



# Cannabis Control Board

For more information, visit: [cannabis.ny.gov/cannabis-control-board-meetings](https://cannabis.ny.gov/cannabis-control-board-meetings)

NOVEMBER 12, 2024

# AGENDA

- I. Call to Order
- II. Welcome and Opening Remarks
- III. Approval of Meeting Minutes from October 10, 2024 Board Meeting
- IV. Consideration of Adult-Use Applications for Approval
- V. Consideration of Approval of a Proposed Location for Certain Adult-Use Dispensary Applicants
- VI. Consideration of Adult-Use Licensee Location or Tier Change Amendment Requests
- VII. Consideration of Registered Organization Applications for Approval
- VIII. Consideration of Municipal Opinion Responses
- IX. Consideration of Registered Organization Special Licensing Fee Alternative Payment Schedule
- X. Consideration of Provisional License Extension for Certain CAURD
- XI. Consideration of Certain Requests of Appeal for Administrative Law Decisions
- XII. Office of Cannabis Management Report
- XIII. Public Comment
- XIV. Adjourn

# CHAIR WRIGHT OPENING REMARKS

- New Dispensary Openings – Adult-use cannabis dispensaries keep opening across New York State. As of today’s Board meeting, 230 dispensaries are open and operational.
- Maintaining Equity Goals – the program continues to exceed the goal in the Cannabis Law to license 50% of adult-use licenses to businesses designated as social and economic equity applicants.
- Looking Toward the Future – The Board is optimistic at the direction of NY’s cannabis market as we head into the close of 2024. Over 1,000+ licenses have been issued in the past year and many of these businesses are working hard to become operational.

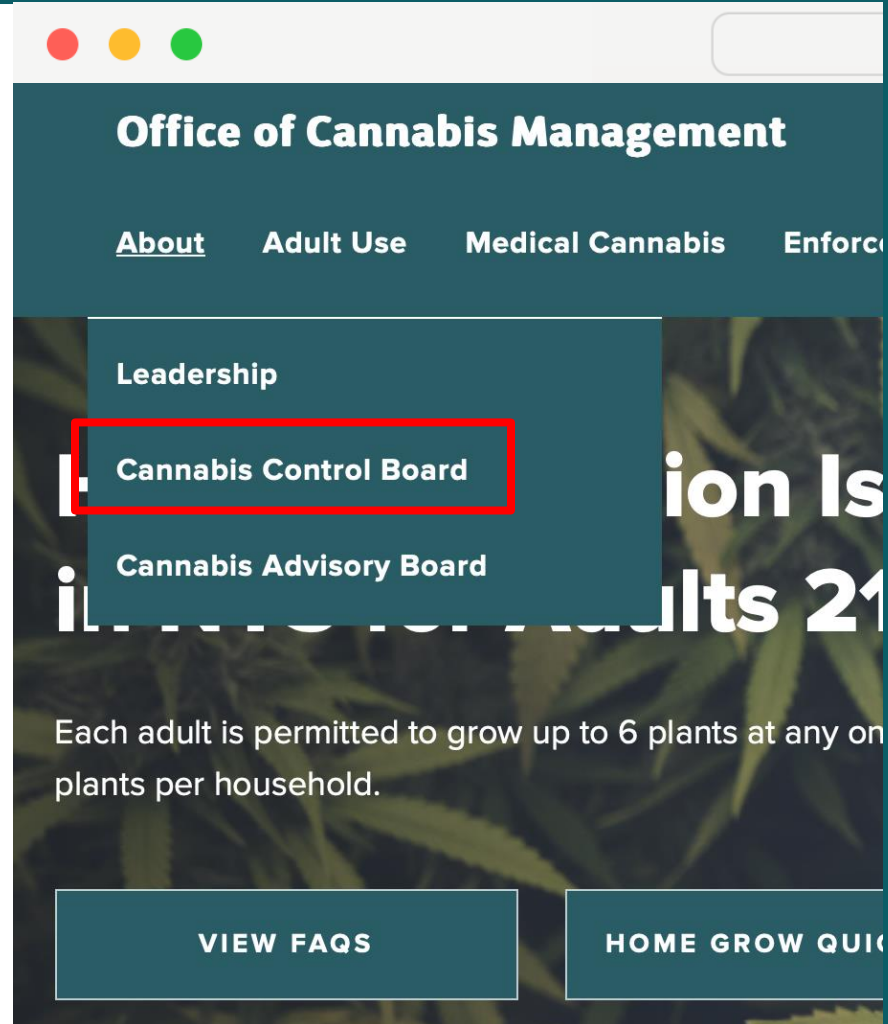


# APPROVAL OF MEETING MINUTES FROM OCTOBER 10, 2024, BOARD MEETING

Pursuant to the Open Meetings Law, within two weeks, the following is provided on [cannabis.ny.gov](https://cannabis.ny.gov) on the Cannabis Control Board page:

- Meeting minutes
- Meeting transcript
- Meeting video

The public was provided with information on how to access this meeting in the Public Notice. An unabridged video recording, an unabridged transcript, will be made available on the OCM website within two weeks of the Board meeting.



# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

- On October 4, 2023, OCM opened an application window for adult-use licenses. The application window included applications for cultivators, processors, distributors, retail dispensaries and microbusinesses.
- The application window closed on November 17, 2023, for retail and microbusiness applications who were applying with a location. The remaining applications closed on December 18, 2023. Overall, nearly 7,000 applications were received.
- **125 AU applications** are being recommended for approval today and all have satisfied the necessary requirements in accordance with the Cannabis Law and regulations.
- The Office is actively reviewing and issuing additional adult-use licenses on a rolling basis. If the Office has been in contact with you, please respond to any deficiency letter with the requested information to keep your application processing.



RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMCAURDP-2024-000076	Conditional Adult-Use Retail Dispensary License	Flower City Dispensary Inc.
OCMCULT-2023-000055	Adult-Use Cultivator License	GSD CONSULTING FIRM LLC
OCMCULT-2023-000098	Adult-Use Cultivator License	DAVESBUDS LLC
OCMCULT-2023-000278	Adult-Use Cultivator License	Gflower LLC
OCMCULT-2023-000367	Adult-Use Cultivator License	Hepworth Pura LLC
OCMCULT-2024-000028	Adult-Use Cultivator License	HR BOTANICAL CULTIVATION LLC
OCMCULT-2024-000049	Adult-Use Cultivator License	Sidoti Seven Gardens LLC
OCMDIST-2023-000057	Adult-Use Distributor License	DG INDUSTRIES, LLC
OCMDIST-2023-000266	Adult-Use Distributor License	Capital Region Co. INC
OCMDIST-2023-000302	Adult-Use Distributor License	MORALES EAST COAST INDUSTRIES LLC
OCMDIST-2023-000305	Adult-Use Distributor License	James H Garrett III Inc.
OCMDIST-2023-000318	Adult-Use Distributor License	HM OPS, LLC
OCMDIST-2023-000342	Adult-Use Distributor License	Nectara Ltd.
OCMDIST-2023-000344	Adult-Use Distributor License	Hepworth Pura LLC
OCMDIST-2024-000020	Adult-Use Distributor License	HR BOTANICAL DISTRIBUTION LLC



## RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMDIST2-2024-000003	Adult-Use Distributor License	Flight Manufacturing LLC
OCMDIST2-2024-000004	Adult-Use Distributor License	All That Chocolate, LLC
OCMDIST2-2024-000006	Adult-Use Distributor License	Grass Roots Wellness LLC
OCMMICR-2023-000065	Adult-Use Microbusiness License	Lunkerville LLC
OCMMICR-2023-000074	Adult-Use Microbusiness License	Boyd Farms LLC
OCMMICR-2023-000088	Adult-Use Microbusiness License (with retail)	Beginning of Longevity Achievement Culture and Knowledge LLC
OCMMICR-2023-000095	Adult-Use Microbusiness License	Mamas 420 Garden LLC
OCMMICR-2023-000119	Adult-Use Microbusiness License	NMG SERVICES INC
OCMMICR-2023-000130	Adult-Use Microbusiness License (with retail)	BLAZIN RED HORSE LLC
OCMMICR-2023-000147	Adult-Use Microbusiness License (with retail)	MATTHEW BURKE
OCMMICR-2023-000241	Adult-Use Microbusiness License	HempLocks, LLC
OCMMICR-2023-000255	Adult-Use Microbusiness License	Emerald Fields, LLC
OCMMICR-2023-000265	Adult-Use Microbusiness License	Wood's Higher Ground LLC
OCMMICR-2023-000282	Adult-Use Microbusiness License	Lazy Day Farm LLC



## RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMMICR-2023-000297	Adult-Use Microbusiness License	Frost Hill Farmstead LLC
OCMMICR-2023-000306	Adult-Use Microbusiness License	RMH 607 Craft Cannabis LLC
OCMMICR-2023-000327	Adult-Use Microbusiness License	Home Sweet Harvest LLC
OCMMICR-2023-000403	Adult-Use Microbusiness License	Miguel Berrios
OCMMICR-2023-000406	Adult-Use Microbusiness License	Lucky Sun Farms LLC
OCMMICR-2023-000421	Adult-Use Microbusiness License	PACHA PRODUCTS NY LLC
OCMMICR-2023-000456	Adult-Use Microbusiness License	Living Proof, LLC
OCMMICR-2023-000460	Adult-Use Microbusiness License	Velocity Retail INC
OCMMICR-2023-000480	Adult-Use Microbusiness License (with retail)	Benny's Joint
OCMMICR-2023-000483	Adult-Use Microbusiness License (with retail)	Greens Roadhouse LLC
OCMMICR-2023-000518	Adult-Use Microbusiness License	RETROZ LLC
OCMMICR-2023-000581	Adult-Use Microbusiness License	Copperhead Grow, LLC
OCMMICR-2023-000589	Adult-Use Microbusiness License	AJ'S NATIVE WHOLESALE INC
OCMMICR-2023-000618	Adult-Use Microbusiness License	PEACE AND LOVE KING LLC
OCMMICR-2023-000624	Adult-Use Microbusiness License	Green Klub Inc.



### RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES



# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMMICR-2023-000672	Adult-Use Microbusiness License	Growing Renaissance LLC
OCMMICR-2023-000923	Adult-Use Microbusiness License	Healium Collective L.L.C.
OCMMICR-2023-000965	Adult-Use Microbusiness License	JUSTIN D MERKEL
OCMMICR-2023-001102	Adult-Use Microbusiness License	Stonewood Farm, LLC
OCMPROC-2023-000011	Adult-Use Processor License	Gotham Manufacturing Corp.
OCMPROC-2023-000018	Adult-Use Processor License	E29 Labs, Inc.
OCMPROC-2023-000041	Adult-Use Processor License	Jamestown Canna Company LLC
OCMPROC-2023-000062	Adult-Use Processor License	HERBAL HARVEST OF BUFFALO LLC
OCMPROC-2023-000104	Adult-Use Processor License	The High Priestess Wellness Co Incorporated
OCMPROC-2023-000124	Adult-Use Processor License	RIJO BRANDS LLC
OCMPROC-2023-000127	Adult-Use Processor License	Sarah Waverly LLC
OCMPROC-2023-000157	Adult-Use Processor License	M&M FAMILY REALTY HOLDING LLC
OCMPROC-2023-000158	Adult-Use Processor License	Tree Hill Innovations, LLC
OCMPROC-2023-000160	Adult-Use Processor License	Uptown Bespoke LLC
OCMPROC-2023-000168	Adult-Use Processor License	Cannaboss, LLC



## RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMPROC-2023-000171	Adult-Use Processor License	GreenSky Technology Inc
OCMPROC-2023-000175	Adult-Use Processor License	ProXtracts Processing Incorporated
OCMPROC-2023-000195	Adult-Use Processor License	Dear Flor Inc.
OCMPROC-2023-000197	Adult-Use Processor License	HEY FLAMER LLC
OCMPROC-2023-000224	Adult-Use Processor License	Long Island Northern Lights Inc.
OCMPROC-2023-000228	Adult-Use Processor License	High Moon Food Group LLC
OCMPROC-2023-000232	Adult-Use Processor License	Elevated Liquids LLC
OCMPROC-2023-000274	Adult-Use Processor License	Hudson Valley Hemp Company, LLC
OCMPROC-2023-000348	Adult-Use Processor License	BK SWEET DREAMS LLC
OCMPROC-2023-000364	Adult-Use Processor License	Gflower LLC
OCMPROC-2023-000366	Adult-Use Processor License	Airo Brands, Inc.
OCMPROC-2023-000408	Adult-Use Processor License	Flowerhouse Walden LLC
OCMPROC-2023-000412	Adult-Use Processor License	Island Farmers LLC
OCMPROC-2023-000420	Adult-Use Processor License	GCC NY Operations, LLC
OCMPROC-2023-000421	Adult-Use Processor License	Olio NY LLC



## RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

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## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMPROC-2023-000474	Adult-Use Processor License	FLX EXTRACTS LLC
OCMPROC-2023-000485	Adult-Use Processor License	CJESTBX LLC
OCMPROC-2023-000492	Adult-Use Processor License	Wingman Solutions LLC
OCMPROC-2023-000507	Adult-Use Processor License	Starwater Group LLC
OCMPROC-2023-000525	Adult-Use Processor License	Hepworth Pura LLC
OCMPROC-2024-000011	Adult-Use Processor License	Daniel C Mcpike
OCMPROC-2024-000014	Adult-Use Processor License	Empire Standard LLC
OCMPROC-2024-000024	Adult-Use Processor License	Triple HHH Farm, LLC
OCMPROC-2024-000026	Adult-Use Processor License	HR BOTANICAL DISTRIBUTION LLC
OCMPROC-2024-000044	Adult-Use Processor License	PASSION FIELD FARM LLC
OCMRETL-2023-000095	Adult-Use Retail Dispensary License	BLISSBAR LLC
OCMRETL-2023-000151	Adult-Use Retail Dispensary License	Dutchess Roots LLC
OCMRETL-2023-000217	Adult-Use Retail Dispensary License	Black River Supply Company, LLC
OCMRETL-2023-000291	Adult-Use Retail Dispensary License	Gentleman's Hemp L.L.C.
OCMRETL-2023-000383	Adult-Use Retail Dispensary License	Lafayette Wines LLC



## RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMRETL-2023-000394	Adult-Use Retail Dispensary License	Treehouse Upstate NY, INC
OCMRETL-2023-000455	Adult-Use Retail Dispensary License	The Coughie Shop Limited Liability Company
OCMRETL-2023-000478	Adult-Use Retail Dispensary License	G.C. Roasting, Inc.
OCMRETL-2023-000567	Adult-Use Retail Dispensary License	Back Porch Cannabis Corp.
OCMRETL-2023-000617	Adult-Use Retail Dispensary License	wny aog inc
OCMRETL-2023-000668	Adult-Use Retail Dispensary License	Cannabis Dispensary LLC
OCMRETL-2023-000710	Adult-Use Retail Dispensary License	DM420 Inc.
OCMRETL-2023-000721	Adult-Use Retail Dispensary License	Comfort Care Services inc.
OCMRETL-2023-000767	Adult-Use Retail Dispensary License	Cannaspac Inc.
OCMRETL-2023-000809	Adult-Use Retail Dispensary License	Green Leaf Holdings group llc
OCMRETL-2023-000852	Adult-Use Retail Dispensary License	GREEN FLOWER WELLNESS 5 LLC
OCMRETL-2023-000855	Adult-Use Retail Dispensary License	GREEN FLOWER WELLNESS 6 LLC
OCMRETL-2023-001042	Adult-Use Retail Dispensary License	Lucid Vista, LLC
OCMRETL-2023-001111	Adult-Use Retail Dispensary License	Kaddo Sales and Services LLC
OCMRETL-2023-001147	Adult-Use Retail Dispensary License	Heavenly Garden NY INC



### RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMRETL-2023-001178	Adult-Use Retail Dispensary License	Iodice Provisions, LLC
OCMRETL-2023-001200	Adult-Use Retail Dispensary License	Budhampton LLC
OCMRETL-2023-001201	Adult-Use Retail Dispensary License	ASkone's LLC
OCMRETL-2023-001235	Adult-Use Retail Dispensary License	Zenith Grove, LLC
OCMRETL-2023-001284	Adult-Use Retail Dispensary License	Upstate Pines Inc.
OCMRETL-2023-001324	Adult-Use Retail Dispensary License	Kaur Consulting LLC
OCMRETL-2023-001345	Adult-Use Retail Dispensary License	Garden Bliss LLC
OCMRETL-2023-001419	Adult-Use Retail Dispensary License	DEKALBCMM LLC
OCMRETL-2023-001468	Adult-Use Retail Dispensary License	MANOR CANNA LLC
OCMRETL-2023-001610	Adult-Use Retail Dispensary License	Elevated Times-1 LLC
OCMRETL-2023-001642	Adult-Use Retail Dispensary License	Sessco Corp.
OCMRETL-2023-001699	Adult-Use Retail Dispensary License	DDMM Dispensary LLC
OCMRETL-2023-001704	Adult-Use Retail Dispensary License	Monticello Cannabis LLC
OCMRETL-2023-001777	Adult-Use Retail Dispensary License	Carry-On Cannabis NY LLC
OCMRETL-2023-001787	Adult-Use Retail Dispensary License	HerbHub LLC



### RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# CONSIDERATION OF ADULT-USE CANNABIS LICENSES

## RESOLUTION NO. 2024-109

Application ID	License Type	Entity Name
OCMRETL-2023-001810	Adult-Use Retail Dispensary License	3PM Ventures, LLC
OCMRETL-2023-001822	Adult-Use Retail Dispensary License	ROCKAWAY BEACH CAFE INC.
OCMRETL-2023-001837	Adult-Use Retail Dispensary License	MEADOW FLOWER LLC
OCMRETL-2023-001870	Adult-Use Retail Dispensary License	Inside the Park Dispo LLC
OCMRETL-2023-002034	Adult-Use Retail Dispensary License	Fire in Da Bowl LLC
OCMRETL-2023-002190	Adult-Use Retail Dispensary License	NY CJ Ball Inc.



RESOLUTION NO. 2024-109: CONSIDERATION OF ADULT-USE CANNABIS LICENSES

# ADULT-USE CANNABIS LICENSE TOTALS

License Type	November Board Meeting	Total Licenses Issued in 2024
Adult-Use Cultivator License	6	191
Adult-Use Distributor License	11	149
Adult-Use Microbusiness License	30	219
Adult-Use Processor License	36	256
Adult-Use Retail Dispensary License	41	273
CAURD Final Licensed	1	217
<b>Total</b>	<b>125</b>	<b>1,311</b>

# CONSIDERATION OF APPROVAL OF A PROPOSED LOCATION FOR CERTAIN ADULT-USE DISPENSARY APPLICANTS

## RESOLUTION NO. 2024-110

- This resolution is to consider several retail dispensary locations for public convenience and advantage (PCA). In total, five retail dispensary locations are under consideration for this Board meeting.
- The Office is working to analyze PCA requests that were received by the Office prior to the proposed PCA regulations being approved by the Board.
- The proposed regulations for PCA were approved for public comment at the September 10, Board meeting and were in the October 23, 2024, state register. The Office is encouraging stakeholders and licensees to comment on these proposed regulations to solicit feedback to best shape the final rule.



RESOLUTION NO. 2024-110: CONSIDERATION OF APPROVAL OF A PROPOSED LOCATION FOR CERTAIN ADULT-USE DISPENSARY APPLICANTS



# CONSIDERATION OF ADULT-USE LICENSEE LOCATION CHANGE AMENDMENT REQUEST

## RESOLUTION NO. 2024-111

- Sections 13(1), 67(2), 126(1), and 129 of the Cannabis Law allows the Board to authorize amendments to cannabis licenses and permits. Sections 120.18(d)(1)(iii), 132.9(g)(ii), and 130.7(f) of Title 9 of the New York Codes, Rules and Regulations outline the criteria for such amendments.
- The Office of Cannabis Management launched an amendment survey on August 27, 2024, which allowed adult-use cannabis licensees to request certain amendments including location or cultivation tier changes which require Board approval in accordance with the cannabis regulations. The Office has begun the review of amendments submitted and will be reviewing requests on a rolling basis.
- For the applications listed in the attached resolution, the Office is recommending approval for the location changes. The licensees have provided all necessary information in accordance with the cannabis regulations.



## RESOLUTION NO. 2024-111: CONSIDERATION OF ADULT-USE LICENSEE LOCATION CHANGE AMENDMENT REQUEST

# CONSIDERATION OF REGISTERED ORGANIZATION APPLICATIONS FOR APPROVAL

## RESOLUTION NO. 2024-112

- Section 35(9) of the Cannabis Law states that the Board shall register additional registered organizations in the Medical Cannabis Program to provide services to unserved and underserved areas of the state and shall actively promote racial, ethnic, and gender diversity when registering additional registered organizations.
- The Board approved the application under Resolution No. 2023-34 and the Office has been diligently reviewing applications since last year.
- For the registrations listed in the attached resolution, the Office is recommending approval. The applicants have provided all necessary information in accordance with the cannabis regulations.



**RESOLUTION NO. 2024-112: CONSIDERATION OF REGISTERED ORGANIZATION APPLICATIONS FOR APPROVAL**

# CONSIDERATION OF REGISTERED ORGANIZATION APPLICATIONS FOR APPROVAL

## RESOLUTION NO. 2024-112

Application ID	License Type	Entity Name
563	Registered Organization	Amethyst Health LLC
556	Registered Organization	NY State of Mind Flower LLC
435	Registered Organization	Project Verde LLC
462	Registered Organization	Pure Beauty NY LLC



### RESOLUTION NO. 2024-112: CONSIDERATION OF REGISTERED ORGANIZATION APPLICATIONS FOR APPROVAL

# REGISTERED ORGANIZATION EXPANSION

- Applicants must demonstrate their ability and capacity to serve the public interest, for example, through:
  - cultural, linguistic and medical competence
  - affordable products for all patients
  - protecting environmental sustainability objectives
  - diversity, equity and inclusion goals
  - outreach to practitioners and researchers

# CONSIDERATION OF MUNICIPAL OPINION RESPONSES

## RESOLUTION NO. 2024-113

- Section 76(4) of the Cannabis Law provides that when a city, town, or village within New York State, or a community board within New York City expresses an opinion either for or against the Board's issuance for a License authorizing retail cannabis sale within their geographic bounds, the Board shall respond in writing with an explanation as to how it considered the Opinion.
- At the July 2024 Board meeting the Board delegated to the Office the ability to respond to municipalities that issued a positive opinion. The Board retained the authority to issue letters for municipalities that provided a negative opinion.
- The letters attached to this resolution would respond to certain municipalities who have issued a negative opinion.



## RESOLUTION NO. 2024-113: CONSIDERATION OF MUNICIPAL OPINION RESPONSES



# CONSIDERATION OF REGISTERED ORGANIZATION SPECIAL LICENSING FEE ALTERNATIVE PAYMENT SCHEDULE

## RESOLUTION NO. 2024-114

- S. 63 of the Cannabis Law authorizes the CCB to charge a special license fee to registered organizations for their participation in the adult-use market. The fee is earmarked for social and economic equity incubation and technical assistance initiatives.
- This resolution will authorize an alternative payment schedule for Registered Organization licensees who are able to demonstrate financial need, for the initial payment of the upfront portion of ROD special license fee. This alternative payment schedule would only apply to the first \$5 million of the special license fee and not impact the payment of the remaining \$15 million which becomes due when an ROD opens additional co-located locations or hits future revenue targets from sales in the NY program.
- The alternative payment method will help strengthen the medical program by maintaining patient access and will facilitate the collection of vital revenue for social and economic equity incubation and technical assistance programming.



## RESOLUTION NO. 2024-114: CONSIDERATION OF REGISTERED ORGANIZATION SPECIAL LICENSING FEE ALTERNATIVE PAYMENT SCHEDULE

# CONSIDERATION OF PROVISIONAL LICENSE EXTENSION CERTAIN CAURD

## RESOLUTION NO. 2024-115

- Provisional CAURD licenses are valid for 12 months from the date that the provisional license is issued. The first cohort of CAURD provisional licenses are set to expire at the end of November 2024.
- Various unique factors affected the adult-use cannabis rollout as related to the CAURD program, including uncertainty regarding the Social Equity Fund, litigation delays, and recent changes allowing CAURD provisional licensees to locate in a region outside the region initially selected on their application.
- The Office is proposing a 6-month extension of the CAURD provisional license from the date the provisional license was originally approved by the Board. To prevent the provisional license from expiring, provisional CAURD must receive their “final” CAURD license showing they have completed all requirements for licensure.



**RESOLUTION NO. 2024-115: CONSIDERATION OF PROVISIONAL LICENSE EXTENSION FOR CERTAIN CAURD**

# CONSIDERATION OF APPEALS TO ADMINISTRATIVE LAW DECISIONS

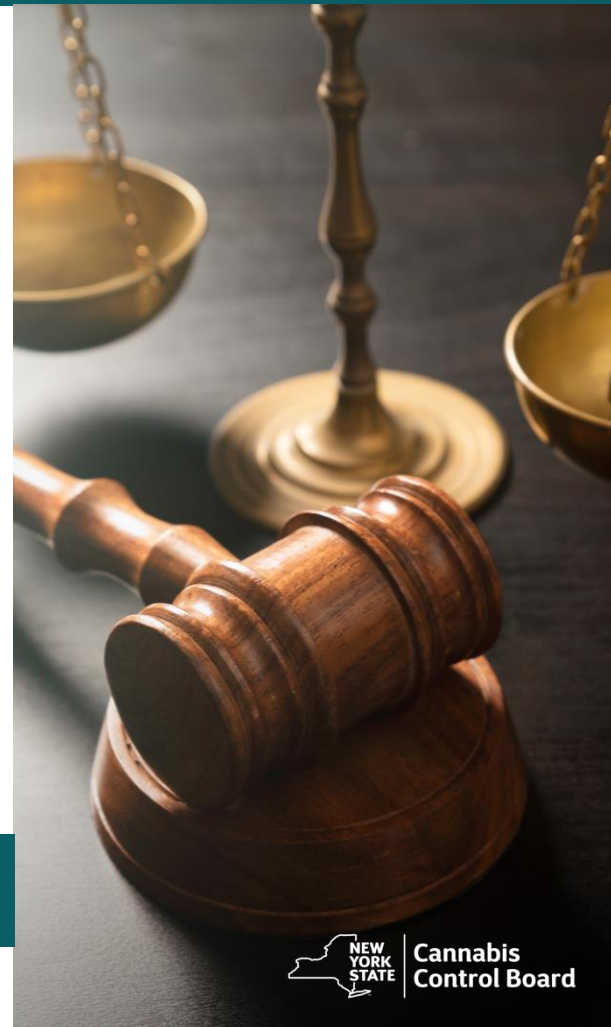
**RESOLUTION NO. 2024-116**

**RESOLUTION NO. 2024-117**

**RESOLUTION NO. 2024-118**

- RESOLUTION TO RENDER A DECISION IN THE MATTER OF ROLL UP NATION v. OCM, inspection no. 202202306070002, administrative appeal
- RESOLUTION TO RENDER A DECISION IN THE MATTER OF GIFT SHOP AND CANDY CORP v. OCM, inspection no. 202202405220001, administrative appeal
- RESOLUTION TO RENDER A DECISION IN THE MATTER OF SHOPSMART CONVENIENCE dba THE GARDEN v. OCM, inspection no. 207202407170025, administrative appeal

 RESOLUTION NO. 2024-116, 117, 118: CONSIDERATION OF APPEALS TO ADMINISTRATIVE LAW DECISIONS





# OFFICE OF CANNABIS MANAGEMENT REPORT

COMPLIANCE UPDATE

MARKET UPDATE

SEED-TO-SALE UPDATE

PROCESSOR TYPE 3 LICENSE

SOCIAL & ECONOMIC EQUITY UPDATE

COMMUNITY REINVESTMENT GRANTS UPDATE

# COMPLIANCE UPDATE

# COMPLIANCE INSPECTION UPDATE

- Since the adoption of the adult-use cannabis regulations on September 27, 2023, the Office has **completed over 170 on-site inspections**.
- **468 hours** were spent at licensee locations completing inspections.
- **513 findings** were issued to licensees.
- **434 corrective action plans** were submitted to the Office to address the inspection findings.
- The average time for licensees to resolve findings with an approved corrective action plan was **28 days**.
- **184 virtual retail pre-operational inspections** were completed.
- **138 hours** were spent completing virtual pre-operational inspections.



# PRODUCT QUARANTINES

A quarantine pauses a product from moving forward in the supply chain pending further investigation. The Office may lift a quarantine once the concern is resolved, allowing the product to move forward again.

A product deemed to have an unresolvable risk to public health and safety may be removed from the supply chain. Products deemed unresolvable at the cultivation or processing level of the supply chain must be destroyed. Products that have progressed to the retail level are recalled.

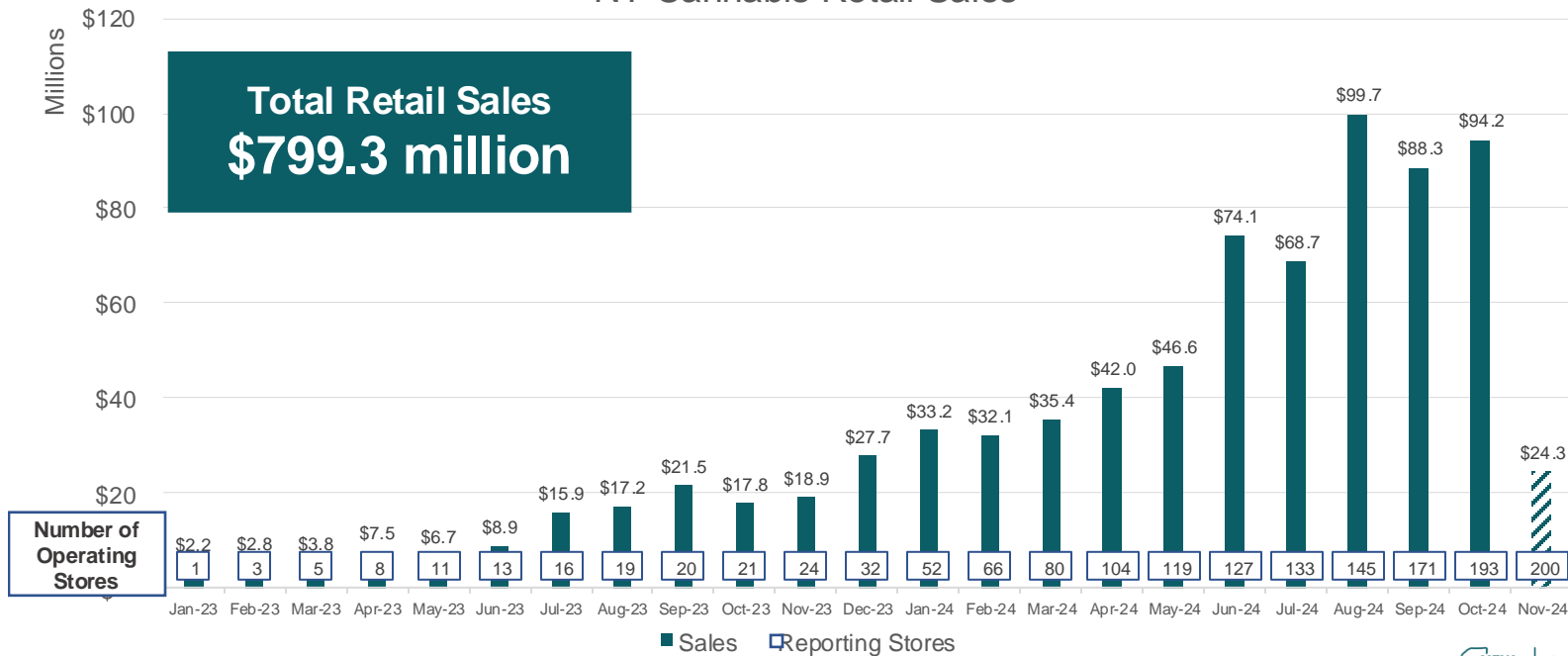
- Since September 27, 2023:
- 76 products were quarantined due to identified potential risk to public health and safety.
  - 64 quarantines were lifted upon completion of investigation
  - 2 product quarantines resulted in product recall
  - 7 product quarantines resulted in product being destroyed
  - 3 quarantines are currently pending further investigation



# MARKET UPDATE

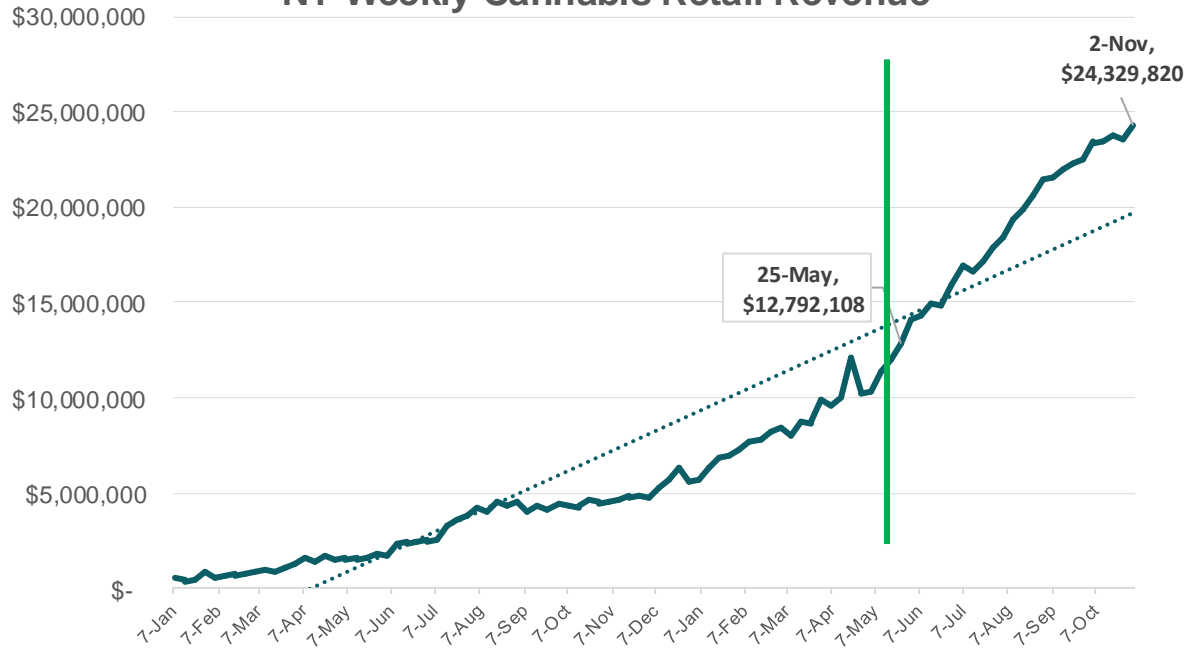
# TOTAL SALES HIT \$800 MILLION THROUGH THE FIRST WEEK OF NOVEMBER

NY Cannabis Retail Sales



# WEEKLY SALES REACHED A NEW HIGH OF \$24.3 MILLION IN EARLY NOVEMBER

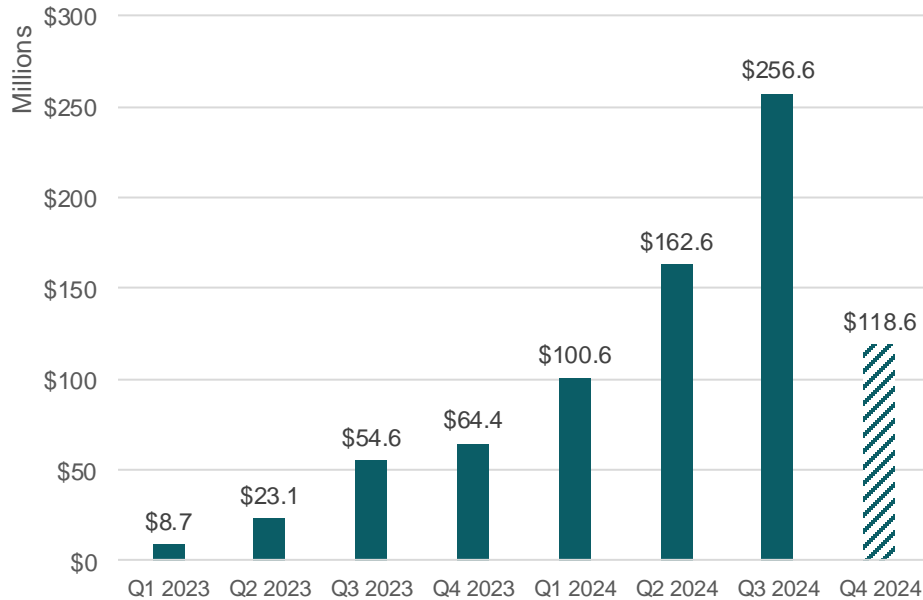
## NY Weekly Cannabis Retail Revenue



1 1/2 Week Over  
Week Change  
**3%**

# AT CURRENT PACE, 2024 SALES WILL EXCEED \$800 MILLION

NY Cannabis Retail Sales by Quarter



## Retail Sales Revenue Totals

2023

**\$160 million\***

2024 YTD

**\$638.5 million**



# SEED-TO-SALE IMPLEMENTATION UPDATE

# SEED-TO-SALE UPDATE

- Pursuant to Section 78 of the Cannabis Law, the Office of Cannabis Management (OCM) requires all licensees utilize an electronic system that tracks cannabis as it moves through the supply chain, a complex inventory management system called a seed to sale system.
- All licensees must report their data to OCM using the BioTrack seed to sale system Application Programming Interface (API). In order to ensure unique identification of inventory, licensees will purchase inventory tags from BioTrack in advance of operations. OCM will cover a total of \$250,000 in tag purchases across licensees, at the launch of the project.
- The unique identifiers tied to each tag are representative of one piece of inventory that stays with that inventory from the plant stage to final product.
- Additional details will be made available as the program is rolled out with the vendor and licensees.
- Additional information on the API integration for third party integrators to BioTrack are forthcoming and OCM will provide updates as soon as they are available to licensees.

# PROCESSOR TYPE 3 LICENSE

# PROCESSOR TYPE 3 BRANDING LICENSE APPLICATION NOW OPEN

- The Processor Type 3 Branding license is a processor license type outlined in the cannabis regulations.
- This license type **DOES NOT** authorize any cannabis plant touching activity or require a licensed premises in NYS.
- This license type **allows cannabis brands to pursue white-labeling agreements with duly licensed processors without becoming a TPI in another processor.**
- The branding license type also captures ownership and TPI information for cannabis brands. With this disclosure, the Office can better regulate cannabis brand activity, and the Cannabis Brand licensee must adhere to all regulations pertaining to undue influence and control, ownership limits and tier violations.

# LICENSING UPDATE

# ADULT-USE APPLICATION REVIEW UPDATE

## NOVEMBER QUEUE

- The Office is prioritizing the review of the November queue and is reviewing applications in the order of the queue.
- To date, the Office has started the review of up to number **1,619** in the **queue review order**.
- **1,052** dispensary locations are currently receiving proximity protection.
- If your application is coming up, be on the lookout for an e-mail from the Office outlining any deficiencies. Ensure all your TPI have submitted their disclosures and have been fingerprinted.
- Please note, each application is different, and the length of the review time will vary from application to application depending on the complexity of review, factors discovered through background checks and responsiveness of the applicant.



# LICENSES ISSUED

CAURD with  
Final Licenses

217

CAURD  
operating  
at Delivery  
Only

6

Registered  
Organization  
Dispensing and  
Non-dispensing  
(ROD/ROND)

9

Provisionally  
Approved Retail  
Dispensaries

95



Adult-Use  
Cultivators

197



Adult-Use  
Processors

256



Adult-Use  
Distributors

149



Adult-Use  
Microbusiness

219\*



Adult-Use  
Retail Dispensary

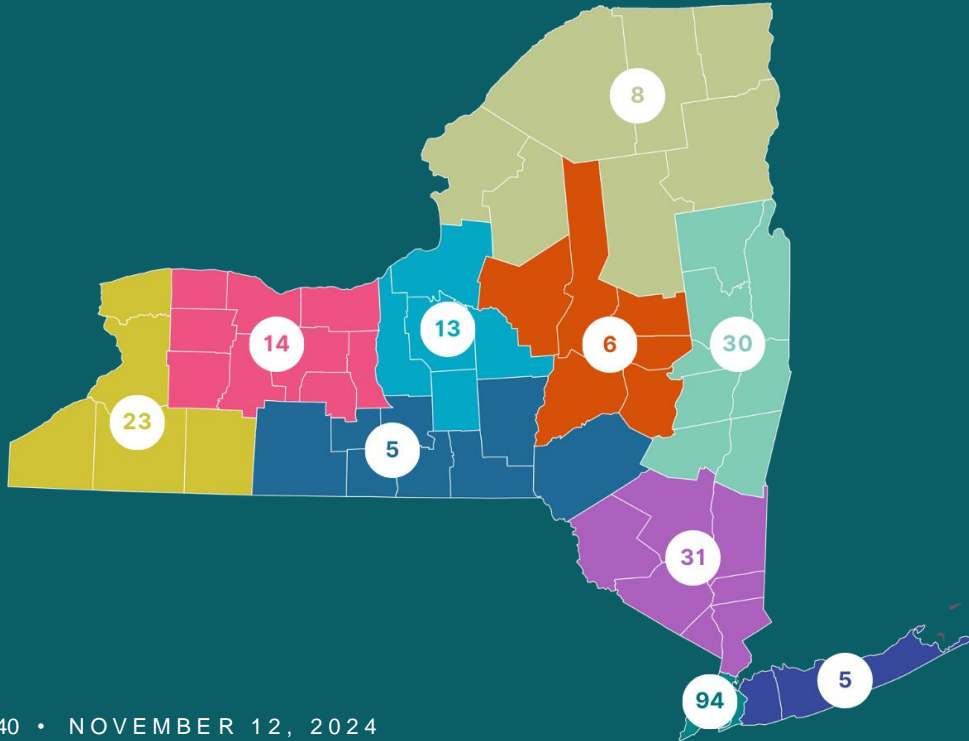
273

\*Note: Many AUCCs and AUCPs are in the process of transitioning to "non-conditional" licenses.

\*\*Note: Provisionally approved retail dispensaries includes both CAURD and AU Retail.

^Note: Microbusiness Licensees that include a Retail Dispensary: 83.

# REGIONAL DISTRIBUTION OF OPEN ADULT-USE DISPENSARIES



Upstate  
**130**

NYC + Long Island  
**99**

Total NYS Adult-use Dispensaries  
**229**



# SOCIAL & ECONOMIC EQUITY UPDATE

# SEE STATUS

**54% OF ADULT-USE LICENSES ARE SEE OWNED**

As of today, the figures presented below represent the fully licensed distribution for SEE:

Minority-Owned  
Business

**38%**

Women-Owned  
Business

**44%**

SDV

**7%**

Distressed  
Farmer

**6%**

CDI

**5%**

# SEE ACROSS THE SUPPLY CHAIN



Adult-Use  
Cultivators

**38%**



Adult-Use  
Processors

**43%**



Adult-Use  
Distributors

**36%**



Adult-Use  
Microbusiness

**58%**



Adult-Use  
Retail Dispensary

**81%**

# COMMUNITY REINVESTMENT PROGRAM UPDATE

# COMMUNITY GRANTS REINVESTMENT PROGRAM RFA UPDATE **LAUNCHED & LIVE!**

- The Community Reinvestment Program is designed to ensure equitable distribution of resources throughout New York State, with at least one grant awarded in 13 priority counties and each Empire State Development (ESD) region
- The optional Applicant Pre-Submission Webinar for the Community Reinvestment Program grant took place on Wednesday, October 30, 2024, at 10:00 AM – over 400 participants.
- To date, we have seen many registrations in the OCM eGrants system and many applications started.

**Lead Applicant Eligibility:** 501 c3 orgs serving young people (0-24)  
**Funding Focus:** Mental Health, Housing, and/or Workforce Development  
*\*Cannabis related activities NOT required\**  
**Total Available 2024:** \$5M / **Each Award:** \$100,000

Visit [cannabis.ny.gov/reinvestment](https://cannabis.ny.gov/reinvestment) or scan QR code to review the current grant opportunity and apply:



# PUBLIC COMMENT

- Thank you to those who submitted comments online. Online comments will be captured via the meeting minutes. All online comments must be **submitted by 5 p.m. on November 15, 2024**, to be included in the Board meeting minutes. The link is available under the Cannabis Control Board page on [cannabis.ny.gov](https://cannabis.ny.gov).
- You can also reach the Office with any questions, comments, or concerns at [Regulations@ocm.ny.gov](mailto:Regulations@ocm.ny.gov).
- Remarks must be limited to **2 minutes or less** to allow all participants an equal amount of time to speak.

# LICENSING/APPLICATION CONTACT



**Email:** [AULicensing@ocm.ny.gov](mailto:AULicensing@ocm.ny.gov)



**Phone:** 1-888-OCM-5151 (1-888-626-5151)

# NEXT FULL CANNABIS CONTROL BOARD MEETING

Time, location, and a live stream link will be shared on the Office of Cannabis Management website in advance of the meeting:

[cannabis.ny.gov](https://cannabis.ny.gov)



Cannabis  
Control Board



# ADJOURN



Cannabis  
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