



# Office of Cannabis Management

**KATHY HOCHUL**

Governor

**TREMAINE WRIGHT**

Cannabis Control Board Chair

**JESSICA GARCIA**

Board Member

**REUBEN R. MCDANIEL, III**

Board Member

**ADAM W. PERRY**

Board Member

**JEN METZGER**

Board Member

**CHRIS ALEXANDER**

Executive Director

## Meeting Minutes

<b>Title:</b>	New York State Cannabis Control Board Meeting
<b>Time &amp; Date:</b>	August 15, 2022
<b>Location:</b>	Virtual via Webcast

## Attendance

<b>Board Chair:</b>	Tremaine Wright
<b>Board Members Present (virtually):</b>	Jessica Garcia, Reuben R. McDaniel III, Jen Metzger, Adam W. Perry
<b>Board Members Absent:</b>	None
<b>Others Present (virtually):</b>	Chris Alexander, Axel Bernabe, Nicole Quackenbush

## Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from July 14, 2022 Board Meeting
- IV. Consideration of Adult-Use Conditional Cultivator Licenses
- V. Consideration of Adult-Use Conditional Processor Licenses
- VI. Consideration of Emergency Cannabis Laboratory Testing Regulations
- VII. Consideration of Cannabis Laboratory Testing Permit and Sampling Firm Application
- VIII. Consideration of Candidate for Director or Policy
- IX. Executive Director Report
- X. Adjourn



**Action Items**

<b>Resolution No. 2022-24:</b>	Resolution Issuing Certain Conditional Adult-Use Cultivator Licenses.	Passed, Unanimous Vote
<b>Resolution No. 2022-25:</b>	Resolution Issuing Certain Conditional Adult-Use Processor Licenses.	Passed, Unanimous Vote
<b>Resolution No. 2022-26:</b>	Resolution Directing the Office of Cannabis Management to File for Adoption Certain Emergency Cannabis Laboratory Regulations.	Passed, Unanimous Vote
<b>Resolution No. 2022-27:</b>	Resolution Approving Certain 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.	Passed, Unanimous Vote
<b>Resolution No. 2022-28:</b>	Resolution Approving the Appointment of the Director of Policy.	Passed, Unanimous Vote

**Notes & Comments**

<ul style="list-style-type: none"> <li>• Chair Wright provided the following update regarding the Seeding Opportunity Initiative.             <ul style="list-style-type: none"> <li>- There are currently 223 approved Adult-Use Conditional Cultivator Licensees that are growing the first regulated Adult-Use Cannabis in New York State.</li> <li>- Last month, members of the Cannabis Control Board and the Office of Cannabis Management toured three farms across the state and were encouraged to see the progress made by licensed farmers in such a short window of time.</li> <li>- DASNY selected 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 NBA Hall of Famer Chris Webber, to manage the Social Equity Cannabis Investment Fund. 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 is anticipated to open later this year.</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Executive Director Chris Alexander provided an overview of Resolution No. 2022-24, Resolution Issuing Certain Conditional Adult-Use Cultivator Licenses. The OCM completed the review of the applicants and recommended an additional 19 applicants for an Adult-Use Conditional Cultivator License to the Board, in addition to the 223 already approved. OCM</li> </ul>



has received over 300 applications to date and has a few additional outstanding applications to get to the Board for review and approval in subsequent Board meetings.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-25, Resolution Issuing Certain Conditional Adult-Use Processor Licenses. Pursuant to legislation signed by Governor Kathy Hochul in February 2022, entities who hold a Cannabinoid Hemp Processor license from the OCM qualify for an Adult-Use Conditional Processor license. Eligible applicants must have applied for a Cannabinoid Hemp Processor license in New York before January 1, 2022. The Adult-Use Conditional Processor license authorizes the license holder to take the plant material grown by New York farmers, manufacture products from edibles to tinctures, and distribute those products to retailers. Adult-Use Conditional Processors will be a critical part of New York’s equity-first supply chain, bringing cannabis products onto the shelves of New York’s first adult-use cannabis retail dispensaries. The OCM completed the review of and recommended the approval of 15 applicants for an Adult-Use Conditional Processor License to the Board.
- Board Member Adam Perry commented that he is voting in the affirmative on all of them except he is abstaining from the application number ending in 19 pertaining to Glenna and Company and the application number ending in 8 Chocolate Delivery Systems but in the affirmative on the remainder.

- Nicole Quackenbush, the Director of Health and Safety for OCM, provided an overview on the Emergency Laboratory Testing Regulations. Emergency Laboratory Regulations are being introduced to provide an immediate pathway for OCM to launch the application process for cannabis laboratories and to protect public health and safety, ensuring sufficient testing capacity to meet adult-use and medical program cannabis testing needs. These emergency regulations include:
  - The ability to immediately authorize those cannabis laboratories previously certified for medical cannabis testing by the NYS Department of Health, allowing those laboratories the ability to test cannabis for medical or adult-use.
  - Additional flexibility for the Board and Office for requirements such as the introduction of sampling firms and proficiency testing requirements.
- Emergency Regulations become effective immediately upon filing in the State Register.
- Public comment period for the proposed regulations approved by the Board on 6/1/2022 ends on 8/15/2022. OCM will assess comments and determine whether revisions are needed.

- Nicole Quackenbush, the Director of Health and Safety for OCM, provided an overview on the Cannabis Laboratory Testing Permit and Sampling Firm Application. OCM is seeking approval to launch an application for laboratories interested in conducting medical and adult-use cannabis testing and for sampling firms to collect samples for laboratory testing. Application requirements for laboratories include, but are not limited to the following:
  - Non-refundable application fee of \$1000.
  - Documentation of ISO/IEC 17025 accreditation.
  - Proficiency testing for certain analytes.
  - Specific laboratory personnel requirements.



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- Cannabis Law prohibits a holder of a cannabis laboratory testing permit, as well as its true parties of interest, from having interest in a registered organization or any other adult-use license or permit.
- Board Member Reuben McDaniel asked how long the application will remain open.
- Nicole Quackenbush, the Director of Health and Safety for OCM, responded that it is anticipated that this process will be open for some time because the applicants for laboratory permits are required to have the ISO accreditation in place.
- Board Member Jessica Garcia asked if it could be explained how the Emergency Regulations fit in with the other regs that were approved back in June.
- Nicole Quackenbush, the Director of Health and Safety for OCM, commented that the other regulations that are out for public comment are very similar to the Emergency Laboratory Regulations. There are a couple of differences with the new package. One of the differences is that they provide the Board and the Office with additional flexibility for requirements such as the introduction of sampling firms and proficiency testing requirements. In addition, there are requirements for the State reference laboratory.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-28, Resolution Approving the Appointment of the Director of Policy. The Director of Policy candidate, John Kagia, is a leader in the cannabis industry, has developed market leading forecasts on industry growth, has deep knowledge of the cannabis consumer and demand both in the United States and globally, and has a keen understanding of effectively measuring performance.

- Executive Director Chris Alexander provided his Director's report.
  - "Get Ready, Get Set" - CAURD
    - OCM continues to participate and reach out to New Yorkers to raise awareness around the forthcoming opportunity with CAURD. OCM started with virtual workshops followed by listening sessions and now has taken the program on the road. Upcoming events are scheduled for Staten Island, the Bronx, Kingston and Yonkers.
    - The application window for the Conditional Adult-Use Retail Dispensary license will open on August 25<sup>th</sup>.
  - Farm Tour
    - Last month, the OCM and members of the Cannabis Control Board visited three Adult-Use Cannabis Cultivating family farms across the State in Erie, Schoharie and Ulster counties.

- Board Member Jen Metzger asked for an update on the Medical Home Grow Regulations.
- Executive Director Chris Alexander commented that the public comment period for Medical Home Cultivation has closed and that the OCM is working on the assessment of public comment.

- The Board adjourned the meeting.