

New Jersey Cannabis Regulatory Commission
Public In-Writing Comments
Public Meeting: November 9th, 2021

Sender	Date	Comment/Question
John Marchetti	10/14/2021	What's is going to be the process for current CBD dispensary owners that are operating and want to get the conditional licenses? Is it going to be expediated if we are operational already with "brick and mortar" or will it be a long drawn out process? As of right now we have a 2 CBD dispensaries , operational and profitable, just like the medical dispensaries selling very similar products (minus THC), so will have priority conditional licensing opportunities? Thank you.
Marisa Edmund	10/15/2021	When will Medical Dispensary Licenses from 2019 be awarded? I hear congratulations for the Cultivators and Verticals but there is a large population of us still waiting to hear. We have buildings still under lease since 2019. Please advise ASAP.
Mary Smith	10/21/2021	If I am a New Jersey resident with tax returns proving my residency, but have a drivers license in another state, will I need to update my driver's license to New Jersey to prove residency beyond what my tax returns show?
Anthony Smith	10/22/2021	Hello everyone appreciate everything everyone is doing. My first question is on a cultivation license is the canopy sq ft of flowering plants?2nd question is can we grow vertically under that canopy sqft
David Barsky	10/27/2021	<p>Dear Staff,</p> <p>I'm a disabled person and on disability, and interested in being able to get a license to sell Marijuana eventually online.</p> <p>I've developed candy that is safe to use. It's a lower potency candy. I've done the same with cookies.</p> <p>How much would license costs, and yes, I can show from a yearly statement from the SSA how much I receive per month in disability income.</p> <p>Is there a time limit as well?</p> <p>Sincerely, David Barsky</p>
Jerry Segovia	11/1/2021	<p>Hello,</p> <p>I'd like to meet with one of the commissioners.</p> <p>I am potential Minority applicant.</p> <p>I have 2 minor Cannabis misdemeanors.</p> <p>I'm Hispanic, make less than 200k last year.</p> <p>I live in Paterson,NJ.</p> <p>I have professional cannabis experience.</p> <p>I have quality control experience.</p> <p>Please consider me. Thank you</p> <p>God bless you</p> <p>Jerry Segovia</p>
Steven Hoenstine	11/1/2021	1. N.J.A.C. 17:30-5.1(e) provides that “a municipality may provide input to the Commission as to the municipality’s preferences for licensure pursuant to N.J.A.C. 17:30-6.3.” The cross-referenced regulation provides: “A municipality may submit its preference(s) for the issuance of licenses to cannabis businesses

by writing to the Commission pursuant to the notice required at N.J.A.C. 17:30-6.1(c)” and “Such notice shall be received by the Commission within 28 days of receipt of an application and shall not conflict with any letter of support issued to a license applicant pursuant to N.J.A.C. 17:30-7.10(b)9.” The “notice” mentioned at N.J.A.C. 17:30-6.1(c) relates to a notice published by the Commission notifying the public of the Commission’s initial acceptance of license applications. No other kind of notice is mentioned. Therefore, it appears as if N.J.A.C. 17:30-6.3 is intended to relate to notices provided by municipalities to the Commission, whereas N.J.A.C. 17:30-6.1(c) relates to a notice provided by the Commission to the public about the opening of an RFA period. Can the Commission clarify what is meant by N.J.A.C. 17:30-6.3?

2. Assuming N.J.A.C. 17:30-6.3 is supposed to be about municipal preferences and not about the Commission’s RFA process, the regulation prohibits the municipal preference notices sent by a municipality to the Commission from conflicting with the “letter of support” issued to applicants by municipalities pursuant to N.J.A.C 17:30-7.10 (and, presumably, the “proof of local support” provided for by N.J.S.A. 24:6I-36(d.)(1)(iv), since the statute uses language to describe the document in question that is identical to the language in the regulation). If the two documents may not conflict, what is the difference? Additionally, may a municipality pass a resolution pursuant to N.J.S.A. 24:6I-36(d.)(1)(iv) but then fail to provide a companion notice to the Commission pursuant to N.J.A.C. 17:30-6.3(a) without violating the “no-conflict” rule at N.J.A.C. 17:30-6.3(a)(1)?

3. In lieu of answering the previous two questions, can the Commission provide a complete list of the individual municipal approvals of license applicants that are required or recommended by the statute and regulations? For each approval listed, can the commission explain 1) whether the approval is required or merely recommended; and 2) whether the approval should be included in a license application, sent by the municipality to the Commission, or both?

John Rollings

11/1/2021

When does the CRC plan to make its official recommendation concerning homegrow? The commission has very close relationships with state legislators and it is not unreasonable to expect them to use their influence to manifest the will of the people, which is advocating for true social equity in the form of a homegrow recommendation. We do not have equity until we have rights equal to that of every single other legal state.

Johnny Lopez	11/2/2021	<p>I'm a medical patient since it was medically passed since 2005. I worked for 21 years before having an accident at work, causing me not to be able to function as I would to take care of my family. I had 4 spinal surgeries (fusions) and in the process of surgery my intestines were cut. I almost lost my life had the Priest read my last rights. I was told I was not able to work, I changed from jobs but was not able to hold a job because of physical pain and nerve issues besides all the narcotics I was on. Cannabis helped me get off all the heavy narcotics with the help of my family. I'm a bit shocked that after all these years cannabis is only legal to buy from dispensaries when the state is only mentioning and helping recreational and those trying to make a business in the community. Us medical patients are forgotten. I continued my education by taking cannabis cultivation and wish to grow my own medicine for myself legally in the state of NJ, even if I have to pay a license for myself every year. I am supporting a family paying my daughter's college, and son and keeping up with my taxes and property taxes. By the end I never have enough to get my medicine at a dispensary. I don't get any state help. So I have to go back to using narcotics on and off. My family has witnessed what the narcotics do to me and when I'm using cannabis I'm a total different person all positive. In the community many know my struggles since my wife and I were active in the community for a very long time with our 5 children. I still do community volunteer when I totally can. I reach out to you CRC to ask to please don't forget the medical patients, I have had issues with products at dispensaries. I also have the need to explain why I would want to grow, well it's very simple. I rather intake organic medicinal cannabis. I truly don't know how these dispensaries are cultivating cannabis so quickly and most of the time the flowers are not cured properly and I have had incidents that I had to trash my cannabis because of fungi and they would not take it back or return my call. Besides there are times where the strain that I need I cannot find or the dispensary will not have. Please any questions I can answer reach out any time. Please don't forget that it all started for medical patients and somehow we are forgotten. Not to mention the thousands of dollars out of pocket I have paid since 2005 for me to be normal and functional to my family. I been holding out moving out to a state that permits medical cultivation for myself. Because I have built 24 years of my family here in NJ and contributed to the community and don't want to leave all the hard work and sacrifices I have made. I don't want to change my family and my children's way of living, just for cannabis. I'm under 2 well known physicians that have been taking care of my health and at first they were not ok with me using cannabis. Now after 22 years they are on board and support my use of cannabis and use me as a real example of medical use of cannabis to others on narcotics and other medical issues. Thanks I hope the CRC can understand my issues and help the medical patients.</p>
James	11/3/2021	<p>Why aren't standalone 2019 RFA dispensary applications being approved before 2021 Recreational applications? 2019 Cultivation and vertically integrated applications were approved last meeting.</p>
Daniel Scott	11/3/2021	<p>Good evening,</p> <p>Regarding the upcoming application process for a conditional recreational cannabis dispensary license, we have the following questions:</p> <ol style="list-style-type: none"> 1) How many applications can be submitted for a single dispensary location? 2) Will applications be selected via lottery or highest score? 3) If there is more than one high score, does that trigger a lottery?

		<p>4) If applications are selected via lottery, what is the criteria (range of scores that qualify for the lottery)?</p> <p>Thank you so much, DM Scott</p>
Daniel Chediak	11/3/2021	<p>Hello Cannabis Regulatory Commission,</p> <p>Thank you for taking the time to listen to the public in regards to these issues that matter to advocates the most. My main reason for submitting comments is in regards to the legality of edibles within our state.</p> <p>Not allowing edibles keeps New Jersey behind other legal states in their cannabis reform laws, doesn't follow any reasonable science or research, and keeps potential taxable revenue streams in the legacy market while removing any ability to regulate the safety of those products.</p> <p>Best,</p> <p>Daniel Chediak Cannabis Advocate</p>
Duncan Delano	11/4/2021	<p>Applicants for full annual licenses must demonstrate, among other things, that the applicant "will have final control of the premises upon approval of the application." For a leased premises, what evidence is required to meet this standard, other than a fully executed lease? Would a non-binding letter of intent suffice? Would a binding letter of intent/option to lease suffice?</p>
Cheareen Jones	11/5/2021	<ol style="list-style-type: none"> 1. How accessible is it to obtain the marijuana? Is a certificate needed to obtain the cannabis? 2. Where is recreational cannabis obtained? Where can recreational cannabis be smoked (indoors/outdoors)? 3. What about 2nd hand smoke? Will 2nd hand smoke afflict neighbors health or addiction? 4. Can the Police discipline rude cannabis users who blow smoke in people's faces? Can police discipline Sexual Harassment issues with men using cannabis against women? (weed smoke jokes against women) 5. When is it not an offense to smoke recreationally? 6. Why make cannabis recreational and not medical use only?
Marline Dorcinvil	11/5/2021	<p>As the the cannabis industry grows so does the waste being sent to the landfills, especially when it comes to cartridges and batteries. As many states are trying to figure out how to alleviate this burden after already legalizing cannabis, what can we do now to start that process. How do we plan to apply more sustainable practices when it comes to waste and recycling. Including the ability to add dropoff collections for reusing cartridges and creating the ability to compost non usable cannabis biproduct.</p>
ReNee Leonard	11/5/2021	<p>It would be requested the commission consider children, siblings, guardians, and parents of those who were subjected to marijuana arrest and charges for social equity status. As someone who has gone through several efforts to expunge my record, that clearly affected myself and my household. Having such expunged it's</p>

		not a qualifying event. However, others in my family who have been subjected to such arrest and charges over the years are now deceased or too old to pursue business ownership. Yet, the legacy of their consequence of cannabis prohibition has been realized throughout their family members' lives. It would be honorable of the commission to extend such social equity status to these individuals. Perhaps even considering the priority in the event the entity also meets a diversely owned or additional criteria. However, I believe it is important to extend this criterion. Thank you all for your time, efforts, and consideration.
Stephanie Thomas	11/5/2021	I noticed the agenda does not include "award of 2019 dispensary licenses". When can we expect these licenses to be awarded? It's been 26 months and counting. Applicants are losing control of the properties each and every day.
John Doe	11/7/2021	Will companies that are "gifting" the products be barred from getting licensing when they are released?
Cheryl McDaniel	11/7/2021	Question #1. When do you anticipate announcing winners for dispensary applications from August 2019? Question #2. When do you anticipate opening the application process for additional cannabis businesses in NJ? (Cultivation, processing, dispensaries)
Justin Escher Alpert	11/8/2021	November 8, 2021 Dear Honorable Commissioners: It is time to release the micro-licenses to any free citizen who commits to i) banking locally, ii) paying real living wages, and iii) taking home earnings less that that of a NJCRC Commissioner. Simple systemic controls. Build a healthy local culture before you give it all away to out-of-state corporate interests. This is the way forward. Respectfully submitted, Justin Escher Alpert Livingston, New Jersey #LibertyAndProsperity P.S. Welcome a Safe Harbor for Personal Cultivation. P.P.S. Go into the Impact Zones and get an accounting of who owns the real property. Restructure taxes and locally-accountable fiduciary banking. Plan for healthy growth of vibrant local commerce and culture that banks locally and supports real living household incomes. An entourage effect across all kinds of commerce. Plant the seed for a richer Prosperity here in The Garden State.
Kyaire Wynn	11/8/2021	Which state flower/package/product tracking software will the CRC be using? Metrc or BioTrackTHC?
Austin Stevenson	11/8/2021	Are there any rules/regulations coming down the pipeline for e-commerce businesses planning to operate in the cannabis space?
Andrew J Scabarozi	11/8/2021	Good afternoon. My name is Andrew Scabarozi and I am a lifelong resident of New Jersey. I have used cannabis or both recreation and medical purposes for the last 20 years. I believe there's more imperative issues the state of New Jersey and

the CRC can be working on for the citizens of New Jersey than choosing logos and symbols. The residents of New Jersey have been led to believe our government and this new commission have our interests, and the interests of equality, in mind. I believe wholeheartedly that there's no greater threat to the equity of the New Jersey cannabis market then the glaring omission of homegrow. When the governor signed this bill into law in the beginning of the year, we should have had a robust and comprehensive discussion about the benefits of enacting home grow. Here we are 1 year after NJ citizens overwhelmingly voted to legalize cannabis yet we are no closer to being able to purchase it legally.

There's a saying, "the best time to do something was yesterday. The second best time is right now." The citizens are buying cannabis through black market channels as we speak further investing in criminal enterprises. We need the option to grow our own cannabis and we need it now. Not only would this remove funding from illegal markets but also spur its own separate genetic and cultivation innovations. We could create jobs by opening growing schools, hydroponics stores and genetic facilities(seeds and clones) and offer the citizens of this State the chance to be treated like equal adults. Adults with the capability of making their own choices, growing their own cannabis and bypassing the snail-like pace of government. It's way past time to allow homegrow in this State.

We should have the option to grow our own cannabis or purchase it from distributors the same way we do wine, beer, peppers and tomatoes. Let's give the power back to the citizens of this State and not let the cannabis industry be gift wrapped and given to multi state operators and corporate overlords.

Oscar Cabeza

11/8/2021

Hello to all. I just wanted to add my input for a couple of the items up for public comment.

a. Universal Cannabis symbol- With the rise of use of a variety of cannabinoids other than THC, there should be a clear concise distinction between them. Consumers should be able to distinguish between products that are psychoactive and others that are benign. Colorado, Nevada as well as Canada all use symbols with the letters "THC" in them for this reason. We should as well.

The current black/grey market has incorporated California's symbol on some of their packaging subbing CA with NJ. We should avoid confusing consumers and incorporate a different symbol to induce consumer confidence.

b. Edible Cannabis and Medicinal Cannabis items- I think the CRC should start out with non-perishable items at first. Mandating food safety training as well as systems such as HACCP would benefit the industry. Thanks to the FSMA, there are numerous third party training agencies that make training attainable at scale, as well at the microbusiness size. We should encourage best practices at both the micro and the macro level. Food safety shouldn't be seen as a barrier of entry. Quite the contrary, one bad incident can reduce consumer confidence and have a ripple effect on the economies of one or both macro & microbusinesses.

Tanner Travers

11/8/2021

Can a business apply for a Micro-License and a Class 1 license? If so, is there any form of penalty or would it hurt the applicant for applying for both?

Joseph Dai

11/8/2021

Micro Businesses must overcome the hurdle of obtaining municipality approval, then finding a suitable location of 2500 SQ FT, and then finding a landlord willing to have a cannabis business in their facility. With geographical lockouts already in place, this makes the pool of available space very limited. Can a Micro

		Business have a building that exceeds 2500 SQ FT - but not utilize more than 2500 SQ FT and grow into it with future license upgrades?
Paula Weinberg	11/8/2021	You said there will be no Applications with a name that is going to be DBA does that mean name on application has to be name on dispensary business?
Nicholas Krakowski	11/8/2021	Will medical dispensaries open for recreational purchasing before stand-alone recreational dispensaries open? A recent article stated that the supply is there to provide for medical patients and recreational purchases too.
James Rice	11/8/2021	<p>Re: Adopting additional rules governing Class 3 Cannabis Wholesalers, Class 4 Cannabis Distributors,</p> <p>The unique issues that the Commission should consider when developing rules for Wholesale Distributors are Supply Chain Efficiency, Licensing Multiple Locations and 280E Issues related to these types of businesses. As a 20+year veteran of the Alcoholic Beverage Industry and having been General Manager of a 4M case Beer Wholesaler, I have some unique insights into both industries as I currently operate a Secure Transport entity in the Ohio Medical Marijuana Control Program.</p> <p>First, why is Class 3 & Class 4 not a single permit? The purpose and primary benefit of being a Wholesaler is to facilitate Distribution. So having separate permits for each seems redundant. To that end, creating an efficient Supply Chain is the most critical process to creating a profitable business. In New Jersey, that will require initially three and eventually five or more Warehouse locations. Why? Efficiency and Quality of Life for Employees. Trucking & Warehousing are the Primary Roles of Wholesalers. So, having centrally located Distribution Facilities and creating an efficient delivery system is critical. Wholesale Distributors are typically Union Shops organized under Teamsters Union locals. Wages are high as is Job Security.</p> <p>However, the current rules only allow One Permit per Entity. The expansion to allow multiple locations to facilitate an efficient Distribution network under a single permit will be paramount to the success of Licensed Wholesalers. Additionally, requiring exclusive contracts between Manufacturers & Wholesalers is also an important consideration to eliminate confusion in the market and encourage Brand investment locally.</p> <p>How can the CRC's rules for these businesses help advance equity goals? Wholesale Distributors in the Alcoholic Beverage space are typically large employers and Family Owned Business which have created Generational Wealth for many family owned and operated businesses. Facilitating this in New Jersey is a great opportunity for Equity Candidates.</p> <p>Wholesale Distribution is a unique animal in Cannabis. The Primary function of Wholesalers in Beverage Alcohol is to facilitate Interstate Commerce and as it will likely remain illegal until some form of Federal Regulation is passed, Wholesale Distributors in New Jersey will have a difficult time acquiring customers without it. Preventing diversion of legal items from the regulated market to the illicit market is also a major function of Wholesale Distributors who are required have every item for sale approved by the Regulatory Agency. Continuing this practice will be an important step towards eliminating illicit Cannabis.</p>

Ensuring the safe transport/transfers of cannabis products can be aided significantly by technology. Implementing Onboard Cameras, Electronic Safe's, Remote Kill Systems and Secure Cargo Compartments go along way towards keeping transit secure.

Addendum to Previous Comments:

280E Considerations - As I'm sure you are all well aware, Cannabis Businesses have significant Federal Tax issues due to Section 280E of the US Internal Revenue Code. This section removes many of the Standard Business Deductions allowed to other businesses. While Manufacturers and Retailers are able to write down some legitimate business expenses to offset their tax burden, Wholesale Distributors aren't afforded the same benefits. The costs of Buying, Selling, and Transporting Cannabis are strictly prohibited from being written off. This issue creates a more significant barrier to profitability than any other Business type in the Cannabis Industry. Creating a favorable Business Environment for Wholesale Distributors is Critical and can be achieved through developing Common Sense Rules for Class 3 and Class 4 Permit Holders and Applicants.

Case Study - Secure Transport - Michigan

In the past two years, my company has considered entering the Michigan Regulatory Authority (MRA) Adult Use Program through either a New Business Application or the acquisition of an existing Secure Transport permit. We were shocked to discover that many of the existing permit holders were willing to sell their operation at or below what they had initially invested. Upon further investigation, many if not all Secure Transporters in Michigan are not profitable and operate at a loss. The two biggest factors were competition and inefficiency.

In Michigan, all Cannabis for transfer in excess of 1lb. is required to be moved by a Licensed Secure Transporter. The largest competitor in that space is a subsidiary of the largest Tobacco Wholesaler in Michigan and has decided to undercut competitors and operate below cost to the detriment of their competitors. Consequently, the number of active Secure Transporters have decreased while the number of manufacturers has grown significantly and the number of Provisioning Centers has nearly tripled.

Additionally, the prohibition of taking title of Product has created a very inefficient Supply Chain. Without the ability to Warehouse, Transport Businesses can't create the types of Efficiencies necessary to provide a Unique Business Proposition to Customers. The Unique Business Proposition Michigan Secure Transporters need is the ability to strategically place Warehouses closest to concentrated retail locations, the ability to purchase, store and resell products by exclusive contract, and sell multiple products to Retailers in a single delivery. This is the capability Class 3 and Class 4 Permit Holders need to be successful in New Jersey.

Case Study - Wholesale Distributor - California

On the other hand, California has created a Three-Tier system in its Program that has had moderate success. It has been successful in that it has created the necessary efficient Supply Chain. In California, Wholesale Distributors are responsible for Product Testing, Logistics, Sales and Advertising in the Trade. For a multitude of reasons, the Three-Tier Model has been unable to curtail the illicit trade. However, the development of the Wholesale Distribution infrastructure has led to a "Sunset" clause of Vertical Integration in California. As you may recall, Competition between and Lack of Oversight of Vertically

		<p>Integrated Alcohol Producers led to Consumer Overconsumption which led to The Volstead Act and passage of The 18th Amendment of The US Constitution.</p> <p>Federal Legalization Consideration and Draft Rules Consistent with Interstate Commerce - Another important consideration for the Commissioners is the impact of Federal Legalization and in particular the Proposed Trade Practice Laws proposed in The Cannabis Administration and Opportunity Act of 2021. Specifically, this act forbids Commercial Bribery, Tied Houses, Consignment Sales, and Exclusive Outlet. The Commission should consider adopting these Trade Practice prohibitions from Day 1 to curtail unsavory activities in New Jersey.</p>
Mark	11/9/2021	<p>Why are some ATCs charging a City Tax on patients meds? I have no issue with a city tax for Rec but to have towns profit from sick people is sad. Many patients can't afford weekly meds and an additional tax is a burden.</p> <p>Please eliminate the city tax for patients.</p> <p>Thank you Mark Dingelstedt</p>
Richard Morea	11/9/2021	<p>When will medical dispensaries be able to create different forms of concentrates such as solvent extractions and solvent-less extractions? When will medical patients have access to different forms of concentrates?</p>
Collins Bulluck	11/9/2021	<p>I see the Cannabis industry in California and Illinois have set up grants by the state to help with diversity and minority business having a fairer chance at acquiring licenses and opening, Will New Jersey implement the same kinds of grants and programs?</p>
Audrey B. RN	11/9/2021	<p>Please take into consideration the following responses, Thank you.</p> <p>1. The universal symbol should be the Cannabis leaf. This already seems to identifiable to most of public. It is clear and simple. Avoid catchy colors, eg Neon, cartoonish designs that might be attract children. Packaging to prevent children from opening - such as heat sealed, child proof caps would also be advised. Similar to pharmacy child proof caps.</p> <p>2. I believe edibles should be available. This is an alternative to those who wish to or cannot inhale flower or vape, due to various reasons. Having readily available edible form, alleviates the stress and strain on the consumer who are incapable to prepare in their home eg, lack of knowledge, equipment, space , etc.</p> <p>Labeling is important for consumer education, so they know to be aware of the time taken, when to expect the effect, duration and safe time to re-dose.</p> <p>Lastly, The medicinal cannabis industry would be something to model - what child safety measures do they have in place that could be adopted under recreational. Additionally, does the CRC have any information in regards to any accidental child exposures that have occurred with medicinal cannabis products?</p> <p>Thank you</p>
Ken VandeVrede	11/9/2021	See attached
Michael McQueeney	11/9/2021	See attached

Greg schultz	11/9/2021	I'm writing as a cannabis certified pharmacist who has a home in nj to implore you to support legalizing cannabis edibles for nj. As a pharmacist I can tell you I would much rather have a patient take an edible than inhale smoke which will damage their lungs. Also dosing is much more reliable in edibles than from smoking. Please consider legalizing edibles for the safety of nj residents.
Nicola Batten	11/9/2021	<p>Regarding the priority in which annual cannabis business license applications are given, is one more prioritized than the other? Also, having more than one priority, such as being a social equity and a diversely owned business, give the applicant higher priority?</p> <p>For example, would a social equity business be prioritized over an impact zone business?</p> <p>Are microbusinesses prioritized over all over applications?</p> <p>Would a conditional license applicant be prioritized over a standard cannabis business license applicant that is a social equity business?</p> <p>Thank you for your consideration.</p>
Aaron	11/9/2021	If a applicant has a felony more than 20 years old Other than cannabis will that get the applicant disqualified ??And can an Co owner be on the application with a felony 20 years old other than cannabis?? Thank you
Anne W	11/9/2021	Please allow edible cannabis sale as an alternative to smoking. It is safe and effective and should be allowed
Jonathan Gordon	11/9/2021	It seems that with the decision about vertical integration that you prefer business models similar to Eaze. Would it be possible to provide more detail on why this route was chosen instead of storefront vs non-storefront retail licenses?
Joel Torres	11/9/2021	<p>The comments below are related to "Section B: Edible cannabis and medicinal cannabis items."</p> <p>The current regulations related to edibles approved by the NJCRC should stay in place with an opportunity to evaluate its effects in reducing the availability of both legal and illicit products while also reducing the effects on individual and community health. It is a logical public health approach that will, among other things, reduce the opportunities for youth, specifically young children, to mistakenly consume an edible because it is a baked good (i.e., brownie or cookie). Research studies by Grewal and Loh (2020) and Barrus et al. (2017) discuss the challenges as it pertains to expanding the types of edible cannabis products available for legalized recreational use. Barrus et al. (2017) specifically highlights effective regulatory measures from other states and the challenges of reversing course once regulations are modified to expand the types of edible products available. Therefore, I would highly recommend that the current regulations stay in place and that the CRC and public health entities throughout the state have time to evaluate its effectiveness at reducing unintended harm and illicit use. Thank you for your consideration.</p>
Moises Luque	11/9/2021	For the class 4 distributor license is it required to own or lease a building? If the Cannabis is only allowed to be transported within the state Cannabis can be delivered within hours. If anything should occur with the vehicle the Lic holder should have a security/emergency plan in place to address the emergency such as backup vehicles. Requiring a building puts a burden on a small business owner and makes it unattainable to those who you are trying to help with the new rules. Thank you

Robbin Gulino	11/9/2021	<p>Some things I would like to ask/ensure are:</p> <ol style="list-style-type: none"> 1. Explain how money from the excise tax will be used for misuse prevention education and materials? How will that be distributed by municipality/age group? (i.e. senior citizens may be very unprepared for the results) 2. How will the state regulate "recipes" to avoid over consumption? 3. Also, why is NJ so complicated? <p>Would the Commission advise how a business owner will compete with street sales and make a profit?</p> <p>Check out how every state taxes their sales... most have a straight % but NJ GOES FROM about 3% TO 60%!</p> <p>On a \$200 sale...2% to the town at every level (see this article about tax pyramiding https://taxfoundation.org/new-jersey-recreational-marijuana-legalization-gross-receipts-taxes/)</p> <p>60% to the state, approx 25% for rent and 15% for payroll... without paying for any other overhead expenses (insurance, supplies, etc) plus the actual product cost which averages 50%</p> <p>(See the wholesale rates: here https://mjbizdaily.com/marijuana-wholesale-prices-on-the-rise-in-mature-recreational-markets/) you can already see that over 100% goes out in expenses unless every sale is over \$350 where the state's take is about 3% instead of 60%</p> <p>https://taxfoundation.org/state-recreational-marijuana-taxes-2021/</p> <p>Taxes not including 6.25% sales tax...</p> <p>Up to \$10 per ounce, if the average retail price of an ounce of usable cannabis was \$350 or more; up to \$30 per ounce, if the average retail price of an ounce of usable cannabis was less than \$350 but at least \$250; up to \$40 per ounce, if the average retail price of an ounce of usable cannabis was less than \$250 but at least \$200; up to \$60 per ounce, if the average retail price of an ounce of usable cannabis was less than \$200</p> <p>Please address the effect of tax pyramiding on the final retail cost.</p> <p>Robbin Gulino</p>
Malissa Arnold	11/9/2021	<p>please note that the Lifesavers and skittles examples (Dr. from Waterloo, and Poison control) are made by Mars, which issued a cease and desist ruling that packaging cannot mimic their packaging, name, shape or other likenesses. Many other corporations are following suit.</p>

		<p>NJ should not only require a certification for all "bud tenders", it should establish state wide set of standards of education so all are on the same page, and information is universal. In addition, they should be required to complete a responsible server training, as should alcohol establishments.</p>
<p>Nathalia pratt</p>	<p>11/9/2021</p>	<p>What type of cannabis signs are we allowed to have on our dispensary store such as the the green cross sign.. Universal for cannabis green cross</p>
<p>Donna Ross</p>	<p>11/9/2021</p>	<p>Question regarding social equity:</p> <p>Good evening Commissioners:</p> <p>My name is Donna Ross, a 2018 and 2019 minority applicant for an ATC. The Applicant evaluation for minority -owned, women-owned or veteran owned business certification.</p> <p>The measure: Minority-owned, women -owned or veteran owned business certification reads as follows:</p> <p>Applicants shall provide a copy of certification(s) issued by the Dept of the Treasury, Division of Revenue which certifies MBE/WMBE certification or evidence that the applicant would otherwise meet the MBE/WMBE certification. .. Applicants with “A “, certification will receive the full 30 points. Applicants that provide evidence of meeting the criteria in the future shall receive partial credit based on strength of evidence. This selection committee shall take into account related entities for this measure.</p> <p>We provided photos our Owner/Operator team demonstrating we’re AA black and we produced two MBE/WMBE certifications from Dept of Treasury Division of Revenue.</p> <p>Our Owner/Operator team is comprised of 83% African American - minority ownership, 3 black men, two black women, myself included, and a white man. We produced two MBE/WMBE certificates of business ownership for which we received a score of 20/30. The reviewers did not give points for demonstrating that we are actually minorities - black owners/operators diversified by age and gender.</p> <p>The rubric training slide instructed reviewers should take into account related entities for this measure... The certification only had to be issued by the Dept of Treasury Division of Revenue. Because we provided 2 valid NJ Div Revenue MBE/WMBE certificates and are actually AA Owner/Operators, the full 30 points should have been awarded to us as applicants providing "a" certification, nevermind two certifications. Moreover, our proofs reinforce our status as social equity & diverse owner/operators.</p> <p>While that was 2019, moving forward, the Commission’s rules don’t allow me and my team members to qualify as applicants for social equity licensure because 1) we don’t have criminal records; 2) we don’t live in an impoverished area in NJ, however, we did present proof that 70% of our members and board of advisors are from NJ; and 3) our income is above the income threshold established by the Commission.</p> <p>Despite being a highly qualified African American team, descendants of slaves in this country, victims of the wealth gap, first generation college my team mates</p>

		<p>and I, we don't meet the definition of social equity –diverse applicants. Limiting social equity applicant's opportunities to participate in the industry frustrates the purpose and public policy of the law.</p> <p>My question is will the Commission address this issue and rewrite the policy to consider fulfilling the spirit of the law as intended?</p> <p>Thank you.</p> <p>Respectfully submitted by,</p> <p>Donna S. Ross</p>
Prince Abidoye	11/9/2021	<p>With social equity conditional licensing being prioritized, how much time will the business owners be given to complete remaining task? Once task are complete, will the application still be prioritized?</p>
Precious Osagie-Erese	11/9/2021	<p>Precious Osagie-Erese CRC Meeting 11/9</p> <p>Good Evening Chairwoman Houenou, Executive Director Jeff Brown and our esteemed commissioners.</p> <p>My name is Precious Osagie-Erese and I am the co-founder and COO of Roll Up Life, Inc. We are a tech and logistics-based CBD delivery company operating in Essex County. We've been building our delivery platform for the last 2 years, hosting an e-commerce website with our CBD vendor partners and fulfilling CBD delivery orders for consumers over 21. From this experience and vigorously studying the cannabis delivery space in multiple markets including Massachusetts, California, Colorado and Oklahoma. I am excited to address the commission tonight on how we can make the New Jersey Cannabis Delivery sector one that is strong and most importantly equitable.</p> <p>I ask that you consider the following when developing rules for this important sector:</p> <p>A three-year license exclusivity period for delivery license applicants that meet the social equity status as designated by the CRC. The exclusivity period will provide diverse businesses with an opportunity to get a foothold in the New Jersey delivery industry before larger and more capitalized businesses could enter the market. The exclusivity period will also encourage cannabis retailers to partner with social equity companies being that delivery courier services work contingently on collaborations with dispensaries. This exclusivity period is also crucial in preventing monopolization of the new delivery sector or an amazon like approach. We have seen an exclusivity periods successfully work in Massachusetts and Colorado, allowing social equity companies a guaranteed opportunity to succeed.</p> <p>We'd like to see the minimum amount of cannabis allowed in a delivery vehicle at any one time be set at minimum of \$10,000--and each cannabis product should be associated with a specific individual order.</p> <p>We'd like you to consider allowing only one employee per vehicle to carry out a delivery. We've noticed the two-person rule in Massachusetts has done more</p>

harm than good for social equity companies. The extra payroll and other fees that are accumulated from two people in one vehicle hurts the bottom line. Two drivers in one vehicle can also be used as a signal for negative actors to identify cannabis delivery vehicles. With one driver, equipped with a body camera, vehicle camera front and back, a product camera, and GPS tracking—deliveries can be completed successfully and safely.

Lastly, we'd like for the commission to deeply analyze the new Delivery Operator license recently created in Massachusetts that would allow for delivery companies to buy cannabis products wholesale, warehouse them, then sell them directly to consumers. Due to the contingency of having to partner with retailers in order to be successful, many delivery operators have trouble being financially profitable. To combat this, the Massachusetts cannabis control commission instituted the new license. The delivery operator model, they argued, would allow small businesses a chance to have a seat at the table. Speaking from experience, Social Equity businesses face difficult barriers obtaining enough funding to get their companies started to not be financially profitable. Delivery operators having direct access to the supply chain rather than just courier is not unheard of and I'd argue even necessary for a state like new jersey where our demand is currently obliterating our supply.

I'm happy to submit these comments. Like the CRC, security and equity are at the forefront of what we do at Roll Up Life, Inc. We hope these considerations can assist as you build out regulations. Thank you

Dr. Monique Hamilton

11/9/2021

Hello, I am Dr. Monique Hamilton and I am Board Certified in Internal Medicine. I am the Co-founder and Lead Physician for the Dr. MoniHami Medical Center (DMMC) in South Orange, NJ.

Patients may have different medical conditions that determine which method of cannabis consumption is best for them to achieve the desired treatment effects. This includes allowing Medical Patients access to edible forms of cannabis including baked goods, gummies, hard candies, mints, drinks, capsules, and dissolvable tablets. The labels of edible cannabis products should clearly indicate the concentration of THC and CBD, and instructions for use. Cannabis products must be properly labelled, stored in child-resistant containers that are re-sealed after use, and stored out of the sight and reach of children and pets. Correct and standardized labelling will ensure that patients and consumers are provided products of the same standards and helps patients and consumers decide which product may help suite their needs.

I believe it is important that the packaging and labeling of cannabis & cannabis products should be standardized and include:

1. The strain of cannabis by percentage. For example, a predominantly Sativa product would be Sativa 65%.
2. The concentration of THC and CBD in the product.
3. Weight of the Product.

4. A CONTAMINANT TESTING STATEMENT

This is a generic statement of compliance with mandatory contaminant testing on all cannabis product labels.

5. WARNING STATEMENTS

A standard warning statement on cannabis products based on the type of product.

6. Ingestible infused products should include

- o An INGREDIENTS LIST
- o ALLERGEN LABELING

o NUTRITION FACTS

The doctor is required to follow up with the patient regularly to ensure the patient experiences no unwanted side effects, no adverse interactions with other medications and the desired treatment response. This should include more than (1) visit per year for Medical Cannabis certification (CERTS) per the NJ Medical Cannabis Program “bona fide relationship” criterion. Currently, the bona fide relationship is defined as, among other things, “the physician has seen and/or assessed the patient for the debilitating medical condition on at least four visits.” It is important to maintain a “Bona fide” doctor patient relationship to ensure the patient is safely consuming products that are appropriate for the condition it is intended to treat.

Thank you.

Reanna Runge

11/9/2021

My father has CODP and is on oxygen for the rest of his life. I currently work at Zen Leaf Dispensary in Neptune New Jersey as a Patient Care Advisor. For the past five years my father and I have both been involved in the NJMMP program and I've been finding new fun recipes to infuse with flower along the way since our edible selection is so limited. Being given the opportunity to work at one of NJ's medical dispensaries I am now able to share my recipes with other patients within the program. Just recently over the summer NJ expanded its edible program to patients offering soft lozenges, hard lozenges, more tinctures and drink mixes! As exciting as this all is only a few dispensaries in NJ offer these products and are selling them at very high costs. Why should method of consumption dictate cost? I can purchase 1/8 of flower that can yield almost 1,000 MG's while baking but others have pay the same cost as myself and only receive 1/3 of the benefits.

Susan Sciarretto

11/10/2021

I am a former health care provider of 15 years, permanently disabled since 2012. I cannot survive on disability. My best friend and I were discussing this and, upon hearing NJ had a chance to become legal, he and I started planning our exclusive cannabis catering business in CA and NJ. In 2019, he found a growth. By August 2020, I was by his side taking care of him until he passed. My thoughts for our business turned to ways of providing relief to the terminally ill and their loved ones. I thought of suppositories (which I make for myself because I am also a patient) but that wasn't a safe option for me as a caregiver. As I sat there watching him suffer, I thought about gum. I already make artisanal gourmet gum. I can infuse it with THC and CBD together or separately or with anything I choose.

People ask me if gum is an edible. I say it doesn't matter what I think, just what the CRC thinks! While gum CAN be swallowed, usually without issue, it is NOT recommended. It's classification as a food is highly controversial since it's the only food designed not to be eaten. Commercially produced gum contains known carcinogens BHA and BHT used as preservatives so ingesting is more dangerous than ever. While my gum is completely all natural, I'm the poster child for

intestinal blockages so DON'T SWALLOW GUM!!

I feel like the number of milligrams per piece AND total number of milligrams per pack should be displayed. I like the idea of a QR code where all pertinent information can be found and only warnings and what's inside on the packaging, including the number to poison control. Accurate dosing information by body weight as well as how fast the medication starts working should be included. Common or standardized packaging and labeling that are all geared towards keeping children out are readily available to be adopted. I fully support Dr. Nathan's IICPS symbol. I don't see how creativity has to have a chair at a meeting about child safety. We need education that starts at home with safety practices as we do for alcohol and prescription drugs.

You ask about some edibles only being for medicinal use. I say that ALL cannabis use is medicinal use. The CRC simply approved the methods of consumption that actually CAUSE psychological effects. Edibles and topicals do not. My gum was designed for the terminally ill who don't like the taste of the lozenges or anything you put under your tongue, don't want to or can't smoke, and may have difficulty using suppositories (I make them, too, what category do THEY fall under?). It also works faster than other delivery systems. I'm hoping to one day be able to open the foundation in my friend's honor that will provide medication at no cost to terminally ill people. You can make that happen by allowing edibles.

Thank you for your time.

Debby Miran

11/10/2021

My name is Debby Miran and I am representing the Cannabis Advisory Group (CAG), a non-profit multi-state cannabis policy group who works toward ensuring best practices to both the public and private sectors. Tonight my comments are focused on the proposed international intoxicating cannabis product symbol (IICPS). The CAG supports the adoption of this universal symbol on cannabis product labels for the protection of public health and safety. CAG also supports the efforts of ASTM to make the symbol internationally recognized. So the questions to be addressed include:

- 1) What is the critical threshold of THC content that would necessitate this warning?
- 2) What should the CRC consider when adopting a universal symbol?
- 3) What elements of the design are most important in preventing accidental exposure to THC by those who should not be consuming?
- 4) What design flaws should the CRC avoid?

While the CAG does not have all the answers to these important questions, we do wish the CRC to consider the following:

- 1) In CO, CA, AR, MA, ME, OK, OR, all marijuana product labels must bear the warning symbol. MI requires the symbol on the plant label and plant container label as well. NV and WA require the symbol for only edible marijuana products.
- 2) The CRC should require that the symbol appear on the front panel of the package and be no smaller than 1/2" by 1/2". For the existing ATCs a phased in approach should be used so as not to waste label inventory and stickers should be permitted to amend labels with the symbol.
- 3) The symbol should be universally recognized as a warning, meaning shape, color, and font size. The leaf as a symbol, rather than words serves to transcend language barrier issues.
- 4) The symbol should exclude anything that has no meaning such as exclamation points. The size, as previously mentioned should be large enough to be easily observed.

Accordingly, CAG respectfully requests that the CRC immediately adopt the IICPS symbol as a requirement on the labels of cannabis products.
Thank you for your thoughtful consideration of this request.
Debby Miran, Director Cannabis Advisory Group

Michael Bronstein

11/10/2021

The American Trade Association for Cannabis and Hemp (“ATACH”) is a 501(c)6 trade organization that promotes the expansion, protection and preservation of businesses engaged in the legal trade of industrial, medical, and recreational cannabis-based and hemp-based products. ATACH’s membership includes some of the most influential businesses as well as state, national, federal and international cannabis trade associations and organizations. ATACH has also entered into a historic memorandum of understanding with ASTM International to develop standards for the cannabis industry and has recently launched a pilot Cannabis Certification Program in conjunction with ASTM International and the Policy Center for Public Health and Safety to standardize the cannabis industry.

In January 2021, ATACH launched the first of its kind Cannabis Beverage Council which brings together cannabis and hemp beverage producers, manufactures, distributors, and mainstream beverage companies to advocate for cannabis and hemp drinks as a viable and safe new marketplace. We work to promote coordinated cannabis beverage advocacy and education, and assist in aligning national and state efforts through coordination of a multi-state approach.

ATACH urges the CRC to consider the beverage form factor as a viable non-oil based product for both the medical and recreational programs.

From the medical cannabis perspective, cannabis beverages provide efficacy; it is a predictable form factor that acts quickly and effectively. As a delivery mechanism, it is approachable and healthy for patients to consume. Anecdotally, our Beverage Council members have conducted dozens of studies and hundreds of tasting sessions with new patients and users. They can say with confidence that beverage is the most approachable form factor and is easily adopted by patients that have been previously turned-off by other form factors.

Like tinctures, cannabis beverages and the medicine they contain are absorbed through the oral mucosal tissues in the patient’s mouth, creating much more rapid absorption into the blood stream. Indeed, after consumption, the patient’s digestive system immediately begins breaking down the cannabinoids, whereas oil based products and edibles pass through and get processed by the liver. Because the liver is good at its job, it tends to also process out some of the cannabinoid content, lowering the absorption curve.

As a medicine used primarily for pain relief, a rapid, predictable onset is exactly what a patient needs. Unlike edibles which can take 60-90 minutes to effect the patient, properly emulsified cannabis beverages permits the patient to feel its effect within minutes, providing nearly instant relief. The only other form factor with an onset time similar to beverage is inhalation which some medical patients are unable to take advantage of.

Cannabis beverage should also be available to recreational users for similar reasons. Cannabis beverage is an approachable and discrete form factor that does not create unwanted smoke from flower or vaporizing product. Due to new advances in emulsification technology, cannabis beverages have a fast acting onset permitting the user to much more precisely control the amount of cannabinoids they consume over time. For example, a consumer who consumers

a 12oz cannabis beverage with 10mg of THC drinks the beverage over a period of time, feeling the effects almost immediately. The consumer knows and understands the dosing without a lengthy wait period for the effects to “kick in.” Indeed, beverages prevent the scenario where a new consumer ingests a 10mg edible, does not feel the effects after an hour, and then ingests a second 10mg edible, ending up more intoxicated than initially anticipated.

For these reasons, the ATACH Cannabis Beverage Council urges the CRC to consider cannabis beverage as a permissible form factor and we welcome the opportunity to discuss the work we’ve been doing.

David Little

11/10/2021

I thought it best to send my positive comments via email since I was scheduled to speak last night, but was cut due to time constraints.. I founded and run a GMP certified edible infusion supplement lab in NJ that has been in business since 1992. so can actually address those questions proposed for the Public meeting:

Question #1: HOW CAN THE COMMISSION BEST PROTECT PUBLIC HEALTH, WHILE ALLOWING FOR A GREATER VARIETY OF CANNABIS ITEMS?

Answer: Packaging standards that correctly reflect the contents and also be child resistant. per the crc regs, 17:30-11.12[a] 5 states cannabis products are ...to be prepared in accordance with “good manufacturing practices” good manufacturing practice is an FDA processing term defined as guidelines that provide requirements a manufacturer must meet to assure that their products are consistently high in quality, from batch to batch. GMP compliance is required for New York manufacturers and should be required for NJ licensees also.

Question #2: HOW CAN FOOD SAFETY REGULATIONS WORK IN TANDEM WITH CANNABIS SAFETY REGULATIONS? food regulations are administered by municipal and state inspectors, sometimes on behalf of the FDA. there are different regulations for supplemental fact panels [which Marijuana more closely resembles] than nutritional fact panels. but cannabis safety regulations should require similar information including lot codes, best by dates, FDA warning label, ingredients panel and listing with appropriate warnings.

Question #3: WHAT FORMS OF EDIBLES SHOULD/SHOULD NOT BE PERMITTED? ARE SOME EDIBLES APPROPRIATE FOR MEDICINAL USE BUT NOT FOR RECREATIONAL USE? WHAT IMPORTANT INFORMATION SHOULD CONSUMERS AND PATIENTS HAVE AVAILABLE BEFORE PURCHASING EDIBLE CANNABIS PRODUCTS?

Correctly dosed edibles of different varieties should be allowed. edibles make up approximately 20% of overall sales in existing recreational sales states, providing a large amount of taxes. older people do not want to have smoke in their houses, on their clothes in their cars, thus making edibles the preferred method of taking the products, both medicinal and recreational. the packaging should contain enough information for the patients as it does in the wine and spirits world. also all cannabis manufactured product should have a dedicated qr code on the packaging allowing patients to download product information from the manufacturer’s website.

There were multiple discussions on Quick Release edibles, packaging options, logo design, etc. We have expertise in all of those having created dozens of items [from concept through completion] and would invite the Commission to come visit an actual infusion processing plant should they want to understand the intricacies in production and how the regulations so far promulgated can be

		<p>adjusted to create a robust and effective NJ Marijuana Recreational/Medical marketplace with edibles.</p> <p>Respectively submitted.....David Little Managing Member Inclusion Gourmet</p>
Shawn Daniels	11/10/2021	<p>Here to education cannabis retailers the importance of cash management before and after opening a cannabis business.</p>
Donna Pixton-Hacker	11/10/2021	<p>I request that the CRC vote to allow Cannabis-infused edibles to be manufactured and sold in the New Jersey dispensaries for medical patients and recreational consumers.</p> <p>I have been to dispensaries in other legal states and have enjoyed the variety of edibles available for purchase in several different dosages. I am not a smoker, I never have been. I do not enjoy smoking cannabis at all. I prefer to medicate using edibles. I do make them myself at home using the medical cannabis I purchase at the dispensaries, however, having lots of other varieties available for purchase would make things so much more convenient for me. Making edibles is a huge process. I have the physical strength and stamina to produce my edibles, however, there are thousands of medical patients in New Jersey with severe debilitating conditions that do not allow them the ability to make their own edibles.</p> <p>Why should New Jersey restrict the types of medicine or methods of consumption that the residents of New Jersey have voted on to have access to?</p> <p>New Jersey residents deserve to have options for their cannabis consumption or medication. There are so many different ways that someone in other states can purchase and consume cannabis. Cancer patients, people with asthma, and other medical conditions should be allowed to purchase other forms of infused edibles like brownies, cookies, sodas, ice cream, pop tarts, chocolate, suckers, hard candies, gummies, cupcakes, and more. They should be able to purchase infused condiments like olive oil, butter, hot sauce, honey, bbq sauce, etc.</p> <p>New Jersey need to step up to the plate in order to compete with the other states, especially the West Coast, however, my biggest ask is to allow these types of infused food products for the medical patients who need other ways to consume their medications. There are very few incidences in other legal states where an adult or a child has accidentally consumed an infused product and had a severe, adverse reaction to the edible. Proper labeling and education of the New Jersey residents and consumers about infused edibles is very important to the success of and avoidance of anyone accidentally consuming a cannabis-infused food product.</p> <p>Thank you for your time and consideration of my point of view in favor of approving cannabis-infused edibles for the residents of New Jersey.</p> <p>Sincerely,</p> <p>Donna Pixton-Hacker</p>
Michael Enright	11/10/2021	<p>NJ Cannabis Regulatory Commission:</p> <p>While the rules put forward by the CRC are a great first start and clearly were the result of an incredible amount of research, discussion, and time, we feel they are lacking in one very important area: the inclusion of a reasonable maximum batch</p>

size. New Jersey is one of the few states with this glaring omission, and we believe adding it would be the rare win-win-win situation: good for consumers, good for cultivators/manufacturers and good for labs.

We recommend a batch size of 10kg (approximately 22 pounds).

Reason #1: Composite testing is not a statistically valid method. CRC rules require samples from every batch, but do not limit the batch size. Instead, the CRC has established a table of weight classes with sampling requirements from batches in each class to produce one composite sample for testing. This method is NOT statistically valid.

Reason #2: The health of New Jersey consumers will be put at risk with no batch rule. Over the 50,000+ samples we have run to date, we have seen that cannabis can vary widely from plant to plant and even from bud to bud. With cannabis cultivation, there is an endless number of variables that can affect the quality, potency and safety of the final product. Minimizing these influences by implementing a reasonable batch requirement (so that tainted product doesn't get missed because most of the enormous sample is "clean") is imperative to a successful industry.

Reason #3: The current rules are needlessly burdensome and potentially dangerous for testing labs. Under current CRC rules, labs are required to take 1% of each harvest "batch" (0.5% for primary sample and 0.5% for a reserve) for testing. The way the rules are currently written, there is no upward limit on how large a "batch" could be. As an example, a Cultivator could easily have a 100-pound batch and a lab would then be required to take 1%, roughly 450 grams or 1 pound, for testing. If instead a 10kg batch rule were in place, the lab would only be required to collect approximately 25-50 grams for testing (between 5 and 10 grams for each compliance test).

Reason #4: A 10kg batch size puts New Jersey firmly in line with other states. At a 10kg batch size, the financial burden for testing is not material for cultivators and manufacturers. In fact, most states have maximum batch size limits, and many of those limits are lower than the limit we have proposed here. And finally, with the 10kg rule we can do away with conversions to and from the metric system – lab employees throughout the state will be thankful.

Thank You,
Michael Enright

Jerri Collevechio

11/10/2021

Cannabis Regulatory Commission Cannabis Education

Prevention Resources, Inc. is a 501c3 agency that aims to educate and inform the community of substance misuse in Hunterdon County, NJ using scientific evidence-based information. As the Cannabis Regulatory Commission has requested input on whether to allow cannabis items in the form of common edibles, such as baked goods, should be permitted, Prevention Resources would like to offer the following educational data and information.

The Cannabis Regulatory Commission can best protect public health by ensuring that all packaging containing any THC product is childproof before and after the product is opened. According to Colorado Poison Center data, children are at an increased risk for THC poisoning since edibles are often sold as candies and baked goods, which are not clearly recognized by children as THC products. (<https://marijuanahealthinfo.colorado.gov/health-data/poison-center-data>) Edible THC product packaging is also typically bright colored and often mimics brands that are popular among children. All products that contain THC should have a distinct warning label that clearly indicates that the product contains THC, with all THC products clearly stating the poison control phone number on the package.

There should also be instructions for parents to properly store and dispose of cannabis products so they are not accessible to underage youth.

In addition, there should be required identification trainings for all retail employees, to distinguish age of purchaser. There should also be regulations on advertising, product placement, and external signage, such as sandwich boards outside of storefronts, to decrease the exposure of these products to children.

Food safety regulations should work in tandem with cannabis safety regulations. Packaging should include specific warnings, such as sizing and serving information, so there is consistency between products
<https://www.drugabuse.gov/about-nida/noras-blog/2021/05/establishing-5mg-thc-standard-unit-research>

This will also ensure cannabis consumers and patients are aware of the dose of THC they are consuming. All sellers should be required to adhere to all safety regulations required by the Department of Health if infusing cannabis on premises, with mandatory inspections and enforcement.

There are certain forms of edibles that should not be permitted, including anything which represents a marketed item such as cereals, candy, cookies, sodas, which attract underage youth to consume accidentally or on purpose.

Important information that consumers and patients should have available before purchasing edible cannabis products include, that edible THC products can contain high levels of THC. Edibles can take longer to feel the effects, then other forms or delivery methods of cannabis, so often people will take too much because they think "it's not working". Any edible products containing THC should have a clear warning that the effects of cannabis can be delayed. .
(<https://marijuanahealthinfo.colorado.gov/health-data/poison-center-data>)

For further information, please contact Co-CEO Lesley Gabel

Shaun Ellis

11/10/2021

My comment speaks to edible cannabis items in NJ. One major gap in the existing law is that the way its structured severely limits edible cannabis options for folks. This is unfortunate as many medical patients and recreational consumers who do not want to ingest smoke or vapor into their lungs (for any number of reasons) will be mostly out of luck. In addition, the current law prohibits chefs, bakers, and other food producers from being able to sell their fresh menu items directly to diners. Currently, you can ONLY be a "processor" OR a "retailer", making it impossible for someone to establish, for example, a bakery that specializes in cannabis infusions. This model does not work for many businesses who focus on artisanal edible products and want to create custom culinary experiences for consumers. I would like to see processors be able to offer their products to the public. Perhaps this could be a type of "microbusiness" that allows the business owner to both produce and sell their products at a small scale, similar to the softer restrictions placed on local brew pubs.

Peter Barsoom

11/10/2021

Thank you for the opportunity to share our thoughts on regulations for edible cannabis products. We appreciate the Cannabis Regulatory Commission moving forward with adult-use regulations, and we hope to provide helpful context and feedback to consider as you begin your rulemaking process.

1906 New Highs specializes in low-dose, fast-acting cannabis pressed tablets and has seen overwhelming support for our products in both adult-use and medicinal markets. While we produce a variety of product forms, we launched a line of

pressed tablets in December 2019 that has helped propel our company’s expansion to Oklahoma, Illinois, Massachusetts and, hopefully, New Jersey. Our unique blend of cannabis and plant-based medicines that are Generally Recognized as Safe (GRAS) by the FDA has helped us earn a loyal following among consumers seeking a consistent, controlled product.

As the Cannabis Regulatory Commission considers product types, we hope that pressed tablets and GRAS ingredients will be permitted in the adult-use market.

- Pressed tablets are the healthiest way to consume cannabis — no smoke, sugar-free, zero calories, and no allergens. This has helped them become a common dosage form in the cannabis sector, which are permitted in many restrictive markets that ban other forms of edibles. These products are popular among medical patients and adult-use consumers alike, due to their consistency in dosage, familiarity, and simplicity. In fact, many consumers that purchase on the adult-use market in legal states are still patients that simply choose to avoid the risks and burdens associated with obtaining a medical card.
- 1906’s products allow consumers to achieve a known desired effect through our proprietary blend of cannabis and plant-based medicines. These products are critical for consumers seeking help with specific conditions, such as sleep or focus. To ensure consistency with other existing consumer products, the regulations should explicitly address the use of dietary supplements included in cannabis products – permitting those approved by the FDA and prohibiting ingredients that have not been approved.

We look forward to collaborating with the Cannabis Regulatory Commission to help New Jersey adopt a best-in-class regulatory model and appreciate the thoughtfulness you have displayed thus far. We hope to be a resource for you as the regulatory system is developed and evolves.

Elizabeth Kirshenbaum

11/10/2021

Thank you for the opportunity to comment on the Cannabis Regulatory Commission’s consideration of upcoming regulations.

WM Policy--the government relations arm of Weedmaps shares your commitment to cannabis policy that protects public health and safety, and promotes a thriving industry that supports communities most harmed by the federal government’s failed “war on drugs.” It is in that spirit that we make the following recommendations:

Edible Cannabis

Edible cannabis products should not be over consumed, or made easily accessible to children. To ensure this, we recommend:

- Implement a serving size of THC per product;
- Labels on packaging clearly identifying the product contains cannabis, conveys serving size and lab test results, recommends dosing, and details potential onset time and effect lengths;
- Child resistant packaging;
- Packaging that would appeal to children should be prohibited; and
- Sufficient access to legal retailers.

Consumer Delivery

Across the country, cannabis delivery (as well as cannabis dispensaries) were deemed “essential” during the Covid-19 pandemic, as it provided critical access to medicine as shelter-in-place orders went into effect. Consumer delivery is more popular than ever and will be essential in ensuring New Jersey’s regulated

market can compete with its existing illicit market. Permitting delivery operators to gain licensure can also be a less challenging method of providing consumers with sufficient retail access while reducing unlicensed market activity. Moreover, a delivery license type offers social equity candidates a meaningful way to enter the market with fewer barriers to entry than other license types. The following should be incorporated into the Commission's delivery policy:

- Clarify that retail storefront operators must accept orders made through delivery licensees and allow them to pick up and deliver products from their storefront.
- Ensure that cannabis delivery is available to both medical and adult-use consumers.
- Authorize online ordering for delivery services.
- Prior to delivering cannabis to an individual at the final point-of-sale, delivery services should be subjected to the same identification and age verification standards that exist for traditional brick-and-mortar storefront retailers.
- Mandate GPS tracking for all delivery drivers and require all transactions to be accompanied by appropriate digital or paper order forms, invoices, and manifests.
- Deliveries should only be made to physical addresses, and there should be a clear prohibition on deliveries to schools, parks, and youth centers.
- Allow a retail licensee to receive orders to the licensee's premises, and then be fulfilled by a delivery employee from a reasonable amount of in-vehicle inventory

Respectfully,

Lizzie Kirshenbaum
Associate Director of Government Relations
Weedmaps

Kathy Cellucci

11/10/2021

Please consider edibles and starting recreational immediately since there is plenty of stock.

I use it for pain and cannot afford the card at 400 a pop. Ty for all u do
Kc



Ken VandeVrede, CEO
HillviewMed Inc.
30 Hillview Road
Lincoln Park, NJ 07035

November 9, 2021

To the Leadership of the New Jersey Cannabis Regulatory Commission including Chair Dianna Houenou, Commissioner Charles Barker, Executive Director Jeff Brown, Commissioner Maria Del Cid-Kosso, Vice Chair Samuel Delgado, and Commissioner Krista Nash:

I am the CEO of HillviewMed, a cannabis company headquartered in Pequannock in Morris County. The HillviewMed family of companies provides transparent, meaningful products that best serve cannabis patients and consumers. Our portfolio includes the following products and operations:

HILLVIEWMED FAMILY OF COMPANIES

A Synergistic Family of Companies Headquartered in Pequannock
We believe in transparent, meaningful brands that best serve cannabis patients and consumers.



Hillview Gro

Hillview Gro cultivates state-of-the-art cannabis crops, including the form of cannabis known as hemp. Hillview was awarded one of the first hemp licenses in NJ and has been cultivating clean, safe hemp in Pequannock since June 2020.



Zenway Corp

Zenway is Hillview's state-of-the-art grow facility located in Las Vegas, NV. Zenway provides patients of Nevada with Hillview-grade cannabis products.



Whole Plant Extractions

WPE utilizes a patent-pending extraction process to create a true water-soluble product, allowing all forms of cannabis including hemp to be seamlessly added to any liquid or beverage with no oily residue.



Hillview Wellness

Hillview is a comprehensive line of hemp products focused on everyday wellness. Hillview's full spectrum tinctures, lotions, and gummies are locally crafted with you in mind.



Kalo

Simple ingredients create the best tasting seltzer. 20mg of naturally occurring CBD & Other Cannabinoids, Beneficial vitamins minerals & antioxidants, 15 calories, 5 ingredients.

HillviewMed is also the recipient of a medical cannabis cultivation award from the 2019 RFA, and we are well positioned to bring high-quality medical cannabis to the state's patients quickly.

I appreciate the opportunity to submit this letter in response to the New Jersey Cannabis Regulatory Commission's solicitation of public comment for its November 9 meeting. This letter addresses your specific request for comments about edible cannabis products and medicinal cannabis products.

These comments are largely similar to comments submitted for your June 1, 2021 public meeting. As I read through the June 1 questions asking what products would make medical cannabis easier to take, more effective, and more accessible, it seemed as though they had been crafted with HillviewMed's cannabis beverage, Kaló, in mind. The comments remain relevant as the CRC considers edible cannabis products for recreational use as well.



Currently produced under HillviewMed's New Jersey hemp license regulated by the New Jersey Department of Agriculture and distributed through e-commerce and physical stores in fifteen states (and growing), Kaló is a water-soluble hemp infused seltzer. The technology utilized to extract a full spectrum of cannabinoids from the hemp form of the cannabis plant is the same technology that will be used to bring the THC version of the beverage to medical cannabis patients and adult use consumers in Maryland and Maine within the next several months. Thoughtful expansion through distribution channels and licensing arrangements is planned throughout the United States this year, with the primary goal to serve medical cannabis patients in New Jersey as soon as possible.

LEADING WITH SCIENCE		
	PROCESSING AND CONSUMER GOODS Whole Plant Extracts/Infusion Bioscience <ul style="list-style-type: none">• Exclusive license holder to a patent-pending water-soluble extraction technology that gives Kaló its unique advantage• Will be leveraged to create a THC line as well as other wellness products including tinctures, gummies, topicals, capsules.	
UTILIZING A PATENT-PENDING WATER SOLUBLE TECHNOLOGY		



Our Water-Soluble Beverage Solutions

- **Highly Predictable & Rapid Onset**
 - Less than 5 min onset is similar to inhaled medications
 - Allows patients to “self monitor” and control dosage in real time
- **Rapid Offset**
 - Offset in 90 min or less does not require “full-day” commitment
 - Medical: Allows patients to medicate with optimal impact on everyday activities
 - Recreational: Enables a “casual” or “lunch time” consumption model
- **Bioavailable**
 - Water-soluble extraction technology produces a highly bioavailable form of the active ingredients

As a New Jersey company, HillviewMed is proud to have first released the hemp version of Kaló in the Garden State in 2020 and is eager to provide the benefits of the full spectrum cannabis medicine, including THC, to patients in the New Jersey Medicinal Marijuana Program (“the MMP”).

Pursuant to P.L.2009, c.307, C.24:6I-7, as amended by the Jake Honig Compassionate Use Medical Cannabis Act, excerpt reproduced below, cannabis beverages are provided for in statute as an authorized medical cannabis product form for patients in the MMP:

“...Authorized forms shall include dried form, oral lozenges, topical formulations, transdermal form, sublingual form, tincture form, or edible form, or any other form as authorized by the commission. Edible form shall include pills, tablets, capsules, drops or syrups, oils, chewable forms, and any other form as authorized by the commission, except that the edible forms made available to minor patients shall be limited to forms that are medically appropriate for children, including pills, tablets, capsules, chewable forms, and drops, oils, syrups, and other liquids.”

Currently, patients in the MMP are underserved by the lack of product variety available to them and do not have access to the comprehensive benefits of cannabis medicine. HillviewMed offers a full suite of hemp and cannabis products that includes tinctures, topicals, dried flower, chewable edibles, and more, but this letter focuses on the liquid edible form of cannabis, i.e. cannabis beverage. Quite simply, in language that mirrors the Commission’s request for public comment at its June 1 meeting, cannabis beverages make medical cannabis **easier to take, more effective, and more accessible.**

Easier to Take

The primary form of medical cannabis currently available in the MMP is dried flower, which must be consumed by smoking or vaporizing. Additional hardware is needed to inhale the combusted plant material, and it is difficult, if not impossible, to know what dose of medication is being consumed.

By contrast, drinking is the most familiar method of consumption. Patients with dexterity issues often find it easier to medicate using a liquid beverage rather than through smoking, which requires the patient to additionally prepare the plant medicine and to use supplemental devices.

Pediatric patients in particular are well served by the option of consuming cannabis medicine as a beverage. The medical cannabis statute bears the name of a child, and Jake Honig’s father has an affiliation with HillviewMed. New Jersey’s pediatric cannabis patients and their families deserve the ease and dosing certainties that a cannabis beverage provides.

More Effective

While HillviewMed does not yet have verifiable data on the effectiveness of the THC version of Kaló, we intend to engage in scientific, quantitative analysis with our medical research partners once we have received all required licensures and authorizations.

In the interim, we have a body of anecdotal evidence of the effectiveness of the hemp version of Kaló from our customers.

Drinking a medicated beverage provides a quicker onset of symptom relief than consuming a chewable form of edible medicine. In the case of Kaló, the onset is less than five minutes and similar to inhaled medications. This allows patients to control dosage in real time and to utilize only as much medicine as is needed to achieve symptom relief. This instant relief is a measure of product effectiveness.

Further, Kaló's offset of about 90 minutes provides patients with the ability to medicate as needed with optimal impact on everyday activities and overall quality of life.

More Accessible

While the medical and health benefits of cannabis have been widely documented, the mere presence of an active ingredient in a product does not ensure that the ingredient exists in a form that is accessible to the body's systems. Bioavailability refers to the extent and rate at which the active ingredient enters the body's circulatory system and is thereby delivered to the site of action.

Kaló's patent-pending water-soluble technology delivers the active ingredients in an extremely bioavailable format that is easily accessed by the human body's systems.

When it comes to Kaló, patients can be further reassured that they have access to a product that has little besides the active ingredients. Kaló has only 15 calories and 2 mg of naturally occurring sugars. The beverage is gluten free, kosher, vegan, and non-GMO. All flavors are natural, and there are no fillers or chemicals. It is unusual to find such a clean product in the form of a chewable cannabis edible, and with cannabis beverages, patients benefit from a delivery method that is optimally accessible.

Recreational Application

Kaló in particular, and cannabis beverages in general, clearly can provide benefit to patients in the MMP in the categories of ease of use, effectiveness, and accessibility. Further, and to answer another one of the Commission's questions, cannabis beverages should be available to adult use consumers as well.

In the evolution of cannabis legality, there is decriminalization, legalization, destigmatization, and eventually normalization. The normalization of cannabis will ultimately have a positive societal impact, making it easier for adults to consider consuming cannabis over more dangerous and far less healthy recreational products, like alcoholic beverages for example. Cannabis beverage is the product type that ultimately will do the most to normalize the consumption of the plant.

Most consider drinking a beverage to be a more acceptable social activity than smoking, particularly when children are nearby. Children are very familiar with the concept of an "adult beverage" and know that they cannot consume the same beverages as their parents and other adults. Even if there are noted differences in risk and potential for harm between smoking tobacco and smoking cannabis, it is a very difficult and nuanced message to attempt to communicate to children that it is okay to smoke certain substances but not others. There are concerns about secondhand smoke in the cases of both tobacco and cannabis. Cannabis beverages allow adult use consumers an option for recreation that is consistent with established societal norms and healthier than the consumption of alcoholic beverages.

Potency / Dosage

The Commission asks how new product types – particularly those with high potency – may impact public health and safety.

First, it should be noted that Kaló is a low-dose cannabis product with the ability to provide higher doses, which may be beneficial to certain medical cannabis patients. With a standard 5 mg of THC per serving, Kaló provides a reliable and safe consumption experience.

It should be further noted that, although Kaló is a low dose product, HillviewMed's position is not to limit potency in cannabis products. The primary reason for this position is for the benefit of medical cannabis patients, who may require higher dosages of the active ingredients in the plant medicine and desire to consume it through form factors other than the combustion and inhalation of dried cannabis flower.

An analogy can be drawn to ibuprofen. A standard over-the-counter dose of the non-steroidal anti-inflammatory pain reliever and fever reducer is 200 mg. This is typically an adequate dose for adults seeking relief of minor, occasional pain. Yet dosages of 600 mg and higher are available and readily prescribed by healthcare professionals for patients who have more chronic issues (like a rheumatological condition) or an acute pain condition (following surgery, for example). In concept, cannabis should be treated similarly, allowing medical patients and adult use consumers to achieve well-being through the use of cannabis in an appropriate dosage for a patient or consumer's particular needs.

It should be acknowledged that, when it comes to ingestion as a consumption method, beverages provide for a slower consumption experience than a chewable product. This allows for a more social experience, and recreation in itself is healthy. It becomes less about getting high or achieving an intended outcome and more about the consumption experience and the related socializing. In these ways, the authorization and regulation of cannabis beverages with a range of potencies and dosages will have a positive impact on public health and safety.

A Collaborative Approach

Ultimately, HillviewMed desires to collaborate with the State in its efforts to best serve medical cannabis patients and to launch a thoughtful adult use cannabis program. As the Commission develops regulations governing the production and sale of cannabis beverages, I offer myself and my team to you as resources.

New Jersey has an opportunity to be a leader in the category as it establishes the regulatory standards for cannabis beverages, and HillviewMed, a New Jersey-headquartered cannabis company, can assist with building the model. We can provide raw data and analytics to establish that cannabis beverages are the safest and most familiar form of the plant medicine, and we can further provide Kaló-specific information around bioavailability, shelf stability / degradation, incipient ingredients, onset / offset, and dosing.

We are proud to be founding members of the American Trade Association for Cannabis and Hemp (ATACH) Cannabis Beverage Council, and we are working closely with ATACH's leadership to educate about and advocate for a viable and safe marketplace for cannabis beverages. Information about the ATACH Cannabis Beverage Council follows this letter.

Thank you for your thoughtful consideration of this preliminary request to develop a regulatory framework for cannabis beverages in both the MMP and the future adult use marketplace in New Jersey.

As CEO of HillviewMed, I am grateful to be part of the conversation and look forward to collaborating with various stakeholders to promote the best interests of medical cannabis patients and New Jersey as a whole.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ken VandeVrede', written over a thin horizontal line.

Ken VandeVrede, CEO
Hillview Med, Inc.



The American Trade Association for Cannabis and Hemp (“ATACH”) is a 501(c)6 trade organization that promotes the expansion, protection and preservation of businesses engaged in the legal trade of industrial, medical, and recreational cannabis-based and hemp-based products. ATACH has been named “Trade Association of the Year” and “Corporate Grassroots Organization of the Year” by Campaigns & Elections magazine. ATACH’s membership includes some of the most influential businesses as well as state, national, federal and international cannabis trade associations and organizations. ATACH has also entered into a historic memorandum of understanding with ASTM International to develop standards for the cannabis industry and has recently launched a pilot Cannabis Certification Program in conjunction with ASTM International and the Policy Center for Public Health and Safety to standardize the cannabis industry.

In January 2021, ATACH launched the first of its kind Cannabis Beverage Council which brings together cannabis and hemp beverage producers, manufactures, distributors, and mainstream beverage companies to advocate for cannabis and hemp drinks as a viable and safe new marketplace. Membership comprises of cannabis industry leaders, state-level advisors, and key members of the beverage industry. Councilmembers include:

- Canopy Growth Corp.;
- CANN;
- Vertosa;
- Scott Coors;
- Kaló
- Adolphus Busch V;
- Columbia Distributing;
- Evergreen Herbal;
- Organigram;
- BellRock Brands;
- Rebel Coast;
- Keef Brands
- Cannacraft
- Zuckerman Honickman, Inc.

We work to promote coordinated cannabis beverage advocacy and education, and assist in aligning national and state efforts through coordination of a multi-state approach.



New Jersey Cannabis Trade Association (NJCTA)

November 9, 2021

VIA ELECTRONIC MAIL

New Jersey Cannabis Regulatory Commission
369 South Warren Street
Trenton, New Jersey 08608

Re: November 9, 2021 CRC Meeting – Written Comments

Cannabis Regulatory Commission:

The New Jersey Cannabis Trade Association (“NJCTA”) writes in anticipation of the November 9, 2021 meeting of the New Jersey Cannabis Regulatory Commission (“CRC”). Specifically, the CRC has asked for information regarding: (a) universal cannabis symbol; (b) edible cannabis and medicinal cannabis items; and (c) recreational distribution, wholesale, and delivery. We write to provide feedback specific to our memberships’ experience in this state, and others, as well as comments made by some of our respective Registered Patients.

With respect to the universal cannabis symbol, we point to the experience of regulators in other states for what constitutes adequate notice to consumers. Indeed, the symbol should provide all individuals, both consumers and third-parties alike, with sufficient warning and notice as to what they are consuming. Luckily, and in contrast with other mature markets, New Jersey has not seen the same level of incidents related to unintentional consumption. The State should commend itself, and in turn the efforts of operators, in recognizing the importance of child-proof packaging in the first instance, which serves as the first line of defense in protecting against unintentional consumption. That being said, as the marketplace expands and the State’s resources for overseeing market operators slows in comparison with the increase in number of licensed operators, more is obviously required to ensure that such new market entrants create products that are readily noticeable as cannabis related.

While several options are available, the clearest and most straight forward is that of the triangle with an exclamation point, as identified herein. We briefly add in conclusion – as a consideration that has been echoed by new entrepreneurial actors looking to break into the industry for the first time – that consideration be provided to the balance between the sufficiency of notice to consumers and the costs associated with the size, scope, and monetary effect of its imposition. The more warnings required on a product, the less package space available to advise the consumer about the product,



<https://www.njcannabistrade.org/>



New Jersey Cannabis Trade Association (NJCTA)

its composition, ingredients, and effect. As will be discussed in greater detail below, cannabis therapy and consumption is highly individualized, as recognized by the proliferation of information regarding the various combination of individualized cannabinoids and terpenes. There must be warnings on a product, but there must also be sufficient space for communicating the ingredients and composition of the product as well.

Secondly – and has been reiterated time and again by our patients – this marketplace must evolve and provide patients with the edible products they have been clamoring for.¹ There is simply no excuse to delay the implementation of rule and regulations associated with the production of edibles in the State of New Jersey. We direct the CRC to the written testimony of Ken Wolski of the Coalition for Medical Marijuana, New Jersey (“CMMNJ”) dated June 1, 2021 (“CMMNJ Comments”), and incorporate them by reference herein. Specifically, Mr. Wolski noted as follows:

- “Edible products were approved for New Jersey’s Medicinal Marijuana Program patients during the Christie Administration.”
- “Patients and caregivers have been forced to create their own edible cannabis products from the flower purchased at the ATCs.”
- “Alternatively, edible products are also available on the unregulated black market.”
- “Edibles are especially important for patients. Some patients simply cannot use inhaled types of cannabis either because of their medical conditions, or because of their surroundings, or because of their living conditions such as at health facilities. Other patients may have a cultural prejudice against the inhalation method of drug administration.”

In short, and for the avoidance of any doubt, the ATCs stand in unison with the CMMNJ on this issue. Indeed, individual operators have been pushing for increased product varieties and edibles

¹ While we frame this in light of patient considerations, it should not be lost on the CRC that the adult use marketplace may serve the very same health and wellness purposes as medical. For instance, many have noted that medical cannabis programs often contain various barriers to entry, i.e., doctors visits that may not be available for those without health insurance (or doctors identifying that they will not accept health insurance associated with medical cannabis recommendations), the costs of yearly renewals, certifications, etc. We briefly emphasize this point to remind the CRC that not everyone consuming cannabis in the adult-use marketplace is doing so “recreationally,” and that the very same medicinal and wellness principles underlying the medical program will also apply with equal force and effect to those portions of the adult-use market consuming for similar reasons.



New Jersey Cannabis Trade Association (NJCTA)

for years.² Provided operators can maintain sufficient documentation as to the safety, stability, and shelf life of products, the CRC, whether through consultation with the Department of Health or otherwise, should be permitted to submit all products for approval, edible or otherwise. In short, and as previously testified to by Ken Wolski and the CMMNJ, “[a]ny edible, inhaled or topical product of any strength should be allowed as long as it is properly tested labelled and packaged.”

Similarly, and as previously raised by the NJCTA with the CRC in our written comments in connection with the June 1, 2021 meeting, we reemphasize the importance of revisiting product packaging and sale limitations. For instance, current regulations dictate that all products must be sold in either 1/8 or 1/4 packaging. However, we emphasize the impracticality and prejudice to patients stemming therefrom. First, patients clamor for variety and the ability to test the manner in which new and/or different strains affect their underlying qualifying condition.³ By placing the minimum amount to be purchased at 1/8, as compared to say 1 gram, patients, in effect, are required to purchase more than they need before they know whether or not they need it or want it. As noted by Ken Wolski, cannabis “therapy is highly individualized.” As demand ramps up, permitting smaller point of sale purchases will aid in stretching the availability of more strains among more patients and consumers. We similarly propose the utilization of “variety packs,” which could equally aid in addressing this issue and meeting both patient and consumer demand.

² We briefly highlighted a related issue – that of timely approval of all requests to the CRC. Often, requests of all types, from more benign requests for approval of new SOPs, equipment, etc., to more substantive requests for new product approvals, sit with the CRC for months on end without any definitive timeline for review and approval by the CRC. As just one example, CRC Resolution 2021-9 approved Interim Lab Testing Standards through a waiver process more than five (5) months ago. Notwithstanding that, requests by ATCs to utilize third-party testing labs have remained unanswered. Given increased stagnancy at the state testing lab, new strains remain stuck in limbo for months on end.

We reference this in light of recent comments by the CRC “that there are too few dispensaries with too few product options.” At some point in time, the ATCs would hope to work with the CRC to provide solutions to these market demands versus the acrimony which has occurred to date. Indeed, notwithstanding a global pandemic, the majority of operators in the state of New Jersey have expanded both their cultivation and dispensary footprint. We understand that the CRC remains a fledgling agency with limited staff, but businesses must be provided clear timelines for approvals to adequately respond to market developments and patient concerns.

³ We also again remind the CRC that the ability to bring new strains to market is constrained by the dual bottle neck of slowing capacity of the state testing lab, and the delays in approving third-party testing alternatives.



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The NJCTA would also ask that the regulatory allotment system for concentrated oils similarly be amended. For instance, regulations require that concentrated oils be sold in a 350mg allotment, which counts, for purposes of a registered patient's allotment, to 1/8 of flower. However, registered patients receive more THC in 1/8 of flower than from 350mg of an infused product. Presumably, this allotment system stems from a time when flower was limited to a total THC cap of 10% (i.e., 10% x 3.5 grams = 350mg). That being said, we are aware of significant criticism from patients who feel as though a 350mg allotment of concentrated oil effectively deprives them of the full value of their 1/8 allotment, especially when flower with a higher THC concentration would yield more. We raise this as a problem consistently voiced from our patients; and one which, in light of the methodology through which the State reporting system tracks sales for concentrated oil products, the ATCs themselves are unable to change.

Finally, we offer brief comments as it relates to recreational distribution, wholesale, and delivery. Many ATCs have been actively engaged in distribution and wholesaling efforts – trying to make sure that as many of their products are available in as many dispensaries statewide as possible. A review of almost every dispensary menu statewide will demonstrate exactly that, i.e., notwithstanding the fact that a patient is in the North, Central, or South, they have access to the products created by the ATCs statewide. This is another unabashed success story on the part of the CRC (then-DOH) and the ATCs, for which all should be proud. As it relates to delivery, our understanding is that while several ATCs had submitted proposals for delivery, there has not been any further substantive discussions on those proposals. We trust and understand that consumers generally heavily rely on delivery of regular consumer packaged goods of all shapes and sizes, and understand that cannabis will be no different.

As always, we welcome the opportunity to continue to serve as a resource to the regulatory authority and to provide a singular voice on areas where the NJCTA's members are in consensus. One last thought: with greater lead time on specific questions from the CRC, the greater our ability to provide meaningful feedback. We understand that the CRC is faced with a number of statewide deliverables; but the greater the lead time on questions, the more time our operators have to exchange meaningful feedback. We are lucky to be in regular communication with Ken Wolski of the CMMNJ, which helped facilitate our ability to communicate with him on related patient concerns. However, the more time afforded, the better the response we can provide.

We greatly appreciate your time.

Respectfully submitted,

The New Jersey Cannabis Trade Association



New Jersey Cannabis
Trade Association (NJCTA)

New Jersey Cannabis Trade Association (NJCTA)

- c: Charles Barker, Commissioner (via electronic mail)
Diana Houenou, Chair (via electronic mail)
Jeff Brown, Executive Director (via electronic mail)
Maria Del Cid-Kosso, Commissioner (via electronic mail)
Sam Delgado, Vice Chair (via electronic mail)
Krista G. Nash, Commissioner (via electronic mail)
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Gary Seelhorst, Policy Chair (via electronic mail)
Michael C. McQueeny, Esq., General Counsel (via electronic mail)
Ken Wolski, CMMNJ (via electronic mail)