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May 2, 2017 (https://www.cannabisindustryjournal.com/news_article/california-releases-draft-medical-cannabis-regulations/)

California Releases Draft Medical Cannabis Regulations

By Aaron G. Biros

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The set of proposed rules include requirements for lab testing, traceability, warning symbols and THC limits.

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Last week, Governor Brown's Administration released a set of proposed rules (https://static.cdfa.ca.gov/MCCP/document/CalCannabis%20Proposed%20Medical%20Regulations_42817.pdf) for the medical cannabis, attempting to provide some oversight to the once unregulated market. In 2015, the governor signed three bills into law that established a regulatory framework via the

Medical Cannabis Regulation and Safety Act. That legislation set up the Bureau of Medical Cannabis Regulation inside the Department of Consumer Affairs as the overseeing regulatory agency.

According to the press release (http://bmcr.ca.gov/about_us/documents/media_20170428.pdf), the proposed regulations for manufacturing and cultivation have also been published. "The proposed licensing regulations for medical cannabis are the result of countless hours of research, stakeholder outreach, informational sessions and pre-regulatory meetings all across the state," says Lori Ajax, chief of the Bureau of Medical Cannabis Regulation. "And while we have done quite a bit of work and heard from thousands of people, there is still so much more to do. In order to make our program successful we still need your feedback."

Upcoming Events & Webinars

April 30, 2017 - 9:00 am - May 3, 2017 - 5:00 pm

AOCS Annual Meeting (<http://annualmeeting.aocs.org/>)

The AOCS Annual Meeting is a premier international science and business forum on fats, oils, surfactants, lipids, and related materials. Known world-wide for its extensive technical program, the Annual Meeting features more than 650 oral and poster presentations within 13 interest areas. Topics in cannabinoid analytics include practical applications and method development. In addition to the three days of technical sessions, the Annual Meeting features a Hot Topics Symposia, Industry Showcases, a variety of networking events, and the Awards Plenary and Business Meeting. It also provides ample opportunities for attendees to learn, reconnect with colleagues, engage with new business contacts, and meet with Showcase partners. Over 1,600 professionals from 45 countries attend, representing the industry's most prestigious corporate, government, and academic institutions.

June 12, 2017 - 9:00 am - June 14, 2017 - 5:00 pm

NCIA's 4th Annual Cannabis Business Summit & Expo (<http://go.gsmiweb.com/cjcb17>)

Use discount code CJI15 to save on your registration! Advocacy. Education. Community. Industry leaders, entrepreneurs, and newcomers will gather to learn best practices for maintaining a successful business, and gain knowledge on emerging topics and policy issues.

June 14, 2017 - 8:00 am - June 16, 2017 - 6:00 pm

Cannabis World Congress & Business Expo (CWCBE Expo NY) (<http://www.cwcbexpo.com>)

The 4th Annual Cannabis World Congress and Business Expos are the leading forums for doing business in one of the fastest growing industries in the United States. If you're employed in the cannabis industry, a current business owner, interested in starting a cannabis business, provide private equity & investment resources, or provide professional or business services, you can't afford to miss these coast to coast events.



content/uploads/2017/05/OMCS-Regulations.jpg according to their website (<http://bmcr.ca.gov>), the legislation divides responsibility for licensing businesses between three regulatory bodies: The CA Department of Food and Agriculture the CA Department of Public Health and the Bureau of Medical Cannabis Regulation, which will be the leading body in charge of licensing. The proposed regulations are not set in stone, but give us an important glimpse into how the state hopes to regulate the market.

Among the proposed rules are a number of regulatory compliance nuances expected to raise prices, but provide extra measures to protect consumer safety. According to the SF Gate (<http://www.sfgate.com/business/article/California-issues-historic-medical-marijuana-rules-11107573.php>), regulators expect prices could climb \$524 per pound. But with that price jump comes a lot of regulations that other states have so far successfully implemented. The laboratory testing and traceability stipulations are presumably designed to safeguard public health, preventing things like black market diversion and off-label pesticide use.

In addition to the medical regulations, the proposed manufacturing regulations (https://www.cdph.ca.gov/Documents/OMCS_Initial_Text_DPH-17-004.pdf) set some notable requirements. Those rules are set by the Office of Manufactured Cannabis Safety, established in the Center for Environmental Health of the California Department of Public Health (CDPH) after the 2015 legislation was signed into law. Good Manufacturing Practices, food product standards, operational and labeling requirements are included in the provisions, along with a list of licensing tiers, application requirements and fees. They have a handy summary of the proposed regulations (https://www.cdph.ca.gov/Documents/OMCS_CDPH_Cannabis_Regulation_Summary_04-27-17.pdf) for those looking for the key highlights.

004111 Cannabis Product Symbol
The primary panel of a medical cannabis product shall be marked, labeled, or otherwise identified with the cannabis product symbol depicted on this package.
(b) The symbol shall replicate the following in form and color:



(<https://www.cannabisindustryjournal.com/wp-content/uploads/2017/05/Screen-Shot-2017-05-02-at-10.35.32-AM.png>)

The proposed 'cannabis product symbol'

Omar Figueroa, an attorney with a cannabis law practice in California, says his clients in the industry are preparing to suggest changes to the proposed regulations and possibly legal challenges. "They are looking at this as overregulation by people that are not in the cannabis industry," says Figueroa. "These are outsiders with a limited knowledge base creating somewhat uninformed regulations." He says a good example of this is the potency limit on infused products. "They make perfect sense for [the recreational market] but for the medical market it is simply unacceptable. Patients develop a tolerance to THC and would have to increase their caloric intake and buy more infused products if this proposed regulation becomes final." He says there are a number of regulations that seem kind of arbitrary. "Like prohibiting cannabis-infused caffeine products; there doesn't seem to be a necessity in the rulemaking for this," says Figueroa. "A lot of these regulations are going to be susceptible to challenges because California requires regulations to be necessary and alternatives to be considered."

Although the lab testing regulations won't be published for another few days, Figueroa expects them to be a huge disruptor for the market. "Most labs in the state are not ISO 17025-accredited, which means many labs might not be able to issue certificates of analysis when the regulations get enforced," says Figueroa. He says it is safe to say California regulators are looking at other jurisdictions, like Colorado and Oregon for example, in crafting these rules, but we can expect a sea change in these regulations before they get enforced.

Manufacturers will be required to use a cannabis product symbol with a 'THC' marking on their labels. There is also a 100-milligrams-per-package limit for THC in infused products, which is similar to rules we saw Colorado (https://www.cannabisindustryjournal.com/news_article/colorado-rule-changes-increase-costs-for-edibles-producers/) and Oregon (https://www.cannabisindustryjournal.com/news_article/oregon-october-1st-compliance-deadline-what-you-need-to-know/) roll out during a preliminary period of legal recreational cannabis.

For those looking to get involved in the regulatory process, there is a 45-day comment period on the proposed rules.

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