



Office of Cannabis Management

KATHY HOCHUL

Governor

TREMAINE WRIGHT

Cannabis Control Board Chair

JESSICA GARCIA

Board Member

HOPE KNIGHT

Board Member

ADAM W. PERRY

Board Member

JENNIFER GILBERT JENKINS

Board Member

CHRIS ALEXANDER

Executive Director

Meeting Minutes

Title:	New York State Cannabis Control Board Meeting
Time & Date:	November 17, 2023 at 10:00AM
Location:	SUNY Global Center, 116 E 55 th St., Global Classroom, New York, NY 10022, 181 Ellicott St., Buffalo, NY 14203, and Virtual via Webcast

Attendance

Board Chair:	Tremaine Wright
Board Members Present:	Hope Knight
Board Members Present (virtually):	Adam W. Perry
Board Members Present (virtually from a private location due to extraordinary circumstances):	Jessica Garcia, Jennifer Gilbert Jenkins
Board Members Absent:	N/A
Others Present:	Chris Alexander, John Kagia
Others Present (virtually):	Nicole Rosa

Agenda

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from October 17, 2023 Board Meeting
- IV. Consideration of Cannabinoid Hemp Regulations for Adoption
- V. Consideration of Laboratory Permit Fees
- VI. Consideration of Registered Organization Renewals
- VII. Executive Director Report
- VIII. Public Comment
- IX. Adjourn



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Action Items

Resolution No. 2023-42:	Resolution Directing the Office of Cannabis Management to File for Adoption Certain Amendments to Cannabinoid Hemp Regulations.	Passed, Unanimous Vote
Resolution No. 2023-43:	Resolution to Approve Cannabis Laboratory Permit Fee Setting.	Passed, Unanimous Vote
Resolution No. 2023-44:	Resolution to Consider Renewal of Registration for Certain Registered Organizations.	Passed, Unanimous Vote - Board Member Garcia recused herself prior to the vote. Board Member Perry abstained from the vote.

Notes & Comments

<ul style="list-style-type: none"> • Today’s agenda was amended to reflect that the settlement agreement was removed from the agenda. It was not prepared to come before the Cannabis Control Board (“CCB” or “Board”). • Chair Wright stated that they at the Control Board are responsible for approving regulations that provide necessary and impactful guardrails for the budding adult-use cannabis industry, that they take their mission seriously and are committed to creating a comprehensive regulatory framework to provide consumers and those seeking care through cannabis to get what they need in a safe and responsible manner. She commented that they are building the most accessible and inclusive cannabis market in the world, and, thanks to their regulations, they will make sure this industry is home to a diverse array of independent operators who represent the best of the Empire State. She noted that the Conditional Adult-Use Retail Dispensary (“CAURD”) program stands as the first time that any state cannabis program has led with directing opportunity to those who are most impacted by outdated cannabis policies, including convictions for a cannabis offense. She commented that as they look ahead, she wanted to thank New Yorkers who continue to invest their dollars and their trust in the legal cannabis shops because they know that when they walk through those doors, they are buying locally grown lab tested high quality products. She further commented that the Marihuana Regulation and Taxation Act (“MRTA”) was born out of a vision of equity, a promise to right past wrongs of prohibitions, but most importantly, the MRTA was created to serve as an engine to build a bright and dynamic market. • Upon a motion from Board Member Hope Knight, and a second from Board Member Adam Perry, the Minutes of the October 17, 2023 Cannabis Control Board Meeting were approved unanimously.
<ul style="list-style-type: none"> • Executive Director Chris Alexander provided an overview of Resolution No. 2023-42, a Resolution Directing the Office of Cannabis Management to File for Adoption Certain



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Amendments to Cannabinoid Hemp Regulations. These regulations were originally approved at the July 19, 2023 CCB meeting. The public comment period for these regulations concluded on October 10th. During the public comment period, the Office of Cannabis Management (“OCM” or “the Office”) received approximately 218 comments from 86 individuals and organizations. No substantive changes were made as a result of the public comments at this juncture, but the Office will continue to evaluate the evidence and look for best practices as the market develops and factors change. Adoption of these regulations will help ensure that they continue to protect public health, safety, and the welfare of consumers from the immediate threat posed by intoxicating cannabinoid hemp products currently being sold outside of their licensed dispensary framework in New York State.

- Upon a motion from Board Member Jennifer Gilbert Jenkins, and a second from Board Member Hope Knight, Resolution No. 2023-42, a Resolution Directing the Office of Cannabis Management to File for Adoption Certain Amendments to Cannabinoid Hemp Regulations, was approved unanimously.

- Nicole Rosa, Director of Health and Safety for OCM, provided an overview of Resolution No. 2023-43, a Resolution to Approve Cannabis Laboratory Permit Fee Setting. Pursuant to Part 130 of Title 9, cannabis laboratories are required to pay a fee for an annual permit at the time of application or renewal of a permit. An applicant shall pay the appropriate permit fee based on its Gross Annual Receipts (GAR) as determined by the CCB. Cannabis laboratory permits will be expiring on March 31, 2024. In order to prepare for the laboratory permit renewals, OCM is recommending a proposal to the CCB for their consideration to establish the laboratory permit fees. After conducting a review of other laboratory fee methodology, the Office proposes to charge each laboratory a percentage based on its GAR that will cover a portion of the operating costs of the Office's cannabis laboratory compliance operations. The laboratory will be invoiced to pay one percent of its GAR for the testing of cannabis products over the previous year, or \$1000, whichever is greater. As the industry stabilizes and additional permitted laboratories are in full operation, OCM will reassess the percentage of GAR to be invoiced and recommend changes, if needed, to the CCB.
- Upon a motion from Board Member Adam Perry, and a second from Board Member Jessica Garcia, Resolution No. 2023-43, a Resolution to Approve Cannabis Laboratory Permit Fee Setting, was approved unanimously.

- Board Member Jessica Garcia recused herself from the discussion and a vote regarding Resolution No. 2023-44.
- Executive Director Chris Alexander provided an overview of Resolution No. 2023-44, a Resolution to Consider Renewal of Registration for Certain Registered Organizations. Pursuant to Section 35 of the Cannabis Law, a registration shall be valid for two years and the Registered Organization (RO) must apply to the CCB to have their registration renewed. This application requires them to provide a summary of their operational activities during the renewal period as well as demonstrate that it continues to be in the public interest to renew their registration. The Office is recommending nine existing ROs for renewal as they have met all the requirements as outlined in the regulations. Some of the items they must address in their renewal application include:



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- An environmental sustainability program plan, recycling plan, and explanation as to how the RO minimizes or eliminates adverse environmental impact.
 - An explanation of how the RO engaged in cannabis research, performed education and outreach to patients/practitioners, and improved affordability of medical cannabis products for patients.
 - A description of how the RO is, or plans to become culturally, linguistically, and medically competent to serve unserved and underserved patients in New York.
 - An explanation of any activities the RO has initiated, or plans to initiate, to have a more positive impact on the communities in which they operate.
- Board Member Jennifer Gilbert Jenkins asked does that mean that the others aren't up for renewal yet or they're not ready for renewal meaning that there were things that they had to correct first.
 - Executive Director Chris Alexander commented that there are some things that they have to correct. He further commented that all documents submitted have not yet met the satisfaction of the Office.
 - Chair Wright asked if any of the ROs executed any of their community engagement plans.
 - Executive Director Chris Alexander stated that he won't speak to individual ROs, but yes.
 - Chair Wright asked how many have actually engaged because that was not clear in their information. She also asked if this was a new requirement.
 - Executive Director Chris Alexander commented that this is one of those new requirements and that there were two places where they amended.
 - Chair Wright asked if any of them actually executed any of these plans or are all of them prospective.
 - Executive Director Chris Alexander commented that some do capture past outreach and engagement efforts, and some of the organizations have been doing that work for some time without it being an actual requirement of the program. He further commented yes, some of the plans are prospective.
 - Chair Wright asked if any of them executed any of the sustainability programs or are they all prospective.
 - Executive Director Chris Alexander responded that those are all prospective and were included in their most recent regulations.
 - Chair Wright commented that so none of them are participating in that.
 - Chair Wright asked if they are seeing very low rates of failure for quality inspection and if they could characterize the percentage of the lots that pass and or fail.
 - Nicole Rosa commented that the ROs actually have a high percentage of lots that pass the mandatory compliance testing.
 - Executive Director Chris Alexander commented that a lot of the changes in from the updated regulations, as well as from the statute, are really trying to push their current ROs to being brought a part of the cannabis industry that they are building, and these plans will be able to be reviewed every two years by the Board.
 - Chair Wright commented that these participants have been supplying our medical community for a long time and these are new endeavors for them, and they just really wanted to get an idea of what it looks like currently in the marketplace and what they have been doing.



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- Upon a motion from Board Member Hope Knight, and a second from Board Member Jennifer Gilbert Jenkins, Resolution No. 2023-44, a Resolution to Consider Renewal of Registration for Certain Registered Organizations, was approved unanimously. There was one abstention from Board Member Adam Perry.
- Executive Director Chris Alexander and John Kagia, Director of Policy for OCM, provided the following update for the Executive Director report.
 - Application Update
 - The Adult-Use Cannabis License application window for retail and microbusiness applications applying with proof of control over a suitable location closes at 5:00pm today.
 - This week, OCM wrapped up its statewide Roadmap to Adult-Use Applications Tour.
 - The RO expansion application opened on October 31st and will close on December 19th.
 - Medical Cannabis Advisory Council (MCAC)
 - Established to utilize the expertise of certifying practitioners and pharmacists in the Medical Cannabis Program to develop clinical resources that educate health care professionals on how to treat patients with cannabinoid-based medicine and provide guidance and recommendations to the Office for the improvement of the Medical Cannabis Program for practitioners and patients.
 - Medical Cannabis Ambassador Program (MCAP)
 - Allows certifying practitioners and pharmacists to help educate other health care professionals seeking to learn more about the endocannabinoid system, cannabis science, and cannabis pharmacology. Training will be provided to health care providers interested in certifying patients in the Medical Cannabis Program and health care providers interested in learning more about cannabis science in order to better treat and engage with their patients who may be cannabis consumers.
 - Market Update
 - New York's 27 adult-use cannabis dispensaries and 54 Cannabis Growers Showcases (CGSs) have generated \$112.1 million in sales year to date.
- Board Member Jessica Garcia asked what approach they are taking aside from having an application to make sure that they have the diversity in the applicant pool to consider for the Advisory Council.
- Nicole Rosa commented that they do have more information around the requirements that they are looking for on their website.
- Board Member Jessica Garcia commented that that's a very passive manner of which to solicit experts to apply, and in her experience, not everybody is looking at their website. She then asked what kind of proactive outreach they are doing as an agency and how are they getting the word out beyond putting it on their website to make sure that the right folks hear about this opportunity.



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- Nicole Rosa commented that they have been working closely with their communications team and will follow up with them to make sure that they continue to navigate all available channels, such as social media, and other avenues beyond the website.
 - Board Member Jessica Garcia asked if they could also engage their other Advisory Board. She commented that there is a lot of folks on that Board who have a wide network that they could also share this opportunity with.
 - Nicole Rosa commented absolutely and that they will share with the Advisory Board as well.
 - Board Member Jennifer Gilbert Jenkins asked if there was a way for academics to be involved in this in an indirect way, so that they are not directly involved in the research but are part of an Advisory Council would be really helpful as well.
 - Nicole Rosa commented great feedback and that they can certainly take that back to see how they can engage more in that front.
 - John Kagia presented the Market Update on New York cannabis sales.
 - Chair Wright asked for a highlight of what are the parameters for how CGSs operate and how people can identify what they are in their communities and what is actually operating within the guidelines or the guardrails that they have created.
 - John Kagia commented that the CGS program was envisioned as a way to provide non-conventional, non-traditional retail access out of non-storefront locations. He commented that there are several key parameters required in order for a CGS to take place. He commented that you need a minimum of 3 cultivators to organize the CGS and the retailer to execute the transactions at a CGS and for every 3 growers you have, you need at least one processor and at least two thirds of the product have to be from the cultivators. He further commented that the locations where the CGSs are being held must meet all of the same rules that are retail and the each CGS must get a letter from the municipality to conduct the CGS at the specified location and for the specified hours.
 - Chair Wright asked if in December do they think they will be able to get numbers on how much of the surplus flower that they have been able to sell.
 - John Kagia commented absolutely and that all of the analysis that they have been doing has been trying kind of get them to the point where they will be able to assess the total raw biomass that has been sold both through the CGSs as well as through their retail stores.
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- Members of the public were provided the opportunity to address the CCB during the Public Comment period. Participating individuals must limit their remarks to two minutes and remarks should be related to agenda items. Public Comments are listed in Appendix A.
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- The CCB adjourned the meeting.



Appendix A

NYS Cannabis Control Board 11/17/2023 Meeting – Public Comment

	First Name	Last Name	Organization (If Applicable)	Public Comment
1.	Walter	Iwachiw		Good morning. I'm disappointed we don't know anything about the settlement, and I have a presentation in front of QB2 on Monday. Can I use some of your slides? Okay, thank you. Permission.
2.	Elizabeth	Smith	Westchester Harvesting Company	Hi, good morning. My name is Elizabeth Smith, and I am the owner of Westchester Harvesting Company, and I'm a school teacher in Mount Vernon, which I do every day and I'm a CAURD's Licensee. Received my license in May and I have been ready to open since July 28 th . I was on the list of 30, and I pray every day that I can get open. I find that communications with the OCM is where I'm the most frustrated. Sometimes I wait days, weeks, just for a generic response. But when I'm out there negotiating, and I'm talking to the municipalities about my location and how I'm going to get open, if I don't have the information that I need in order to convey my point to the landlords and to the municipalities, I'm at a disadvantage. I'm very highly educated. I know the regulations by heart. And I go into negotiations on a lease agreement, and I'm underserved because I've emailed the OCM, and I don't have a response. And I find that the lack, I understand the injunction has halted communications. I totally understand that. But prior to that communication was substandard as well. So that's just my comment. Please communicate with us CAURDs. We're working our tails off to get open, and I know you support us. So thank you.
3.	Jeff	O'Neil	Industrial Arts Brewing Company	Good morning. Thanks for the opportunity to comment here. I'm Jeff O'Neil. I'm the founder of Industrial Arts Brewing Company here in New York State. I'm a craft brewer, and I'm a member of the Hemp Beverage Alliance. Like so many other businesses, manufacturing and otherwise here in New York, we've been hit really hard by pandemic conditions. And our brewery is left with excess capacity and 30 jobs at risk. We identified a significant demand for Federally legal delta 9 hemp, Derived Delta, 9 craft beverages and a lack of New York suppliers. We've observed sensible, successful models work in states like Minnesota for these products that tend not to fit well into the adult use retail channel. We began our application process in May for a cannabinoid hemp processing license, and we also hold a cannabinoid hemp retailer



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				license. We've spent tens of thousands of dollars countless hours over the last 6 months, training our team and bringing them in our facility up to current good manufacturing practice standards for licensing. Ironically, these standards are much higher than those for alcoholic beverage manufacturing, and the other standards that the OCM and CCB have in place for through the channel for distribution and sale are very comparable to alcoholic beverage, including age gating around purchases and marketing and labeling restrictions. You said yourself during this meeting, that you already hold your licensees to a high standard. The OCM has issued dozens of manufacturing and distribution licenses for cannabinoid hemp, and thousands of retail licenses collecting millions of dollars for a channel that you're functionally closing with today's regulatory ruling. As a member of the hemp Beverage Alliance, we're advocating for safe and sensible low dose, accurately labelled low dose beverages at 5 milligrams per serving, using the success shown at every level, level. Thanks for hearing me out. Please reconsider.
4.	Zymia	Lewis	Big Gas Dispensary	Good morning. I'm speechless. I don't even know what to say at this point. You can't hear me, too. Okay, I'm speechless. I don't know what to say. I never got up here and had nothing to say. I'm speechless. I'm still not open. I asked for a little clarity last time. I still know nothing. I still have no money. Excuse me. We don't know how to move forward. We're just paying rent, paying rent, paying rent, paying rent, paying rent, paying on everything that we put in, and we have nothing coming in, and we can't afford it anymore. I don't know what to do anymore. I really don't know what to do. I guess some type of communication, something, something just something. You get a glimpse of hope, and then it's taking away. And they get again a glimpse of hope, and it's taken away. I don't know what to do. I don't know what to say. But thank you.
5.	Omar	Duran	Life3	Hello, everyone my name is Omar Duran. I'm CEO, founder of a company called Life3. We've been in dealing with energy efficiency and workforce development providing digital and technology solutions. I'm just really excited to see where we're heading with cannabis in the city. And I'm interested to know if there's any regulations being put in place around energy efficiency for growers. And you know the jobs that may result from that. And you know, just making sure that it's equitable the way that NYSERDA and Con Edison has sort of been striving to



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				make sure that we have jobs for everyone available. So just excited overall.
6.	Jay	Moskowitz	Bimble	Hi, my name is Jay Moskowitz. I'm the founder of a company called Bimble here in New York. And I'm a lifelong New Yorker. I don't really have a dog in the fight about the hemp regulations. Bimbo is fully compliant with even the new regulations. I'm speaking more about on behalf of my colleagues at the Hemp Beverage Alliance, an alliance of brands maybe close to 75 across the country. Let's talk about the elephant in the room. Who is this hemp regulation going to benefit? The only the answer I could come up with is the marijuana growers, and that's a noble cause to protect the marijuana growers. I don't disagree with that, but there are dozens of better ways to protect them. Let me explain something about the drink market. There's an old saying, if it ain't cold it ain't sold. Which means on a retail level, you need refrigeration, you need space, you need displays. And if you go to California, Colorado, other, there are some other early States, they, the dispensaries don't like selling drinks, they don't, it takes up too much room, it's low margin. You're not protecting the anyone by making it difficult to sell safe drinks with caps. I agree that we should have limits. But one milligram is probably not enough for all the other constituencies that would like to have safe drinks with controlled dosing, with managed expectations of onset. This is what drinks bring you in in safe co-packing facilities. So I'm just asking you as a fellow New Yorker. Please. This conversation's probably not over. Let's have an open dialogue. Let's just talk openly about this and come up with sensible regulations. Thank you.
7.	Annette	Fernandez	High Exposure Cannabis Development Business Agency	Good morning. My name's Annette Fernandez. I'm an activist from Washington Heights and the founder of High Exposure Cannabis Development Business Agency. I know I have a lot of hats. If the injunction has stopped at least 150 stores from opening, although there are 453 licensees that are in limbo, and may be waiting for a new license approval now. That would generate 600 million dollars a week at the current run rate. The State should be careful to celebrate numbers that we know could be better had it not been for all the fumbles and corporate interference. The Chair today said that we are tireless, we are not. We are currently fueled by the knowledge that we have come too far to turn back, and we have no other choice but to continue gabbling, gambling with our lives and our pensions, and our family savings and our mental health. This is what MSOs we sleep over, and it's why we



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				are now, officially, in a rage. We know what the market is worth and we have the best products because it's been done here for decades. This is why we are such a threat to the Curaleafs and the Variscites and the parasites of the world. We have intellectual property and cannabis like none other, and we are discerning connoisseurs. It's not lost on me that I walked by Citadel this morning. One of the largest hedge funds in the world, with 62 billion dollars in assets under management. A reminder that registered operators are funded by pooled investment vehicles that need to provide returns to shareholders. No holds barred as long as there is a return on investment. A reminder of just what scrappy, small New York adult-use businesses are up against. It's clear that these corporations have mechanisms in place to get things changed really quickly by the Cannabis Board. All the while members of the Board recuse themselves from the discussion. The Board must consider adopting mechanisms where feedback from the market and regulations that negatively impact revenue and do this quickly so that more money is not lost.
8.	David	Nicponski	Freshly Baked NYC	Members of the Control Board and the OCM. Thank you for the opportunity to again speak to you. I'm David Nickponski, a CAURD licensee, founder of retail dispensary, Freshly Baked New York and the Director of Business Development for the New York Cannabis Retail Association. These last 3 months have been perhaps the most stressful of my entire life and the lives of my 450 plus fellow CAURD licensees. We've been watching horrified at the prospect of all of our hard work, months of time spent, and millions of dollars invested, of invested capital going up in flames. We licensees came here in mass to witness progress toward the resolution of the problem and harm that we are facing. The fact that this was delayed further this morning is unconscionable to me. How can the situation be considered okay? It is not okay. It is not even close to Ok. It needs to be fixed now, not in a month, not when the application window closes. Now. People's futures and their family's well-being are literally on the line. We've trusted you. We've trusted our state. We have answered the call. The illegal shops who are flaunting the rules and financing this attack upon the State are thriving, profiting, profiting tremendously, and appropriating millions of dollars from local communities, while those of us who trusted you and followed all the rules are being systematically destroyed. We are not a model of equity for the world to follow. We are a laughingstock. This cannot wait any longer. Now is the time to step up and show us



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				and the world that our trust in you was not misplaced. Schedule an emergency meeting today and get this problem solved. Please. Thank you.
9.	Sarah	Choh	Reform Mechanicals	Hello, my name is Sarah Cho. I'm the founder of Reform Mechanicals, a CBD wellness company for people who believe in the culture of healing. We are a completely bootstrapped small business that launched late last year. After reviewing the emergency hemp regulations, it was incredibly frustrating and disappointing to read about the sudden changes in the dosage guidelines for hemp products. I currently sell full spectrum CBD tinctures which dose 50 milligrams per 1 one ML, a total of 1,500 milligrams of CBD per one ounce tincture. With the new hemp regulations, we would not be able to sell our products in New York State anymore. We operate on a limited budget and lack the resources to undertake extensive repackaging or reformulation efforts to meet these new requirements. More importantly, from a customer perspective, this would deny accessibilities to safe and effective CBD products. Our current formulas have been meticulously crafted and have garnered the trust of our loyal customer base, due to their significant, positive impact on health and overall well-being. There are clinical studies that proven the importance of having point 3% THC and CBD products which are naturally occurring cannabinoids in full spectrum hemp to create an entourage effect for effective treatment. Changing these formulas would not only be financially burdensome for us, but also detrimental to the individuals who rely on our products for health needs. I know myself and other founders want to be compliant. I would ask OCM to work more closely with founders and small businesses who are subject matter experts in plant medicine and have been supportive and agreeing with OCM's efforts to maintain a safe cannabis market. My question is, is there any room for open discussion to review and edit the hemp regulations together? Thank you.
10.	Jamie	Galvis	Hustle N Flo	Okay. My name is Jamie Galvis. I am the founder of Hustle N Flo. We are a multifunctional wellness brand based in Brooklyn. Our primary products, for CBD, full spectrum CBD products, very much like reform botanicals. They are high potent products, 50 milligrams per softgel. We have adaptogens. We have terpenes. We have beautiful products that that they work. If you've if you've ever had any type of mental health issues or sleep problems if you would have tried our products, you will know that they work our page. Our our customers love



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				<p>our products. Agencies like high high exposure, want to represent us, and so that we can enter the market. But we can't if you're making them illegal, essentially. You're not just affecting me and reform botanicals and hemp and humanity and relaxing and high exposure. You're affecting, you're affecting every one that has access to this product or certified organic they're clean. I'm trying to wrap around my head around the fact that you know there's so so much restriction with the hemp regulations. Yet there's a loophole that you all left, and that's why all these illicit wish shops are open. And you know you mentioned safe and responsible and inclusivity. That's what I represent. I represent safety. I represent responsible products I invested, and I'm going to say to everyone \$90,000, my savings. I work my ass off. I've never. I don't come from money. And now I'm in the standstill. It's my livelihood. Eczema. I now have eczema because of my nervous system because of this entire thing. I don't know what to do anymore. I'm at a loss here. You're affecting, you're affecting everything. And we just really want. Tremaine, we really want just to be able to sit down with you, all of us, as an industry to be able to express why we came to this. Why, we're at this point we submitted comments. My commentary was about 7 to 9 pages. I don't know that you read all of that. So thank you.</p>
11.	Oleg	Maryasis	Lock and Key Remedies Incorporated	<p>I thank you so much for the opportunity to to speak. My name is Oleg Maryasis. I've been in the New York legal cannabis industry for over 12 years now. It's been a very difficult journey for my family and my partners. Particularly the last 8 years I've been focusing on developing cannabinoid and terpene formulations, targeting the endocannabinoid system, and we started Lock and Key Remedies Incorporated, where I've been Director of education ever since. Currently I'm in my second year of University of Maryland School of Pharmacy, Master's program for medical cannabis, science and therapeutics. It's my duty to inform you that the regulation, the Hemp regulation, is not evidence-based nor scientifically sound. I look forward to hearing what research was being referred to, because I do homework till 4 in the morning looking for the research, and it shows the counter. New York State is on with way the the adult-use program is being implemented where wellness is not as prohibited where you're not allowed to use the word wellness with cannabis. And the way that hemp cannabinoid regulations are taking place. Cannabis use disorder is gonna be a very big issue. I don't know if your research is showing you that,</p>



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				but I'll be glad to show you the research. The way to fight cannabis use disorder is to have a CBD and THC combined low, THC high CBD, and this regulation, this allows that. So this is a major issue for for the State. And you gotta listen to the ladies. They're the majority of this industry. It's it's it's it was an embarrassment that that all those comments were submitted, and 0 comment was made about them. That's completely unacceptable. And you know, we're talking about diverse industry. This is diversity right here. And and you know that that's all I have to say. Thank you.
12.	Bruce	Sterman		Good morning, Bruce Sturman, unlicensed NYC. The unpleasant truth is the public does not know what a licensed store looks like. This is a photograph. This is a photograph of the Governor introducing the license on December 15, 2022. On stage is an image that is 5 feet by 3 feet. Please make it possible for everyone to know what a regulated legal licensed store looks like where the owner has followed the rules. Please give every store a 5 foot by 3-foot copy of their license to put on their store windows. Every window. Give these stores a fighting chance to survive the unlicensed onslaught and make the image familiar. Put it in subways and buses with a tag line. If you don't see this, you are buying unlicensed, untested, unsafe weed. Please make it possible, make the license larger, make it impossible to miss. Let the license stores flaunt their license as the unlicensed stores flaunt their flouting of the law in neon. Conversely, for the stores within notice of violation make it impossible to miss the fact that illegal cannabis was seized here. Make the notice of violation 5 feet by 3 feet. Since you have a supply, I assume of the current license of the current current ones, put up multiple licenses, cover the window, make it impossible to see in as impossible as it is to see into the licensed stores. Make it impossible to miss the fact that illegal cannabis was seized here. Please.
13.	Jeff	Hoffman		Thank you. Good to see you all this morning. The application process is going really well. At least that's my perspective on it. I'm gonna have some things to say about the injunction here in a second. But the staff at OCM has really done a bang-up job here. The materials that were prepared, I think, are excellent. I've been participating in the CHIP program helping folks. I think that was a fantastic program to do so. I just think what has been done for the application so far. We'll see how the award goes. But I just really compliments to all of you. This has really been, I think, a great application process.



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				The materials are fantastic. Give the teams that did that raises. They're great. I do, of course now wanna speak a little bit, you know. Unfortunately, I think a lot of people were expecting to hear something about the settlement this morning that at least, the plaintiffs has sent a letter to the judge might be happening. I stood before you at a previous meeting and said that codifying CAURD was your solution. It still is. There, the assembly's excuse me, the legislator's gonna come back into session here in January. I recommend highly that you concentrate your efforts on lobbying them to do this. Senator Cooney had his hearing seemed like there was a lot of interest in it. They, in fact, directly asked you if you would be interested in doing it. I think you should really talk to them about this. I'm very concerned about what settlement you might enter into here. Unlike Variscite, where there was only one person on earth that had standing to sue. There are other people and plenty of them that have standing to sue like the plaintiffs that you currently have. And so it's not really clear to me and the other attorneys in the cannabis bar in the State that I speak with regularly how you're gonna do this and prevent other people from potentially suing. I know you can't tell us what you're thinking about, but codifying CAURD is your solution here. So I strongly encourage you to think about that. Thank you.
14.	Matthew	Richmond		And licensees you heard from some of them today invested in New York because they thought they were entering a regulated market with room to grow into a future marijuana market. Since the emergency regulations were first proposed in August, 4,000 licenses and 17,000 petitioners opposed them during a public comment period. Since then, operations that have acted in full compliance with State regulation, as it has been, are being driven out of business. The hemp code already stipulates that all products must be safe, and lab tested with age restrictions. There's no question that this is an industry in need of regulation. But this rule does more to torpedo businesses than ensure public safety. Notably many of these hemp licensees operate in regions that have not opted into the marijuana program. Can the Board really promise that this will promote safe trade in regions where no legal option exists. Is worth mentioning finally, for those on the Web that a New York judge issued a ruling last week that reputed the office's claim that this rule is in the interest of public safety. That's all. Thanks.
15.	Breanna	Neff	Brelix	Hi, everyone! My name is Briana Neff. I am a certified food scientist. I studied at Cornell University, and I am a proud



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				<p>brand owner of Brelix, which is a functional hemp drink mix and I'm here today to talk about the hemp regulations, of course, and the quote unquote emergency behind it. You know, I just want to start off by saying. What is it that qualifies cannabis from hemp as an immediate public threat? I feel like it goes without saying that there are tons of more toxic and dangerous substances sold every day in stores across the State, from tobacco to alcohol to cold medicine. When Fentanyl is tearing through our communities, mental health is tearing apart our families. Homelessness will leave thousands of cold in this winter. Migrants have been bussed to the city, hopeless and penniless. How can a state with one and with one hand promote a substance, and with the other hand attack it as a threat? How is cannabis distinct exactly from hemp? The State has adopted since 2016 that cannabis is medicine, and this very board is rolling or recreational cannabis retailers all over the State. How is it that cannabis from hemp is once again being demodified? So again, I really wanna just emphasize that hemp has amazing health benefits, and there shouldn't be any distinct difference between that and cannabis. And I would really like to understand the regulations and the research and the scientific evidence that goes behind that, especially as we're rolling out and allowing for more cannabis type of dispensaries to enter the market. Thank you.</p>
16.	Cheech and Chong's			<p>We are a hemp product brand selling federally legal hemp products to customers and retailers in New York and we are fearful that through harmful regulations our business in the state could be shut down affecting downstream small businesses and our customers. They love our products because they are safe, mellow and culturally connect to a diverse community. As a family ran brand, we like supporting the small businesses and the communities they serve. We should be moving this conversation forward, NOT back towards prohibition of hemp products. The intent of the legislature was to regulate and create a safe industry, as advocates of safe and reliable access for over fifty year we share this goal. However, if these regulations are to be upheld, the community will lose safe access to low dose hemp products that are designed for a different type of consumer than in the regulated market. Denying this distinction will end all this industry has to offer, like creating jobs and opportunities for people in the community.</p>



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17.	Sara	Hilby		As a frequent user of THC for health purposes, the availability of hemp THC drinks have vastly improved my ability to acquire low dose (5mg) products that I use on a daily basis. Given the delay in opening dispensaries in New York, my ability to access these products have been hindered. Being able to access hemp derived cannabinoids from normal retail channels have drastically improved my wellbeing and by removing these products, will negatively impact me. I believe the proposed hemp regulations are far too stringent and remove products from the market that are a much healthier alternative to alcohol and give consumers more choice.
18.	Jamie	Galvis		<p>New York State Office of Cannabis Management P.O. Box 2071 Albany, NY 12220 Re: Emergency Regulation – Part 114 Cannabinoid Hemp Regulations To Whom It May Concern,</p> <p>Thank you for allowing me the opportunity to submit comments to the Office of Cannabis Management on the Emergency Regulation to amend Part 114, Cannabinoid Hemp Regulations.</p> <p>My name is Jamie Alexandra Galvis. I'm the founder, CEO, and owner of HUSTLE N FLO WELLNESS, LLC, New York State Cannabinoid Hemp Retail License OCM-HMPR-22-01864. By way of background HUSTLE N FLO WELLNESS has operated its e-commerce store with an office located at 12 Park St. 223, Brooklyn, N.Y. 11206 since September 15, 2021.</p> <p>Our commitment to social responsibility is our guiding principle for sustainability, transparency, and community building. Sourced locally from an upstate New York-certified organic women-owned farm, all of our processes, products, and packaging are almost entirely sustainable embodying our commitment to minimizing waste. Moreover, we cultivate community through thoughtfully curated multi-sensory experiences where humans connect, unearth the healing benefits of alternative healing solutions, and learn new ways to invest in their well-being. Being a Latina creating impact in the hemp space signifies not only embracing my cultural heritage but also harnessing my strength, resilience, and passion to create positive change. This change means breaking barriers, embracing a sense of belonging, re-discovering ancient healing alternatives, and sharing them with our communities.</p>



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				<p>Our multifaceted approach to business empowers us to connect with and support our vibrant community, where we collaborate, grow, and heal together. Currently, I lead the 'Amigas in Cannabis,' sub-group of the We All Grow Latina family, a platform dedicated to Elevating the voices and stories of Latinas and femme Latines via the power of community. We recently joined forces with Vibrant Emotional Health, a mental health organization, allowing us to contribute a percentage of our proceeds at the end of the year to support their cause. Last but certainly not least, we actively partner with artists and local NYC brands to co-create experiences that empower us all. Despite investing close to \$90,000 as a self-funded entity to cover legal fees for compliance, testing, research & development, sustainable packaging, manufacturing, etc. to launch HUSTLE N FLO WELLNESS we have not been able to scale according to our projections because of a lack of funds for digital marketing. Our growth thus far has been primarily attributed to grassroots initiatives: hosting events and cold calling to build retail partnerships throughout NYC and NYS. New York State is our main market. Retail partners and consumers have come to love us because of the quality of our products and what we represent.</p> <p>A few days ago, we received a heartfelt message from a consumer who discovered our products at Housing Works Cannabis, recommended by her doctor. She praised our softgels, which unfortunately are no longer compliant due to the new regulations. This human, who suffers from chronic anxiety and disruptive sleep patterns struggled to find high-quality CBD in NYC's retail stores. She recounted visiting numerous illicit shops claiming to sell clean products, only to discover that none had been tested for quality or potency. After discussing her challenges with her doctor, Rachel was directed to Housing Works, where she discovered our brand. It's disheartening to realize that not only do these new regulations pose a threat to our livelihood, but they also jeopardize the health and well-being of our loyal consumers who have come to rely on our products.</p> <p>continued from the previous comment..</p> <p>To further hinder our growth, the new regulations impede new accounts from working with us. Just last week, I received the following response after they expressed interest in our softgels: "We are currently applying for our adult-use license and will not be carrying any products that do not meet the hemp regulations, unfortunately. For right</p>



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				<p>now we are looking for only capsules. If the hemp regs change, you will be the first I reach out to!!".</p> <p>We wrote our brand manifesto because of what New York City represents, what it needs, and the positive impact we have the ability to create. The sudden imposition of new regulations, without adequate time for adjustment, has caused tremendous stress and uncertainty. We, alongside many NY-based hemp retailers, have been pivotal in normalizing and advancing the acceptance and understanding of hemp and cannabis in New York State. And, now face the daunting challenge of aligning with a set of rules that were not designed with input in mind. While illicit operators continue to plague and actually threaten the public safety of consumers with dangerous, untested, mislabeled cannabis products, please understand that hemp cannabinoid retailers are not the root source of this problem. Rather responsible hemp retailers like ourselves wish to work with the Office of Cannabis Management on reasonable regulations that promote a sustainable robust hemp cannabinoid industry. This is a heartfelt plea to the Office of Cannabis Management to recognize the invaluable contribution of these retailers and brands and grant us the time and resources we need to adapt to the changing landscape. We deserve the opportunity to voice our concerns and have a say in the regulations that will directly impact our livelihoods and the wider community we serve. This plea is not just for our businesses, but for the countless individuals who rely on the products and services we provide for their health and well-being. It is a call for empathy, understanding, and a fair chance at survival in this evolving industry.</p> <p>Through this public comment, we seek to provide feedback and recommendations regarding the Emergency Hemp Regulations currently under consideration. We appreciate the efforts to establish a framework for the hemp cannabinoid market; however, we believe that certain adjustments are necessary to ensure a robust, balanced, and sustainable industry. Specifically, in a survey conducted with NYS hemp retailers and brands the following grievances were submitted regarding Part 114 Cannabinoid Hemp Regulations. These grievances are from licensed business owners who have participated in the NYS Hemp Cannabinoid program for many years. These NYS entrepreneurs and stakeholders have provided consumers with safe and regulated hemp cannabinoid products while promoting the benefits of the</p>



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				<p>hemp plant through guidance and education. We hope you take the time to read through these to understand the impact both personally and financially these emergency hemp regulations have had on the lives of New York businesses.</p> <p>Grievances and Negative Impact on Small Businesses continued....</p> <ul style="list-style-type: none"> ● I understand the importance of regulation within the cannabis industry; however, the manner in which these regulations were implemented is deeply troubling, especially for small businesses like ours. Our family-owned business is not merely a commercial endeavor; it embodies a profound healing journey for my family and me. We are driven by a genuine calling to assist people through legal, safe, and plant-based medicines. It deeply saddens me to witness the potential repercussions of these regulations on small brands and retailers within the state. The swiftness and assertiveness with which these regulations have been imposed appear to jeopardize the very existence of many businesses like ours. While I acknowledge the necessity of regulations in the cannabis sector, I strongly urge the Office of Cannabis Management to consider the disproportionate impact these regulations have on small businesses. The regulations, as they stand, seem both unfair and arbitrary. It is disheartening to perceive the progressive state of New York endorsing policies that might adversely affect the livelihood and well-being of its residents who rely on these medicines.” ● “The new dosing regulations affect 95% of my current inventory posing a direct threat to my livelihood. New York State is my main market. The new dosing regulations force retailers to eliminate our partnership causing us to lose the majority of our sales. Although we sell our products online, we have not been able to scale at the rate we projected due to a lack of marketing funds. Additionally, The OCM gave us until 1/1/24 to make changes to our packaging; however, currently, we are not in a financial position to change our formulas overnight and change our packaging by then. I have invested close to \$90,000 to launch hustle + flo between high MOQs, legal fees to adhere to regulations then, branding, testing, packaging, etc.” ● “We operate on a limited budget and lack the resources to undertake extensive re-packaging or reformulation efforts. Our current formulas have been meticulously crafted and have garnered the trust of our loyal customer base due to their significant positive impact on health and



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				<p>well-being. Changing these formulas would not only be financially burdensome for us but also detrimental to the individuals who rely on our products for their health needs.”</p> <ul style="list-style-type: none"> ● A few days ago, we received a heartfelt message from a consumer who discovered our products at Housing Works Cannabis, recommended by her doctor. She praised our softgels, which have unfortunately become classified as illegal due to new regulations. This human, who suffers from chronic anxiety and disruptive sleep patterns, had previously struggled to find high-quality CBD in NYC’s retail stores. She recounted visiting numerous illicit shops claiming to sell clean products, only to discover that none had been tested for quality or potency. After discussing her challenges with her doctor, Rachel was directed to Housing Works, where she discovered our brand. It’s disheartening to realize that not only do these new regulations pose a threat to our livelihood, but they also jeopardize the health and well-being of our loyal consumers who have come to rely on our products. Our commitment to social responsibility is not just a principle; it’s the foundation of our brand, emphasizing sustainability, transparency, and community building. To the Office of Cannabis Management, I implore you not to separate us from our valued consumers or our trusted retail partners”. ● “I will have to move my business to another state to continue selling my full-spectrum CBD products.” ● “I fear the regulations will truly end my small business.” ● “A financial hardship to replace both the labels for current products that have been produced and labeled with the previously required statement and to incorporate the additional tests into my already completed third-party lab testing.”“The proposed regulations and limitations have not been properly thought out and will effectively halt our ability to offer products that have been carefully formulated to offer real benefits. The hemp industry is hard enough without the goalposts being shifted.” ● “50-60% of my customers are seeking help with sleep, average age here is 40+ at my store. With the new regs they are forced to go directly to the internet and get what they need, that is the reality of this legislation. If OCM allows up to 100mg THC in a 3000mg bottle, that should be applied to edibles. I suggest a 2-3mg max per gummy with a minimum of 12.5 to 1 ratio as a good compromise with max 80-100mg per package. I would take a 25 to 1 ratio to help my customers who are in pain and can’t



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				<p>sleep. As dispensaries and cannabis show cases are opening up - the slow down in sales is happening, this legislation will put small business hemp retailers, especially since Adult Use can carry CBD products for one stop shop.”</p> <ul style="list-style-type: none"> ● “As a NY licensed distributor of full spectrum hemp products, these regulations have rendered a significant portion of our product line non-compliant. Particularly, the stringent limits on THC content per 1ml serving and the overall cap on total cannabinoids per product have put us in a difficult position. While I understand the need for regulatory standards, these specific limitations have a profound impact on our ability to provide the diverse range of products that our customers rely on. Our products have always adhered to rigorous quality standards, ensuring that they are safe and beneficial for our customers.” ● “It’s tough to survive in this industry as is. This “Emergency” regulation pushes Hemp License holders towards complete collapse.” ● “Lack of prerolls in hemp flower limits my ability to buy flower from local growers and process into prerolls to expand my multi cannabinoid line. several minor cannabinoids are absorbed best via inhalation/combustion.” ● “These regulations are now forcing me to take my business outside of New York State and approach other hemp retailers interested in carrying my product as their states do not bear a thc restriction. We launched in May '23 specifically in NYC to grow mainly as a hemp-derived thc brand. now we must pivot our outreach to other states and not focus sales in NYS which was not our intention, and not being able to facilitate our product without our home state is really heartbreaking.” ● “I have had to remove over 40% off my retail store inventory to be in compliance with the emergency hemp regulations. Hemp Cannabinoid Retailers and Brands deserve to have a grace period and sell-through date to become compliant without risk of enforcement or violations.” ● “The regulations for hemp flowers to be tested below 0.3% TOTAL THC after decarboxylation would eliminate most hemp cannabinoid flowers from the market both in and out of New York state. Many high quality hemp CBD flowers will have a TOTAL THC of more than 0.3% that can range between 0.3%-0.7%. This is still non-intoxicating hemp cannabinoid flower, but the emergency regulations will eliminate access to these flower products. We even



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				<p>see the federal government is moving towards 1% total THC limits for hemp cannabinoid flowers.” continued...</p> <p>Issues with the Current Regulations: Please see a list of references to the current hemp regulations that will drastically impact the livelihoods of minority and women owned hemp cannabinoid businesses across the state.</p> <ul style="list-style-type: none"> ● Section 114.8 a (2):contain no more than three-tenths of a percent (0.3%) total Δ9-Tetrahydrocannabinol concentration ● Section 114.8 a (3): except for flower products or topical products, contain a ratio of CBD to THC that is 15:1 or higher, provided however, if CBD is not the primary marketed cannabinoid, the sum of cannabinoids excluding THC must have a ratio of 15:1 THC; ● Section 114.8 a (6): not be in the form of an injectable, inhaler, product including cigarette, cigar, pre-roll, or any other disallowed form as determined by the office ● Section 114.8 b: All cannabinoid hemp products distributed or offered for retail sale in New York State shall meet the following additional requirements: <ul style="list-style-type: none"> ○ ([b]1) [I]f the cannabinoid hemp product is an orally consumed product [food or beverage manufactured under Part 117 of Title 21 Code of Federal Regulations,]it shall not contain more than:[25 milligrams of total cannabinoids per individually packaged product. If the cannabinoid hemp product is a supplement manufactured under Part 111 of Title 21 Code of Federal Regulations, it shall not contain more than 3,000 milligram of total cannabinoids per product, with no more than 100 milligrams per individual serving.] <ul style="list-style-type: none"> ■ (i) 10 milligrams total THC per package, with no more than 1 milligram total THC per serving; and ■ (ii) 3,000 milligrams of total cannabinoids per package, with no more than 100 milligrams of total cannabinoids per individual serving, provided however, if the orally consumed product is in the form of a tincture it shall not contain more than: (a) 100 milligrams of total THC per package; and (b) 4,000 milligrams of cannabinoids per package. ● Section 114.8 c: If the cannabinoid hemp product contains multiple servings which are not individually wrapped, premeasured, separated or delineated, it shall include a measuring device such as a measuring cap, cup or dropper with the product packaging. Hash marks on the package shall not qualify as a measuring



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				<p>device.</p> <ul style="list-style-type: none"> ● Section 114.8 c(3): if an orally consumed product in the form of a beverage, packaged in a manner that shall not have more than a single serving per package, provided however, multiple packages of beverage products can be sold together. ● Section 114.9: This section references the new packaging and labeling requirements. <p>Solution Oriented Recommendations:</p> <ul style="list-style-type: none"> ● Extension of Compliance Period: We respectfully request an extension of 180 days or at the latest end of 2024 for the sell-through of non-compliant hemp cannabinoid products. This additional time will allow businesses to adapt to the new regulations and meet label and market requirements effectively. ● Increase in Total THC Allowance in Hemp Flowers: We recommend an increase in total THC allowance for hemp flower products to 1% to continue supporting hemp farmers cultivating CBD-dominant flowers both in and out of New York State. ● Inclusion of Smokable Hemp Flower Products: We advocate for the inclusion of smokable hemp flower products, including prerolls, as they are analogous to vape products already permitted in the hemp cannabinoid regulations. ● Removal of Ratios: We propose the removal of ratios as they do not effectively distinguish between intoxicating and non-intoxicating products. Many non-intoxicating, full-spectrum hemp products in the marketplace contain D9 serving levels between 1 and 3mg. Most gummies and capsules would then also contain well over 10mg of THC total per package. Instead, we suggest a comprehensive approach that takes into account factors such as tolerance, individual dosage, metabolism, and the endocannabinoid system. ● Cap on milligrams of THC per Serving: We suggest capping the total THC content per serving at 5mg while maintaining a minimum of 100mg total THC per package and suggest the allowance for multiple servings per product without restricting how they are divided up in the package. ● Adjustment of Milligram Limit: We propose an increase in the maximum milligrams per individually packaged product from 25mg total cannabinoid content to a minimum of 100mg total cannabinoid with a cap of 5mg THC per serving. Some consumers require higher cannabinoid dosages for effective relief.



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				<ul style="list-style-type: none"> ● Advocacy for Full Spectrum Whole Plant Medicine: While we acknowledge the importance of CBD-dominant products, we believe that THC should not be entirely eliminated from the equation. A 1mg threshold severely restricts product offerings and adversely impacts small and medium-sized brands and products. The proposed THC limits are very restrictive to consumers and a better approach is warranted to promote consumer access to full spectrum whole plant medicine. ● Access for Lower THC Tolerance Individuals: Current legal dispensaries do not sufficiently cater to individuals with lower THC tolerance levels. We encourage measures to ensure equitable access for all consumers, regardless of their tolerance levels. THC intoxication is influenced by multiple variables, including tolerance levels, individual dosage, metabolism, and the functionality of the endocannabinoid system. ● Highlighting Hemp Cannabinoid Products: We believe that having a variety of hemp cannabinoid products available on the market has the potential to expand the enhance consumer understanding of hemp and cannabis. ● Taxation on High-THC Hemp Products: We propose that hemp cannabinoid retailers be subject to reasonable sales tax on products containing over 1mg of THC. States like Minnesota have this statute and we believe this idea would help boost the New York Hemp and Cannabis industry. Funds from these sales taxes can be used towards social equity programs for hemp and cannabis entrepreneurs in an effort to support small and medium-sized businesses and entrepreneurs. ● Consideration of Financial Hardship: We urge consideration of the financial burden associated with labeling <i>The Harsh Reality</i> and a <i>Heartfelt Plea</i>. The reality is that while hemp cultivators and processors were given the chance to transition into the adult-use cannabis marketplace, hemp cannabinoid retailers were left behind on this opportunity. Now many dedicated hemp retail entrepreneurs who have tirelessly built their businesses around accessible and safe hemp cannabinoid products find themselves at odds and left in a precarious position due to the latest Emergency Hemp Regulations. We appreciate your attention to these recommendations and look forward to continued collaboration in shaping a robust and inclusive hemp cannabinoid industry. Thank you for your time and consideration.
19.	Sarah	Choh		As a woman + BIPOC owner of a small business, it's incredibly harmful to pass these emergency hemp



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				regulations without adequate research and open discussion with how to best approach these drastic changes. Many of us hemp license owners lawfully follow the 2018 Federal Farm Bill— which is recognized across the US and the standard for hemp cultivation. These drastic changes will cascade down to NY farmers who rely on processors and brands to purchase and source hemp from them. Moreover, from the consumer side, it will impact patients and customers in need of effective plant medicine that's been thoughtfully formulated with full-spectrum CBD. These new emergency prevents us from selling full-spectrum CBD. Please hear us out and revise the regulations to ensure the safety and effectiveness of hemp products.
20.	James	Stephenson		Passing these regulations with the current proposed restrictions is a huge mistake, which will have far reaching impacts throughout the hemp industry which is already under huge pressure. In addition to this it will also negatively affect many consumers who can currently freely enjoy low dose Delta 9 THC infused products. The way it is written currently as less than 0.3% of the dry weight is not helpful to consumers and is open to exploitation. An alternative would be to make limitations on the milligrams but without making it overly onerous on the products themselves so that consumers can make informed decisions about dosage. Perhaps a maximum of 5MG D9 THC per serving and if needed with a 5:1 CBD:THC ratio. In this spirit - the hemp derived business can co-exist alongside the regulated market. Perhaps efforts could be focused on the illegal dispensaries burdening the streets of New York or the out of state businesses that are trading illegally within the New York recreational market which is struggling to get on it's feet.
21.	HOLLY	HARRIS		"I am a hemp retailer in Greenwich & Glens Falls ___ New York and I am fearful that pending Hemp Regulations could close our business. I sell federally legal hemp products to thousands of consumers in my area. They love our products because they are 3rd party tested and provide effective results at fair prices. My Customers believe in our products and trust our expertise in the cannabis field. Windy Hill takes pride in educating each customer that comes in the door on the effects the product may have on them and the cautions each person needs to take. We feel that by imposing unrealistic regulations, will make it so every CBD store in NY will have to close its doors. My Customers like supporting small businesses, not large corporations. My consumers will lose access to



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				<p>my products and be forced to go back to the black market or overpriced corporations. . We should be moving this conversation forward, NOT back towards prohibition of cannabis / hemp products. The intent of the legislature was to regulate and create a safe industry, NOT hand over a monopoly to large corporations who will take their profits out of our great state. My profit stays in my community, creating jobs and opportunities for people in my community.” I ask that you look at ways to keep Small Business functioning. I ask that you address the real issue which is packaging, Impose guidelines that every customer needs to show ID to prove they are over 21 to purchase. Have the packaging list all the effects and warnings. We have a license for a reason and I take it very seriously. Please do not push our Hemp Customers to the Black Market or worse the Big Out of State Business. When a Customer takes their business to an online provider we all lose. Keep the Hemp regulations fair. I had several Customers submit their thoughts to OCM on why Hemp based THC should stay. We can all work together and make fair regulations by listening to those that run a Hemp business that takes pride on doing what they love. Both of my locations have been visited by the OCM and if anything I hope when your officers walked in my doors they thought to themselves, this is what a Hemp/CBD store should look like and this business lady has a motto all stores should follow.</p> <p>Thank you for your time, Holly Harris Windy Hill CBD</p>
22.	Priyanka	Sharma		<p>Please move to adopt and finalize the emergency hemp regulations, and make them permanent regulations at the November 17 OCM meeting. Children all over the country are gaining access to intoxicating products under the guise of illegal designer products labeled as “hemp” and “farm bill compliant”. NOW is the time to tip the scales towards consumer safety by regulating CBD products and limiting intoxicating cannabinoids.</p>
23.	Melissa	Gibson		<p>My name is Melissa Gibson. I am the founder, CEO and 100% owner of Hemp & Humanity, a hemp retail and education enterprise based in Woodstock, New York and New York State Cannabinoid Hemp Retail License OCM-HMPR-22-00006.</p> <p>Since 2016, I have been at the interface between the plant and the public, and have worked directly with thousands of customers to find the right hemp product, serving size and protocol right for them. With over 40 women- and minority-</p>



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				<p>owned hemp cannabinoid brands on our shelves, and more than 70% of our brands from the state of NY, Hemp & Humanity has used our business to amplify small businesses and promote the hemp industry in our state. We are uniquely positioned to educate and empower NY residents with the information they need to develop their own relationship with hemp. We operate ethically, compliantly and in the best interests of our community. The sudden imposition of the Emergency regulations, without adequate time for adjustment, has caused tremendous stress and uncertainty. Retailers like me, who have been pivotal in normalizing and advancing the acceptance and understanding of hemp and cannabis in New York State, now face the daunting challenge of aligning with a set of rules that were not designed with their unique circumstances in mind.</p> <p>While illicit operators continue to plague and actually threaten the public safety of consumers with dangerous, untested, mislabeled cannabis products, please understand that hemp cannabinoid retailers are not the source of the problem. Rather we wish to work with the Office of Cannabis Management on reasonable regulations that promote a sustainable robust hemp cannabinoid industry. This is a heartfelt plea to the Office of Cannabis Management to recognize the invaluable contribution of hemp retailers and brands and provide them with the time and resources they need to adapt to the changing landscape. We deserve the opportunity to voice our concerns and have a say in the regulations that will directly impact their livelihoods and the wider community they serve. This plea is not just for their businesses, but for the countless individuals who rely on the products and services they provide for their health and well-being. It is a call for empathy, understanding, and a fair chance at survival in this evolving industry.</p> <p>The Emergency Hemp Regulations will drastically and significantly limit my ability to serve my customers and community who have been relying on me to provide access to hemp cannabinoid products. The Emergency Hemp Regs are unreasonable and not evidence-based. Please DO NOT adopt the EHR as they stand, Get input from small hemp businesses to create safe and sensible regulations.</p>
24.	Ryan	O		<p>Please provide more than 7 calendar days notice for the date/time of the next Board meeting. Having such short notice does not allow me to always be available to watch the livestream, which could result in potentially missing</p>



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				<p>time-sensitive information.</p> <p>On an aside, the meeting notice for the 11/17 meeting states that public comments must be submitted by a timeframe that is AFTER the meeting, in this case, Tuesday 11/21. I believe this to be in error, as public comments should be submitted before they have time be considered and answered by the Board.</p>
25.	Luis	C		<p>Many CAURD licensees have submitted general applications with locations. How will their applications be processed? It was stated at application meetings held by ocm in new Rochelle and in Harlem that geo zones are no longer a factor for Caurd applicants is this the case if a Caurd applicant submitted a general app</p>
26.	Oleg	Maryasis		<p>Thank you for allowing the opportunity to speak in regards to the Hemp Cannabinoid Regulation</p> <p>My name is Oleg Maryasis, I have been in NY's legal cannabis industry for over 12 years. Particularly focused on development of cannabinoid and terpene formulations targeting the endocannabinoid system since 2016, when along with my 2 partners we started Lock & Key Remedies, Inc. where I have been Director of Education since its inception.</p> <p>Currently, I am in my 2nd year at University of Maryland, School of Pharmacy, where I am completing my Masters program in Medical Cannabis Science and Therapeutics. It is my duty to inform you that this Regulation is not evidence-based nor scientifically sound. Most importantly it further ostracizes people who benefit the most from low-THC full spectrum cannabinoid formulations; people with a wide range of health conditions that don't wish to get high. You must realize that the true "Emergency" is in the lawless streets of NY, where products with extreme levels of THC are being sold to people of all ages, often causing irreparable harm to the health and well-being of young adults. Latest international research indicates that "Daily use of high-THC cannabis is associated with a five-fold increased risk of psychosis." [1] You must understand that consumer education and availability of hemp cannabinoid products are essential to lowering Cannabis Use Disorder which is projected to plague NYS. [2] I am glad to share multitude of studies indicating that CBD products in combination with low-THC are helpful in reducing Cannabis Use Disorders. [3][4][5]</p> <p>Instead of limiting gummies to 25mg total cannabinoids per package, which is not at all viable for businesses and consumers, a much more logical approach is to require Child Resistant packaging on all edibles and to allow 30</p>



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				<p>servings per container with a modest allowance of at least 2.5mg THC per serving. 10:1 ratio</p> <p>SAMHSA federal government survey released this week indicates 24 million Americans over age 26 have used CBD products in prior month. About a million of those reside in NYS. The current regulation pushes them to order unregulated products online from out of state. We must wholeheartedly support the remaining Hemp Cannabinoid businesses in NYS, which are mostly women and minority owned. Our State should do everything in its power to support this collective of all races, nationalities and demographics who put their livelihoods on the line to launch and run these businesses for the benefit and wellbeing of NYS residents. Please realize that it would be immoral and against your own principles to crush their efforts.</p> <p>In closing, I would be glad to offer additional research to help guide NYS Hemp Regulations towards evidence-based, logical outcomes that benefit the wellbeing of the people of our great State without destroying licenced businesses in the process.</p> <p>[1]Freeman, T. P., Hindocha, C., Baio, G., Shaban, N. D. C., Thomas, E. M., Astbury, D., Freeman, A. M., Lees, R., Craft, S., Morrison, P. D., Bloomfield, M. A. P., O’Ryan, D., Kinghorn, J., Morgan, C. J. A., Mofeez, A., & Curran, H. V. (2020). Cannabidiol for the treatment of cannabis use disorder: a phase 2a, double-blind, placebo-controlled, randomised, adaptive Bayesian trial. <i>The lancet. Psychiatry</i>, 7(10), 865–874. https://doi.org/10.1016/S2215-0366(20)30290-X</p> <p>[2] Lapham GT, Matson TE, Bobb JF, et al. Prevalence of Cannabis Use Disorder and Reasons for Use Among Adults in a US State Where Recreational Cannabis Use Is Legal. <i>JAMA Netw Open</i>. 2023;6(8):e2328934. doi:10.1001/jamanetworkopen.2023.28934</p> <p>[3] Crippa, J. A., Hallak, J. E., Machado-de-Sousa, J. P., Queiroz, R. H., Bergamaschi, M., Chagas, M. H., & Zuardi, A. W. (2013). Cannabidiol for the treatment of cannabis withdrawal syndrome: a case report. <i>Journal of clinical pharmacy and therapeutics</i>, 38(2), 162–164. https://doi.org/10.1111/jcpt.12018</p> <p>[4]Shannon, S., & Opila-Lehman, J. (2015). Cannabidiol Oil for Decrea</p>
27.	Peter	Johns		<p>With the direction of the cannabis board being to make even hemp products only available to 21 and over community members, what risk does intoxicating hemp pose over cannabis? The overall theme here is that the</p>



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				hemp program is stating these pose a significant health and safety risk outside of the specified dosage, yet the cannabis position is quite the opposite. The real reason is control over businesses and tax purposes, and the fact that the hemp emergency regulation identifies intoxicating products directly as a public health concern is going to backfire badly.
28.	Winde	B		I am an NYS Licensed Hemp Retailer & I support Safe and Sensible Hemp Regulations for NY, but I believe that These NY Emergency Hemp Regulations will not only disproportionately harm many women and minority-led small businesses, like my own, financially, But, more importantly, As a NYS Registered Nurse, in my view they will harm our consumers who have come to rely on accessible, safe, and legal hemp/cannabidiol products. I AM NY Hemp
29.	Pulak	Sharma		Hello! I strongly urge for the OCM to adopt the rules as permanent. If left open to interpretation, this will set a dangerous precedent for hemp intoxicating brands to sell illegal designer drugs masquerading as CBD and labeled as farm bill compliant. There is no grey area here - This is simply false and destroys families whose children accidentally consume THC. In addition, these brands are using CBD as an illicit source of THC and will not stop until there are serious felony or fine consequences. We also strongly urge a fine consequence process that was successfully implemented in Colorado - \$10K/day per infraction.
30.	Joe	Grabowski		We would like to voice our opposition to Part 114 Cannabinoid Hemp Regulations, specifically the regulations regarding a minimum of 15:1 CBD to THC ratio and placing a single serving (1mg THC) cap on only cannabinoid hemp beverages. As responsible operators in this space we welcome sensible regulation and agree with ensuring that these products are safe for consumers and that the products cannot get into the hands of children. The CCB has done a great job to date and we believe the public health and safety issues that we are both concerned with seem to have been addressed in these updated regs with the 10mg THC cap, updated labeling requirements, and a minimum age requirement to purchase these products. All of the above regulations are sensible and mirror what most states in the US have done in regards to putting some regulations on these products. What is inconsistent from most other states is the CBD:THC ratio and capping strictly beverages at 1mg THC.



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				<p>It was mentioned at the CCB meeting that numerous other states have instituted the 15:1 CBD to THC ratio for these products, but in our research, we have seen Colorado as the only state so far to do so and the data that was used for the justification of this ratio comes from inhalable products, not edibles, which is the vast majority of these cannabinoid hemp products.</p> <p>A recently released study from Johns Hopkins University that specifically tested delta-9 THC edible products found the following in regards to high CBD:THC ratios: "The results of the study, published Feb. 13 in JAMA Network Open, found that the maximum amount of THC measured in participants' blood samples was almost twice as high after consuming a brownie containing THC with CBD than after eating a brownie with only THC, even though the dose of THC in each brownie (20 mg) was the same. In addition, the maximum amount of 11-OH-THC (a metabolic byproduct of THC that produces drug effects similar to THC) was 10-fold greater after eating the brownie with the high CBD extract compared with the one containing high THC extract." Source: https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2801352</p> <p>The inclusion of this ratio is troubling because it potentially means that consumers could be consuming these products thinking that they will be ingesting 10mg of THC but the high CBD:THC ratio would actually make them feel as if they were ingesting up to 10X that amount of THC, the exact opposite affect these regulations are trying to accomplish. If someone is thinking an edible product would have the effects of a 10mg dose and it affects them as if that is a 100mg dose there will be massive side effects and issues.</p> <p>Some of the side effects listed from the high ratio CBD:THC products include: increased self-reported anxiety, sedation, and memory difficulty, increased heart rate, and produced a more pronounced impairment of cognitive and psychomotor performance compared with THC only and placebo.</p> <p>The research on CBD still has yet to be fully done and no one knows what ingesting these high levels of CBD with THC will cause. Additionally CBD is not an approved food additive by the FDA meaning again there has not been research done on human consumption of this chemical and requiring such a high ratio seems counterintuitive to public safety.</p>



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				The other comment we'd like to make is regarding the regulation that beverages cannot have more than 1 serving per container. The regulations already have requirements for products that do not have easily pre-measured or delineated serving sizes. Singling out only beverage products is inconsistent with the current and newly adopted regulations. If a consumer is looking to become intoxicated with these products we know they will not limit themselves to one single serving, be it an edible product or a beverage. We would ask that beverages be given the same treatment as any other edible product and be allowed to have up to 10mg of THC per container.