



Department of
Cannabis Control
CALIFORNIA

Preview of the upcoming rulemaking process

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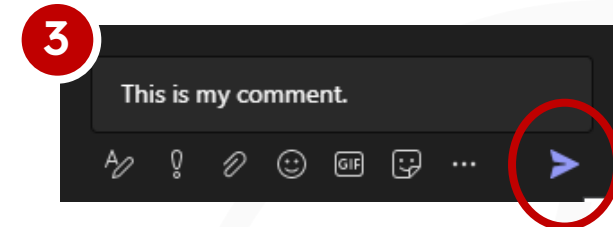
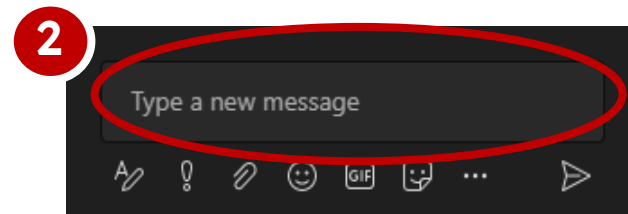
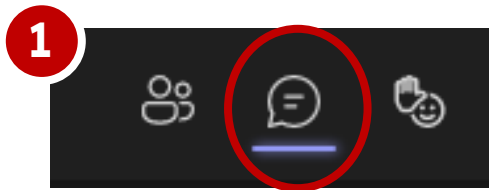
Agenda

- Rulemaking process and timeline
- Summary of key proposals
- Resources
- How to share your feedback
- How to respond to questions



Housekeeping

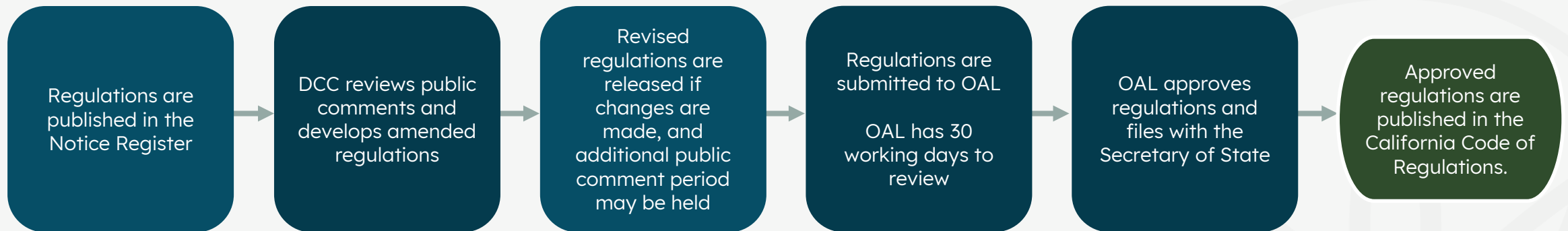
- All attendees are muted for the presentation
- We can answer any questions about the rulemaking process. You can use the chat to ask questions



- The full text of regulations and documents will be released tomorrow
- We will post these slides on our website

Rulemaking timeline

- Regular rulemaking, begins on March 4
- Expect the process to conclude in Fall 2022



The public comment period begins and lasts at least 45 days

45 days: major changes
15 days: substantial and sufficiently-related changes

What's in the proposed regulations

- Changes that are in effect as emergency regulations (“certificate of compliance”)
- Additional changes to streamline and strengthen the cannabis regulatory framework

Key proposals

Cultivation

- Allows nurseries to designate trade samples
- Allows weight of the total harvest batch to be entered in track-and-trace, rather than requiring individual plant weights

Distribution

- Removes requirement to carry a printed COA during transport
- Allows cannabis goods held for storage to be distributed directly from the storage premises
- Allows up to 3 sides of the transport vehicle to be used as walls of the secured storage

Manufacturing

- Removes requirement for beverages to be in opaque bottles
- Requires closed-loop systems to be identified on the premises diagram, and clarifies engineer certification requirements

Key proposals

Retail

- Increases the value of cannabis goods that delivery drivers can carry and removes requirements goods that must be pre-ordered
- Allows storefront retailers to continue curbside pickup beyond the end of the pandemic
- Allows consumption lounges to sell prepackaged, non-alcoholic food and beverages, if allowed by the local jurisdiction

Events

- Allows cannabis goods to be displayed by all participating licensees
- Removes requirement for specific retail employees to be identified prior to the event

Testing laboratories

- Specifies conflicts of interest that are prohibited to maintain independence of testing laboratories

Key proposals

Labeling, marketing and advertising

- Adds requirements for using Appellations of Origin
- Requires bulk goods to be labeled with ingredients and allergens

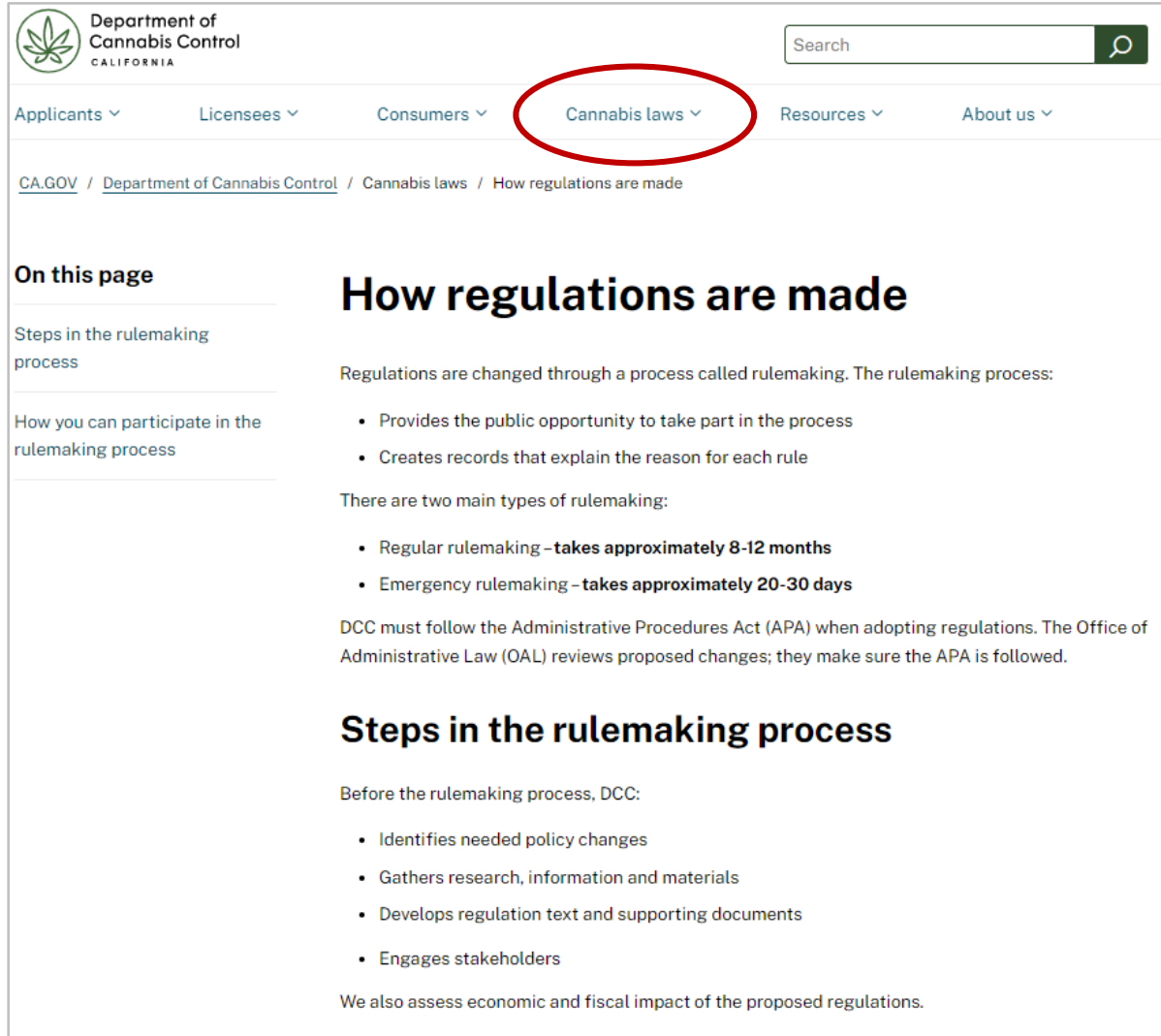
Cannabis products

- Limits ingredients that can be used in inhaled cannabis products to cannabis, cannabis products, botanically-derived terpenes and FDA “inactive ingredients”
- Prohibits products that would otherwise be classified as medical devices or OTC drugs, such as nasal sprays, eye drops and inhalers

License applications

- Simplifies license modifications by designating specific changes that require only notification to DCC rather than pre-approval

Resources



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CA.GOV / Department of Cannabis Control / Cannabis laws / How regulations are made

On this page

- Steps in the rulemaking process
- How you can participate in the rulemaking process

How regulations are made

Regulations are changed through a process called rulemaking. The rulemaking process:

- Provides the public opportunity to take part in the process
- Creates records that explain the reason for each rule

There are two main types of rulemaking:

- Regular rulemaking – **takes approximately 8-12 months**
- Emergency rulemaking – **takes approximately 20-30 days**

DCC must follow the Administrative Procedures Act (APA) when adopting regulations. The Office of Administrative Law (OAL) reviews proposed changes; they make sure the APA is followed.

Steps in the rulemaking process

Before the rulemaking process, DCC:

- Identifies needed policy changes
- Gathers research, information and materials
- Develops regulation text and supporting documents
- Engages stakeholders

We also assess economic and fiscal impact of the proposed regulations.

Regular rulemaking process

- 1 Regulations publication and issuance of notice**

The rulemaking process begins when the regulations are published in the Notice Register. DCC distributes a notice to alert the public of the proposed changes. The text and rulemaking documents are also posted on the [DCC website](#).
- 2 45-day public comment period**

The first public comment period begins on the day the regulations are published. The comment period lasts at least 45 days. You can submit comments in writing by mail or email. You can also submit comments verbally if a public comment hearing is held.
- 3 DCC reviews all comments received**

After the comment period, DCC reviews all feedback received and determines if changes to the regulations are needed.
- 4 Additional public comment period(s)**

If major changes are made: 45-day comment period. If substantial and sufficiently related changes are made: 15-day comment period. If there are no changes or changes are non-substantial and sufficiently related: no additional public comment periods are required.
- 5 Regulations submitted to OAL for review**

DCC prepares a final statement of reasons and final text of regulations. The final statement of reasons contains a summary and responses to all comments received and an updated informative digest. These rulemaking documents are submitted to OAL.
- 6 OAL review**

OAL reviews the proposed regulations and rulemaking documents. They may require DCC to make revisions.
- 7 Regulations approved**

If approved, the regulations are filed with the Secretary of State. The rulemaking record is closed, and the regulations go into effect.

How to share your feedback

- Submit a public comment
 - By email: publiccomment@cannabis.ca.gov
 - Through a public hearing: March 23 or April 19, 10 a.m. to 1 p.m.
- Deadline to submit comments: April 19, 5 p.m.
- Tips for submitting your comment
 - Identify the regulation title and topic/section you are commenting on
 - Be specific and share a suggestion or alternative, if you have one
 - You only need to submit your comment once
- During the rulemaking process, DCC staff will not be able to engage in conversations about the proposed regulation text



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Thank you!

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