



COMMERCIAL CANNABIS ADVISORY COMMITTEE

Meeting Agenda – June 12, 2019

3:00 p.m. – 5:00 p.m

Chico Municipal Center, Old Municipal Building (2nd Floor)
441 Main Street, Chico, CA

COMMITTEE MEMBERS

Alex Brown (Chair, Vice Mayor)
Danelle Campbell (Community Member at Large)
Teri DuBose (DCBA)
Jim Hanlon (CUSD)
Jessica MacKenzie (Cannabis Expert)
Dr. Andrew Miller (BC Public Health)
Juanita Motley (CSUC)
Karli Olsen (Chamber)
Vincent Villegas (Community Member at Large)
Carrie Welch (Real Estate)
Mike Waltz (Local Business Owner)

1. **CALL TO ORDER** – Vice Mayor Brown
2. **INTRODUCTIONS**
3. **REGULAR AGENDA**
 - 3.1. **WORK OF COMMITTEE** – Vice Mayor Brown
 - A. Updates regarding Alternates (City Clerk & Vice Mayor Brown)
 - B. Retail Operations Check-In
 - C. Review of California Ordinances (Jessica MacKenzie)
 - D. Code Enforcement Update
 - E. Introduction to Commercial Cultivation
 - F. Introduction to Microbusiness
4. **BUSINESS FROM THE FLOOR** - Members of the public may address the Committee at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.
5. **ADJOURNMENT** – Adjourn to the next meeting date of June 19, 2019. All meetings will be held in the Old Municipal Building (2nd Floor). Chico Municipal Center at 441 Main St. Chico, CA.

Distribution available in the office of the City Clerk

Posted: 6/7/19 prior to 5:00 p.m. at 421 Main St. Chico, CA 95928 and www.ci.chico.ca.us

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TEXT OF REGULATIONS

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LABELING REQUIREMENTS

FLOWER AND FLOWER-ONLY PRE-ROLLS



Cannabis must be properly labeled to ensure consumers are informed about what they are purchasing and to prevent unintended use. These guidelines apply to all cannabis flower and flower-only pre-rolls sold within California.

PRIMARY PANEL — the part of the label displayed to consumers at retail; typically the front or top of the package

- Product Identity** — A generic or common name that describes the item. Examples include flower or pre-roll.
- Net weight** — list weight in both metric and U.S. customary units (Example: NET WT. 4.0 oz. (113.4 g))
- Universal Symbol** (in black, at least 0.5" X 0.5") — The California symbol that identifies cannabis and cannabis products. The symbol can be downloaded at www.cdph.ca.gov/mcsb.

INFORMATIONAL PANEL — any part of the label that is not the primary panel

- UID number** — The unique tracking number issued through the Track-and-Trace system
Note: *This requirement will begin when you receive your Track-and-Trace login. Do not create a placeholder UID number.*
- Licensee name and phone number or website** — The licensee name can be either the name of the licensed cultivator or licensee packaging the product and must be a name listed on the license certificate (either the legal business name or the registered DBA)
- Date of packaging for retail sale** — Include month, day and year
- Government warning statement** (*in capital and bold letters*)

OTHER LABELING — may be on either the primary or informational panel

- Cannabinoid content** (*in percentage*)

DOs

- Display information clearly and legibly
- Use English and at least 6 point font
- Make sure all labeling information is displayed on the outer layer of packaging
- Additional product information may be added as long as it is truthful and not misleading

DON'Ts (§40410)

- **California county names** — Unless 100% of cannabis in the product is grown in the county, the name of a California county cannot be included on the label.
- **Cannot be attractive to children** — This includes using cartoons, images popularly used to advertise to children, imitating candy labeling, and using the words “candy,” “candies” or a play on words such as “kandy” or “kandeez” anywhere on the label.
- **Cannot include false or misleading information** — This includes anything untrue or unproven, or information that leads consumers to have an inaccurate impression, or the use of the word “organic” anywhere on the label.
- **Cannot make unproven health claims** — Health-related statements, such as claims about a product’s ability to treat or cure disease, may not be made unless there is significant scientific agreement and the claims are supported by a totality of publicly-available peer-reviewed evidence. Anecdotal information and preliminary study results do not meet this criteria.
Note: *Health-related statements are heavily regulated by the FDA, and cannabis businesses are not exempt from federal prosecution for misleading health statements.*

FIND MORE HELP ONLINE

Visit the CDPH website for more information on the packaging and labeling requirements:
www.cdph.ca.gov/mcsb

ADDITIONAL REQUIREMENTS

Prop 65 Warning (if applicable) — Proposition 65 requires businesses to provide a clear and reasonable warning before knowingly and intentionally exposing anyone to chemicals that are known to the state to cause cancer or birth defects or other reproductive harm. For more information on Prop 65 and applicable requirements, visit <https://oehha.ca.gov/proposition-65>.

Note: *If cannabis extract or other concentrates are added to the flower or pre-rolls, it is a manufactured product and must follow all CDPH requirements for manufactured cannabis products.*

LABELING REQUIREMENTS

MANUFACTURED CANNABIS PRODUCTS



Cannabis products must be properly labeled to ensure consumers are informed about what they are purchasing and to prevent unintended use. These guidelines apply to manufactured cannabis.

LABELING PLACEMENT

Where does the required labeling go?

Most of the required labeling must be placed on the outer layer of packaging. The outer labeling requirements are divided into two categories, based on the part of the package where it belongs.

- **Primary Panel** – the part of the label most likely to be displayed to the consumer at retail; typically the front or top of the package
- **Informational Panel** – any other part of the label that is not the primary panel

If the product has multiple layers of packaging, you must also include basic labeling on the inner container that holds the cannabis product:

- Inhaled cannabis products (vape cartridges, shatter, wax, etc.) – must include the universal symbol
- Non-inhaled cannabis products (edibles, tinctures, topicals, etc.) – must include the product identity, universal symbol and net weight or volume. Edible products must also include the words “Cannabis-Infused.”

What if my package is small and I can't fit all of the required information on the outer layer?

You can use a supplemental label to include some of the required information. Examples include, hang-tags, peel-back labels, and inserts.

Note: QR codes, websites and other methods that separate the information from the product are not acceptable types of supplemental labeling.

DOs

- Display information clearly and legibly
- Use English and at least 6 point font
- Ensure all required labeling is displayed on the outer layer of packaging

DON'Ts (§40410)

- **California county names** – Unless 100% of cannabis in the product is grown in the county, the name of a California county cannot be included on the label.
- **Cannot be attractive to children** – This includes using cartoons, images popularly used to advertise to children, imitating candy labeling, and using the words “candy,” “candies” or a variation, such as “kandy” or “kandeez” anywhere on the label.
- **Cannot include false or misleading information** – This includes anything untrue or unproven, or information that leads consumers to have an inaccurate impression, or the use of the word “organic” anywhere on the label.
- **Cannot make unproven health claims** – Health-related statements, such as claims about a product’s ability to treat or cure disease, may not be made unless there is significant scientific agreement and the claims are supported by a totality of publicly-available peer-reviewed evidence. Anecdotal information and preliminary study results do not meet this criteria.

Note: Health-related statements are heavily regulated by the FDA, and cannabis businesses are not exempt from federal prosecution for misleading health statements.

- **Cannot include a picture of the product (for edible cannabis products only)** – State law required edibles to be in opaque packaging to reduce the risk that a child would be attracted to the product. Photographs or other images of the product cannot be on the label for the same reason.
- **Cannot market the product as an alcoholic beverage** – More information on this label restriction can be found in the Bureau of Cannabis Control regulations §5041.1.

FIND MORE HELP ONLINE

Visit the CDPH website for more information on the packaging and labeling requirements: www.cdph.ca.gov/mcsb

LABELING REQUIREMENTS

MANUFACTURED CANNABIS PRODUCTS



LABELING CHECKLIST (FOR OUTER LAYER OF PACKAGING)

PRIMARY PANEL — the part of the label displayed to consumers at retail; typically the front or top of the package

- Product identity** — A generic or common name that describes the product. Examples include chocolate, fruit chew, vape cartridge, lotion, tincture, etc.
- Universal symbol** (in black, at least 0.5" x 0.5") — The California symbol that identifies items as containing cannabis. Download the symbol at www.cdph.ca.gov/mcsb.
- Net weight or volume** (in both metric and U.S. customary units) — The weight or volume of the contents of the package.

Edible cannabis product labels must also include:

- "Cannabis-Infused"**— These words must be listed above the product identity, in a bold font and larger text size than the one used for the product identity.

INFORMATIONAL PANEL — any part of the label that is not the primary panel

- Manufacturer name and contact information*** — Must be a name listed on the license certificate (either the legal business name or the registered DBA), and their phone number or website
- Date of manufacture/packaging*** — One date may be used. Include month, day and year. (Example: MFG/PKG: 02/23/19)
- Government warning statement for cannabis products*** (capital letters and bold font)
- UID number**— The unique tracking number issued through Track-and-Trace
Note: This requirement will begin when you receive your Track-and-Trace login. Do not create a placeholder UID number.
- Batch or lot number**
- Instructions for use and any preparation needed*** — For example, the method of consumption or application
- List of all ingredients*** (in descending order by weight or volume) — Include sub-ingredients, if any
- Allergens*** (if applicable) — The word "Contains," followed by a list of any major food allergen in the product. The major food allergens are milk, egg, tree nuts, wheat, peanuts, soybeans, fish or crustacean shellfish. Use the specific food name when disclosing allergens (i.e. "almonds" instead of "tree nuts").
- Artificial food colorings*** (if applicable)
- Expiration, use-by or best-by date*** (if applicable)
- "KEEP REFRIGERATED" or "REFRIGERATE AFTER OPENING"*** (if perishable after opening)
- "FOR MEDICAL USE ONLY"*** (if applicable) — Manufacturers must include these words on the label if the product contains a THC concentration that can only be sold in the medicinal market.

Edible product labels must also include:

- Sodium, sugar, carbohydrates, and total fat per serving*** (in milligrams or grams)

OTHER LABELING — may be on either the primary or informational panel

- Cannabinoid content** (in milligrams) — Cannabinoid content may be added to the label by the manufacturer before testing or on the distribution premises after testing.
 - THC and CBD per package (for all manufactured products)
 - THC and CBD per serving (for edibles and concentrates with designated serving sizes)
 - Any other cannabinoid that makes up 5% or more of the total cannabinoid content (if labeled after testing)

* Indicates labeling information that may be placed on a supplemental label

ADDITIONAL REQUIREMENTS

Prop 65 Warning (if applicable) — Proposition 65 requires businesses to provide a clear and reasonable warning before knowingly and intentionally exposing anyone to chemicals that are known to the state to cause cancer or birth defects or other reproductive harm. For more information on Prop 65 and applicable requirements, visit <https://oehha.ca.gov/proposition-65>.

CRV Recycling (for beverages, if applicable) — Beverage manufacturers are responsible for labeling qualifying beverage containers with recycling information. For more information, visit <https://www.calrecycle.ca.gov/bevcontainer>.

PACKAGING REQUIREMENTS

CANNABIS AND CANNABIS PRODUCTS



The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) includes basic requirements for how cannabis and cannabis products must be packaged before sale. These guidelines apply to all cannabis flower, pre-rolls and manufactured cannabis products sold within California.

PACKAGING CHECKLIST

- Tamper Evident** – A consumer knows if the package has been opened.
Example: a plastic seal, a sticker across the lid that is ripped when opened, a jar with a lid that pops up after opening, etc.
- Child Resistant** – The package is designed to be difficult for children under five years of age to open. See below for more information about what qualifies as child resistant.
- Resealable** (for products with multiple uses) – The package can be closed after each use.
Example: a lid, adhesive closure, box top closure, etc.
- Opaque** (for edibles only)* – The package is not transparent; consumers cannot see the product through the packaging.
**Amber-colored bottles are considered opaque.*
**Opaque bottles used for beverages may use a single, vertical, clear strip less than 0.25" wide to indicate serving sizes.*

DOs

- Cannabis flower may be packaged by a cultivator, manufacturer or distributor. Manufactured cannabis products must be packaged and labeled by the manufacturer prior to transfer to a distributor as finished products.
- Protect products from contamination and exposure to any toxic or harmful substances
- If a product has multiple layers of packaging, the packaging requirements can be fulfilled using any one of those layers.

DON'Ts

- Cannot imitate packaging used for products typically marketed to children
- Cannot imitate packaging used for non-cannabis food products

CHILD-RESISTANT PACKAGING (CRP)

State law requires all cannabis and cannabis products to be in child-resistant packaging. Until December 31, 2019, a child-resistant exit package, used by a retailer at the time of sale, may be used to fulfill the CRP requirement. Beginning January 1, 2020, every individual product must be in a child-resistant package.

What qualifies as child-resistant packaging?

- Packages that have been certified as child-resistant, in accordance with the federal Poison Prevention Packaging Act (PPPA, 16 CFR §1700.1)
- A bottle sealed with a pry-off metal crown bottle cap
- Plastic packaging that is at least 4 mils. thick and heat-sealed without an easy-open tab, dimple, corner or flap

Types of CRP:

- **Single Use** (“Initial CRP”) – the package is initially child-resistant, but once opened, it is no longer child-resistant. If used, the package’s label must say “This package is not child-resistant after opening.”
- **Multiple Use** (“Lifetime CRP”) – the package maintains its child-resistance throughout the life of the package. It can be opened and closed, but still remains child-resistant.

WHAT REQUIRES INITIAL CRP?

- Flower and flower-only pre-rolls
- Inhaled concentrates (infused pre-rolls, vape cartridges, shatter, wax, etc.)
- Topicals
- Single-serving cannabis products

WHAT REQUIRES LIFETIME CRP?

- Edibles
- Orally-consumed concentrates (tinctures, capsules, etc.)
- Suppositories

NOTE: A package containing multiple servings is not required to be in lifetime CRP if each individual serving is in child-resistant packaging.