

Nevada Cannabis Compliance Board

Meeting Minutes June 28, 2024

The Nevada Cannabis Compliance Board (CCB) held a public meeting at 700 E. Warm Springs Road, Las Vegas, Nevada and 4600 Kietzke Lane, Suite L235, Reno, Nevada beginning at 9:00 a.m. on June 28, 2024.

Cannabis Compliance Board Members Present:

Riana Durrett, Vice Chair

Hon. Michael Douglas

Dr. Vicki Mazzorana (zoom)

Jerrie Merritt

Riana Durrett, Vice Chair called the meeting to order.

Executive Director James Humm took the roll.

Chair Guzmán Fralick was absent.

There were instructions provided regarding public conference limited to three minutes per person.

Instructions to join the meeting the meeting via Zoom for public comment were read aloud.

I. Public Comment

No public comment

II. Consideration of Proposed Adoption, Amendment, and/or Repeal of the Nevada Cannabis Compliance Regulations (for possible action)

1. Regulation 12 Packaging and Labeling with either option A, B, or C.

Kara Cronkhite read in detail the options and format presented for Regulation 12:

I will be sure to specifically point out any additional changes that were made after the 1st workshop or the board meeting that we had in May. And then I'll open it up for public comment at 2 different periods. So, any comments on the 3 proposed options A, B and C will be taken separately. That will be the second public comment period.

I'll start with the general changes.

12.010 clarifies potency allowance for pills and removes subsection 2, which is already in the packaging requirements listed in 12.015.

12.015 was revised to remove redundancies and clarify packaging requirements for specific product types.

An effective date of 07/01/2025 was also added to this section.

12.030, 12.035, 12.040, and 12.045 were all revised to remove redundancies and streamline labeling requirements.

12.030 was changed to just establishment ID for any cannabis leaving cultivation.

12.030 1 c. was reverted to original language to include harvest date on the label as requested during public comment at the workshop.

12.035 was changed to just establishment ID for products, leaving production.

12.040 we removed what was warning J, as it appears in the disclosure leaving the sales facility, and it's not required on the label by statute.

12.045 has 2 warnings that were added back on because they are required by statute to be on the label, so we had no choice in that matter. And again, we will discuss any other changes in these

sections regarding labeling requirements for treatment or radiation post-harvest. Later, when I discuss options A, B and C.

12.050 has been cleaned up to remove redundancies and includes a requirement to provide the Soil Amendment report or Lab Certificate of Analysis to consumers upon request. We also added the word information at the header and the word immediately at subsection 1 based on public comment received at the May workshop.

12.070 has been revised for clarification on advertising requirements.

Public comment on the general changes for Regulation 12:

Amanda Connor gave public comment on 12.010 with regards to cannabis sales facilities selling bulk to lounges and only single package limits when selling to consumers.

Kara Cronkhite stated I think that there would be an easy solution for that. I think if in the second sentence of the subsection, one. Where we say, a cannabis sales facility shall only sell cannabis or cannabis products. We could add the word to consumers in a single package which is not contained.

Riana Durrett clarified to the Board that if someone goes to motion on this item to include Kara's update of adding "to consumers".

Riana Durrett also mentioned that the Board has received written public comments on Regulation 12 and has had time to go through them.

The Board discussed going over the changes with options A, B, and C.

Kara Cronkhite read the changes in options A, B, and C.

Option A adds language to 12.030 subsection F, 12.035 subsection K, 12.040 subsection I, and 12.045 subsection L regarding remediation and labeling of treatment or remediation and strikes 12.065 entirely. This option is what was proposed in the last board meeting in May, giving the cultivator or producer freedom to draft the disclosure however they see fit.

Option B includes no changes to existing regulations regarding 12.065 labeling requirements. This would result in the enforcement of this regulation as currently written. This language was passed by the legislature and adopted, and then the enforcement was put on hold by the board, so that we could work through a petition to revise the language.

Option C revises 12.065 only, based on public comment received during the last board meeting and the last workshop. We used the language submitted by the industry representatives as a template with a few edits requested during public comment. In summary subsection one requires cultivation and production facilities to disclose the process in writing to the sales facility or lounge. Subsection 2 requires these disclosures to be provided to consumers immediately upon request. This disclosure can be a full document, such as a hard copy. It can be an electronic copy. It can be included on the label. It can be included on the package or in any manner that works best for the operation. So, for example, if a dispensary didn't want to provide the disclosures, that would be a business decision. They would work that out with the cultivator or producer. Subsection 3 requires a note to be posted at every point of sale in an at least 18-point font that such documents are available upon request. Subsection 4 clarifies that nothing prohibits any cannabis establishment from disclosing on their label or package, that it has not been treated or remediated.

Rianna Durrett reiterated what each option would require and their differences.

Public comment on options A, B, C:

Frank Hawkins gave public comment on Regulation 12 on behalf of Nevada Wellness Center Dispensary, Nevada Wellness Center, West Dispensary and Silver Black Cultivation. He states I own 2 dispensaries. So, I feel there's a responsibility to the public to let them know if we are going to sell radiated weed. With that said we support option C. He had also submitted written public comments with visuals of the symbols.

Chief Cronkite, for the record. I would just like to point out again that if a dispensary such as Frank Hawkins, if you choose to make business decisions where you only accept products that have such information on the label, that would be a business decision that you would be able to make.

Kimberly Maxson-Rushton with the law firm Cooper Levinson on behalf of Rad Source technologies, gave public comment in support of option C. I think option C is a good representation of all the comments that you've heard since this matter started in 2020, and just wanted to thank you again for your consideration. There has been a lot of dialogue about the history of this. I'm happy to answer any questions that you may have otherwise in the interest of time. I just ask you again, consider option C, and to adopt that one going forward.

Amanda Connor with the law firm of Connor and Connor I would just like to point out that of the written comments, all but one support option C. There's a variety of participants that support option C. I think, like Miss Rushton said before, this shows that it's a collaboration amongst all interested parties to try and reach the common goal. So, I'd encourage the support of option C.

Brett Scolari with strategies 360 gave public comment on behalf of Thrive cannabis entities, Clark Natural Medicinal Solutions, and the Cura Cannabis Solutions clients, we do rise in support of option C.

Katree Saunders gave public comment in support of option C, because the public needs to know. I, as a medical patient, need to know if my meds have been radiated. I also feel like there needs to be a scannable code with the symbol with also, perhaps the soil amendments would be helpful. And then also, I was told, over 90 people are using Rad source. If there are better growing practices implemented, we probably wouldn't have to use Rad source prior to us, going medical into retail. We didn't have to use these practices. It degrades the Terpene profile. So, I really think that the public should know whether they have the option of choosing that product or not, and it should be labeled in the windows. On QR code, so that people can be educated properly on the effects of it, and to choose better options, perhaps, like green live productions where they're growing properly, and it does need to be remediated.

Jason Krenninger on behalf of Coalition for Patient rights gave a public comment in support of option A, option A is the only one that puts it on the label. We think putting it on the label where it's easier to access than trying to find it through a QR code window or asking for other material to validate. The issue doesn't exactly serve the patients or the public the way the discussion has been brought forth and intended. Certainly, the verbal discussions thus far it's not been reflected by the majority of the want and the ask, and that is, they actually have it available as the consumer is receiving it and so it be on the label.

Layke Martin gave public comment on behalf of Nevada Cannabis Association, wanted to reiterate the comments, and our written comment as well, is thanking Director hum staff and the board for the time that they spent addressing this issue. And considering the significant amount of input from stakeholders across the industry. Again, we submitted a written comment in support of option C. After serving our members. That is what the majority of them favored. We believe it does strike a balance between educating consumers, and again echoing the comments before and encouraging the board to adopt option C.

Abby Kaufman with the Chamber of Cannabis gave public comment in favor of option A. After considering the feedback determined for that workshop, I found that the revisions to the proposed language were not necessary to reduce the impact on small businesses. Option A is really the best path forward. It addresses the concerns raised in the 2020 petition filed on NCCR 12.065 by removing it, while also providing a level of transparency that the medical cannabis patients and advocates have repeatedly requested. I know that you know there's the adult use market, and the cannabis industry is evolving in that way, but I think that we can't forget about the patients that helped us all get here and be in this room, or the opportunity to provide these comments and have these businesses.

The Board discussed labeling and symbol requirements with Regulation 12.065.

The Board discussed the strict timeline the CCB must get the regulations to LCB where more changes will inevitably happen.

The meeting was opened for further discussion on the Radura symbol.

Member Douglas moved to adopt option C with changes proposed which were repeated by Chief Cronkhite.

Kara Cronkhite stated for the record 12.010 subsection 1 second sentence would read a cannabis sales facility shall only sell cannabis or cannabis products to consumers in a single package which must not contain.

Member Mazzorana seconded that motion.

All in favor.

Option C passes.

The Board discussed changing their motion since it was unclear.

Member Douglas moved to move the prior motion that was passed as it failed to clarify 12.065.

Member Durrett seconded,

All in favor.

Member Douglas made a motion for approval 12.010 through 12.050 and 12.070 as they are written in option C with updates suggest to language on 12.010 and to take 12.065 its own motion.

Member Durrett seconded the motion.

All in favor.

The Board discussed language to move forward with 12.065.

Member Mazzorana made a motion to approve option C 12.065 as written.

Member Merritt seconded the motion.

All in favor=Vice Chair Durrett, Member Mazzorana, and Member Merrit. Member Douglas opposed.

Motion passes.

III. Public Comment

Kimberly Maxson-Rushton gave public comment on the experience with these regulations and potential educational experiences with Rad Source.

Frank Hawkins gave public comments for clarification on “labels”.

Katree Saunders gave public comment on what needs to be on the label.

Nicole Buffong gave a public comment in agreement with Member Douglas and asking for clarification on what was discussed in the meeting.

Abby Kaufman gave public comment on today’s decision.

IV. Adjournment