



# 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

<b>Title:</b>	New York State Cannabis Control Board Meeting
<b>Time &amp; Date:</b>	November 21, 2022
<b>Location:</b>	Adam Clayton Powell Jr. State Office Building 163 W 125th Street, New York, NY 10027 and Virtual via Webcast

## Attendance

<b>Board Chair:</b>	Tremaine Wright
<b>Board Members Present:</b>	Jessica Garcia, Reuben R. McDaniel III, Jen Metzger
<b>Board Members Present (virtually):</b>	Adam W. Perry
<b>Others Present:</b>	Chris Alexander, Axel Bernabe, Damian Fagon, Lyla Hunt
<b>Others Present (virtually):</b>	Nicole Quackenbush

## Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from September 20, 2022 Board Meeting
- IV. Public Hearing on Remote Board Member Meeting Participation Under Extenuating Circumstances
- V. Consideration of Registered Organization Etain, LLC. Change in Ownership
- VI. Consideration of Registered Organization NYCANNA of New York, LLC. Change in Ownership
- VII. Consideration of Adult-Use Conditional Cultivator Licenses
- VIII. Consideration of Adult-Use Conditional Processor Licenses
- IX. Consideration of Refiling Packaging, Labeling, Marketing & Advertising Regulations



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- X. Consideration of Refiling Cannabis Laboratory Regulations
- XI. Consideration of Extending Emergency Cannabis Laboratory Regulations
- XII. Consideration of Cannabis Laboratory Permit Holders
- XIII. Consideration of Conditional Adult-Use Retail Dispensary Licenses
- XIV. Consideration of Adult-Use Regulations
- XV. Consideration of Hearing and Enforcement Emergency Regulations
- XVI. Executive Director Report
- XVII. Public Comment
- XVIII. Adjourn

### Action Items

<b>Resolution No. 2022-35:</b>	Resolution to Approve the Change in Ownership Request of Registered Organization Etain, LLC.	Passed, Unanimous Vote
<b>Resolution No. 2022-36:</b>	Resolution to Approve the Change in Ownership Request of Registered Organization NYCANNA of New York, LLC.	Passed, Unanimous Vote
<b>Resolution No. 2022-40:</b>	Resolution in Relation to Authorizing Cannabis Control Board Members to Attend Meetings by Videoconference in Private Locations Under Extraordinary Circumstances.	Passed, Unanimous Vote
<b>Resolution No. 2022-41:</b>	Resolution Issuing Certain Conditional Adult-Use Cultivator Licenses.	Passed, Unanimous Vote
<b>Resolution No. 2022-42:</b>	Resolution Issuing Certain Conditional Adult-Use Processor Licenses.	Passed, Unanimous Vote
<b>Resolution No. 2022-43:</b>	Resolution Directing the Office of Cannabis Management to File Certain Revised Cannabis Packaging, Labeling, Marketing and Advertising Regulations for Public Comment.	Passed, Unanimous Vote
<b>Resolution No. 2022-44:</b>	Resolution Directing the Office of Cannabis Management to File Certain Revised Cannabis Laboratory Regulations.	Passed, Unanimous Vote
<b>Resolution No. 2022-45:</b>	Resolution Directing the Office of Cannabis Management to File for Adoption Certain Emergency Cannabis Laboratory Regulations.	Passed, Unanimous Vote



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<b>Resolution No. 2022-46:</b>	Resolution Issuing Certain Cannabis Laboratory Permits.	Passed, Unanimous Vote
<b>Resolution No. 2022-47:</b>	Resolution Issuing Certain Conditional Adult-Use Retail Dispensary Licenses.	Passed, Unanimous Vote
<b>Resolution No. 2022-48:</b>	Resolution Directing the Office of Cannabis Management to File Certain Proposed Adult-Use Regulations.	Passed, Unanimous Vote
<b>Resolution No. 2022-49:</b>	Resolution Directing the Office of Cannabis Management to File for Adoption Certain Emergency Violations, Hearing and Enforcement Regulations.	Passed, Unanimous Vote

## Notes & Comments

- Chair Wright provided the following update on three additional New York State agencies that are also working to lay the groundwork for the New York cannabis market.
  - New York State Department of Labor is working to encourage the growth in New York’s cannabis industry with the launch of the Cannabis Employment Education and Development Unit, or CEED, which is designed to assist both job seekers and businesses who work in the Adult-Use Medical Cannabis and Cannabinoid Hemp Industries. More information about labor laws and careers can be found at [dol.ny.gov/cannabis-workforce-development](http://dol.ny.gov/cannabis-workforce-development).
  - New York State Insurance Fund has been proactively helping cannabis entrepreneurs comply with mandatory worker’s compensation and disability benefits. More information can be found at [nysif.com/cannabis](http://nysif.com/cannabis).
  - Department of Financial Services issued new guidance to remind all insurers that following the decriminalization of the possession sale or use of marijuana in New York State, that it is illegal to make underwriting decisions based on certain arrests, criminal convictions including expunged cannabis related criminal convictions. Additional information can be found at [nydfs.com](http://nydfs.com) or contact them at [public-affairs@dfs.ny.gov](mailto:public-affairs@dfs.ny.gov).
- Chair Wright provided the following update regarding the Seeding Opportunity Initiative.
  - There are currently 261 Adult-Use Conditional Cultivator Licensees that are growing the first legal regulated Adult-Use Cannabis in New York State.
  - There are 25 approved Conditional Processor licensees that are taking cannabis grown by cultivators and making it retail ready products.
- Chair Wright provided an overview of Resolution No. 2022-40, a Resolution in Relation to Authorizing Cannabis Control Board Members to Attend Meetings by Videoconference in Private Locations Under Extraordinary Circumstances. Under the Open Meetings Law, public bodies can allow members to attend meetings by videoconference from locations that are not open to the public under extraordinary circumstances, such as disability, illness, caregiving



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responsibilities, or any other significant or unexpected factor that keeps a Board member from physically attending a meeting in person.

- Board Member Jessica Garcia recused herself from the discussion and a vote regarding the Change in Ownership of any Registered Organizations.
- Board Member Adam Perry commented that he would be abstaining from Resolution No. 2022-35, Etain and Resolution No. 2022-36, NYCANNA.
- Executive Director Chris Alexander provided an overview of Resolution No. 2022-35, a Resolution to Approve the Change in Ownership Request of Registered Organization Etain, LLC and Resolution No. 2022-36, a Resolution to Approve the Change in Ownership Request of Registered Organization NYCANNA of New York, LLC. 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 medical cannabis to registered patients.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-41, a Resolution Issuing Certain Conditional Adult-Use Cultivator Licenses. The OCM completed the review of and recommended an additional 16 applicants for an Adult-Use Conditional Cultivator License to the Board.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-42, a Resolution Issuing Certain Conditional Adult-Use Processor Licenses. The OCM completed the review of and recommended an additional 8 applicants for an Adult-Use Conditional Processor License to the Board.

- Lyla Hunt, Deputy Director of Public Health and Campaigns for OCM, provided an overview of Resolution No. 2022-43, Directing the Office of Cannabis Management to File Certain Proposed Cannabis Packaging and Labeling and Marketing and Advertising Regulations for public comment. In June 2022, the Cannabis Control Board voted to issue proposed regulations for the packaging, labeling, marketing, and advertising of adult-use cannabis products. The public comment period closed on August 15, 2022 and over 730 comments were received. The proposed regulations were revised as a result of public comment.

- Revisions to the draft rules include the following:
  - Allows licensees to include more than one logo or brand element on a package, which allows them to co-brand with other licensees.
  - Removes the requirement for plain white background with black text on the front of the package.
  - Allows the cultivar or strain name and brand name that might reference other foods, candies, beverages, and more, so those rules would not impact strains or businesses already known to consumers.
  - Updated the universal symbol to limit it to three colors total for the ease of additional costs. The requirement for the universal symbol to appear on the front of the package was removed, meaning that it can appear anywhere on the package to allow flexibility.



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- Allows customer incentive programs to be used only if their purpose is part of implementing a licensee submitted Retail Package Sustainability Program, such as a package redemption program.
  - Revisions made to the marketing and advertising regulations will help licensees by making the rules clearer and easier to interpret. Preventing marketing to those under 21 continues to be the hallmark of these rules.
    - Rules were clarified to better account for types of advertisement like audio only ads where implementing certain requirements like warnings could be challenging.
    - Clarifications were made to the rules about advertising at or in connection with a sponsored event.
    - Revisions were made to ensure advertisements are not misleading, such as prohibiting medical symbols and clarifying usage of terms such as organic, craft, gluten-free, vegan, and kosher.
  - Board Member Jen Metzger commented that she wanted to express appreciation to the public for all of their great input on this and to staff for their responsiveness, and that she thinks that the changes just enable a lot more creativity and flexibility. She also noted that we really have the most leading robust sustainable packaging program in the country.
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- Nicole Quackenbush, the Director of Health and Safety for OCM, provided an overview of Resolution No. 2022-44, a Resolution Directing the Office of Cannabis Management to File Certain Revised Cannabis Laboratory Regulations.
    - In June 2022, the Cannabis Control Board voted to post draft regulations for the permitting and oversight of laboratories and laboratory testing. The public comment period closed on August 15, 2022. The draft regulations were revised as a result of public comment. Revisions include, but are not limited to, clarifications for proficiency test provider requirements, personnel requirements, and ownership requirements.
    - If approved by the Board today, the revised regulations will be published in the New York State Register on December 7th, which will begin a 45-day public comment period.
    - The emergency regulations filed on 8/16/22 remain in effect until 12/14/2022.
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- Nicole Quackenbush, the Director of Health and Safety for OCM, provided an overview on Resolution No. 2022-45, a Resolution Directing the Office of Cannabis Management to File for Adoption Certain Emergency Cannabis Laboratory Regulations.
    - Emergency cannabis laboratory regulations were filed on 8/16/2022 and remain in effect until 12/14/2022.
    - This resolution directs the OCM to extend the emergency regulations for another 120 days after December 14<sup>th</sup> when the current ones expire.
    - The refiled emergency regulations will expire on March 14, 2023.
    - No changes have been made to the emergency regulations since they were approved by the Board in August.



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- Nicole Quackenbush, the Director of Health and Safety for OCM, provided an overview of Resolution No. 2022-46, a Resolution Issuing Certain Cannabis Laboratory Permits.
  - With the emergency regulations that went into effect on August 16<sup>th</sup>, OCM was able to immediately authorize those cannabis laboratories previously certified under the Department of Health for medical cannabis testing. These laboratories may now conduct testing for the medical cannabis and adult-use cannabis programs. The emergency regulations also allowed OCM to open an application window for laboratories to apply. The following three laboratories have applied to the OCM to be permitted as a cannabis testing laboratory:
    - Biotrax Testing Laboratory located in Erie County.
    - Kaycha NY located in Albany County.
    - Keystone State Testing located in Broome County.
  - These laboratories have met the requirements for their facilities and staffing to be permitted by the Board in accordance with the emergency regulations that are in effect. If the Board votes to permit these three new labs today, the laboratories will still need to complete their demonstration of capability to the satisfaction of OCM before they can begin their testing operations.
  - Not all labs perform the same scope of testing. Information regarding the scope of testing can be found on the OCM website.

- Board Member Jessica Garcia recused herself from application OCM CAURD 406.
- Board Member Reuben McDaniel recused himself from Resolution No. 2022-47.
- Executive Director Chris Alexander provided an overview of Resolution No. 2022-47, a Resolution Issuing Certain Conditional Adult-Use Retail Dispensary Licenses. Licenses were awarded to two sets of groups. The first are individuals who have a cannabis conviction or family members of those with a cannabis conviction, what is called justice involved individuals, who have also demonstrated experience operating a successful business. The other set are nonprofit organizations that have history of helping the recently incarcerated reenter society successfully, including on-site job training programs. OCM recommended the approval of 29 qualifying business applicants and 8 nonprofit applicants to the Board.

- Executive Director Chris Alexander provided an overview of Resolution No. 2022-48, a Resolution Directing the Office of Cannabis Management to File Certain Proposed Adult-Use Regulations. This comprehensive package of adult-use regulations will, once finalized, create the application process for New York State's cannabis businesses and set rules related to their ownership and operations. This package consists of multiple parts and will dictate the rules for this new industry. The proposed regulations:
  - Create an application process for different nursery, cultivator, microbusiness, cooperative, processor, distributor, and retail dispensary licenses.
  - Maximize consumer choice and prioritize small businesses by creating the tiered market structure outlined in the Cannabis Law.
  - Open the door for a class of social equity licensees to build wealth and strengthen their communities.
  - Ensure cannabis businesses protect public health and safety and operate in a way that minimizes their environmental impact.



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- The proposed regulations for Municipal Governments outline how much Municipal Governments can regulate the time, place and manner of cannabis licensees in accordance with the Cannabis Law. Municipalities can set rules related to cannabis business operations, hours of operation, zoning, and distance from certain special use areas, as long as those rules are not unreasonably impractical. The proposed regulations:
  - Prohibit municipalities from imposing special fees on cannabis businesses.
  - Allow municipalities to choose to prevent retail dispensaries and on-site consumption licensees from operating late at night and from operating more than 70 hours per week.
  - Outline a process for retail dispensary and on-site consumption applicants to notify a municipality of their intent to operate a cannabis license in the municipality's jurisdiction. A municipality can submit an opinion which will be considered by the Board on whether to grant or deny an application.
  - Mirror the SLA regulations for many distance and measurement provisions between special use areas.
- Damian Fagon, Chief Equity Officer for OCM, provided an overview of the proposed Social and Economic Equity Regulations:
  - All applicants must demonstrate a commitment to social and economic equity. Additionally, the proposed regulations invest in people most impacted by cannabis criminalization and, as is required by law, prioritize certain groups:
    - Individuals from a community disproportionately impacted (CDI) by the enforcement of cannabis prohibition.
    - Minority-owned businesses, women owned businesses, distressed farmers and service-disabled veteran owned businesses.
  - All social and economic equity applicants will have a 50% reduction waiver or deferral of their application and licensure fee.
- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of the Two-Tier Market, True Parties of Interest, Public Health and Safety, and Environment and Sustainability Regulations. The Cannabis Law creates a "two-tier" market. This prohibits vertical integration for most licensees. The Law does not allow someone to hold an interest in both a supplier, such as a cultivator, and a retailer, such as a dispensary. The proposed regulations reduce barriers to entry, prioritize small businesses, and create competition. They do this by creating the two-tier market that the Cannabis Law requires. The proposed regulations:
  - Prevent a person from holding an interest in both a supplier and a retailer.
  - Stop suppliers from using gifts, discounts, loans, or other incentives to unduly influence retailers.
  - Require applicants and licensees to identify all person who profit based on the business's success even if they are not direct owners.
- The True Parties of Interest is a framework designed to capture anyone with a Direct or Indirect interest in a cannabis license. This includes, but is not limited to an applicant or licensee's:



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- Individuals with a controlling interest, including sole proprietor, partner, member, manager, president, vice president, secretary, treasurer, officer, board member, trustee, director, or anyone with an equivalent title.
  - Individuals with a share of ownership, including stockholders, including passive investors, and any person who makes up the ownership structure of each level of ownership in the licensee.
  - Individuals with a financial interest in the success of the business including goods and services providers or partners exceeding the 10%/50%/\$100,000 thresholds.
  - A spouse of any individual above.
  - The proposed regulations for Public Health and Safety create protections to ensure the health and safety of licensees, their employees, and members of the public. The proposed regulations ensure public health by:
    - Ensuring cannabis products are not in shapes that are attractive to individuals under twenty-one.
    - Ensuring products are made so that servings are clearly defined and in accordance with good manufacturing practice (GMP) standards.
    - Regulating the allowable ingredients and cannabis product forms permissible in the adult-use marketplace.
    - Establishing a framework for adverse event reporting for side effects and recall procedures as needed.
  - The proposed regulations for Environment and Sustainability require licensees to monitor and limit their impact on the environment. Licensees will be encouraged to reduce waste and implement practices that reuse and recycle. The proposed licensing structure would encourage mixed-light and outdoor cultivation by making those license types more accessible. Additionally, the proposed regulations require licensees to document, implement, and maintain an Energy and Environmental Plan which includes, but is not limited to, information related to the licensees':
    - Energy use and impact, including the energy efficiency of structures within the licensee's site and practices to reduce energy use.
    - Lighting if the licensee cultivates using lights.
    - Packaging materials if the licensee packages.
    - Plan to reduce the licensee's greenhouse gas emissions and reliance on fossil fuels, in accordance with New York's Climate Leadership and Community Protection Act.
    - Ecological regeneration practices.
    - Water conservation.
  - Executive Director Chris Alexander commented that the adult-use regulations are proposed and not final. The proposed regulations will be filed in the State Register for a 60-day public comment period. Comments can be filed by email at [regulations@ocm.ny.gov](mailto:regulations@ocm.ny.gov).
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- The Board voted on and passed Resolution No. 2022-49, a Resolution Directing the Office of Cannabis Management to File for Adoption Certain Emergency Violations, Hearing and Enforcement Regulations.
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- Executive Director Chris Alexander provided his Director's report.





- Last month, OCM opened the application window for the Cannabis Compliance Training and Mentorship program.
  - o This is a ten-week program that is based on existing farmer apprenticeship and fellowship programs and has the explicit goal of growing and diversifying the pipeline of farmers and processors preparing to participate in the adult-use industry.
  - o Holders of Adult-Use Conditional Cultivator and Conditional Processor licenses must participate in the program and help train the new generation of cannabis entrepreneurs.
  - o Participants will take a series of structured webinars covering a range of topics on cannabis cultivation and processing, and agribusiness and regulatory compliance.
  - o The application window closed on November 3<sup>rd</sup>.
- OCM is completing its assessment of public comments received from the revised Medical Cannabis Regulations.
- The next Cannabis Advisory Board meeting is scheduled for December 1<sup>st</sup>.

- Board Member Reuben McDaniel provided the following update on the Social Equity program.
  - DASNY has been working over the past six to nine months on the following:
    - o Identifying locations and beginning to work on assisting licensees with their physical locations through both financing mechanisms and in building.
    - o Working with ten design build firms with a real estate partner to identify locations throughout the state to locate retail Adult-Use Dispensaries.
    - o Negotiating leases and terms.
  - DASNY will now begin to engage with each of the licensees on specific locations and will help them find their locations, get the building done and constructed, and will help with banking and insurance if assistance is needed.

- Starting at today’s meeting and going forward, members of the public will be provided the opportunity to address the Board during the Public Comment period. Each member of the public addressing the Board will have two minutes to speak. The Board will hear from as many as ten members of the public. Prior to the start of the Public Comment period, Majority Leader Crystal Peoples-Stokes commented on how proud she was of the Chair and the entire Board and that the way they have governed to allow staff to set up an agency and that to create an agency that focuses on equity and social justice is just an amazing thing. Public Comments are listed in Appendix A.
- The Board adjourned the meeting.

## **Appendix A**

### **NYS Cannabis Control Board 11/21/2022 Meeting – Public Comments**



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	First Name	Last Name	Organization	Comment
1.	Bizarre	Royale		Easy, I just real simple question, I just wanted to know if the lawsuits that are happening if they're affecting Brooklyn and if that, how long, and what are you all doing to, is that going to affect us like it's affected other states when the process with the lawsuits they do from Michigan who they said they're not doing anything for Brooklyn or Westchester but for that. And I just wanted to make sure as a representative of Brooklyn if that's going to affect us in any shape, form or fashion with the delay.
2.	Ruchi	Shaw		Hello, can you hear me? So, I'm going to rephrase my question into like a basic comment. My comment is very simple. We have, in New York City as you guys all know we have existing tobacco shops with actual state licenses, are you guys planning on integrating these tobacco shops into letting them be a part of the cannabis industry or is there going to be more information that later on. That's what I was looking for exactly. It's more of a question but try to make a comment.
3.	David	Feldman		I'm glad I'm not following Cheryl. Good morning. Two quick points; one is the advisory board you've got, when I look at the list, I think one or two have some experience in the industry and the rest have none. And they may have useful ability to guide you, but we are hopeful that there might be a better way to formalize and implement more into action with representatives from the industry on a more direct and consistent basis. That's number one. Secondly, this industry was built with capital that came from wealthy individuals, family offices, crowd funding. Many of us are concerned that while you want to make sure that big cannabis, big tobacco, big alcohol don't dominate here and I think most of us agree with that. We want to make sure you don't throw the baby out with the bathwater, to make sure that folks who just want to help these businesses grow, these licenses that you just granted to be able to be successful. But telling them, we'll you can't invest in a retail here if you own 1% of a cultivator in Oregon. That seems like something hopefully you'll be willing to take another look at. That's what I wanted to say.
4.	Cheryl	Murray Powell		Hello, thank you for all of your work. My name is Cheryl Murray Powell, Esquire I'm a cannabis agricultural dietary supplement attorney, native New Yorker and I'm the COO of the Justice Foundation. This is a very proud day for all New Yorkers, especially as we've seen what's happened across the country. I stand here with one of my justice fellows who was successful with the Conditional Adult Use Retail Dispensary license. I want to commend the Board for your fortitude in ensuring that social equity was at the forefront of everything that you've done to date, being consistent with your words as far as the pacing of this



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	First Name	Last Name	Organization	Comment
				rollout. I've been very vocal about commending the Board for that. I appreciate the commitment to sustainability. I appreciate the commitment to public safety. And thank you for incorporating the public comments. The Justice Foundation has submitted public comments for not only the CAURD license type but also the packaging and advertising rules, and I'm seeing that you have incorporated those public comments. So, as a member of the ASTM international D37 Committee on cannabis on the Executive Committee as the Chair of the DEI committee, I also appreciate that you have incorporated the ASTM universal symbol in your work. So, enjoy this moment as a Board. Enjoy this moment as your workers and I look forward to seeing what's coming next. I look forward to supporting what is coming next. This is a great day in New York cannabis history. Thank you so much.
5.	Joseph	Bondi		Hello, everybody, I'm Joseph A. Bondi and I'm an attorney in New York. I'm on the National Board of Directors for Normal. I actually co-chair the Board's Diversity, Equity, Inclusion, and Disability committee and I have two comments that were questions, but they're comments. One is there were regulations put forth on November 8 <sup>th</sup> in particularly paragraph 34. I had a client that applied for a CAURD license and thought it was a good thing that he had cannabis experience out of state, it was cultivation experience. He would now appear to be foreclosed from having his CAURD application granted but I submit that is somewhat unfair. The other question I have or comment I have is that by granting CAURD licenses to people in certain regions of the state but holding them up on other regions of the state some of those people who have now been held up will lose first mover status, will lose some of the benefits that they should also have been entitled to, and I just want to make that note.
6.	Joseph	Longhorn		Good morning. First of all, I want to thank you for all your great work you have done. I appreciate you all. But I want to comment on about injustice of law individuals. I feel like some of us was excluded by the criteria because some people may just came home from jail and don't have quite business experience to get an application to get the license. So, hopefully in the next round like make sure like be more accessible to like all justice of wrong individuals and that's pretty much what I had to say. But thank you, guys, you're doing a great job. I appreciate you all.
7.	Erin	Spencer		I'm here, but I pass.
8.	Nicholas	Golino		Hello, I'm Nicholas Golino from _____ New York where Conditional Adult Use Processor, we were just actually approved today. So, thank you. And I guess just quickly to say very impressed with your guy's diligence with how



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	First Name	Last Name	Organization	Comment
				<p>quickly you've gotten all of this out and every day for us in all of our meetings, its like, oh what I'm going to say is it actually going to be what they said is going to happen. Is it going to be this year? You guys surprised us and it's been incredible what you've been able to do in 1 year for sure. And to all that work, I guess there's one specific area where us licensees we're very concerned that all of this incredible work could be undercut, and it seems like just one little detail like how are they missing that? And so, I guess I'll put it into a statement. That thing that can undercut that is the implementation of a track and trace system to protect all the licensees in the state. So, without it, my opinion in that the licenses that we hold are essentially worthless because cheaper out of state raw material and even finished products will be imported from other states into New York and we just won't be able to deal with that competition. California is just in a complete _____, they're in a parallel universe to where New York producers are. So, the question was going to be when will it be announced that we're going to be mandated to work under track and trace and maybe the point is like, well, we don't want to overwhelm the licensees with regulation. Well, it's actually a bit disservice to us if we don't have that track and trace in place. Again, with all the things that I said previously where I'm super impressed with the work, its just one little detail that if we don't put Biotrack in place and make everybody work under it, all of the big companies that I've met with and talked to that are from out of state are like, we're going to come crush you. Because there just won't be any way for you to know that is happening. So anyway, that's it. And now I'm sure you guys are considering it. So, thank you.</p>
9.	Ronald	Schuller		<p>Good morning. My name is Ronald Schuller, I live here in the community. And the other gentleman that came up was speaking about the people involved in the criminal justice system, and I went online to apply for the application, and I thought it was totally overwhelming, and I thought that some of the criteria and some of the things that you needed was like it was like incomprehensible to me where I come from. You know what I mean? I don't think it was fair. I felt that it was like a process that was built on scrutiny, hear what I'm saying. I feel totally screwed, I feel totally misrepresented, no support. I mention like today I'm glad I'm here, I'm glad this thing is happening, but I felt unrepresented. I felt no support and I was afraid to submit my application cause I felt like I'm going to lose my \$2,000, you know what I mean. And I met somebody today who said they were going to help me through this process, but I think you should reconsider the things you ask for. You</p>



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	First Name	Last Name	Organization	Comment
				asked from me who been to prison been to jail to have all of this experience without you know taking me through the experience process and helping me to uplift myself to become a partner. Because here at home, I've been, me and my children I'm 61 I got kids, 41 and 28 who have been affected. And now I feel like this whole application process just is screwing me and my family. So, I think you should reconsider all the criteria. Thanks.
10.	David	Fader		Hi everybody, I'm David Fader I'm a lawyer in New York canvass attorney of a company called Weedlock and I presented a number of applicants on this cord process. Several of them have, one of them was approved today have, and I won't say which one, have members that have interest in other businesses out of state that were not retail. And we were very concerned because we submitted the application under the regulations and similar to what another individual mentioned before, is that we submitted applications based upon the understanding of the regulations at the time. So, we're a little bit concerned about the applications that they may be in jeopardy. We want to make sure that we can comply with the regulations. We want to adhere to all the rules, so we want to just have an opportunity to address those things we have vested in them. That's the first one. Second point is, I have a number of clients in my regulation practice that own pharmacies, and these pharmacists are getting a lot of questions from people asking about cannabis and products and these are their primary care pharmacists that know their medications. There are a lot of elderly people, so we have just wanted to propose perhaps maybe considering allowing pharmacies throughout New York to also dispense cannabis perhaps in a way where it's at least a limited number of cannabis products, not a full-blown dispensary but at least they can guide their patients through consistent products that they know will not interact with their medicines. And then finally, I know the Board voted today regarding the NYCANNA application. We have an ongoing litigation in that license. I was a member of that license. We won it in 2015 and we've been chasing it since it got stolen from us for a long time, and we're really hoping that the Board would not allow any further dispensation or any other transfers of this license until the four-year litigation that's been going on is resolved. We're seeking a preliminary injunction, it's a case that's ongoing. So, we really appreciate what you've been doing, and this is an incredible effort, and I applaud all the work that you've done, and I just hope that we can continue on the right path.



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	First Name	Last Name	Organization	Comment
11.	Dasheeda	Dawson		<p>Before I get started, I'm just going to ask humbly ask the Board if I could have no more than 5 minutes I apologize for the length. Good afternoon, for the record my name is Dasheeda Dawson, Founding Director of Cannabis NYC in the Department of Small Business Services. Thank you to Madam Chair, Tremaine Wright, and the rest of the Cannabis Control Board for convening us for this historic meeting, and congratulations to Executive Director Chris Alexander, and the entire team of the Office of Cannabis Management, many of which I've had the pleasure of working with over the last 6 weeks as I onboarded into this new role overseeing the city's inner agency interactive initiative to support the State's social and economic equity goals for the multibillion dollar industry. Now, despite being new to the role as my record of testimony and advocacy reflects, I've been fighting for the _____ to be legit in New York and across the country for many years. A cannabis patient, first and foremost, I left New York sick, I'm able to qualify for poorly developed cannabis program and still suffering from the trauma growing up in east New York Brooklyn a community disproportionately impacted by cannabis criminalization. Like so many millions of closeted consumers, I contributed to the multibillion-dollar demand circulating in the previous and existing so-called underground cannabis market. A market that is rich with the legacy of diversity, cultural influence, and above all community. Today, I'm here to say thank you, thank you to the State and the committee advocates behind me who have held the line on the equity needed throughout the state. I'm so proud to be a native New Yorker as we make intentional historic steps to transition the legacy into a legitimate industry essentially transforming a tool of systemic oppression into one of wealth generation and health equity, particularly for those neighborhoods like east New York still suffering from the weight of over policing and disinvestment. But undoubtedly, we need all hands-on deck to see it through. And New York City is here to represent in a big way. From day one, Major Adams made equity a primary focus of his administration, and at the center of our group here for Economic Equity in the heart of cannabis NYC's approach to this emerging cannabis industry is equity. Brilliantly located within the Department of Small Business Services where we specialize in helping New Yorker's start and grow businesses, Cannabis NYC has already been working hard to support New Yorkers eager to enter the industry and participate. So, we can't stop and won't stop. So, in the coming weeks and months, we will roll out a curated cannabis NYC program specifically to support what the state has presented here</p>



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				which is a healthy roll out of the ecosystem of both license and ancillary businesses. This is just the beginning on this journey, we are the masters of our fate. So, I would encourage everyone to actively build coalition with one another. Be positively engaged in this process recognizing that working together we can overcome obstacles meant to derail the mission. I know this because of the journey we've taken thus far. As a cannabis patient, I am beyond grateful, beyond grateful for the start and the work that the state has already done. And as a public servant, I'm here to be a bridge. And under Cannabis NYC we will provide the resources and infrastructure to ensure we can be successful in our state division of an inclusive equity and sustainable legal cannabis industry. The work continues. Thank you.
12.	Michael	McGuire	Home Cultivation Association of New York	Home Cultivation is effectively prohibited for all urban residents due to space restrictions, and outright prohibited for NYCHA residents - can we please work with all stakeholders to create cannabis community gardens so that all New Yorkers have access to a place where they can learn to grow, and access to the opportunities that go along with knowing how to grow?
13.	Matthew	Namer	Cannabeta Realty	My name is Matthew (Mattee) Namer. I am a trans-woman who has lived in New York City her entire life and have worked on helping reform cannabis policies since 2001. In 2021, after legalization, I helped start the first real estate brokerage firm on the east coast specializing entirely in cannabis to help businesses find real estate in the emerging New York state cannabis industry. We are a small business LGBTQ/ woman owned, and have a commitment to donate 10% of our profits to organizations like Vocal NY and Students for Sensible Drug Policy. While we were initially excited to learn of the CCB's intention to create a fund to help people in the state with marijuana convictions be the first to gain licenses, we were disappointed to learn that DASNY would only be giving the work of securing real estate locations to one corporation with a no-bid contract, (CBRE) which is perhaps the largest real estate corporation the world, as opposed to allowing small businesses to serve our new cannabis industry. The Cannabis Control Board has made it a point of supporting small businesses and ones that support social equity and sustainability in terms of issuing licenses to plant touching cannabis businesses. We humbly ask that in that process you don't threaten small businesses that support social equity and sustainability in terms of businesses that service plant touching cannabis businesses. Please consider allowing other firms like ours to participate in this industry, by creating an open bid process for real estate brokers to



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				find locations for the fund, and not just hiring the largest possible corporation.
14.	Alberto	Pomales	Smoke and drink cafe	Support the movement
15.	Brain	Garrido	Garrido Enterprise Worldwide, LLC	What will be done about the shops currently operating in the "grey market"? How and when would enforcement begin?
16.	Walter	Iwachiw		Given the federal court case, and clear opposition by illegal sales operations, I suggest that the board act immediately designating all the applicants be approved with all the requested service areas to quickly provide legal recreational sales capacity. Then institute a moratorium for new licenses of several years in LENGTH.
17.	David	Parker		Why are dispensaries allowed to sell clones before anyone else can even apply for a license to do so, let alone social equity folks like myself that lost everything from a cannabis charge that ruined my life?
18.	Brian	Borowski		Are there plans to have a class of license for shops that want to specialize in sales of only non-combustible THC products such as THC beverages and edibles?
19.	Freddy	Ruiz	Anybodygetit	What does OCM plan on doing to stop the many MSO from saturating the cannabis market further with derivatives and monopolizing the cannabis industry. What does OCM plan on doing to help individuals and small organizations from NYC get in the cannabis market and succeed.
20.	Anthony	Rampulla		When will the CCTM applicants be notified that they've been pre-selected for an interview?
21.	Chip	Walker	Columbia Care/Cannabis t	I have a 2 part question, we turn away between 100-150 people every day that want to purchase safe, clean, made in NY cannabis products but cannot because they do not have a medical card. Will the existing medical companies be able to open our doors to adult use customers as well when the CAURD stores open? And, will we be able to buy and sell to our medical patients the products produced by the adult use conditional hemp farmers? Thank you very much for your consideration and response!
22.	Mireille	Souvenir	Athenian Royalty Group LLC	Can there be more transparency in the CAURD application process? We have invested time and money and would like more of a status update regarding the application to prepare ourselves. There is not enough available information being circulated and everything seems to be handled very discreetly especially when it comes to locations.
23.	Dan	Remuszka	Thentia	No comment at this time. Thank You.
24.	Jessica	Wilson	DLD DH Inc.	In light of the new guidelines posted on October 28, 2022 stating that an application will be denied if a TPI has any





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				<p>interest, anywhere in any business that cultivates, processes, or distributes cannabis, will the OCM allow CAURD applicants to relinquish or sell such an interest or will the application be flat out denied on this basis?</p> <p>The relevant language (emphasis added):</p> <p>Retail dispensaries, their true parties of interest, passive investors, and any management service providers cannot have any interest in any business anywhere that cultivates, processes, or distributes cannabis. Applicants with an interest in such a business, no matter how small that interest is, will not be approved.</p>
25.	Patricia	Bedoya		<p>Question about location of Licensed Premises: Assuming location regulations stay the same for CAURD vs a regular Cannabis Dispensary Lic (Regulation about proximity to school grounds: Dispensary cannot be on same road and within 500ft of school grounds. Section 409(2) )...Would there be different standards for location due to high population density in the 5 boroughs? I see that Bar licenses have the same regulation yet there are bars near schools throughout the city. Please advise. Thank you in advance for your time and attention.</p>
26.	Rebecca	Reilly	Queen City Courier Solutions, LL	<p>As a bike courier service we are wondering what the exact regulations for delivery will be. It seems like delivery people need to be employees of a dispensary. Also, if using a bike, what are the specifications for the lockbox that is required and what other logistical requirements are there?</p>
27.	Mujahid	Washington		<p>OCM needs to consider the unique circumstances of justice involved applicants and non-applicants (because of inability to successfully navigate the application process) by providing better assistance in preparing the applications. Many justice involved individuals and communities are still at a very high risk of being excluded from participating in the legalized market. My concern is the same individuals and communities that were criminalized in the past will suffer from the same criminalization, fines and prosecutions during the legalized period simple for their inability to navigate the legalized process.</p>
28.	Richard	Henriquez		<p>I hear that the cannabis farm only are sell outdoor cannabis &amp; most of them they cannabis can't sell because of mold if it going to be limited supplies</p>
29.	Gregg	Lacey		<p>And will the number of 100 licenses increase for Westchester Increase I will be only 100</p>



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30.	Marcia	Roberts		I am interested in knowing about all these smokes shops that popped up. Are they legal? If not what will become of them.
31.	Robert	Austrian		The CAURD requirements seem contradictory to your stated mission of social equity as a primary concern. For justice involved applicants, it also states they must have 2 years prior experience running a successful business. It seems to only reinforce the systemic racism that the legalization movement was meant to combat by creating barriers that serve no other purpose besides exclusion. You have essentially limited the opportunity of success to those who have already achieved it.
32.	Andrew	Kingsdale	Law Offices of Omar Figueroa, Inc., P.C.	<p>Dear Cannabis Control Board:</p> <p>Our office represents cannabis businesses in New York and California, including a future social and economic equity applicant for a Board-issued microbusiness license. We have two major concerns regarding this license type:</p> <p>1) Cultivation Canopy Size: To be profitable and able to compete in New York, microbusiness licensees must be allowed to cultivate on AT LEAST five thousand (5,000) square feet of indoor flowering canopy space. Microbusinesses are considered “craft” growers; but “craft” cannot survive without adequate product to sell to customers. Because microbusinesses are limited to selling their own product, cultivation size becomes the lynchpin to their success.</p> <p>New Jersey lost the interest of numerous potential microbusiness applicants because of its tight restrictions on canopy size (2,500 square feet or less of operation space). These potential applicants crunched the numbers and found out that they could not produce enough cannabis biomass to meet their operating costs.</p> <p>By contract, Massachusetts and California have thriving microbusiness sectors because, in large part, of their ability to cultivate and/or purchase cannabis in sufficient quantities.</p> <p>Massachusetts microbusinesses can be “Tier 1 Marijuana Cultivators,” meaning they are allowed up to 5,000 square feet of canopy, either outdoor or indoor. Furthermore, microbusinesses that process cannabis into products also may purchase up to 2,000 pounds of cannabis or its dry-weight equivalent in raw concentrate per year from other cannabis businesses. (935 CMR 500.002 definition of “microbusiness”).</p>



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			<p>California allows up to 10,000 square feet of canopy space, outdoor OR indoor. (Cal. Bus. &amp; Prof. Code section 26000(aj).) The state currently has 383 active microbusiness licensees, despite also permitting license stacking (See <a href="https://search.cannabis.ca.gov/results?licenseStatus=Active&amp;licenseType=Commercial%20-%20%20Microbusiness">https://search.cannabis.ca.gov/results?licenseStatus=Active&amp;licenseType=Commercial%20-%20%20Microbusiness</a>).</p> <p>New York should learn from the experiences of other states, and give its microbusiness licensees a fighting chance to grow and compete. Allowable cultivation area must be at least 5,000 square feet of indoor flowering canopy, or 20,000 square feet of outdoor flowering canopy.</p> <p>2) "Community Facility": The CAURD Guidance for Adult-Use Retail Dispensaries (revised November 8, 2022) contains a new limitation on retail locations, specifically that they "cannot be near a . . . community facility." (Guidance, section 23.) In Section 1 of the Guidance, "community facility" is broadly defined to include "a facility that may include, but not be limited to, a facility that provides day care to children; a public park; a playground; a public swimming pool; a library; or a center or facility where the primary purpose of which is to provide recreational opportunities or services to children or adolescents." This definition of "community facility" appears subject to even greater expansion by local ordinance: "A municipality may issue a local ordinance regarding community facilities that are neither discriminatory nor unreasonably impracticable."</p> <p>Unlike minimum distances from school grounds and houses of worship, the "community facility" requirement is not part of New York's Cannabis Law or the Marijuana Regulation and Taxation Act. Would-be licensees already suffer very limited options for siting their licensed facilities due to: (1) the school grounds distance requirements of 500 feet, (2) houses of worship distance requirements of 200 feet, as well as (3) local zoning rules. An additional, overbroad, and vague "community facilities" requirement would further exacerbate this problem and unduly burden future applicants, especially those seeking to locate in a high-density city, such as our client. We strongly urge the Board to drop this requirement from microbusiness licenses.</p> <p>Thank you for listening to these concerns and taking them into consideration. Andrew S. Kingsdale</p>



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33.	Tonia	Boyd		Want to be a grower, but protest how I'm being left out of this opportunity, I do have family who were arrested and went to jail for cannabis..its like a catch 22 .need more personalized help ..that is what I'm seeking
34.	Timothy	Scoma	Patient's Pharmacy Inc.	Thank you for taking my question: Does the OCM have any plans to help an existing Certified MWBE ( in distress ) with any grants or loans once they've acquired a license in whatever field they've applied for... lets say for example, an Adult Use Retail Dispensary license? Especially an owner of a "historic" downtown building that needs some work, that will hopefully become the dispensary? Tim
35.	Joseph	Coello	MetroBud	Please do not limit licensure and obstruct the free market from applying to this marketplace. Cannabis is an abundantly growing plant. There will be millions of tons produced nationwide from all skill levels of growers. Please allow licenses to be issued just as abundantly, to allow fair competition in this agricultural marketplace. The only way to undo the human rights violations, like jailing free men and women for this plant, is to allow everyone from all walks of life, to access the market and industry with the lowest barriers to entry as possible. Thank you, Joseph Coello - MetroBud
36.	Brandon	Hodges		In reference to the Microbusiness License regulations, will you be able to separate your grow operation between indoor & outdoors? With a total canopy space of 13,500 sqft , ex: 3500 sqft indoor) +10,000 sqft outdoors). Does a greenhouse fall under outdoor cultivation guidelines? Thank you
37.	David	Nathan	Doctors for Cannabis Regulation	Dear Members of the New York Cannabis Control Board (CCB),  I write today as the founder of Doctors for Cannabis Regulation (DFCR), which strongly urges the NY CCB to adopt the International Intoxicating Cannabinoid Product Symbol (IICPS) as an alternative to the design proposed in §128.5 by the NY Office of Cannabis Management (OCM).  The IICPS was created as a truly “universal” symbol through a collaboration of Doctors for Cannabis Regulation (DFCR) and the standards organization ASTM International. It is now an international consensus standard — ASTM D8441 — the only such standard in the world. So far this year it has been adopted in three states: New Jersey, Vermont and Montana, and other states have expressed an interest in following suit. You can read more about the IICPS on this Wikipedia page, which links to



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				<p>other resources about the symbol.</p> <p>I understand that the CCB has received pushback from the cannabis industry because of the proposed OCM symbol's size, complexity, and requirement for full-color printing. The IICPS will address those objections, having been developed in concert with regulators, scientists, as well as leaders from the cannabis industry. Indeed, the National Cannabis Industry Association is currently engaged in a process to endorse state and federal use of the IICPS.</p> <p>DFCR has previously submitted a white paper that explains why we believe the IICPS is right for the regulated New York cannabis industry. It also offers several symbol options developed by DFCR for the CCB's consideration, with all versions incorporating the IICPS. Please share the white paper freely with the CCB, OCM, and any other stakeholders as you see fit.</p> <p>Please let me know if you have any questions or comments. If there is an opportunity for me to formally present the symbol at Monday's CCB meeting, I would be honored to do so.</p> <p>Thanks for your thoughtfulness in approaching this important decision.</p>
38.	Tasheem	Jenkins	Justice informed cannabis business owner	Being that US District Judge Gary Sharp blocked 14 regions from issuing CAURD licenses will that free up space or open back up the portal for other qualified applicants any time soon?
39.	Trevonne	Gilliard	A2B Taxi	<p>1. Even though there is a delay, will the OCM let the current applicants from those affected areas know where they are on the list for their respective 1st choice regions, or how many points they have?</p> <p>2. If the equity fund is designed to help existing business owners run successful dispensaries, why are we not able to utilize the equity funds to outfit our existing properties to meet the OCM building requirements? There is no transparency in how the DASNY selected CBRE Inc is choosing properties. Why don't we as small business owners, who live in our communities, have the opportunity to tap into the very fund that is intended to assist us? I understand that the intention is to outfit dispensaries and have them turnkey ready the moment licenses are awarded, but is there any chance that a portion of the funds can be used to properly outfit properties of our own choosing?</p>



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				<p>3. Will there be any restrictions to hiring staff? For example, can employees have previous convictions?</p> <p>4. For the required staff trainings are we able to make our own training videos or will the OCM have training videos available online?</p> <p>5. Are we permitted to purchase from legal out of state distributors?</p> <p>6. How far can we deliver from the dispensary, can we deliver outside of our awarded region?</p> <p>7. Will we be able to bank in NY and will there already be insurance agencies in NY that will insure us?</p> <p>8. Will we be able to add a consumption site later? Initially Dispensaries were not permitted to deliver but now I see that delivery is an option so I was just wondering if there is a possibility for consumption site to be added in the future.</p>
40.	Daron	Hudson		<p>Please explain what is the financial equity for the justice involved person with non for profits?</p> <p>This is about social equity and the regulations are not clear in regards to the justice involved individuals that are used for approval for non for profits.</p>
41.	Daren	Roth	educator	<p>Firstly public comment is supposed to be 60 days You are making it 3 days and impossible to really comment on what you cant see or read. This is being done on purpose to avoid public comment and is against the law which you changed to avoid comment on 60 days not 3.,Secondly it is disgusting you can smoke freely especially how they do in NYC .I will never bring my kids who are forced to be subjected to the disgusting stench.500 feet from a school is not enough that's less that 2 football fields. This is being rushed . We need the 60 days comment not 3 days which was doe on purpose to avoid real public comment. Lastly they should not be able to sell wax and oils which have 10x the amount of THC an as for public lounge weed dens for kids in 20s How will they drive home ? will there be busses ? or they just drive home from the many weed dens after smoking weed dabs and oils all night To endanger Everyone else. Will they have immunity? unlike alcohol there is on weed high test so they can just drive home after going to dens ( 1000s every day ) and endanger everyone else. This was rushed and not thought out and not fair to straight people</p>



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42.	Renee	Scalise		Id like to say not everyone is for legalizing the most obvious gateway drug ever. Every single coke and heroine user does weed first What about edibles that kids will get and have been getting /You also have weed smoking dens that will endanger everyone else with no regard for public safety The kids will all drive high with no arrests and endanger everyone else. This is being done too fats Public comment is usually 60 days not 4 this is unfair and done purposely .Also i refuse to go to NYC with the constant smell of weed, The laws have no regard for straight people this is being rushed
43.	Ryan	OSullivan	Farming Out Post	I am a Veteran who works in agriculture and social services for vets, I would like to learn more information regarding veteran programs and applications for legal businesses through NYS. What's been discussed, any implementation of programs, if not do you need someone in this field to work?
44.	Melvin	Clark		I'm trying to help USA especially NYC where I live with the recreational and medicinal use of cannabis because the way it's look anyone can sell it I'm trying to brand it have it maintained thru fed gov and state I got the idea all I need is funding and man or woman power and my license or certificate to start getting shit done excuse my language it's the Wild West in NYC flower scene
45.	Horaces y	Findley	Business	Good day! The question I have is in reference to Active duty personnel leaving the military with an honorable discharge. In anyway shape or form will we be eligible to get the cannabis license as a retail distributor as a first time business owner with background of business?
46.	Todd	Dreyer	Monty's 3-Card Cannabis, LLC	I have two main concerns. First, I'm concerned that the selection of dispensaries locations will be in urban areas only. There should be an effort to have an equitable geographic distribution of dispensaries in both urban and rural areas across the state. Dispensary applicants and cannabis customers in rural areas should not be discriminated against. Second, I'm concerned that there may be a tendency at OCM to select dispensary applicants that are represented by a relatively small number of law and accounting firms. In other words, there may be an effort to streamline OCM's administrative oversight of dispensaries by selecting those represented by law and/or accounting firms representing several dispensary applicants in common. Such an effort by OCM would tend to unfairly reduce consideration of dispensary applicants being represented by more local law and accounting firms.
47.	Fred	Briggs		When will office sales start and when can people start to grow for non-medical purposes



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48.	Cherish	Baker		Hi, Regarding CAURD applicants, are we able to modify our geographical preferences at this time? Since applying, the scoring process has changed due to the lawsuit in place and I would like the avoid the regions effected by the lawsuit. If not, I think the best way to resolve this is to still issue licenses for the blocked regions but with a contingency. This will be fair to all applicants and respect the court order. Thank You
49.	Carmine	Fiore	Fiore Enterprise	Service disabled veterans need representation on the cannabis advisory board. Without representation service disabled veterans will go without any advocacy on where the community reinvestment fund will be allocated towards.
50.	Daron	Driscoll	Kileys Deli	When will we know the full list of approvals and what our scores are ?
51.	Daron	Driscoll	Kileys Deli	When will we know our final score compared with other applicants
52.	Ryan	Clout	NY CANNA LLC / ISLAND GROW CO	Please freeze this NY CANNA license which has legal action pending. The owner Kevin Afonso of Island Grow Co entered into a fully executed written agreement in which my partner and I own 39% of the business. Kevin is completely disregarding the agreement and is trying to force us out of the business with no merit. Please do not allow ownership change as Kevin is attempting to skirt our agreement by changing the license ownership.
53.	Sondra	Stephens	Green Leaf Wellness Co.	As the woman owner for the last four years of Green Leaf Wellness Company in Schenectady New York, Best of The Best First Place Winner for the past Four years, with thousands of well served clients and community philanthropist since 1997, owner of Sondra's Fine Jewelry since 1997, I am respectfully inquiring the time frame in which women owned business owners not eligible for the Social Equity Program will be able to apply for a license. I have operated our CBD Clinic within all of New York State's regulations, have paid all Federal and State Taxes and have been devoted to being charitable to my community and surrounding communities since 1997. I am only asking for a level playing field as a solely woman owned business, and owner of two successful businesses. Please open the field to the rest of us who have remained loyal to our State and Communities. Please give us a chance as soon as possible to apply and show the state of New York what many of us have to offer. Please support women owned small businesses who have proven track records to work along side our Social Equity compatriots. I can be reached at 518-209-4463. Thank you very much.





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54.	Thomas	Spanos	Law Office of Thomas G Spanos	<p>Comment 1. Section 123.9 (e) of the proposed regulations aims to allow retail dispensaries to "operate an adjoining premises for the consumption of adult-use cannabis products sold by such retail dispensary pursuant to approval by the Board..." but this is clearly prohibited by the Cannabis Law, Section 77 (3). This Section states, in relevant part, "No person holding an adult-use on-site consumption license may also hold an adult-use retail dispensary...license pursuant to this article..." Pursuant to the definition of "License" as provided in the draft regulations, a "'License' means a written authorization as provided under the Cannabis Law permitting persons to engage in a specified activity authorized pursuant to the Cannabis Law." As previously noted, however, retailers are specifically prohibited from have a license to conduct on-site consumption and holding both would only call into question the legal status of both licenses.</p> <p>Allowing retailers to provide on-site consumption is not only contrary to the Cannabis Law, it also needlessly complicates the market landscape in a number of ways. First, one of the goals of the Cannabis Law is to emulate the regulatory approach of the alcohol market. Notably, liquor stores do not allow alcohol consumption. Secondly, some municipalities "opted in" only for cannabis dispensaries, and not on-site consumption. This rule would cause dispensaries in those areas to compete on unequal footing with dispensaries that have on-site consumption. Lastly, the goal of the Cannabis Law was to place strict limits on verticalization of licensees in the NY cannabis industry, and the provision of on-site consumption is no different. If dispensaries are allowed to provide services normally offered by on-site consumption sites, there will be less demand for those services. This will negatively limit the number of on-site consumption licensees the NY market could otherwise support. For all the same reasons bars don't compete with liquor stores, cannabis on-site consumption licensees should not have to compete with dispensaries.</p> <p>Comment 4. In Section 85(7) of the Cannabis Law, prohibitions of retail license ownership are limited in a number of important ways, but a specific exemption is provided therein, for any interest held or acquired prior to December 31, 2019, provided, however, the burden is upon the person claiming the exemption to establish it. This exemption and the process by which is may be claimed, must be laid out in the regulations. Furthermore, the prohibitions against ownership interests should be changed</p>



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				<p>to reflect this exemption from the Cannabis Law.</p> <p>Comment 3. Under the Cannabis Law, Section 84, the Board is authorized to establish maximum margins which distributors can markup products they sell to retailers. The Board should take steps to identify an initial maximum margin in the first round of regulations. Through NY's seeding initiative, there are many small operators who are already a part of the NY cannabis market. These small operators, and the retailers that will carry their products, should not be put at risk of exploitation by distributors with broad market reach. Placing a regulatory maximum margin, as permitted by Section 84 of the Marijuana Law, will help ensure a more level playing field for everyone.</p> <p>Comment 4. Similarly, under the Cannabis Law, Section 85, the Board is authorized to establish both minimum and maximum margins which retailers can mark up the products they sell to customers. The Board should take steps to identify an initial minimum and maximum margin for retailers, even if they are very permissive, for two reasons. First, having regulatory minimums and maximums for retailers ensures a more level cannabis market for the consumer. Secondly, having such limits in place avoids any legal ambiguity towards these requirements, as lack of compliance with the regulatory minimums and maximums can, per the Cannabis Law, render sales unlawful.</p>
55.	Taylor	Bush		<p>A big grey area that I and many others would like clarity on, is that because local municipalities can only opt in or out on dispensaries, does that mean a town that ops out complete rules out the chances of one someone getting a micro business, because under the micro business one does get a dispensary. Or can you operate all the aspects of a micro business except a dispensary, until your town ops in? Thank you</p>
56.	Kevin	Groth	BUDDEEZ LLC	<p>I'm regards to:</p> <p>Page 172, section (g) "Retail Dispensary Prohibitions:"</p> <p>Page 173, section (11) "knowingly sell, deliver, or give away to a cannabis consumer:"</p> <p>Page 174, section(iv) "food, beverage or personal care item that is not a cannabis product."</p> <p>We find this restrictive in several ways. 1st off, why would we not be able to sell other non-infused items if we have the proper food service licensing? In our case we were looking to create and "Amsterdam" feel with a Cafe that</p>



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				<p>serves espresso and smoothies. Also potentially, locally baked non-infused treats such as cookies, doughnuts etc... This also is a great avenue of supporting other local small businesses as the source of those baked type items. We are not interested at all in having a lounge license since we do not want smoking indoors in our planned Dispensary if chosen as a licensee, at any time. We find that to be rather annoying and a cleaning nightmare anyways.</p> <p>We wanted to have a small area folks could sit back and catch part of a football game... or plug in to our Wi-Fi and do some work on their laptop or iPad etc. sipping on a fresh espresso or ice cold smoothie and a locally baked snack. If this isn't going to be allowed of course we would comply and simply adjust fire as needed to one of our alternate plans and eliminate that. Some clarity would be nice.</p> <p>We wholeheartedly feel that encouraging a "community touch" in NYs new Dispensaries should be welcomed with open arms. I feel this is something deserving of consideration.</p> <p>Thank you for your time on this!</p>
57.	Willie	Thomas	KandyKoolers LLC	<p>Hello. Thanks for giving me a chance to express myself and my concerns thru the board. I am a community activist in the legacy market and I'm a CAURD applicant in upstate NY. I'm proud of my state and my leadership for implementing and trying to make successful legislation but we need to do more to keep applicants informed on what's going on. The current injunction against 5 regions is going to create a two tier market, upstate and downstate, one illegal and one legal. A lot of unknowns are in the air. How can we compete later on when the market is already open for months? How do you plan on stopping illicit sales upstate when we have no access to legal cannabis till the lawsuit is taken care of. I understand you can't talk about ongoing litigation but more transparency would help. Thanks for you time. Have a wonderful day.</p>
58.	Hassen	Neji		<p>*If someone has a business already or want to open new one like Gas station and he wants to add in separate corner with separation between the businesses , following of course all the right measures can he be able to do that?</p> <p>*Delivery for dispensaries , are we be limited on areas and radius, and when we deliver to customers how that work (talking about the quantity allowed to be in vehicles while we do deliver)</p> <p>*if the license be issuing with one entities or one name, can that licensee able to use that license with different</p>



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				business (example: H had the license and he wants to join B business which he has already different name as partners, is this be something can be done and if so how many business or locations are H licensee can join in same condition like B business *How the online business for dispensaries is regulated . Thanks for the time  Hassen Neji 585-642-3099
59.	Davinder	Josan		As a part of wonderful social society, I think legal age to buy cannabis products must be 28 or 26 . Less than that can damage our socially. Thanks
60.	Michael	White		Due that January 2023 is right around the corner, can you elaborate on the process of securing the license to sell recreational marijuana?
61.	M	White		All the applicants that are following the necessary steps to securing a license, what is NYS OCM and Local municipalities doing to crack down on illegal smoke shops already operating without a license?
62.	Victor	Marte		On last step the submit button was not working to let me hand in the application. Then the portal had me exit out . For people that were applying and had a similar experience happen, can they be given another chance first for a CAURD License
63.	Simone	Sandoval	Global Go	How will the most recent court case blocking CAURD licensees in 5 regions affect the other CAURD applicants? How will it impact CAURD licensees who have chosen a now blocked region as one of their five preferred areas? Will CAURD applicants now have an opportunity to find their own property/real estate?
64.	Luke	Attebery		When do you estimate more adult use processing licenses will become available?
65.	Brian	Dentz	Journalist-independent	Please let us know how many CAURD applicants have been approved of Nov 21. Looks like 36 are listed on this website. What locations are these? If this is correct, when will the rest of the 150 be informed of their approval? Thanks much.
66.	David	Deighton	AG Development Consulting LLC	Will there be a limit on the number of cultivation licenses or will NY be a unlimited license state ?
67.	Todd	Bergeron	Conor Green	Does the CCB/OCM have a plan to work collaboratively with Tribal Nations? If so, please share the plan.
68.	Robert	Ponce	WHCR 90.3 FM New York	Regarding the transfer of ownership of the two Registered Organization licenses, there was no mention in the discussion and vote of the parties who are acquiring these licenses. Can we have more clarification of the new license owners?



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69.	Todd	Bergeron	Conor Green	Have the Tribal Nations been approached for inclusion on the Advisory Boards?
70.	John	Doucette		As a CAURD applicant that did not receive any correspondence regarding this first round of approval, when can I expect to receive either an approval or rejection regarding my application? In the event that I am not approved, will there be any sort of explanation as to why I was rejected and how I can potentially reapply?
71.	Darra	Boyd	Ajna Media & Marketing Consulting Group, LLC	When will the application for dispensary licenses reopen and will the criteria regarding the justice involved be changed so other non justice businesses can apply?
72.	Victor	Marte		Will there ever be an online marketplace for cannabis products? In Nyc, like Ubereats or grubhub or postmates or amazon
73.	Carl	Riley	RGI	I am a designer in New York located in Harlem. We design retail spaces including dispensaries. I did not learn about the cannabis boards work until it was too late to respond to the RFP. However, I have looked at the design build partner and many of the designers are located out of NY and will be benefiting designers in other states. In the interest of this process being equitable, it is equally challenging to be a small design firm and it would be great if the equitable approach to the cannabis dispensary brands and design of dispensaries would first go to local design firms. Is there a way that I can be considered. I am in a good place to mobilize local talent, even diverse talent to benefit from the design work and promote design in Harlem not Massachusetts or California.
74.	Martine	Aguiar	Women of a New Generation Inc	As a affected individual and small nonprofit organization it is already difficult to complete the application; compared to other applicants who have attorneys completing their application and representing them at the public board meeting. It seems unfair that applications assisted by attorneys are being considered in the same pool as REAL individuals affected that truly need this "SOCIAL EQUITY" program. here is no equity when one application is professionally done by attorneys versus those done by individuals who can't afford legal help.
75.	Andrea	Spyke	Ital Kulture	Hello I attended today's online meeting but the slide listing the applicants for the CAURD program was selected too fast. Is there a way to view the list to determine if I was selected?  Thanks
76.	Ricardo	Mendoza		To have a Opportunity to relieve my pain
77.	Davinder	Josan	Brand Trading Inc.	Must need to stop synthetic selling drugs on different stores and streets in NY State



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78.	Roger	Manning		<p>Office of Cannabis Management,</p> <p>If it doesn't already, your Cannabis education campaign needs to include talk about second-hand pot smoke in city streets, parks, and apartment buildings. It is a problem for many people, particularly in NYC where I live.</p> <p>It could be something along the lines of helping smokers be more aware how much the smoke is traveling. Smokers generally don't realize that, even though they are smoking outside or only in their home, that the smoke is traveling as much as it is. It seems that pot smoke is denser than cigarette smoke and travels further and lingers longer. It would be helpful for smokers to be aware of this and aware that it affects many non-smokers. Of course it's impossible to completely control smoke, but hopefully courtesy/thoughtfulness resulting from increased awareness can improve the situation.</p> <p>A few ideas that come to mind:</p> <ul style="list-style-type: none"> <li>- Notice where the wind is taking smoke. Try to smoke downwind from where people are - particularly in parks, public spaces, where people are exercising.</li> <li>- Avoid smoking near or up-wind from areas of residential buildings as smoke commonly flows into buildings.</li> <li>- Notice where the ventilation in your indoor dwelling space takes smoke. Avoid letting smoke into air shafts in apartment buildings that have those.</li> </ul> <p>I am a non-smoker who has always supported and is glad for legalization.</p> <p>Thanks,            Roger Manning            NYC            rogermanningnyc@gmail.com</p>
79.	Howard	White		Looking to get license as I applied but I had not convictions against myself to allow me to get the dispensary license
80.	Chanel	Green	Cannabis control board	<p>Please for the children and for the community, keep everything else illegal okay but leave cannabis out of it. Let's keep cannabis legal and at the consensual age of 21 to purchase it legally behind counters, in a mall legally. Let's keep the kids out of harm's way and trouble by keep it in the legal market! Let's keep cannabis behind retail stores and not on the street and have a saturated crime rates because kids result to the streets because that's the only place they would get it, let's not do that! Let's keep it behind retail stores and legal sales!</p>
81.	Patrick	Cannon	Cannon Medical Transportation	When will the general public be able to get a cultivation License or a dispensary License to sell Marianna legally?



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