



PUBLIC COMMENTS TO CDFA- DRAFT

The California Cannabis Industry Association (CCIA) was formed to unite the legal cannabis industry to help educate and act as a resource to lawmakers and our members. Our unified voice includes over 460 California businesses representing nearly 650 brands and approximately 10,000 employees. We would like to thank the California Department of Food and Agriculture (CDFA) for their hard work in crafting the proposed draft permanent regulations. We appreciate the time and diligent efforts the CDFA has extended to address the concerns of the cannabis industry as well as ensuring the safety of patients and consumers of cannabis products.

CCIA, representing a collective group of California cannabis industry businesses and its customers, along with our supply chain committees and Board of Directors, would like to take this opportunity to submit this comment to draft two of the permanent regulations.

These comments seek to optimize the draft permanent regulations by addressing the business concerns of the cannabis industry as well as clarify public safety issues. The objective is not to reject regulation but rather to enhance regulations to combat the illicit market and support the newly regulated cannabis industry, pushing it towards success both commercially as well as maintaining patient and consumer safety.

In implementing the draft permanent regulations we ask that the CDFA be thoughtful of the industry as a whole. While there are some large commercial cannabis businesses, many are small and independently operated, and new to regulated markets. CCIA has found its members are eager to comply with issued regulations but at the same time overwhelmed by the financial and logistical burdens of implementation.

We thank the CDFA for its review and objective consideration of these comments.

SUMMARY OF COMMENTS

- 1. § 8106. Cultivation Plan Requirements.**
- 2. § 8212. Packaging and Labeling of Cannabis and Nonmanufactured Cannabis Products.**

§ 8106. Cultivation Plan Requirements.

Section (A) adds new language to the definition of canopy area, and the provision in sections (D) and (E) has added language that defines areas that may not be shared among multiple licenses held by one licensee.

Concern: CCIA is concerned that this new language is overly burdensome and unnecessarily restrictive. A change in definition of “canopy area” would be better suited for section 8000 Definitions, as opposed to an addition to the premises diagram.

In addition, the new language in (D) and (E), states that designated packaging and designated processing areas may not be shared by multiple licenses held by one licensee. This change would directly impact business operations for sun grown and rural farmers with multiple licenses on one property who rely on the ability to streamline operations by having a packaging or processing facility that intakes from multiple licenses.

Recommendation: CCIA recommends that the new language in sections (A), (D), and (E) be stricken and that the CDFA adopt the language as proposed in the original draft released in July.

§ 8212. Packaging and Labeling of Cannabis and Nonmanufactured Cannabis Products.

(4) Beginning January 1, 2020, a package for retail sale, excluding those containing immature plants and seeds, shall be child-resistant.

Concern: CCIA spent hundreds of hours discussing the nuances of child resistant packaging, exit bags, liability, and public perception. Every angle was reviewed and debated, and every outcome was weighed. Our committees, committee chairs, and board of directors came to consensus and continue to stand behind child resistant packaging being met by exit bags at the retail level.

Recommendation: We recommend that changes in draft two be stricken and that the CDFA adopt the language, as proposed in the original draft released in July.