Tremaine Wright: Hello, and welcome everyone. I am Tremaine Wright, the Chair of the Cannabis Control Board. It’s great to be here with all of you. Recognizing that we have all the Board members present or remotely, I am pleased to call to order another meeting of the Cannabis Control Board, and to welcome all of you who are participating via real time livestream. This meeting will be recorded, and the recording and transcript will be available to the public on the OCM or Office of Cannabis Management’s website cannabis.ny.gov. Today’s agenda includes several items that we’re excited about, and they include some welcoming brief remarks from myself, a review and approval of the meeting minutes from the Cannabis Control Board Meeting that was held during July 14th, consideration of Adult Use Conditional Cultivator Licenses, consideration of Adult Use Conditional Processor Licenses, consideration of candidate for position of Policy and then we’ll have a report from our Executive Director, Chris Alexander. Thereafter, we will return.

So, today we’ll begin with an update on the Seeding Opportunity Initiative. We launched the Seeding Opportunity Initiative this spring and there are currently 223 Adult Use Conditional Cultivator licensees that have been granted licenses. And who happen to be growing the first regulated Adult Use Cannabis in New York State. Checked a few weeks ago, we had the opportunity to visit 3 of these farms during a tour that took us across the state. I along with the team here were encouraged to see the progress that our licensed farmers have made in such a short window of time. farmers showed us their crop production, shared measures that were taking to do the life sustainable cultivation methods, and efforts that they were taking to support their workforce. Now, an integral part of the Seeding Opportunity Initiative is Social Equity Cannabis Investment Fund which is being led by our government partner DASNY. DASNY has selected the team to manage the fund. It is Social Equity Impact Ventures, LLC. A premier, Black-led investment team managed by financial leader Suzanne Shank, former New York City Comptroller William Thompson, and MBA Hall of Famers Chris Webber. Under their leadership, the initial grants are being developed to support the roll out of New York State’s Conditional Adult Use Retail Dispensary Market which we anticipate opening later this year. At today’s meeting, we will take further steps to advance the Seeding Opportunity Initiative, as we continue to build out New York’s Adult Use Cannabis supply chain. These steps include the consideration of an additional 19 Conditional Cultivator applications, as well as 15 applications for Conditional Adult Use Processors. We anticipate licensed Adult Use Processors transforming the cannabis currently being grown by New York Farmers with products such as edibles, tincture, and vap cartridges to name a few. Although we currently have laboratory testing regulations out for public comment, we need a set of rules in place to guide testing of products that will be produced by our additional cultivator and processor licensees in order to ensure the safety and quality of product that will be sold in our Adult Use Dispensaries. Today, we will consider emergency laboratory regulations. These emergency laboratory regulations will not only allow for us to establish a testing procedure for cannabis products, it will allow us to immediately open the application window for new cannabis testing labs. It is exciting to see the pieces of the Seeding Opportunity Initiative come together and I’m looking forward to our discussion today.

Now, before we turn to the next item on our agenda, I would like to make some brief remarks about the Open Meetings Law. As stated at every Board Meeting, the Cannabis Control Board is subject to Open Meetings Law to ensure the greatest levels of transparency and public participation in the affairs of government. Due to the ongoing pandemic, we have requested that members of the public join us via video conference, which we will continue to offer to keep the public and members of this body safe. Now, I will read a brief statement of the Open Meetings Law into the record. Pursuant to chapter 56 of the laws of 2022, enacted on April 9th, 2022, and pursuant to the Executive Order 11.7 board members may continue to fully participate in meetings via video conference from locations that are not open to the public provided that the public has the ability to view or listen to such proceedings, and the meetings are recorded and later transcribed. The public was provided with information on how to access this meeting within the public meeting notice distributed to members of the press and posted on the OCM website. A recording of this meeting, together with the transcript, will be available on the OCM website. Please note, previous recordings, meeting minutes, and transcripts are archived on the OCM website as well. There is a designated tab on the website entitled Board Meetings which provides access to all of this information.

Now let’s turn our attention to the review and approval of the meeting minutes from the July 14th Cannabis Control Board meeting. May I please have a motion to approve the July 14th, 2022, Board Meeting Minutes?

Jen Metzger: I make that motion.

Tremaine Wright: Do I have a second?

Jessica Garcia: I’ll second.

Tremaine Wright: Is there any discussion by any board members? Hearing none, I’ll call for a vote. All in favor?

All: Aye.

Tremaine Wright: Opposed, abstentions. The motion to approve the Board Meeting minutes carries.

Now, we will move onto our next item. The consideration of proposed additional Conditional Cultivator Licenses. May I please have a motion to consider and approve resolution No. 2022-24 a Resolution issuing certain Conditional Adult Use Cultivator licenses?

Jessica Garcia: So moved.

Tremaine Wright: Thank you, Ms. Garcia. May I have a second?

Jen Metzger: Second.

Tremaine Wright: To begin our discussion, Mr. Alexander could you please provide an overview of the applications?

Chris Alexander: Absolutely and thank you Madam Chair and Board Members for advancing this today. We bring before you an additional 19 applications to add to the already 223 licenses that have already been issued by this Board to cultivate cannabis in New York. I want to add a comment here as to what the Chair said earlier that we had the opportunity to tour a couple of farms and engage with some of our small farmers participating in the Conditional Cultivator program and we have seen some outstanding product that’s about to come online for New York. And so, we advance the additional 19 applications hoping to add to the Seeding Opportunity Initiative, and all of these folks, as the farmers who are already running and growing cannabis here in New York, are ready to grow and participate in the market that we’re building here in New York.

Tremaine Wright: Thank you very much. Is there any discussion, questions, or comments by any Board Members?

Reuben McDaniel: Only one questions Madam Chair, is this the last set we believe from the first round?

Tremaine Wright: Chris, you can answer it.

Chris Alexander: Yeah, I would just add here, we do have a few more applicants. We received over 300 applications of folks who are eligible or may have been eligible to participate in the program. Our office has been working with applicants to make sure that we receive all required documentation of eligibility, and so we do have a few more outstanding that we believe we will bring back before the Board at some subsequent meeting.

Reuben McDaniel: Thank you.

Tremaine Wright: Are there any additional questions or comments? Okay the final call for a vote, Ms. Metzger?

Jen Metzger: Aye.

Tremaine Wright: Ms. Garcia?

Jessica Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Reuben McDaniel: Aye.

Tremaine Wright: Mr. Perry.

Adam Perry: I’m voting in the affirmative on all of them but I’m abstaining from numbers 19 Glenna and Company and number 8 Chocolate Delivery Systems but affirmative on all the rest.

Tremaine Wright: These are the cultivator licenses.

Adam Perry: Oh, sorry, I thought okay, then aye.

Tremaine Wright: Thank you. And I vote affirmative as well.

Adam Perry: I like to get ahead of the curve.

Tremaine Wright: We are going to catch up in a couple of moments. At this moment the motion to approve resolution No. 2022-24 carries. Now, we’re going to turn our attention to the recommendation to grant Conditional Processor licenses. May I please have a motion to consider and approve resolution No. 2022-25 resolution issuing Adult Use Conditional Processor licenses.

Reuben McDaniel: So moved.

Tremaine Wright: Thank you, Reuben. May I have a second.

Jen Metzger: Second.

Tremaine Wright: And to begin our discussion, I would like to ask Executive Director to provide a brief overview of the Conditional Processor licenses.

Chris Alexander: Absolutely, thank you, Madam Chair. The Conditional Processor licenses that will be advanced with your approval today play an important link in the Seeding Opportunity Initiative between New York’s small farmers who are currently growing Adult Use Cannabis and the business owners with a cannabis conviction or their family members who will set up the Adult Use Retail Dispensaries later this year. These licenses were made possible by the same law the Governor signed in February that made the Conditional Cultivator license program possible, and it authorizes these individuals, these applicants to take the plant material being grown by New York’s small farmers and manufacturer products from edibles to tinctures and to additionally distribute those products to retailers. The Conditional Processor license, to be eligible, they must have already held a cannabinoid hemp processing license or have applied for one prior to January 1st, 2022. Today, we have 15 processor applications in front of you that have made it through our licensing department review process and are being recommended for your approval. Thank you. I’m happy to answer any additional questions you all may have.

Tremaine Wright: Is there any discussion or questions, comments from any Board members?

Jen Metzger: I would just say that I’m excited that we’re considering today moving forward on this next really important step in the supply chain to get our market going here in New York and just also want to say, I guess second the comments of Chris and our Chair that it was really inspiring to visit the farms on that farm tour and just see the quality product that is being sun grown cannabis and the future is bright for our industry here.

Tremaine Wright: Any additional comments? Okay. Then I will call for a vote. Ms. Metzger?

Jen Metzger: Aye.

Tremaine Wright: Ms. Garcia?

Jessica Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Reuben McDaniel: Aye.

Tremaine Wright: Mr. Perry.

Adam Perry: And now, I’m voting in the affirmative on all of them except I am abstaining from the application number ending in 19 Glenna and Company and the application number ending in 8 Chocolate Delivery Systems but in the affirmative on the remainder.

Tremaine Wright: I am in favor of all of them as well. And the motion to approve resolution No. 2022-25 carries.

The next order of business is for our specific consideration of proposed emergency laboratory regulations. May I please have a motion to consider and approve resolution No. 2022-26 directing the Office of Cannabis Management to file for adoption certain Emergency Cannabis Laboratory Regulations.

Reuben McDaniel: So moved.

Tremaine Wright: Mr. McDaniel thank you. May I have a second to the motion?

Jen Metzger: Second.

Tremaine Wright: And to begin this discussion, I would like to ask Nicole Quackenbush our Director of Health and Safety to please provide an overview of these regulations.

Nicole Quackenbush: Thank you, Madam Chair and good afternoon everyone. As you know, in June the Board directed us to file for public comment regulations for laboratories and testing. those regulations are currently out for public comment now. While that process continues, we also have to ensure that the Adult Use Cannabis products that are made from cannabis grown by family farmers all across New York will be tested to a regulatory standard and protect the health of consumers in New York State. Today we’re proposing emergency regulations for labs and testing to put those protocols in place. These emergency regulations are very similar to the proposed regulations that were approved by the Board in June. They establish an application process to permit independent cannabis testing laboratories as well as to permit and authorize laboratory sampling firms. They also include requirements for a state reference laboratory to test when needed for quality assurance matters, and to assist with laboratory method development. There are a few changes to note with these emergency regulations; for example, they include the ability to immediately authorize those cannabis laboratories that were previously certified for medical cannabis testing by the New York State Department of Health which would allow them the ability to test cannabis for medical or adult use and the regulations also include some additional flexibility for the Board and the office for requirements such as the introduction of the sampling firms and proficiency testing requirements. If the Board approves these emergency regulations, they will become effective immediately after they are filed in the State register. I will note that the public comment period for the proposed regulations that were approved in June and today August 15th. We will review all of the comments received and assess the comments to determine any additional changes that would be needed. Thank you, and I’m happy to answer any questions that you may have.

Tremaine Wright: Thank you Nicole. Is there any discussion, questions, or comments from Board members? Therefore, I will call for the vote. Ms. Metzger:

Jen Metzger: Aye.

Tremaine Wright: Ms. Garcia?

Jessica Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Reuben McDaniel: Aye.

Tremaine Wright: Mr. Perry.

Adam Perry: Aye.

Tremaine Wright: And I vote affirmative as well. The motion to approve resolution No. 2022-26 carries. The next order of business is consideration of Cannabis Laboratory Testing Permit and the Sampling Firm applications. May I please have a motion to consider and approve resolution No. 2022-27 resolution approving serving application forms for Laboratory Testing Facility Permits and Sampling Firms and recommends the Office of Cannabis Management to open a new application period for Laboratory Testing Facilities and Sampling Firms. May I have that motion? Thank you, Ms. Metzger. Do I have a second? Thank you, Ms. Garcia. And at this time, I would like to ask again Nicole Quackenbush Director of Health and Safety to address this application proposal.

Nicole Quackenbush: Thank you, Madam Chair. So, the office is seeking approval to launch an application window for laboratories that are interested in conducting testing for medical and adult use cannabis, as well as an approval to launch an application window for sampling firms to collect samples from licensees and registered organizations for laboratory testing. This application will be a paper-based application that will be posted on the Office of Cannabis Management website. The applicants for laboratory testing will be required to include a nonrefundable application fee of $1000. Other requirements include but not limited to documentation of required personnel, proficiency testing for analytes, and documentation of ISO IEC 17025 accreditation. And finally, one important note, Cannabis Law does prohibit a holder of a cannabis laboratory testing permit as well as it’s true parties of interest from having interested in a registered organization or any other adult use license or permit. Thank you. And again, I’m happy to answer any questions that you may have.

Tremaine Wright: Thank you, Nicole. Is there any discussion, question, or comments from any Board members?

Reuben McDaniel: Nicole, just quickly, can you go over how long you expect the application process to be open and I assume we’d do it on a rolling basis like other processes. But just give us a little more descript for that please.

Nicole Quackenbush: Sure, we anticipate that this process will be open for some time because the applicants for laboratory permits are required to have these for example, the ISO accreditation in place, so it’s going to take some time for the applicant to have that in place before they can complete their application. So, we don’t want to close the window prematurely, so that they have time to complete those requirements with their application.

Reuben McDaniel: Thank you.

Tremaine Wright: Are there any other questions, comments, or discussion?

Jessica Garcia: So, just for the sake of the public so they understand what these emergency regs mean, could you explain a little bit about how they fit in with the other regs that we approved back in June?

Nicole Quackenbush: Sure, so, the other regulations that are out for public comment are very similar to the regulations that we would be filing for emergency now. There are a couple of differences with the new package. One of the differences, as I mentioned before, is they do provide the Board and the office some additional flexibility. So, for example, the laboratory testing firms and how we roll those out so that we have flexibility in allowing the laboratories to collect samples or the licensees to send those samples depending on the number of sampling firms that we have. In addition, there are requirements in there again, for the state reference laboratory which are the same as what we had before. So, again, very similar to what we had filed previously but the public comment window is open and that closes today. So, we will still consider all of those comments received on the proposed regulations even with this emergency filing.

Tremaine Wright: Thank you, Nicole. Are there any additional questions, comments? Hearing none, I’ll call for the vote. Ms. Metzger?

Jen Metzger: Aye.

Tremaine Wright: Ms. Garcia?

Jessica Garcia: Aye.

Tremaine Wright: Mr. McDaniel?

Reuben McDaniel: Aye.

Tremaine Wright: Mr. Perry.

Adam Perry: Aye.

Tremaine Wright: And I vote affirmative as well. And the motion to approve resolution No. 2022-27 carries. The next order of business is consideration of the Executive Directors proposed candidate for the Director of Policy. May I please have a motion to consider and approve resolution No. 2022-28 a resolution approving the appointment of the Director of Policy.

Jessica Garcia: So moved.

Tremaine Wright: Thank you, may I have a second on the motion?

Jen Metzger: I’ll second.

Tremaine Wright: To begin discussion, Mr. Alexander could you please provide us with some background regarding the qualifications of this candidate.

Chris Alexander: Absolutely, thank you, Madam Chair. The Director of Policy will play an integral role in shaping the industry that we’re building here in New York and overseeing it as well. The candidate that we’re putting in front of you, Mr. John Kagia is already a leader in the cannabis industry. He has developed market leading forecasts and industry growth, has deep knowledge of the cannabis consumer and demand both in the United States and globally. He has a keen understanding of how to effectively measure performance, and really has the necessary foresight and vision to carry New York’s market from where we are today to where we need to be in the next several years. What I see in this candidate that made him stand out and what resulted in this recommendation is somebody who understands where New York’s market will be in the larger landscape of the cannabis industry and the opportunity that we have here to build a model market. John has done an incredible job in the private sector, as well as in government, and now we think that he is a perfect candidate to lead us and to answer some of these really challenging questions that we have in front of us about what to do next as we build out this market. So, I’m really excited to welcome his expertise and leadership to help me, and the team here prepare New York for the next stage of things.

Tremaine Wright: Thank you Chris. Is there any discussion or comments, or questions by any Board members?

Reuben McDaniel: I guess Madam Chair my comment would be I’m excited to see John’s resume and hear his background. I think he would be excellent for this. I look forward to actually meeting him in person. I’m really glad to see and happy that we are able to approve people of his level, people like Danny Fagon who came in as our CEO, it looks like we’re getting a great team. Chris, how are you feeling about where we are from a hiring expective at the senior level with the position being filled?

Chris Alexander: I’m feeling good. Not only do we have folks who have great expertise, but we have folks that have a real commitment to the mission and John, as you know with John and some of the other additions to the senior leadership of the agency, folks have made the choice to commit themselves to this work. Lots of other opportunities and other things that folks could be doing but deciding to come here at this time I think is really essential and also what makes us attractive to him as a candidate, the fact that he’s willing to come into government service for a bit to do some really important work.

Reuben McDaniel: Excellent. Very high on this one, this candidate looks wonderful.

Tremaine Wright: Thank you. Are there any additional questions or comments, discussion? Therefore, I will call for the vote. Ms. Metzger?

Jen Metzger: Aye.

Tremaine Wright: Ms. Garcia? I’m sorry.

Jen Metzger: I was going to say, I am welcome.

Tremaine Wright: Ms. Garcia.

Jessica Garcia: I’m an aye.

Tremaine Wright: Mr. McDaniel?

Reuben McDaniel: I’m an enthusiastic aye.

Tremaine Wright: Mr. Perry.

Adam Perry: Aye.

Tremaine Wright: And I vote affirmative as well and the motion to approve resolution No. 2022-28 carries. Now, let’s turn to the Executive Director’s report Chris could you please present your report?

Chris Alexander: Thank you, Madam Chair. As we said previously and continue to reiterate, we have been running around the state, our external team is doing an amazing job bringing awareness to the opportunity in front of us for the CARD program. We have in the recent weeks been all over the City in particular, we we’ve toured the rest of the state on previously weeks. We’ve got some upcoming events in Staten Island, the Bronx, Kingston, and Yonkers. We’re continuing to advertise these on our social media platforms as well and reaching out to local partners to help us build our audience. One of the keys in our law is that we do this work to make sure folks are fully aware of these opportunities that are coming that we’re building here and the Board is authorizing. So, we’re just really excited to be able to keep doing that and folks have been really engaged. We did announce a couple of days ago the opening of that application window. Now when the Board approved the application, they required that you all required that we put forward a 2 week notice period to the public. We met that requirement and the application window for the Conditional Adult Use Retail Dispensary license will open on August 25th. The last time I just want to highlight once again is the work that’s been done now by our cultivators. As folks mentioned, as you mentioned and share and other Board members, we were able to tour a couple of facilities, a couple of farms and to see the work that’s being done. The sustainable practices being utilized and put into play, and the quality flower that’s being produced by our small farmers. I could not be more proud of them and I definitely want to take this opportunity to really shout them out for being willing to step into this and to do so without knowing the full landscape, but trusting that this body, this Board and this office will fully develop the rest of that supply chain for those products to go to market. And that is it.

Tremaine Wright: Thank you, Chris. Are there any questions from the Board? Comments?

Jen Metzger: I just have a question. Could you just give an update on I know that public comment we closed the public comment period on the medical home grow regs and sort of where we are in that process before it comes to us?

Chris Alexander: Sure thing. So, the public comment period for medical home cultivation closed. Our team has been working on the assessment of public comment. We do believe that we will be able to get a package or those regulations back in front of the Board at an upcoming Board meeting if not the next meeting, so that patients particularly can have access to that program. We got a lot of great comments and feedback from the public but do feel good on where we are. I know folks are eager to have patients to be able to come in and cultivate at home.

Jen Metzger: Thank you.

Tremaine Wright: Comments from the Board? Okay, so I think that we have tackled a lot here today and we’re just about ready to close out our meeting. I would like to take a moment and remind everyone that the time and location and the live stream link for our next Board meeting will be shared on our website Cannabis.ny.gov in advance of the next Cannabis Control Board meeting. And additionally, a recording of today’s meeting, meeting minutes, and a transcription will be posted as well. That concludes our agenda items. May I please have a motion to adjourn this meeting?

Adam Perry: So moved.

Tremaine Wright: May I have a second?

Jen Metzger: Second.

Tremaine Wright: Okay, I guess I know who wants to leave. Any questions, comments: Hearing none, I’ll call for a vote, all in favor?

All: Aye.

Tremaine Wright: And the motion to adjourn this meeting carries. Thank you all for joining us today.