



Office of Cannabis Management

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Executive Director

No. 2023- 29
July 19, 2023

RESOLUTION DIRECTING THE OFFICE OF CANNABIS MANAGEMENT TO FILE A NOTICE OF EMERGENCY ADOPTION AND PROPOSED RULEMAKING CONCERNING AMENDMENTS TO CANNABINOID HEMP REGULATIONS

WHEREAS, pursuant to Article 5 of the Cannabis Law, the Cannabis Control Board (Board) is charged with the responsibility to govern activities related to cannabinoid hemp;

WHEREAS, pursuant to Sections 10(4), 13(5), and 91 of the Cannabis Law, the Board finds it “necessary for the preservation of the public, health, safety [and] welfare...” of this State to invoke its express emergency rulemaking authority to establish emergency rules and act with expediency, by recommending the Office of Cannabis Management (Office) implement, such emergency rules to address the activities related to intoxicating cannabinoid hemp products;

WHEREAS, the Board has seen the creation and sale of intoxicating cannabinoid hemp products, which frustrates the separation of two distinguishable programs: the cannabinoid hemp program and the adult-use cannabis program and creates an unsafe environment for cannabinoid hemp consumers;

WHEREAS, the proliferation of intoxicating cannabinoid hemp products in the marketplace requires the Board’s response to protect the health and safety of cannabinoid hemp consumers by way of emergency amendments, now, therefore, be it

RESOLVED, that the Board directs the Office to file with the New York State Department of State to make effective the attached emergency and proposed cannabinoid hemp regulation amendments currently before the Board, as may be amended for changes in accordance with the State Administrative Procedure Act to be effective immediately upon filing.