

**BUREAU OF MEDICAL CANNABIS REGULATION**

**PRE-REGULATORY MEETING**

**DISTRIBUTOR REQUIREMENTS—MEETING SUMMARY**

**SAN DIEGO**

**October 5, 2016**

**Topic 1: Ensuring Quality of Product**

**BMCR Thoughts: Require all distributors to abide by the following storage conditions for all medical cannabis and medical cannabis products:**

- 1. Dried Flower: Humidity 60-65%, dark area out of direct sunlight;**
- 2. Concentrates and infused products: Refrigerated less than or equal to 4 degrees Celsius, dark area out of direct sunlight, well-ventilated area;**
- 3. Edibles: Refrigerated at 4 degrees Celsius; and**
- 4. All products: sealed bags, dark containers, locked up**

**COMMENTS:**

- “Sealed bag” definition needed. Ziplock bag is okay.
- Should have tamper-proof storage devices.
- 4 degrees is too low.
- Edibles should follow food codes. Unstable at 4 degrees Celsius for vape. Increased temperature for vapor cartridges may cause leakage.
- Should have humidity maximum for flower.
- Storage conditions should be taken care of through contract, not regulation. [Multiple commenters]
- Should be in regulation but not too restrictive.
- Use food-industry packaging requirements. Nitrogen-sealed bags are good.
- “Refrigeration required” or shelf stable.
- Regulations should be based on whether the product is shelf stable.

**QUESTIONS:**

- Cultivator-to-cultivator sales allowed?
- Cultivator/Manufacturer to lab allowed? Or can only do onsite testing?
- What if locals don’t have a distributor license?
- How do you comply with the distributor and testing requirements if your local jurisdiction doesn’t have distributor license? Ship it all over the state?
- What is the difference between title and possession?
- Can you have a lab on the same property as a distributor?
- Who decides which lab? Who contracts with the lab? If you allow the cultivator or manufacturer to choose lab, it’s too cozy. But process should work, so it doesn’t matter.
- Can you have an off-site office away from where storage is?

**MAIN THEMES:**

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- Need lots of clarity, and storage conditions are important.

## Topic 2: Repurposing of Medical Cannabis

**BMCR Thoughts: Allow processing of medical cannabis flower if contamination levels are below limits set by BMCR. Limits will be set using scientific studies and will ensure safety of any medical cannabis product for human use. Any product found with contamination levels higher than those limits set by BMCR will require destruction.**

### COMMENTS:

- Allow for a second test after a failed test (before repurposing). Maybe choose a different lab.
- Allow repurposing.

### QUESTIONS:

- Can manufacturer repurpose manufactured goods?
- Will there be different levels for different types of products?

### MAIN THEMES:

- Allow for retesting, repurposing and remediation.

## Topic 3: Labeling

**BMCR Thoughts: Allow for labeling to occur as follows:**

1. **At cultivator's or manufacturer's premises prior to medical cannabis and medical cannabis products being sent to distributor;**
2. **By distributor at the distributor's premises; or**
3. **By a third party at the distributor's premises.**

### COMMENTS:

- Universal labeling requirements are very expensive.
- Allow for a QR code.
- Expiration, manufactured, origin, etc., should be on label. More info the better, but not too cluttered and crazy.
- Some kind of label should go on it before it gets to distributor to avoid confusion with other products.
- Manifest spreadsheet should go on every batch (physical copy and electronic).

### QUESTIONS:

- How will flower be labeled? Can you label it at retail?
- Will there be a barcode?
- Will there be mandated packages for flower at dispensaries?
- Can dispensary break down product?

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#### Topic 4: Sample Collection for Testing Purposes

**BMCR Thoughts:** All sample collection for testing purposes shall be done by an agent of a licensed testing laboratory, under the surveillance of a distributor; sample collection shall be performed under video surveillance. All sample collection shall occur under one of the following conditions:

1. A testing lab agent comes to the distributor's licensed premises to select a random sample for laboratory testing; or
2. The distributor transports all medical cannabis and medical cannabis products from one testing batch to the laboratory and a testing lab agent selects a random sample.

#### **COMMENTS:**

- "Obtain" is not clear in the statute (regarding lab agent taking sample).
- Allow distributor to "obtain" sample.
- Allow people to take product to lab for unofficial tests.
- Have distributor give choices of labs to cultivators or manufacturers.
- Have state-mandated random choice of labs. (BMCR makes the choices random)
- Everyone wants to choose their own labs.

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