

State of California
Department of Cannabis Control
California Code of Regulations, Title 4, Division 19
Notice of Modifications to Proposed Regulation Text and Resumption of
Public Hearing:
Commercial Cannabis Cultivation Updates; Minimum Sanitation Standards

In accordance with Government Code section 11346.8(c) and section 44 of title 1 of the California Code of Regulations (CCR), the Department of Cannabis Control (Department) hereby provides notice of modifications to the proposed regulation text that was the subject of a public hearing on April 29, 2025. The text of the regulations with proposed modifications is attached to this Notice.

Further, in accordance with Government Code section 11346.8(b), the Department hereby provides notice that the public hearing of April 29, 2025, will resume on Tuesday, August 5, 2025.

Written Comment Period

The written comment period begins on Friday, July 18, 2025, and ends on Monday, August 4, 2025. Any interested person, or their authorized representative, may submit written comments relevant to the proposed text modifications by mail or email to:

Department of Cannabis Control
Legal Affairs Division
2920 Kilgore Road
Rancho Cordova, CA 95670
E-mail: publiccomment@cannabis.ca.gov

All written comments received by Monday, August 4, 2025, that pertain to the proposed text modifications will be considered by the Department and summarized and responded to in the Final Statement of Reasons.

Public Hearing

The public hearing of April 29, 2025, was scheduled to run from 10:00 a.m. to 1:00 p.m. The public hearing began on time, but at around 12:16 p.m., staff who were coordinating the hearing from the Department Hearing Room in Rancho Cordova were informed of a gas leak and asked to evacuate the building immediately. Because Department staff were unable to resume the hearing before 1:00 p.m., the hearing had to be continued. The Department will resume the continued, virtual public hearing on Tuesday, August 5, 2025, beginning at 10:00 a.m.

Attendees may participate via WebEx online meeting platform or telephone conferencing. To participate via WebEx online meeting platform, please contact Randy Allen at (916) 465-9025 or Randy.Allen@cannabis.ca.gov by 4:30 p.m. on Monday, August 4, 2025, to request a link to the meeting. A link to the meeting will also be posted on the Department's website no later than 9:00 a.m. the day of the hearing.

For those who wish to attend the hearing in person, including those who require reasonable accommodations, limited seating will be available in the Department Hearing Room, 2920 Kilgore Road, Rancho Cordova, CA 95670. Please contact Randy Allen at (916) 465-9025 or Randy.Allen@cannabis.ca.gov by 4:30 p.m. on Monday, August 4, 2025, to request to attend the hearing in person or by 4:30 p.m. on Monday, July 28, 2025, if reasonable accommodations are necessary.

Participants will be given instructions on how to provide oral comment once they have accessed the hearing. The hearing will proceed on the dates noted above until all testimony is submitted or 12:00 p.m., whichever is later. At the hearing, any person may present oral or written statements or arguments relevant to the proposed action. The Department requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony via email.

Summary of, and Rationale for, Proposed Modifications to Regulation Text

Section 15048.5. Use of Harvest Batch Name and Package Tags.

Commenters requested clarification regarding whether the identified methods of delineating different harvest batches represented an exhaustive list. The Department proposes to further modify subsection (a) to clarify that the listed methods are merely examples and identify an additional example. Use of separate drying racks is a common method of delineating harvest batches and commenters were concerned that this method would no longer be allowed under the initially proposed text.

Section 15060. Animals and Animal Waste.

Several commenters stated that excluding animals from all indoor areas was unnecessarily restrictive. The Department proposes to further modify subsection (a)(1) to exclude animals only from indoor areas where unpackaged cannabis or nonmanufactured cannabis products are present. The contamination risks intended to be mitigated by this regulation are most acute at times when cannabis and nonmanufactured cannabis products are directly exposed to animals. The Department has reconsidered the policy goals and determined that the revised requirement does not pose a significant health risk.

Section 15061. Tools, Utensils, Equipment, and Containers.

The Department proposes to further modify subsection (a)(3) to expressly allow the use of new, single-use container liners in lieu of cleaning and sanitizing containers.

Numerous commenters noted that the use of container liners is common industry practice. Employing single-use, disposable liners can be considered analogous to the use of gloves. As the proposed regulation allows the use of gloves in lieu of handwashing, the Department determined that allowing container liners similarly provides sufficient public health protection.

The Department also proposes to further modify subsection (a)(3) to revise the frequency of required cleaning and sanitizing. Commenters expressed concern that the proposed intervals of “between storage and transport of each harvest batch” and “at the beginning and end of each harvest season” were unclear. The modified regulation simply requires cleaning and sanitizing of a container, or utilization of a new container liner, before the container is used to transport or store harvested cannabis. This change still effectuates the Department’s goal of minimizing the potential for contamination to spread while providing licensees with a clearer, more straightforward standard to meet.

The Department proposes to further modify subsection (c) to expand the list of sanitizing agents allowable for use by licensees. Numerous commenters expressed concern that the originally proposed list of four substances was too restrictive and could have unintended consequences for licensees, such as rendering them unable to earn or maintain certain third-party environmental certifications. To accommodate these concerns, the Department is instead proposing to allow any substance currently approved by the United States Environmental Protection Agency (USEPA) as a food contact surface sanitizer, provided the substance is used in accordance with the manufacturer’s directions. Under the Federal Food, Drug and Cosmetic Act (21 U.S.C. §301 et seq.), the USEPA has authority to establish safe residue levels for a variety of chemical substances, including antimicrobial substances, used in agricultural and food manufacturing contexts. USEPA codified the list of antimicrobial substances and residue levels permissible on food contact surfaces in title 40, part 180.940 of the Code of Federal Regulations, which the Department proposes to incorporate by reference into subsection (c). The substances included in this list have been vetted by the USEPA for safety at the levels specified when used in accordance with the manufacturer’s directions. The Department determined that it is more appropriate to rely on the USEPA’s expertise and experience regarding the safety of antimicrobial chemicals than develop a new, independent list specifically for some commercial cannabis licensees. Requiring use in accordance with the manufacturer’s directions will ensure that the substance is applied in a manner that reduces microbial contamination without rendering tools or surfaces injurious to consumers through transfer of unsafe substances.