

CHEAC Summary CDFA Cannabis Regulations

Cultivation

The California Department of Food and Agriculture (CDFA) has released proposed regulations focused on the licensure of cultivators of cannabis and implementation of a track-and-trace system to record the movement of cannabis throughout the distribution chain in California. These regulations are only slightly modified from the April 2018 emergency regulations package. We encourage members to read the entire proposed regulations document released by CDFA; however, a summary of the most relevant revisions is provided below.

Key Revisions Made in Regulations

- Clarifies the definition of “nonmanufactured cannabis product” by explaining how kief is aggregated.
- Modifies the definition of “pre-roll” to specify what it may contain.
- Clarifies that temporary licenses will not be issued or extended beyond December 31, 2018.
- Allows the Bureau to issue an emergency decision to avoid the immediate danger to public health, safety, or welfare.

Chapter 1. Cannabis Cultivation Program

Definitions (Pages 1-3)

- Clarifies kief under the definition of “nonmanufactured cannabis product” is obtained from the accumulation in containers or sifted from loose, dry cannabis flower, or leaf with a mesh screen or sieve.
- Modifies the meaning of “pre-roll” to mean any combination of the following rolled in paper: flower, shake, leaf, or kief that is obtained from accumulation in containers or sifted from loose, dry cannabis flower, or leaf with a mesh screen or sieve.

Applications (Pages 3-5)

- Temporary licenses or extensions will not be issued after December 31, 2018. Any temporary license issued or extended with an expiration date after December 31, 2018, will be valid until it expires.

Emergency Decisions (Pages 64-66)

- Allows CDFA to issue an emergency decision and order for temporary, interim relief to prevent or avoid immediate danger to the public health, safety, or welfare. Causes can include:
 - Prevention of the sale, transfer, or transport of illegal cannabis, nonmanufactured cannabis product, or cannabis products in the possession of the licensee
 - Conditions occur at the licensee's premises that present an immediate risk to worker or public health and safety.
 - The prevention of illegal diversion of cannabis or cannabis products, or other criminal activity at the licensee's premises
 - The prevention of the destruction of evidence related to illegal activity or violations of the Act
 - Prevention of immediate threats to the environment
 - Prevention of the offer, sale, or transfer of any cannabis, nonmanufactured cannabis product, or cannabis product to anyone by means of any written or oral communication that is false or misleading