

## CHEAC Summary

### BCC Emergency Cannabis Regulations

#### [Distribution, Transportation, Retailers, and Laboratories](#)

The Bureau of Cannabis Control (BCC) has re-released emergency regulations focused on the application, licensing, and operating requirements for the distribution, transportation, retail, and testing of cannabis (both medicinal and adult use) throughout California. These regulations are modestly revised from the November 2017 emergency regulations package. We encourage members to read the entire emergency regulations document released by the BCC; however, a summary of the most relevant revisions is provided below.

#### *Key Revisions Made in Regulations*

- Cannabis license applicants may complete one license application, requesting either an “A” designation (Adult-Use), an “M” designation (Medical), or both.
- Licensees may engage in commercial cannabis activities with any licensee regardless of their license designation.
- Depictions of any minor under 18 is not allowed in advertising or marketing.
- Licensees authorized for retail purposes may not sell or deliver cannabis goods through a drive through window or pass out window.
- Deliveries of cannabis goods to persons in motor vehicles are not allowed.
- Alcohol may not be stored or consumed on a licensed cannabis premise.
- A private residence may not be a licensed cannabis premise nor in a location that requires a person to pass through a private residence.
- Security personnel at cannabis businesses must be 21 years of age or older and be licensed by the Bureau of Security and Investigative Services.
- Security for licensed cannabis retail premises must be 24 hours a day/7 days a week.
- Cannabis delivery employees are allowed to deliver cannabis goods to several customers if prepared by the retailer prior to leaving the licensed premises.
- Cannabis goods for delivery are limited to \$10,000 in value (increased from \$3,000).
- All cannabis delivery drivers must conduct age verification of customers prior to providing cannabis goods to the customer.
- Temporary cannabis event licenses are allowed to be issued only for a single day or for consecutive days.
- Temporary event organizers must hire or contract for security for their licensed temporary cannabis event. Security personnel must be 21 years of age or older and licensed by the Bureau of Security and Investigative Services.

- Except for small amounts for display, all cannabis goods for sale at a temporary event must be stored in a secure, locked container not accessible to the public.

#### *Chapter 1. All Bureau Licensees*

##### Annual License Application Requirements (pages 4-10)

- Applicants must designate which type of license they are applying for either medicinal, adult-use, or both commercial cannabis activities. Testing laboratory applicants do not have to designate medicinal or adult-use designations.
- Applicants must provide their procedure for disposing of cannabis waste including whether the applicant will be using a local agency, permitted waste hauler, or self-hauling cannabis waste to a solid waste facility.
- Applicants must explain how they will ensure all access to cannabis waste is restricted to the licensee and its employees and the local agency or permitted waste hauler.
- Applicants must explain their procedures for accepting orders and processing orders.
- Applicants must provide information on their procedure for verifying the age and identity of customers receiving cannabis deliveries and how they will verify that the address for delivery meets certain requirements (physical address, within State of California, not on publicly owned land or delivered to a public agency address).

##### Business Modifications (pages 25-26)

- Licensees may make changes to standard operating procedures without providing notification to the Bureau. Copies of all current and prior operating procedures must be maintained by licensees.
- Licensees may request to add an A or M designation to their license by sending notification to the Bureau signed by at least one owner, but the licensee shall not operate under the requested designation until they have received Bureau approval.
- Licenses may not be transferred from one premises to another. Licensees shall not operate out of a new premises until they have been issued a new license.

##### Premises (page 27)

- The Bureau may allow a licensee to conduct both adult-use and medicinal commercial cannabis activity on the same licensed premises so long as they hold both an A and M license designation and the licensee only conducts one type of commercial cannabis activity on the premises.
- The sale and delivery of cannabis goods may not occur through a pass-out window or a slide-out tray to the exterior of the premises.
- Retailers may not operate as or with a drive-in or drive-through at which cannabis goods are sold to persons within or about a motor vehicle.
- Alcohol shall not be stored or consumed on a premises.

- Any premises that are next to or adjacent to another premises engaging in manufacturing or cultivation, must be separated from those premises by walls and any doors leading to the cultivation or manufacturing premises must remain closed.

#### Premises Location (page 28)

- Premises shall not be located within a private residence or require a person to pass through a private residence.
- Licensees must ensure the Bureau has immediate access to their licensed premises. If the Bureau is denied access for any reason the licensee shall be held responsible and subject to discipline.

#### Designated M and A Commercial Cannabis Activity (pages 30-31)

- Licensees may conduct business with other licensees irrespective of the “M” or “A” designation on their licenses.
- Distributors may only transport and sell cannabis goods designated as “For Medical Use Only” pursuant to CDPH regulatory requirements for M-designated retailers.
- Products designated as “For Medical Use Only” pursuant to CDPH regulatory requirements shall only be sold to medicinal customers by M-designated retailers.

#### Advertising Placement (pages 34-35)

- Any advertising or marketing placed in broadcast, cable, radio, print, and digital communications are prohibited from using any depictions or images of minors under 18 years of age.

#### Security Personnel (pages 37-38)

- Retail or microbusiness licenses engaged in the retail sale of cannabis goods must hire or contract for security personnel who are at least 21 years of age and must be licensed by the Bureau of Security and Investigative Services. Security services must be provided 24 hours a day and 7 days a week.
- A non-storefront retailer is not required to hire or contract for security personnel.

#### *Chapter 2. Distributors*

#### Packaging and Labeling (page 45)

- Distributors may re-label packages for retail sale after laboratory testing with the accurate amount of cannabinoids and terpenoids.

#### Quality-Assurance Review (pages 46-47)

- Cannabis goods are not required to be labeled or otherwise identified as medicinal products prior to retail sale unless the cannabis goods must be labeled per CDPH regulatory requirements as medicinal products.

#### Shipping Manifest (pages 51-52)

- Distributors may verify that received cannabis goods are accurately reflected in the shipping manifest by confirming that the number of boxes of cannabis goods, type of cannabis goods, weight and/or units of cannabis goods, matches the label on the boxes containing the cannabis goods.

#### Distributor Transport Only License (page 52)

- A distributor transport license may transport cannabis goods between licensees but may not transport any cannabis goods except for immature plants and seeds to a retailer or to the retailer portion of a microbusiness.

### *Chapter 3. Retailers*

#### Cannabis Goods Carried During Delivery (page 60)

- All customer requests for cannabis delivery must be received and prepared by the retailer prior to the delivery employee leaving the licensed premises with the cannabis goods to be delivered. Goods carried by the delivery driver may not exceed \$10,000 in value based on current retail price.
- A delivery employee may not carry any other cannabis goods while conducting deliveries.
- Prior to providing cannabis goods to a delivery customer, a delivery employee must verify the age and identify the customer.

### *Chapter 4. Microbusiness*

#### Microbusiness (pages 63-64)

- Areas of the premises for manufacturing and cultivation must be separated from the distribution and retail areas by a wall and all doors between the areas must remain closed when not in use.

### *Chapter 5. Cannabis Events*

#### Temporary Cannabis Event License (pages 75-77)

- A temporary cannabis event license authorizes a licensed cannabis event organizer to hold a temporary cannabis event where the onsite sale and consumption of cannabis goods is authorized at the location indicated on the license during the dates indicated on the license.
- A temporary cannabis event license shall only be issued for a single day or consecutive days.
- A temporary cannabis event license shall only be issued to events taking place at a county fair or district agricultural association event.
- A temporary cannabis event license will not be issued for a premises that is licensed for the sale of alcohol or tobacco.

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- Temporary cannabis event organizers must hire or contract for security personnel during the temporary event. All security personnel must be at least 21 years of age, licensed by the Bureau of Security and Investigative Services and must be present on the premises at all times cannabis goods are available for sale and/or cannabis consumption is allowed on the premises.
- A cannabis event organizer must maintain a clearly legible sign reading “No Persons Under 21 Allowed” at or near each public entrance to any area where the sale or consumption of cannabis goods is allowed.

#### Temporary Cannabis Event Sales (pages 77-78)

- All sales of cannabis goods at a temporary cannabis event must occur in a retail area as designated in the premises diagram.
- Only small amounts of cannabis goods used for display are allowed out during an event. All cannabis goods for sale must be stored in a secure, locked container that is not accessible to the public. Cannabis goods being stored by a licensee at a temporary event shall not be left unattended.
- Any compensation paid from a retailer to a cannabis event organizer for participation in a cannabis event must not be determined based on or contingent upon the sale of cannabis goods.

#### *Chapter 6. Testing Laboratories*

##### Residual Pesticides Testing (Pages 98-101)

- Laboratories must analyze at minimum 0.5 grams of the representative sample of cannabis or cannabis product to determine whether residual pesticides are present.

##### Remediation and Retesting (Page 106)

- A harvest batch or cannabis product batch that is relabeled by the distributor so that the batch conforms with the labeled content, must not be additionally processed or additionally analyzed.

#### *Chapter 7. Enforcement*

##### Right of Access (Pages 112-113)

- The Bureau must have immediate access to inspect all licensed premises.
- If the premises is not accessible because access is only available by going through another licensed premises and the licensee occupying the other premises denies the Bureau access, the licensees shall both be held responsible and subject to discipline.