PROPOSED CHANGE TO NCCR 7
PREPARED BY SALA CONSULTING
ON BEHALF OF E MANAGEMENT GROUP LLC

DECEMBER 3, 2025

SUMMARY—Amends Section 7.060 to allow for curbside orders to be placed or modified onsite.

New matter in bolded italics
~~Omitted material~~
~~Deleted by Amendment~~
Added by Amendment
Undeleted by Amendment

7.060 Curbside pickup operations at cannabis sales facilities.
1.Cannabis sales facilities may only offer curbside pickup after submitting and receiving approval from the appropriate CCB agent.
2. ~~All orders MUST be placed in advance. Any form of in person or onsite ordering will not be permitted.~~ Consumer/patients shall be instructed to not exit their vehicle.
3. Each cannabis sales facility offering curbside pickup shall develop, and submit to the Board for approval, Standard Operating Procedures (SOP) for curbside pickup that address the following:
(a) Security Plan
(b) Curbside Pickup Plan
(c) Curbside Pickup Designation
(d) Transaction(s) Protection Measures

December 3, 2025

Cannabis Compliance Board
700 Warm Springs Road, Suite 100
Las Vegas, NV 89119
Via email to: Regulations@ccb.nv.gov

Subject: Workshop on Proposed Changes to NCCR 6, 7, 10 & 12

Dear Cannabis Compliance Board Members and Director Humm,

On behalf of the Nevada Cannabis Association, we appreciate the opportunity to comment on the proposed amendments to Regulations 6, 7, 10 & 12 in advance of the workshop on December 4, 2025.

I. 6.072 Training Requirements and 6.075 Facility-Specific Training

These sections add additional training and documentation requirements for licensees. At a minimum, the CCB should provide training for all agent card holders covering the basics of NCCR 6.072. Making general training available online and asynchronous would help to ensure a minimum foundation of cannabis industry knowledge for all employees, whether they work in a small or large company.

Section 6.072(d) includes a new training requirement that all employees be trained in the "Use of the seed-to-sale tracking system designated by the Board, in accordance with the Board's training requirements." First, it is not clear why employees who never use the seed-to-sale tracking system need to be trained in it. Second, what are "the Board's training requirements" other than those requirements set forth in the NCCRs?

II. 6.085 Camera Requirements

The proposed changes to security camera specifications will be expensive to licensees, and it is unclear how any benefit outweighs the cost.

With respect to NCCR 6.085(1)(a)(3)(IV), requiring continuous coverage would prevent the use of motion detection that records when there is activity. This will require camera equipment to be changed/upgraded at the cultivator's expense.

NCCR 6.085(2)(b) requires cameras to "accoun[t] for the changing height and density of plants during growth cycles." Cultivators have asked for clarity as to what this means. Recently cultivators have been told to change their grow room cameras to infrared cameras capable of capturing low or no light activity. Cultivators have expressed concerns that light emitted from these cameras can disrupt the grow process. Further, changing out cameras is yet another expense for cultivators. Security cameras outside the entrances and exits are able to capture activity entering and exiting a grow room without disrupting plants or requiring costly changes to camera equipment.

Finally, NCCR 6.085(1)(a)(3)(IV) changes the battery backup requirement for video cameras and recording equipment from 5 minutes to 60 minutes. Again, this is a significant change and expense for licensees.

III. 6.120 Advertising Restrictions

This is confusingly written. Is it intending to mirror NRS 678B.520(14)? If so, it isn't clear why the same requirement would also need to be written into the regulations. Rather than rephrasing the requirement, the same language as the statute should be used to avoid confusion.

IV. 7.015 Identification Verification

This proposal appears to state that while two ID checks must take place – at entry and prior to sale – they do not both require the use of an electronic scanner to authenticate the ID. The point of entry verification may be manual. It should be clarified what "manual" means, whether it is a visual inspection of the ID (such as what is required for alcohol sales) or something more. NRS 678B.545 does not require identification verification at the point of entry, only before a sale. Other statutes speak to limiting entry to a dispensary to persons at least 21 years of age, but do not require authentication of the ID at the point of entry.

Liquor stores, pharmacies, and tobacco retailers all verify identification for age-restricted items prior to sale but are not required to verify identification at the point of entry as well. As the federal discussion regarding rescheduling cannabis progresses, it is worth considering how cannabis retail sales can become more aligned with sales of other types of age-gated products which are not Schedule I or Schedule II drugs.

V. 10.080 Waste Destruction

Senate Bill 277 (2023) removed root balls and stalks from the definition of marijuana. They should not be required to be logged in seed-to-sale tracking and destroyed in the manner required for marijuana.

VI. Additional Recommended Changes

a. NCCR 7.030 Cannabis-Related Accessories, Branded Merchandise, and Fruit

The regulations adopted by the Board on November 20, 2025 prohibit the use of fruit on cannabis-related accessories, of which branded merchandise is a subcategory. If all branded merchandise falls within cannabis-related accessories, then retailers could not sell T-shirts, hats, or pens with images of fruit on them.

The June 2024 version of the approved regulations separated branded merchandise and cannabis-related accessories. However, the October 2025 version of the regulations put branded merchandise under the category of cannabis-related accessories. This resulted in an actual change in meaning, not just a rephrasing of the June 2024 draft. This section should be clarified by deleting the word fruit or again separating branded merchandise and cannabis-related accessories.

VII. Conclusion

Thank you for the opportunity to provide comments on these proposed amendments.

Respectfully,

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

Dear Nevada Cannabis Compliance Board:

Ace Analytical Laboratory opposes the 'Proposed Changes to NCCR 6.080' which would remove the explicit exemption for cannabis independent testing laboratories from NCCR 6.080(7) for the reasons detailed in the attached document titled, "**Reasons Why the Proposed Changes to NCCR 6.080 Should Not Apply to Cannabis Independent Testing Laboratories and Why Regulation 11 Is the Correct Inventory Framework for Labs".**

Maintaining the exemption for cannabis independent testing laboratories from the specific regulations crafted to create a framework of inventory control intended for 'cannabis cultivation facilities, production facilities, and sales facilities' is of paramount importance.

Ace Analytical Laboratory respectfully requests the CCB to reject the proposed removal of the phrase "except a cannabis independent testing laboratory" from NCCR 6.080 (7) in the December 2025 "Proposed Changes to NCCRs 6, 7, 10, 12" and maintain the long-standing inventory control systems embedded within the existing Regulation 11 requirements specifically developed for the unique laboratory environment.

Respectfully,

Bruce Burnett, MD
Executive Manager
Ace Analytical Laboratory

Reasons Why the Proposed Changes to NCCR 6.080 Should Not Apply to Cannabis Independent Testing Laboratories and Why Regulation 11 Is the Correct Inventory Framework for Labs

---

I. Issue Summary

The December 2025 *"Proposed Changes to NCCRs 6, 7, 10, 12"* would delete the long-standing phrase **"except a cannabis independent testing laboratory"** from NCCR 6.080(7). That deletion would, for the first time, subject independent testing laboratories to the full inventory control regime in Regulation 6.080—requirements that were drafted for cultivation, production, distribution, and sales operations, not for analytical laboratories.

At the same time, Regulation 11 already establishes a **laboratory-specific** framework for chain of custody, sample tracking, security, and record-keeping—explicitly requiring labs to maintain records sufficient to prove that any cannabis on site is strictly for testing purposes.

The following explains why:

1. The proposed removal of the lab exemption in 6.080(7) should **not** be adopted; and
2. The existing provisions in **Regulation 11** are the proper, sufficient, and already robust mechanism for controlling independent laboratory inventory and records.

II. Regulatory History: The Lab Exemption Is Deliberate and Consistent

The exclusion of independent testing laboratories from the general inventory system in Regulation 6 is not an accident or drafting gap—it has been **consciously preserved across multiple regulatory cycles**:

- The Final Effective NCCRs (effective August 5, 2020) stated in NCCR 6.080 that "[e]ach cannabis establishment, **except a cannabis independent testing laboratory**, shall establish and implement an inventory control system that documents…".
- Amendments approved August 23, 2022 and September 9, 2022 retained the same structure, keeping laboratories explicitly excluded from the 6.080 inventory system.
- The May 2024 proposed amendments to NCCR 6 submitted to the Legislative Counsel Bureau (LCB) **did not alter** this exclusion.
- The "LCB Draft of Proposed Regulation R152-24" (August 19, 2025), which the CCB adopted at its November 2025 meeting, again preserved the language: "Each cannabis establishment, **except a cannabis independent testing laboratory**, shall establish and implement an inventory control system that documents…".

Only in the December 2025 *"Proposed Changes to NCCRs 6, 7, 10, 12"* does a draft appear that removes this phrase at 6.080(7), thereby pulling laboratories into the entire 6.080 framework.

Given this history, the lab exception has been:

- **Explicit**, not implied;
- **Reaffirmed** through multiple rounds of review; and
- **Recently endorsed** in LCB File No. R152-24, just adopted in November 2025.

There is no evidence in the record that laboratory inventory controls under Regulation 11 have failed or that a new risk has emerged that would justify overturning this long-standing, deliberately chosen structure.

III. Why NCCR 6.080 Is Inappropriate for Independent Testing Laboratories

A. 6.080 Was Built for Production and Distribution—Not Testing

NCCR 6.080 sets out an **enterprise-wide inventory system** for entities that *grow*, *manufacture*, *distribute*, and *sell* cannabis and cannabis products. Among other things, subsection (7) requires each establishment to document:

- Each day's beginning and ending inventory, acquisitions, harvests, sales, disbursements, and disposal of unusable cannabis;
- Number of plants and cuttings;
- Weights of flowers, trim, seeds, and concentrated cannabis;
- Quantity of THC in milligrams.

Elsewhere, 6.080 addresses acquisitions of **seeds** from "any person" and cannabis from consumers, and detailed plant-level harvest and disposal information—obligations that make sense only in the context of cultivation and production operations.

Independent testing laboratories, by design:

- Do not maintain plant inventories;
- Do not "harvest" or produce consumer-ready products; and
- Do not engage in retail or wholesale sales of cannabis products.

For laboratories, the "product" is **data**—the certificate of analysis ("COA")—not cannabis inventory. Imposing plant- and batch-level production accounting on labs is therefore conceptually mismatched from the outset.

B. Laboratory Operations Are Destructive and Granular

Analytical testing inherently involves **continuous destruction of cannabis material** in milligram- and gram-scale aliquots across multiple instruments and methods.

For a single 10 (or 20) -gram sample, a laboratory will:

- Subdivide the received material into multiple subsamples;
- Create extracts for potency, residual solvents, pesticides, mycotoxins, and microbiological testing;
- Consume portions of those extracts in validation and quality-control runs; and
- Be left with only a small residual amount of the original product.

This workflow is tracked at the **sample and aliquot level**, not as bulk weights of "flowers," "trim," or "concentrated cannabis" in the sense intended by 6.080(7). Attempting to force these complex, dynamic flows into a daily "beginning inventory / ending inventory / total THC in milligrams" format would either:

- Be **mathematically unworkable**; or
- Produce misleading and internally inconsistent data that defeats the goal of reliable inventory tracking.

The laboratory response correctly notes that applying the 6.080 framework to labs "would make it extremely impractical if not impossible for laboratories to comply," precisely because those requirements were never designed for destructive analytical workflows.

C. 6.080 Already Embeds Manufacturing-Style Financial Controls

The latest draft of 6.080 goes beyond simple inventory counts and incorporates **GAAP inventory accounting standards and COSO control concepts**—requiring establishments to reconcile raw materials to finished products "on the basis of each job" and perform quarterly physical inventory counts by persons independent of the manufacturing process.

These concepts are appropriate for a **manufacturer** transforming raw input into saleable goods. For testing laboratories:

- There is no "finished cannabis product" to be sold;
- The "job" is an analytical test order, not a production batch; and
- The primary output is a COA, which is already heavily regulated under Regulation 11.

Forcing labs into a manufacturing-style inventory reconciliation regime would create redundancy and confusion without improving public safety or diversion control.

IV. Regulation 11 Already Provides a Laboratory-Specific Inventory and Record-Keeping System

While Regulation 6 focuses on production and distribution, **Regulation 11 is the comprehensive framework for independent testing laboratories**. Its structure and requirements collectively form a tailored inventory and documentation system that is much more appropriate for laboratories than 6.080.

A. Chain of Custody and Sample Identification – NCCR 11.030

NCCR 11.030 obligates each cannabis independent testing laboratory to establish and follow policies for **adequate chain of custody and sample identification**, including requirements to:

- Verify the accuracy of seed-to-sale tracking information on the source package *before* sample collection and ensure it matches the transfer manifest and laboratory chain-of-custody;
- Document the condition of external packaging and integrity seals;
- Document the description and amount of each sample at the time of collection or receipt;
- Capture all pertinent identifiers (product type, product/strain name, seed-to-sale number, batch/lot/production run numbers);
- Record all persons handling the original samples, aliquots, and extracts;
- Maintain adequate identification on all sample containers and secondary materials (aliquots, dilutions, slides, extracts, data files, etc.);
- Document any transfers of samples or extracts to another laboratory;
- Secure the lab and all short- and long-term storage areas; and
- Document the **disposal** of samples, aliquots, and extracts.

In addition, the 'Proposed Regulation of the CCB of Nevada LCB File No.R152-24I' (submitted on 06/24/2024) at 11.030 requires laboratories to follow **at least** the chain-of-custody and sample identification requirements of **ASTM D8334/D8334M-20**, a specialized standard practice for cannabis sampling and laboratory analysis. This level of documentation goes **far beyond** generic daily inventory counts, and it is precisely tailored to laboratory workflows, where tracking *who handled what, when, and how* is more meaningful than tracking plant counts.

Laboratories are the ONLY cannabis establishments that, as part of their very structure, DESTROY and/or DISPOSE of 100 percent of the cannabis materials in their inventory.

B. Records of Cannabis on Premises – NCCR 11.035

NCCR 11.035 is titled **"No limitation on amount of usable cannabis and cannabis products on premises of testing laboratory; maintenance of records to prove amount on premises is for testing purposes only."** The title itself captures two key policy decisions:

1. The Board recognizes that laboratories may need to hold substantial amounts of cannabis for testing, R&D, stability studies, or retained samples.
2. In exchange, laboratories must maintain records sufficient to **prove that everything on the premises is there solely for testing**—a functional, lab-specific inventory control standard.

In combination with 11.030's chain-of-custody requirements, 11.035 ensures that:

- Every gram of cannabis entering the lab is linked to a specific source, batch/lot, and production run;
- Its handling, storage, and use are documented; and
- Its final disposal is recorded in a way that can be audited.

These provisions give regulators a complete picture of **what is in the lab, why it is there, and what happened to it**, without forcing labs into an ill-fitting production inventory framework.

C. Integration with Seed-to-Sale and Disposal Requirements

Regulation 11 also uses **targeted cross-references** to 6.080 and 6.082 where appropriate. For example, when a sample fails testing and is retained by the laboratory, the rules require the lab to document the disposal of that sample using the seed-to-sale tracking system "pursuant to NCCR 6.080 and 6.082."

This demonstrates two things:

- The Board has already **considered and implemented** the specific points at which laboratory actions must appear in the broader seed-to-sale system; and
- There is **no need** to import the entire 6.080 inventory architecture into the laboratory context to achieve transparency and control.

D. Accreditation, Quality Systems, and Method Requirements (11.015, 11.020, 11.025, 11.050+)

Regulation 11 also ties laboratory operations to nationally recognized standards that are themselves record-keeping-intensive:

- Labs must be accredited under ISO/IEC 17025, with scope covering all required analytes, and must provide inspection reports and corrections to the Board.
- They must adhere to AOAC, OECD GLP, and multiple ASTM standards, including **ASTM D8282**, **D8347**, **D8244-20**, and **D8334/D8334M-20**, all of which assume robust documentation of methods, validation, and sample handling.
- Required quality assurance tests in 11.050 include detailed sampling, homogenization, and analytical requirements that inherently depend on accurate sample-level records.

In short, Regulation 11 already **creates extensive record-keeping obligations** uniquely suited to analytical laboratories. Attempting to overlay the production-oriented framework of 6.080 on top of this system is not only unnecessary—it risks creating contradictions and compliance confusion.

V. Policy and Practical Implications of Removing the Laboratory Exemption

Removing the phrase "except a cannabis independent testing laboratory" from NCCR 6.080(7) would have several negative consequences:

1. **Operational Impossibility and Compliance Risk**
   Labs would be legally obligated to maintain daily inventory records in terms (plants, harvests, THC milligrams per product, etc.) that simply do not match how samples are received, processed, and destroyed. This invites inevitable "non-compliance" findings even when labs are operating responsibly under Regulation 11 and ISO-compliant systems.
2. **Regulatory Inconsistency**
   Extending 6.080 wholesale to labs would conflict with the **lab-specific structure** that the Board has just reinforced through R152-24 and Regulation 11. Regulators would be forced to reconcile two overlapping, mismatched regimes—one written for manufacturers, one for laboratories—without any demonstrated public benefit.
3. **Diversion of Resources Away from Scientific Quality**
   Laboratories already devote significant resources to maintaining ISO accreditation, following ASTM and AOAC guidance, and complying with detailed QA/QC and method-validation requirements. Adding an ill-fitting inventory overlay would divert time, staff, and money away from **measurement accuracy and method integrity**, which are essential to consumer safety and regulatory credibility.
4. **Regulatory Whiplash and Uncertainty**
   The CCB has only recently adopted R152-24, explicitly preserving the lab exemption in 6.080(7). Attempting to remove that exemption almost immediately—without a documented failure of the existing framework—creates regulatory instability and undermines licensee confidence that rules will be coherent, predictable, and evidence-based.

From a policy perspective, such a change would be difficult to defend as necessary, reasonable, or proportionate when Regulation 11 already gives the Board the tools it needs to monitor laboratory inventory and prevent diversion.

VI. Conclusion

For at least five years, Nevada's cannabis regulatory framework has intentionally:

- Treated **inventory control for production and distribution** through NCCR 6.080; while
- Governing **laboratory inventory, chain of custody, and record-keeping** through NCCR Regulation 11.

The December 2025 proposal to remove the words "except a cannabis independent testing laboratory" from NCCR 6.080(7) would destroy this carefully constructed division and impose a production-oriented inventory system on entities whose operations and risks are fundamentally different.

Regulation 11 already:

- Requires rigorous sample-level tracking and chain of custody (11.030);
- Demands records sufficient to prove that all cannabis on premises is exclusively for testing (11.035);
- Integrates with seed-to-sale tracking where appropriate; and
- Ties laboratory operations to ISO, AOAC, ASTM, and GLP standards that are record-keeping-heavy and audit-ready.

For these reasons, the proposed deletion of the laboratory exemption in NCCR 6.080(7) **should not be adopted**. The appropriate and sufficient mechanism for controlling independent testing laboratory inventory and records is already in place in **Regulation 11**, and any perceived gaps should be addressed by refining Regulation 11—not by subjecting laboratories to an inventory system built for cultivators and manufacturers.

PROPOSED REGULATORY CHANGE TO NCCR 9.025

Submitted on behalf of Terpene Belt Farms/Nexus Agriscience – December 4, 2025 – CCB Workshop

9.025 Requirements and restrictions on use of non-cannabis ingredients.

1. Each cannabis establishment shall ensure that it obtains non-cannabis ingredients, including hemp and CBD, for cannabis products from sources that comply with the requirements of federal and state law and regulations and are approved by the Board, including, without limitation, commercial and retail businesses.

2. A cannabis establishment shall not use or prepare non-cannabis ingredients prepared or stored in a private home.

3. A cannabis production facility must submit all new menu items and their ingredients to the appropriate Board Agent for approval on a form prescribed by the Board prior to production and sale of new products. A cannabis establishment may not produce nasal spray, inhalers, eye drops, or medical devices.

4. A cannabis production facility must ensure all flavorings and terpenes obtained from external sources are accompanied by a signed attestation prescribed by the Board certifying that the flavorings and terpenes comply with state law and regulations.

5. A cannabis establishment preparing menu items that require a HACCP plan as determined by the appropriate Board Agent must be approved by a processing authority prior to submission. Special processes requiring a HACCP plan include, but are not limited to, canning, reduced oxygen packaging, and other processes as determined by the appropriate Board Agent.