



State of New Jersey
CANNABIS REGULATORY COMMISSION

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August 12, 2026

[REDACTED]
Sussex Cultivation LLC
[REDACTED]

Re: FINAL AGENCY DECISION
Sussex Cultivation LLC Regulation Waiver Request
NJ-CRC Docket No.: WR064

Dear [REDACTED]:

The New Jersey Cannabis Regulatory Commission (“NJ-CRC” or “Commission”) is in receipt of your request to waive N.J.A.C. 17:30-16.1(f). Pursuant to N.J.A.C. 17:30-3.7(a), the Commission may waive a regulatory requirement regarding the operations of a cannabis business, to the extent such waiver does not conflict with any other State law, if in the Commission's determination, such a waiver: (1) is necessary to achieve the purpose of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (“CREAMM Act”); (2) is necessary to provide access to cannabis items to consumers; and (3) does not create a danger to the public health, safety, or welfare.

The Commission has reviewed your waiver request and has determined that it does not meet the requirements of N.J.A.C. 17:30-3.7(a). The NJ-CRC designated the testing standards set by the State of Maryland, located in Title 10, Subtitle 62 of the Code of Maryland Regulations (COMAR), as reflected in Appendix A of Resolution 2021-9, to serve as the Commission's Interim Testing Standards adopted pursuant to N.J.S.A. 24:6I-19(e). Additionally, N.J.A.C. 17:30-19.4(a)(1) requires all testing laboratories to analyze samples according to the Cannabis Regulatory Commission’s Testing Guidance. Resolution 2025-05-01-05 rescinded the Commission’s testing guidance and required all Testing laboratories to follow the interim testing guidance, namely the Maryland Technical Authority for Cannabis Testing, Revision 3.0, December 15, 2020 (“Maryland Testing Guidance”).

Here, Sussex Cultivation’s samples failed due to the presence of pesticides Piperonyl Butoxide and/or Pyrethrins. See attached Certificates of Analysis. Under N.J.S.A. 24:6I-35a.(13)(c), a licensee may request an opportunity to remediate, subject to approval by the Commission. See N.J.S.A. 24:6I-35a.(13)(c) (“the licensee may also be permitted an opportunity to remediate, upon notice to the commission. . .”). In evaluating such request, the NJ-CRC considers whether the

Maryland Testing Guidance permits remediation of the contaminant at issue and whether the licensee has an NJ-CRC approved remediation plan. Pursuant to the Maryland Testing Guidance, “Cannabis samples with pesticide active ingredients detected above the action level listed below fail, and the product must be destroyed.” See Maryland Testing Guidance, pg. 7. Additionally, Sussex Cultivation does not have a NJ-CRC approved remediation plan for the pesticides identified in the laboratory testing.

Furthermore, acute inhalation or oral exposure to elevated levels of pesticides may cause dizziness, headache, nausea, muscle twitching, fatigue, changes in awareness, convulsions, and loss of consciousness, and dermal exposure may cause temporary paresthesia. See, e.g., ToxGuide for Pyrethrins and Pyrethroids (available at <https://www.atsdr.cdc.gov/toxguides/toxguide-155.pdf>).

The Commission has determined that the destruction of samples that have failed for the presence of pesticides Piperonyl Butoxide and/or Pyrethrins active ingredients is required by the Maryland Testing Guidance, that Sussex Cultivation does not have an NJ-CRC approved remediation plan, and that granting the waiver request poses a danger to public health, safety, and welfare. For these reasons, your waiver request is denied.

This determination applies to the following products:

Source Package Labels	ProductName
1A41103000045ED000017232	1.0G Blue Zushi Bubble Hash
1A41103000045ED000017240	1.0G Jelly Donutz Live Rosin Fresh Press
1A41103000045ED000017336	1.0G Humboldt Headband Live Resin
1A41103000045ED000017318	1.0G Blue Zushi Live Rosin Cold Cure Badder
1A41103000045ED000017312	0.5G Humboldt Headband Live Rosin Vape AIO
1A41103000045ED000017309	1.0G Humboldt Headband Live Resin Liquid Diamonds + HTE Vape Cart
1A41103000045ED000017577	1.0G Lemon Berry Resin Vape Cart
1A41103000045ED000017574	1.0G SuperBoof Live Resin Badder
1A41103000045ED000017580	Lemon Berry Live Resin
1A41103000045ED000017758	MAC Stomper Live Resin
1A41103000045ED000017764	M.O.B. Live Resin
1A41103000045ED000017755	1.0G Grandi Guava Resin Vape Cart
1A41103000045ED000017911	1.0G Lemon Berry Live Resin
1A41103000045ED000018157	(g) Rick Simpson Resin Tincture
1A41103000045ED000019369	Honey Banana Live Rosin
1A41103000045ED000019501	Honey Banana Live Resin
1A41103000045ED000019499	1.0G Jelly Donutz Live Resin
1A41103000045ED000019583	1G Jelly Donutz Live Resin AIO
1A41103000045ED000019581	1G Honey Banana Live Resin AIO

You may appeal the Commission’s determination within 45 days from the date of this Final Agency Decision to the New Jersey Superior Court, Appellate Division, Richard J. Hughes Justice Complex, P.O. Box 006, Trenton, New Jersey 08625-0970. During this period, the above-referenced products must remain in quarantine. Failure to file an appeal within 45 days will be deemed an acceptance of the Commission’s determination and the above-referenced products must

be destroyed immediately. If destruction is required, you must coordinate the destruction process with your Compliance Officer.

Thank you for your interest in operating as a Cannabis Business. Should you have any questions regarding this correspondence, please submit your inquiry to the NJ-CRC Licensing inbox at crc.licensing@crc.nj.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'H. Laufer', written in a cursive style.

Harris Laufer
Chairperson
New Jersey Cannabis Regulatory Commission

Encl.