



Office of Cannabis Management

KATHY HOCHUL	TREMAINE WRIGHT	JESSICA GARCIA	REUBEN R. MCDANIEL, III	ADAM W. PERRY	JEN METZGER	CHRIS ALEXANDER
Governor	Cannabis Control Board Chair	Board Member	Board Member	Board Member	Board Member	Executive Director

Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	September 20, 2022
Location:	90 Church Street, New York, NY 10007 and Virtual via Webcast

Attendance

Board Chair:	Tremaine Wright
Board Members Present:	Jessica Garcia, Jen Metzger
Board Members Present (virtually):	Adam W. Perry
Board Members Absent:	Reuben R. McDaniel III
Others Present:	Chris Alexander, Axel Bernabe
Others Present (virtually):	Nicole Quackenbush

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from September 13, 2022 Board Meeting
- IV. Consideration of Adult-Use Conditional Cultivator Licenses
- V. Consideration of Adult-Use Conditional Processor Licenses
- VI. Consideration of Medical Home Grow Regulations
- VII. Consideration of Cannabinoid Hemp Regulations
- VIII. Consideration of Registered Organization Change of Ownerships
- IX. Consideration of First Deputy General Counsel
- X. Consideration to Reaffirm Resolution 2022-29, for a Limited Partnership Agreement for the Social Equity Fund
- XI. Executive Director Report
- XII. Adjourn



Action Items

Table with 3 columns: Resolution No., Description, and Vote. Rows include resolutions 2022-29 through 2022-39, all with unanimous votes.

Notes & Comments

- Chair Wright commented that the Executive Order that was passed during the pandemic to allow virtual meetings was not renewed and that this is the first meeting with an actual audience. This will be the new status quo moving forward but all Cannabis Control Board meetings will continue to be live streamed as well.
Chair Wright provided the following update regarding the Seeding Opportunity Initiative.
- There are currently 242 approved Adult-Use Conditional Cultivator Licensees that are growing the first regulated, legal Adult-Use Cannabis in New York State. Additionally, there are 15 approved Conditional Processors.



<ul style="list-style-type: none">- Last month, the CAURD application portal opened to the public and will close on September 26th.
<ul style="list-style-type: none">• Board Member Jessica Garcia identified that she would be abstaining from any discussion and a vote regarding the Change in Ownership of any Registered Organizations.• Executive Director Chris Alexander provided an overview of Resolution No. 2022-30, Consideration of Registered Organization Citivia Medical, LLC Change in Ownership and Resolution No. 2022-33, Consideration of Registered Organization PharmaCann of New York, LLC Change in Ownership. Following the review of documentation submitted in accordance with the Cannabis Law and its existing regulations, OCM recommended the approval of these changes in ownership to the Cannabis Control Board. Approval of these changes will allow for the continuation and advancement of these registered organization’s ability to provide quality service to the patients of New York State.
<ul style="list-style-type: none">• Executive Director Chris Alexander provided an overview of Resolution No. 2022-35 (stated as Resolution No. 2022-30 in the transcript), Resolution Issuing Certain Conditional Adult-Use Cultivator Licenses. The OCM completed the review of and recommended an additional 19 applicants for an Adult-Use Conditional Cultivator License to the Board.
<ul style="list-style-type: none">• Executive Director Chris Alexander provided an overview of Resolution No. 2022-31, Resolution Issuing Certain Conditional Adult-Use Processor Licenses. The OCM completed the review of and recommended an additional 10 applicants for an Adult-Use Conditional Processor License to the Board.
<ul style="list-style-type: none">• Nicole Quackenbush, the Director of Health and Safety for OCM, provided an overview on the Medical Home Cultivation Regulations. Key provisions include:<ul style="list-style-type: none">- Certified patients or designated caregivers over the age of twenty-one can grow up to three mature and three immature cannabis plants at one time.- A certified patient may only have one designated caregiver grow on their behalf.- A designated caregiver can grow medical cannabis for up to four certified patients. However, a designated caregiver cannot grow more than twelve plants (six mature and six immature) in total, at any one time, if growing for multiple certified patients.• Regulations would become effective on 10/5/2022, upon publication in the State Register.• Board Member Jen Metzger commented that guidance would be coming out from the Office to help people that are growing at home. Board Member Metzger also mentioned to consider trying to take the most energy efficient approach when investing in the equipment upfront because it can have a huge impact on electricity bills, and it’s better for the environment, and if you can grow outdoors, all the better, but that’s not an option for everyone.
<ul style="list-style-type: none">• Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of Resolution No. 2022-38 (stated as Resolution No. 2022-33 in the transcript), Resolution to Direct the Office of Cannabis Management to Adopt Amendments to the Cannabinoid Hemp Regulations for Public Comment. Key provisions include:<ul style="list-style-type: none">- Creation of a new license type, making it easier for the licensed hemp farmers in New York State to manufacture and sell their own cannabinoid hemp flower



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products to duly licensed retailers or sell those products themselves if they have a retail license.

- Requirements for the use of the term “craft” in the labeling and marketing of cannabinoid hemp products.
 - Removing the requirement that cannabinoid hemp products be shelf-stable, allowing for a broader array of products.
 - Raising the per serving milligram cap for dietary supplement cannabinoid hemp products from 75 mg to 100 mg to better align with products in the market.
- Regulations would become effective on 10/5/2022, upon publication in the State Register.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-39, Resolution Approving the Appointment of the First Deputy of General Counsel, Patricia Heer. Patricia Heer is an accomplished attorney who has stepped into leadership roles managing significant projects at the Office of Cannabis Management.

- Resolution No. 2022-29, a Resolution to Approve a Limited Partnership Agreement between the Dormitory Authority of the State of New York and Social Equity Impact Ventures GP I, LLC was reaffirmed by the Board. This resolution was approved at the last Board Meeting but the Executive Order allowing for remote Open Meetings expired the day before.

- 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 on the CAURD application process.
 - The CAURD application window closes on September 26th.
- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided details as it relates to the CAURD application and how it fits into the broader two-tier market established by the Cannabis Law. The Cannabis Law creates a two-tier market structure for the Adult-Use Cannabis Program, whereby individuals or entities having any direct or indirect interest in a licensee authorized on the supply tier (cultivation, processing, distribution) are prohibited from holding any direct or indirect interest in a licensee on the retail tier (retail dispensary, on-site consumption, delivery) and vice versa. The Office recently published Guidance for True Parties of Interest and the two-tier market structure.
- Executive Director Chris Alexander provided the following update on the Poison Control Center Training and Medical Home Grow Regulations.
 - Poison Control Center Training
 - Provided a training to the staff at the two Poison Control Centers in NYS, including an overview of cannabis and cannabinoids, products forms and their effects, and national and NYS law and policy.
 - The training was held to ensure Poison Center staff have a current understanding of the evolving cannabis landscape in NYS.
 - Poison Control data helps demonstrate the rates of adverse effects related to cannabis products as well as accidental cannabis consumption for those



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who may have consumed cannabis without intending to and for cases where individuals may have consumed more cannabis than desired.

- Medical Home Grow Regulations
 - o The public comment period closed September 19th. The Office is currently assessing the comments received.

- The Board adjourned the meeting.