



# Office of Cannabis Management

**KATHY HOCHUL**

Governor

**TREMAINE WRIGHT**

Cannabis Control Board Chair

**JESSICA GARCIA**

Board Member

**REUBEN MCDANIEL, III**

Board Member

**ADAM W. PERRY**

Board Member

**JENNIFER GILBERT JENKINS**

Board Member

**CHRIS ALEXANDER**

Executive Director

## Meeting Minutes

<b>Title:</b>	New York State Cannabis Control Board Meeting
<b>Time &amp; Date:</b>	January 25, 2023
<b>Location:</b>	1 Liberty Street, 10006 New York 11th floor and Virtual via Webcast

## Attendance

<b>Board Chair:</b>	Joe Belluck
<b>Board Vice Chair:</b>	Junella Chin
<b>Board Members Present:</b>	<p><b>Voting Members:</b> Alejandro Alvarez, Joe Belluck, Junella Chin, Ebro Darden, Nikki Kateman, Marc Ramirez, Sarah Ravenhall, Armando Rosado, Pete Shafer</p> <p>*Attending Virtually due to Extraordinary Circumstances: Chandra Redfern, TheArthur A. Duncan, Allan Gandelman</p> <p>Ex Officio Members: Allan Clear, Mary Brewster (designee of Chinazo Cunningham), Dereth Glance (virtual), Dan Kaufman, (designee of Russell Oliver), Scott Wyner (virtual)</p>
<b>Board Members Absent:</b>	Kathleen DeCataldo, Suzanne Miles-Gustave
<b>Others Present:</b>	Chris Alexander, Axel Bernabe, Damian Fagon

## Agenda

- I. Welcome
- II. Election of Chair and Vice Chair
- III. Executive Director Report
- IV. Office of Cannabis Management Updates
  - a. Social Equity Update – Damian Fagon, Chief Equity Officer
- V. Cannabis Regulation Discussion
- VI. Next Steps
- VII. Adjourn



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## Action Items

<b>Election of Board Chair:</b>	Alejandro Alvarez, Joe Belluck, Dr. Junella Chin, and Marc Ramirez were nominated for board Chair <ul style="list-style-type: none"> <li>- Alejandro Alvarez declined nomination</li> <li>- Vote 1: <ul style="list-style-type: none"> <li>o Joe Belluck: 6 Votes</li> <li>o Junella Chin: 6 Votes</li> <li>o Marc Ramirez: 1 Vote</li> </ul> </li> <li>- Vote 2: <ul style="list-style-type: none"> <li>o Joe Belluck: 7 Votes</li> <li>o Junella Chin: 6 Votes</li> </ul> </li> </ul>	Joe Belluck Elected Chairperson
<b>Election of Board Vice Chair:</b>	Joe Belluck, Dr. Junella Chin, Ebro Darden, and Marc Ramirez were nominated for Vice Chairperson <ul style="list-style-type: none"> <li>- Ebro Darden declined nomination</li> <li>- Vote: <ul style="list-style-type: none"> <li>o Junella Chin: 11 Votes</li> <li>o Marc Ramirez: 2 Votes</li> </ul> </li> </ul>	Dr. Junella Chin Elected Vice Chairperson

## Notes & Comments

<ul style="list-style-type: none"> <li>- Executive Director Chris Alexander provided his Executive Director’s Report.</li> <li>- OCM Annual report was submitted to the Governor, Legislature and available on the OCM website</li> <li>- The first legal cannabis sales in New York. On December 29th, 2022 I was honored to be the first New Yorker able to legally purchase cannabis at Housing Works Cannabis Co. a dispensary owned by Housing Works the nation’s largest minority-controlled HIV/AIDS service organization.</li> <li>- Since our last meeting the Cannabis Control Board has approved several additional conditional cultivator and processor licenses as well as several cannabis laboratory permit holders. These licenses are an integral part of building the cannabis supply chain in NYS and we will continue to award licenses on a rolling basis.</li> <li>- The Control Board also approved an additional 30 Conditional Adult-Use Retail Dispensary (CAURD) licenses earlier this morning.</li> <li>- Why Buy Legal New York – will be launching in early Spring, the Office will be releasing short educational videos to share with the public. (Shows video)</li> </ul>
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- Illicit Market Enforcement Update
- As part of the ongoing partnership with the Governor’s Traffic Safety Committee (GTSC), the Office funded a \$1 million dollar 2-month long traffic safety campaign. Continuing to message the risks of impaired driving remains a critical component of the Office’s mission to promote public safety by helping New Yorker’s and their roadways stay safer.

- Damian Fagon, the Chief Equity Officer for OCM, provided Social & Economic Equity Update. Key details include:
  - Social & Economic Equity Plan: Set to be released in Q1 of 2023, is being developed through extensive outreach and engagement with stakeholders.
  - Communities Disproportionately Impacted (CDI): To date, the SEE Team has successfully matched approximately 90% of 1.2 million individual arrest records with a physical location, starting from an initial match rate of approximately 60%.
  - Cannabis Compliance Training & Mentorship (CCTM): 66% of CCTM participants would be considered either historically underrepresented in farm ownership and/or SEE applicants per Section 87 of the Cannabis Law.
  - CAURD (2nd Round): 67% would be considered minority-owned businesses and 14% would be considered women-owned businesses. Additionally, 77% of those license recipients lived within census districts consisting of the lowest median household incomes in the country.

- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of Retail Dispensary - §123.9(e) 2 (v)
  - Cannabis Product Sales Requirements (2) The retail dispensary shall:
  - (v) offer for sale or provide containers to consumers for the storage of cannabis that lock and are child resistant pursuant to Part 128 of this Title

- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of Retail Dispensary - §123.10(g) 2
  - Retail Dispensary Prohibitions (g) A retail dispensary shall not:
  - (2) conduct or transact business at a retail dispensary under a name which contains as part thereof the words “drugs”, “medicines”, “drug store”, “apothecary”, “pharmacy”, or similar terms or combination of terms, or in any manner by advertisement, circular, poster, sign or otherwise describe or refer to the licensed



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premises, or describe the type of service or class of products sold by the retail dispensary, by the terms “drugs”, “medicine”, “drug store”, “apothecary”, or “pharmacy”. A retail dispensary name shall comply with the requirements in [Part 129 of this Title](#)

- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of Cannabis Consumer Education & Resources- §123.10(i)
  - (1) A retail dispensary shall provide consumer education materials to each consumer at the time of sale that includes messages about safe consumption of cannabis products, public health, and other educational messages as established in guidance by the Office. Consumer education materials may be made available in print or digital form and shall be prominently displayed. A retail dispensary shall have an adequate supply of current consumer education materials available for distribution to consumers

- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of Processing - §123.6 (f) (9)
  - Requirements for all cannabis products that are vaporized or inhaled:
    - (iii) Except for botanically derived terpenes, excipients and ingredients used in vaporized or inhaled cannabis products shall be pharmaceutical grade unless otherwise approved by the Office, and shall not include:
      - Synthetic terpenes; (b) polyethylene glycol (PEG); (c) vitamin E acetate; (d) medical chain triglycerides (MCT oil); (e) medicinal compounds; (f) illegal or controlled substances; (g) artificial food coloring; (h) benzoic acid; (i) diketones; (j) any other compound or ingredient as determined by the Office;

(iv) Cannabis products cannot exceed more than ten (10) percent total terpenes

- Axel Bernabe, OCM Senior Policy Director and Chief of Staff, provided an overview of § 123.9.J – Retail Dispensary Ownership, Interests, Business Authorizations and Prohibitions
  - “In addition to any other restrictions or prohibitions in this Part, no retail dispensary or its true party of interest is permitted to hold a direct or indirect interest in, or be a true party of interest, passive investor, landlord, financier, or management services provider, or by any other means, to a cultivator, processor, distributor, cooperative, microbusiness, ROD, ROND, registered organization, or cannabis laboratory licensee or permittee or any person licensed outside of New York State who are licensed to function as any of the aforementioned licensees.”



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- The restrictions contemplated in this provision of the cannabis law with respect to Registered Organizations is limited to those ROs operating an adult-use dispensary (ROD) having an interest in an out of state operator that also has an interest in another, non-ROD, operator in NYS. This does not preclude an RO from being vertically integrated in another state.

- The Board adjourned the meeting.