of THC;

~~(h) The statement: "This product may be unlawful outside of the State of Nevada";~~

~~(i) (f)~~ The date on which the cannabis was harvested;

~~(j) (g)~~ A warning that states: "THIS PRODUCT CONTAINS CANNABIS";

~~(k) (h)~~ A warning that states: "Keep out of Reach of Children";

(i) If the cannabis was treated with any process approved by a Board Agent for the purpose of reducing or eradicating microbial contamination at any time post-harvest, a disclosure of the type of treatment process used;

(j) A warning that states: "This product may have intoxicating effects and may be habit forming;" and

↳ *Ready to consume cannabis and cannabis products offered for sale at a cannabis consumption lounge do not require any labeling or packaging prior to service. However, all disclosures listed in NCCR 15 must be provided to the consumer.*

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

[Label Example]

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

1. If not already included on the container or package, ~~a~~ 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;~~

~~(b)~~ (b) The inventory package ID number (parent tag) as assigned in the state required seed-to-sale inventory tracking system.

~~(d)-(c)~~ (c) The name and address of the cannabis sales facility or cannabis consumption lounge;

~~(e) (d) If the product is not an edible cannabis product,~~ The date on which the cannabis product was manufactured;

~~(f) (e) If the product is an edible,~~ a suggested use by the expiration date;

~~(g) (f) The detected cannabinoid profile and potency levels of the product,~~ and terpenoid profile of the top three terpenes, if detected, as determined by the cannabis independent testing laboratory that tested the product;

~~(h) (g) 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) (h) A list of all ingredients and all major food allergens as identified in 21 U.S.C. § 343 321(qq).~~

~~(j) (i) The concentration of THC in the product, measured in milligrams;~~

~~(k) (j) The net weight of the cannabis or cannabis product; and~~

~~(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) (k) 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; and~~

(l) If cannabis being used to make cannabis products was treated with any process approved by a Board Agent for the purpose of reducing or eradicating microbial contamination at any time post-harvest, a disclosure of the type of treatment process used.

~~(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]

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.~~
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 SO~~ USERS 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.”;~~
 - ~~(e)~~ (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.”;
 - ~~(e)~~ (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.”;
 - ~~(h)~~ (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”;
 - ~~(h)~~ (i) “Ingestion of any amount of cannabis or cannabis products before driving may result in criminal prosecution for driving under the influence.”
 - ~~(h)~~ (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”

~~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.

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.

(1) 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 of 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.

Proposed Changes to NCCR Regulation 13
CANNABIS DISTRIBUTORS

13.010 Requirements for wholesale transportation of cannabis and cannabis products.

7. Each cannabis establishment agent transporting cannabis or cannabis products for a cannabis distributor must:

- (a) Report to a person designated by the cannabis distributor to receive such reports and to the Board any motor vehicle crash that occurs during the transportation within 24 hours after the crash occurs;
- (b) Report to the Board any unauthorized stop within 24 hours; and
- (c) Report to a person designated by the cannabis distributor to receive such reports any loss or theft of cannabis or cannabis products that occurs during the transportation immediately after the cannabis establishment agent becomes aware of the loss or theft. A cannabis distributor that receives a report of loss or theft pursuant to this paragraph must immediately report the loss or theft to the appropriate law enforcement agency and to the Board after any risk to public safety has been alleviated.
