



Office of Cannabis Management

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Executive Director

No. 2023-42
November 17, 2023

RESOLUTION DIRECTING THE OFFICE OF CANNABIS MANAGEMENT TO FILE FOR ADOPTION CERTAIN 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, to protect the health and safety of cannabinoid hemp consumers, on July 19, 2023, Board voted Resolution No. 2023-29 directing the Office to file emergency and proposed cannabinoid hemp regulation in response to the proliferation of intoxicating cannabinoid hemp products in the marketplace;

WHEREAS, the emergency cannabinoid hemp regulation previously in effect concurrently underwent a proposed rulemaking process for permanent adoption under the State Administrative Procedure Act;

WHEREAS, the Office, having assessed the public comments received, and determined no substantial changes are so required, recommends filing the cannabinoid hemp amendment for adoption; 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 amendments to the cannabinoid hemp regulation currently before the Board, as may be amended for changes in accordance with the State Administrative Procedure Act to be effective immediately upon filing.

[Attachment]