

Pursuant to the authority vested in the Cannabis Control Board by Section 130-a of the Cannabis Law, a new Part 117 is added to Chapter II of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York, to be effective upon publication of a Notice of Adoption in the New York State Register.

Part 117 – Cannabis Showcase Events.

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§ 117.1 Definitions.

(a) All definitions set forth in section 118.1 of this Chapter shall be applicable to this Part unless otherwise defined herein.

(b) For purposes of this Part, the following definitions shall apply:

(1) *Adult-use cannabis retailer* means a registered organization with dispensing (ROD) or an adult-use retail dispensary which is licensed pursuant to Article 4 of the Cannabis Law to operate.

(2) *Applicant* means an adult-use cannabis retailer applying for a cannabis showcase event permit.

(3) *Authorized employee* means an employee that is included in the staffing plan as provided by the permittee and authorized licensees for each cannabis showcase event permit.

(4) *Authorized licensee* means a cultivator, processor, ROD, ROND, or microbusiness which is licensed pursuant to Article 4 of the Cannabis Law to showcase at a cannabis showcase event.

(5) *Cannabis showcase event, or event*, means an event as defined in section 130-a of the Cannabis Law.

(6) *Cannabis showcase event permit, or permit*, means a permit issued by the office pursuant to section 130-a of the Cannabis Law.

(7) *Cannabis showcase event area, or event area*, means the physical space of a cannabis showcase event location, as described in a cannabis showcase event site plan, where a cannabis showcase event is taking place, whether indoors or outdoors.

(8) *Cannabis showcase event sales area or sales area* means the physical space within a cannabis showcase event area where the permittee is transacting sales of adult-use cannabis products.

(9) *Employee in charge of showcasing* means a management-level employee of an authorized licensee, who is at least 21 years of age or older and is designated by such authorized licensee to perform and/or oversee showcasing operations of an authorized licensee at a cannabis showcase event.

(10) *Employee in charge of sales* means a management-level employee of the permittee who is at least 21 years old of age or older and is designated by the permittee to supervise the cannabis showcase event sales area.

(11) *Farmers' market* means farmers' market as defined in section 260 of the Agriculture and Markets Law.

(12) *Lead contact* means a management-level employee of the permittee who is at least 21 years old of age or older that is designated by the permittee for the cannabis showcase event staffing plan and compliance leading up to and at the cannabis showcase event.

(13) *Partnership* means an agreement between an adult-use cannabis retailer and an authorized licensee to participate in a cannabis showcase event.

(14) *Permittee* means a licensed adult-use cannabis retailer that holds a cannabis showcase event permit issued by the office.

(15) *Pop-up* or *pop-up location* means a temporary location for the short-term operation of a cannabis showcase event, which is away from the adult-use cannabis retailer's licensed premises.

(16) *Public market* means public market as defined in section 260 of the Agriculture and Markets Law.

(17) *Showcase* means showcase as defined in section 130-a of the Cannabis Law.

(18) *Vendor* means a business or entity that is not licensed by the board that has an agreement with the permittee to provide goods or services at a cannabis showcase event pursuant to section 117.6 of this Part.

§ 117.2 Cannabis Showcase Event Permit Eligibility and Application Process.

(a) Eligibility.

(1) A cannabis showcase event permit shall only be issued to an adult-use cannabis retailer.

(2) A cannabis showcase event permit must be located at a pop-up location, farmers' market, or public market.

(3) To be eligible for a cannabis showcase event permit, an applicant shall enter into a partnership with at least one licensed cultivator and at least one licensed processor who will participate as authorized licensees.

(i) For the purposes of this Part, a licensed microbusiness shall be considered a licensed cultivator, provided, however, that a licensed microbusiness may instead be considered a licensed processor if such licensed microbusiness has received processing authority from the office, pursuant to section 123.11 of this Chapter. A licensed microbusiness may not participate in an event as both a licensed processor and a licensed cultivator.

(ii) An applicant may be in partnership with more than one licensed processor on an event application; provided, however, for each licensed processor listed on an application, the applicant is required to have at least one licensed cultivator in partnership for such event application.

(4) The licenses or registrations of applicants and authorized licensees must be in effect at the time of application and during the event.

(5) A ROD may apply for a permit and shall be authorized to sell and showcase its own cannabis and cannabis products, as well as cannabis and cannabis products produced by other adult-use cannabis licensees in this state. A ROD may participate in a cannabis showcase event as an authorized licensee showcasing cannabis products either in their capacity as a cultivator or as a processor. At no time shall a cannabis showcase event permit authorize a ROD to act concurrently as a permittee and an authorized licensee at an event.

(6) A cannabis showcase event permit shall be effective for no more than fourteen consecutive calendar days.

(7) No location may be used for more than fourteen consecutive days or more than forty-five days in a calendar year, for any cannabis showcase event.

(8) A separate cannabis showcase event permit shall be required for each adult-use cannabis retailer seeking to locate an event at a pop-up, farmers' market, or public market.

(9) No cannabis showcase event permit shall authorize more than one cannabis showcase event at one time.

(10) Licensed cultivators, processors, microbusinesses, RODs, and RONDs may participate in more than one cannabis showcase event at the same time as authorized licensees, provided that:

(i) each event has a corresponding separate cannabis showcase event permit;

(ii) each such licensee is in partnership with a permittee for each event;

(iii) each such licensee is listed as an authorized licensee on such permittee's cannabis showcase event application; and

(11) Permittees may conduct no more than two cannabis showcase events at the same time.

(b) Required Application Information. The applicant shall provide the following information for the proposed cannabis showcase event permit:

(1) applicant name, contact information, and license number;

(2) a brief description of the cannabis showcase event;

(3) cannabis showcase event name;

(4) cannabis showcase event location address;

(5) the dates and times, including the hours of operation of the actual sale and showcasing of cannabis products, which the cannabis showcase event shall occur;

(6) names of the permittee's lead contact, employee in charge of sales and all other authorized employees;

(7) names, contact information, and license numbers of authorized licensees that will showcase at the event;

(8) a site plan, including, but not limited to:

(i) cannabis showcase event area and cannabis showcase event sales area descriptions and measurements, including an approximate drawing and/or photographs; and

(ii) a map of the pop-up, farmers' market, or public market where the cannabis showcase event will be located, which shall include the location of the permittee's cannabis showcase event permit area;

(9) information on all cannabis showcase event vendors for such event, including, but not limited to, the following information:

(i) name, trade name or "doing business as" name, and description of the vendor or vendors;

(ii) the activities that the vendor intends to engage; and

(iii) for any food vendors, an attestation by the applicant that all such vendors possess or will possess an active temporary food service permit to operate from the appropriate health authority within this state or by the Department of Agriculture and Markets, as applicable;

(10) cannabis showcase event location host name and contact information;

(11) security and storage plan. The security and storage plan must ensure that:

(i) anyone attending the event does not have direct access to product unless inspecting samples;

(ii) any cash is locked and secure and never left unattended at the cannabis showcase event;

(iii) the permittee will possess or have access to a secure internet connection at the event for the purpose of facilitating and tracking cannabis product transactions;

(iv) the permittee and authorized licensees will continue to comply with all storage and security requirements pursuant to section 125.3 this Chapter;

(v) cannabis products not intended for display shall be secured in an area that is only accessible to authorized employees, not visible to customers, and is suitable to the cannabis product form being stored;

(vi) cannabis products shall not be left at the cannabis showcase event area overnight; and

(vii) a description of the measures being taken to ensure that the cannabis showcase event will be limited to populations 21 years of age or older;

(12) any advertisement or marketing to be used for the cannabis showcase event pursuant to Parts 128 and 129 of this Chapter;

(13) an authorization from the municipality where the event is proposed to take place, which shall:

(i) be signed by an official of the municipality where the cannabis showcase event is to take place;

(ii) include the cannabis showcase event location, days, and times at which cannabis products are being offered for sale or sold; and

(iii) state that the municipality approves or authorized the event;

(14) if the event is located at a farmers' market or public market, a written authorization from the farmers' market or public market for the permittee to operate the cannabis showcase event. The written authorization shall:

(i) be signed by the manager or other official representative of the farmers' market or public market responsible for approving vendors, merchants, or events;

(ii) include a notation of any fee that may be required by the farmers' market or public market for the cannabis showcase event to take place, and whether such fee has been paid; and

(iii) include the cannabis showcase event location, days, and times at which cannabis products are being offered for sale or sold;

(15) an attestation from the applicant that it has obtained, or will obtain, all required permits, registrations, approvals, and authorizations to conduct the event and any activities at the event;

(16) any other information as determined by the office.

(c) Application Fees. All cannabis showcase event permit applications shall be accompanied by a non-refundable application fee for a permit as follows:

(1) for an event no more than three days: \$300;

(2) for an event at least four days but no more than seven days: \$550; or

(3) for an event at least eight days but no more than fourteen days: \$800.

(4) For the purposes of this Part, permit applicants that qualify as social and economic equity licensees shall qualify to pay a 50% reduced permit fee.

(d) Application Review Process.

(1) An application must be received by the office at least 45 calendar days before the proposed cannabis showcase event, except for good cause shown.

(2) If the application is incomplete or otherwise insufficient to satisfy the requirements of this Part, the applicant shall receive a deficiency notice from the office.

(i) The applicant shall have 15 calendar days to cure any deficiencies.

(ii) If the applicant cannot cure all the deficiencies within such period, the application will be denied.

(3) The following factors will be considered by the office to determine whether the application should be approved:

- (i) completion of application;
- (ii) compliance with other applicable regulations;
- (iii) health and safety issues;
- (iv) risk factors that may attract or expose children to cannabis products;
- (v) feasibility of complying with proposed staffing, security, cannabis storage, or any other plan submitted in the application; and
- (vi) applicant's history of compliance with the cannabis law and this chapter.

§ 117.3 Cannabis Showcase Event Operations.

(a) Authorized Sales.

(1) Adult-use cannabis product sales at a cannabis showcase event shall be limited to the permittee named on the permit for such event.

(2) Any authorized licensee that showcases their adult-use cannabis products at a cannabis showcase event shall be prohibited from engaging in direct or indirect cannabis sales at a cannabis showcase event to any person.

(3) A ROD permittee shall be required to maintain a minimum of 40% of cannabis showcase event available shelf-space for adult-use product cultivated and processed by licensees that are not RODs.

(5) Licensed cultivators, processors, RONDs, and microbusinesses may only showcase adult-use cannabis products at a cannabis showcase event as an authorized licensee. At no time shall such authorized licensees conduct cannabis product sales or purchases at an event.

(b) Cannabis Showcase Event Locations.

(1) No permittee shall locate a cannabis showcase event on any premises which shall be:

(i) within a 200-foot radius of a licensed adult-use cannabis retailer's premises, except when

such premises is licensed to the permittee;

(ii) within a 200-foot radius of the event sales area from the entrance of the adult-use cannabis retailer's premises;

(iii) on the same road and within 200 feet of the entrance of a building occupied exclusively as a house of worship;

(iv) on the same road and within 500 feet of the entrance of a building occupied exclusively as a school; and

(v) on the same road and within 500 feet of a structure or its grounds occupied exclusively as a public youth facility, if the municipality has enacted a local law pursuant to section 119.2 of this Chapter.

(2) For purposes of this Part, the measurements shall be taken from the closest boundary of the event sales area to premises exclusively used as a house of worship, school, or public youth facility.

(3) Pop-up cannabis showcase events may take place in or at:

(i) an open-air location, including, but not limited to a park, beach, square, parking lot, farm, or field;

(ii) a brick-and-mortar location;

(iii) the outside of or immediately adjacent to a licensed adult-use retail dispensary, provided such licensee is the permittee in the event;

(iv) the cultivation premises of a licensed cultivator, provided such licensee is participating as an authorized licensee in the event;

(v) the processing premises of a licensed processor, provided such licensee is participating as an authorized licensee in the event; or

(vi) the cultivation and/or processing premises of a licensed microbusiness, provided such licensee is participating as an authorized licensee in the event.

(c) Advertising, Marketing, and Required Posting. All advertising and marketing for a cannabis showcase event shall comply with the provisions of Parts 128 and 129 of this Chapter.

(1) The permittee shall post, visible to consumers, the cannabis showcase event permit in a conspicuous location on the premises of the cannabis showcase event area during the approved hours of operation.

(2) The permittee and any authorized licensees shall post, visible to consumers, any and all signs or posted placards required by the office, including posting of a copy of their adult-use cannabis license issued by the office pursuant to Article 4 of the Cannabis Law, and allowable possession and purchase limits, in a conspicuous location on the premises of the cannabis showcase event area during the approved hours of operation.

(d) Cannabis Showcase Event Sales Requirements and Authorizations.

(1) A cannabis showcase event shall only be conducted during the approved hours of operation.

(2) Authorized licensees may display, in secure and locked cases, samples of each cannabis product. Authorized employees may remove samples from the display case and provide it to the cannabis consumer for inspection, provided the cannabis consumer may not consume or otherwise use or remove such sample from the cannabis showcase event area.

(3) The permittee shall not allow any person under the age of 21 to enter or attend the cannabis showcase event, including the event sales area. The permittee shall utilize identification and age verification for persons entering an event sales area.

(4) Cannabis products shall only be sold by authorized employees of the permittee who shall be 21 years of age or older.

(5) Employees shall verify the identification and age of all cannabis consumers as provided for in subdivision (d) of section 123.10 of this Chapter.

(6) The prices of all items for sale must be clearly designated, and the permittee shall provide the price of all items to consumers. Any items on display for sale at a cannabis showcase event must display a price tag, sign, or placard stating the item's price and total cost to the consumer, including taxes.

(7) Under no circumstances shall permittees or authorized licensees be authorized to give away any adult-use cannabis products to any licensee, person or entity.

(8) Under no circumstances shall permittees or authorized licensees participating in a cannabis showcase event accept as a form of payment or remuneration for any sale federal Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Card (EBT) payment or Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) EBT payment.

(9) Permittees or authorized licensees participating in a cannabis showcase event located at a farmers' market or public market shall be prohibited from participating in the Department of Agriculture and Markets' Farmers' Market Nutrition Program and receiving any such benefits entitled thereto, in relation to approved inventory for sale, pursuant to subdivision (h) of this section.

(e) Sales and Inventory Reporting. A permittee that conducts a cannabis showcase event shall:

(1) comply with all cannabis product sales transactions requirements of their license pursuant to subdivision (f) of section 123.10 of this Chapter;

(2) submit sales and inventory reports to the office in a form and manner as determined by the office; and

(3) comply with all requirements of Article 20-C of the Tax Law.

(f) Staffing.

(1) Authorized employees of permittees and authorized licensees must be at least 21 years of age or older.

(2) The lead contact and employee in charge of sales may be the same person.

(3) The permittee, through its lead contact, shall be responsible for ensuring that:

(i) the cannabis showcase event sales area is secure at all times throughout the entirety of the authorized permit time; and

(ii) entry to the cannabis showcase event sales area is limited to individuals 21 years of age or older during operating hours.

(4) The permittee, through its employee in charge of sales, shall be responsible for:

(i) supervising the cannabis showcase event sales area, including ensuring no person under the age of 21 or any visibly intoxicated person purchases adult-use cannabis products; and

(ii) making certain public health and other educational materials provided or required by the office is available in the cannabis showcase event sales area.

(5) all authorized employees participating in a cannabis showcase event shall be employed by the permittee or licensee.

(i) persons contracted with a permittee or licensee are permitted to participate in an event pursuant to section 124.5 in this chapter.

(g) Approved Inventory for Sale by Permittees and Authorized Licensees.

(1) The permittee may offer the following items for retail sale at a cannabis showcase event:

(i) adult-use cannabis products;

(ii) adult-use cannabis clones, seedlings, immature cannabis plants, cloned propagation material, or tissue culture for personal home cultivation purposes pursuant to Part 115 of this Chapter, provided that: the permittee is an adult-use cannabis retailer authorized by the office to sell cannabis clones, seedlings, immature cannabis plants, cloned propagation material, or tissue culture, to consumers for personal home cultivation; and the permittee possesses a Nursery Dealer Certificate of Registration from the Department of Agriculture and Markets Division of Plant Industry;

(iii) cannabinoid hemp products, provided that the permittee has a cannabinoid hemp retail license or cannabinoid hemp temporary retail permit to sell such products;

(iv) cannabis merchandise, including cannabis merchandise containing the permittee's brand;

(v) cannabis paraphernalia; and

(vi) other items as approved by the office.

(2) Authorized licensees may offer the following items at a cannabis showcase event for retail sale:

(i) cannabis merchandise, including cannabis merchandise containing the authorized licensee's brand;

(ii) cannabis paraphernalia; and

(iii) other items as approved by the office.

(3) Notwithstanding paragraphs (1) and (2) of this subdivision, permittees and authorized licensees may not offer for sale or provide the following items at a cannabis showcase event:

(i) tobacco or products which contain tobacco or nicotine;

(ii) alcohol or alcoholic beverages, as defined in section 3 of the Alcoholic Beverage Control Law;

(iii) any items that are commonly associated with or marketed in a manner so as to be attractive to persons under the age of 21 including, but not limited to, candy, toys, and games;

(iv) apparel or merchandise, including jewelry or other accessories, that reference another brand or brands other than the permittee's and the authorized licensee's; and

(v) other items disapproved by the office.

(4) Notwithstanding paragraphs (1) and (2) of this subdivision, permittees and authorized licensees may not offer for sale or remuneration to consumers at a cannabis showcase event any adult-use cannabis product sample.

(5) The permittee shall acquire adult-use cannabis products for consumer sale at a cannabis showcase event from any licensee authorized for the distribution of such cannabis products and the permittee shall obtain the cannabis products at the licensed premises of such permittee.

(h) Approved Showcase Items.

(1) A permittee or authorized licensees may showcase the following at a cannabis showcase event:

(i) adult-use cannabis products;

(ii) adult-use cannabis clones, seedlings, immature cannabis plants, cloned propagation material, or tissue culture for personal home cultivation purposes pursuant to Part 115 of this Chapter, provided that: the permittee showcasing is an adult-use cannabis retailer authorized by

the office to sell cannabis clones, seedlings, immature cannabis plants, cloned propagation material, or tissue culture, to consumers for personal home cultivation; and that such adult-use cannabis retailer possesses a Nursery Dealer Certificate of Registration from the Department of Agriculture and Markets Division of Plant Industry;

(iii) cannabinoid hemp products, provided that the permittee or authorized licensee has been granted a cannabinoid hemp retail license, cannabinoid hemp temporary retail permit, cannabinoid hemp farm processor license, or cannabinoid hemp processor license, as applicable to sell such products;

(iv) cannabis merchandise, including cannabis merchandise containing the permittee's or authorized licensee's brand, where applicable;

(v) cannabis paraphernalia; and

(vi) other items as approved by the office.

(2) A permittees or authorized licensee may not showcase the following at a cannabis showcase event:

(i) tobacco or products which contain tobacco or nicotine;

(ii) alcohol or alcoholic beverages, as defined in section 3 of the Alcoholic Beverage Control Law;

(iii) any items that are commonly associated with or marketed in a manner so as to be attractive to persons under the age of 21 including, but not limited to, candy, toys, and games;

(iv) apparel or merchandise, including jewelry or other accessories, that reference another brand or brands other than the permittee's and the authorized licensee's particular brand; and

(v) other items disapproved by the office.

(i) Storage and Security.

(1) The permittee shall ensure the cannabis showcase event sales area and the event area remain secure from theft, unauthorized intrusion, and vandalism throughout the entirety of the authorized permit time. Permittees may hire private security personnel to assist in securing the event sales area and event area.

(2) The permittee shall prohibit consumers from having direct access to cannabis products while within the cannabis showcase event area unless they are inspecting samples with the assistance of authorized employees of the permittee and authorized licensees, if applicable. Cannabis products may be displayed or showcased to consumers only if they are locked behind a counter or other barrier.

(3) Authorized licensees may utilize product displays or other branded elements to advertise the product within such locked counters or barriers. However, such product displays or other branded elements must comply with the restrictions on marketing and advertising in Parts 128 and 129 of this Chapter.

(4) Products not intended for display must be secured in an area that is: only accessible to authorized employees, not visible to consumers and is suitable to the product being stored.

(5) Cash must be kept locked and secure. No cash shall be left unattended or overnight at a cannabis showcase event.

(j) Permittees and authorized licensees may, in addition to selling and showcasing cannabis and cannabis products at a cannabis showcase event, and dependent on the scope of their license, demonstrate and exhibit:

(1) presentations related to the licensed cultivation of cannabis;

(2) presentations related to the licensed processing of cannabis;

(3) instructional presentations related to the personal cultivation of cannabis, pursuant to Part 115 of this Chapter, provided, however, such presentations shall only utilize immature cannabis plants, and such plants shall not be planted on-site of the event for cultivation purposes; provided, however, such cultivation may be authorized if the event location site is a licensed cultivation premises and the persons performing such demonstration or cultivation are the licensed cultivator or the employees of a licensed cultivator authorized licensee listed on the permittee's application for such event;

(4) instructional presentations related to the production and creation of cannabis flower products, provided however, such products may not be consumed, sold, or given away at such event by or to any person;

(5) instructional presentations related to the infusion of cannabis into food, beverages, or other consumables, provided, however, such cannabis-infused items may not be consumed, sold, or given away at such event by or to any person; and

(6) any other similar educational activities which the office may authorize on the permittee's application.

(k) Cleaning, Sanitization, and Cannabis Disposal.

(1) The permittee and the authorized licensee, where applicable, are responsible for the upkeep and maintenance of all facilities, containers, tools, contact surfaces, and equipment used during the event in the sale, showcasing, and presentation of cannabis products.

(2) Cleaning and sanitizing shall be performed as frequently as necessary to maintain all facilities, areas, containers, tools, contact surfaces, and equipment in a clean and sanitary condition using a sanitizing agent registered by the U.S. Environmental Protection Agency (EPA) in accordance with labeled instructions.

(3) The permittee and authorized licensees are required to comply with the standard cannabis waste and disposal rules set forth in section 125.11 of this Chapter.

(l) Incident Reporting.

(1) The permittee shall notify the office in a manner prescribed by the office, of any breach of security or other incident within 24 hours of the discovery of the security breach or incident.

(2) Notification to the office shall be provided for the following incidents:

(i) discovery of cannabis inventory discrepancies;

(ii) diversion, theft, or loss of any cannabis or cannabis product;

(iii) any criminal action involving or occurring on or in cannabis showcase event area;

(iv) any suspicious act involving the showcasing or sale of cannabis or cannabis products by any person or entity;

(v) unauthorized destruction of cannabis or cannabis products;

(vi) any loss or unauthorized alteration of records related to cannabis or cannabis products;

(vii) any incident that requires response by public safety personnel, including, but not limited to: law enforcement, fire department, emergency medical services, public works or municipal sanitation departments, municipal inspection services departments, or security staff privately engaged by the permittee;

(viii) a motor vehicle crash that occurs while transporting or delivering cannabis products to and/or from a cannabis showcase event that would require the filing of an accident report with the Department of Motor Vehicles;

(ix) any other breach of security; and

(x) any other incident that may compromise public health and/or safety including the health and safety of the workforce at the cannabis showcase event;

(3) The permittee shall, within 10 calendar days of any incident in paragraph 1 of this subdivision, submit an incident report in a form and manner determined by the office which details the circumstances of the incident, any corrective action taken, and confirmation that the appropriate authorities were notified.

(3) All documentation related to such an incident shall be maintained by the permittee for not less than five years or the duration of an open investigation into such incident, whichever is longer, and made available to the office and appropriate authorities upon request.

§ 117.4 Cannabis Showcase Event Permit Limitations.

(a) A permittee shall not allow the on-site consumption of cannabis and cannabis products in a cannabis showcase event area by any person, including the combustion, consumption, application, or any other kind of ingestion of cannabis and cannabis products, including by permittees, authorized licensees, vendors, and their staff.

(b) The permittee shall post, visible to consumers, conspicuous signage in the sales area stating: “ON-SITE CONSUMPTION OF CANNABIS PRODUCTS IS PROHIBITED”. The permittee shall also post such signage throughout the event area.

(c) A cannabis showcase event permit shall not be required in the following circumstances:

(1) a function such as a cannabis trade show, conference, industry networking event, or exhibition where there are no cannabis or cannabis product sales either direct or indirect or giveaways taking place; or

(2) a function where such licensees, persons, and entities may submit a request to the office for review of such function’s parameters and operations.

§ 117.5 Cannabis Showcase Event Vendors.

(a) A permittee may contract with vendors to sell and serve food and non-alcoholic beverages at a cannabis showcase event to consumers attending such event, provided, however, that the permittee shall require such vendors to hold an active temporary food service permit to operate from the appropriate health authority within this state, or a license issued by the Department of Agriculture and Markets, pursuant to Article 20-C of the Agriculture and Markets Law. The permittee shall require food vendors to comply with the requirements of Title 8 of Article 13 of the Public Health Law and Article 20-C of the Agriculture and Markets Law, as applicable, and any rules and regulations promulgated thereto.

(b) A permittee may contract with musical acts, musicians, or disc jockeys to play music at a pop-up cannabis showcase event. Recorded music may also be played by the permittee or authorized licensees in partnership with the permittee.

(c) A permittee may contract with vendors to demonstrate and/or perform educational demonstrations and exhibitions, including, but not limited to:

(1) holistic lifestyle approaches, such as yoga, massage therapy, meditation, and skincare services. The permittee shall require that a vendor contracted to perform such holistic lifestyle demonstrations or exhibitions be licensed or registered, if applicable, with the appropriate New York State agency;

(2) arts and crafts demonstrations and activities, such as painting, pottery, fiber arts, and paper crafts;

(3) culinary demonstrations which include food, non-alcoholic beverages, or other consumables;

(4) book or literary presentations or exhibitions; and

(5) theatrical presentations or exhibitions.

(d) The permittee shall require that all food vendors and their employees or staff participating in or working at a cannabis showcase event must be 21 years of age or older;

(e) The permittee shall require all vendors to obtain any other business permits or licenses required by the local municipality the event is located in, unless such permits or licenses are otherwise arranged by the permittee.

(f) The permittee shall not allow a vendor to:

(i) engage in direct or indirect cannabis retail sales;

(ii) infuse cannabis or phytocannabinoids into any food, beverages, other consumables, or topicals, and sell, serve, or apply such items for consumption or use;

(iii) sell any tobacco product or product which contains tobacco or nicotine;

(iv) sell or serve alcohol or alcoholic beverages, as defined in section 3 of the Alcoholic Beverage Control Law;

(v) participate in or authorize any conduct prohibited by subdivisions 6, 6-b, 6-c, or 7 of section 106 of the Alcoholic Beverage Control Law; and

(vi) any other activities disapproved by the office.

(g) The permittee shall keep a record of any agreements or contracts entered with any vendors for a cannabis showcase event, including copies of any local permits or authorizations such permittee may have obtained for such vendors under subdivision (e) of this section, for a period of five years and make it available for inspection by the office upon request.

§ 117.6 Severability.

If any provision of this Part or its application to any particular person or circumstance is held invalid, the remainder of this Part and its application to other persons and circumstances shall not be affected thereby.