

**DPH-17-010: Cannabis Manufacturing Licensing
Response to Comments Received During the 15-Day Comment Period #1**

#	COMMENT	ID#	STATUS	RESPONSE
§40128. Annual License Application Requirements				
1	Suggestion to strike out paragraph (5) requiring OSHA training as burdensome.	15-73	Rejected	This is a statutory requirement under BPC §26051.5 (AB 2799, Chapter 971, Statutes of 2018).
2	Support addition of changes from AB 2799 to require specific employee training.	15-120	Noted	The Department thanks the commenter for their submission. No modifications to the text are requested, so no further response is required.
§40129. Annual License Application Requirements – Business Information				
3	Strike out the requirement for submission of by-laws. Not justified in the ISOR and does not constitute a business-formation document as required by the SOS. By-laws are internal documents and should not need to be submitted. Unnecessary and overreaches CDPH's authority.	15-34	Rejected	The modified text does not require by-laws to be submitted. Instead, "by-laws" is included as an option for applicants to submit as business formation documents, and is included to conform the Department's text with Bureau of Cannabis Control text.
§40130. Annual License Application Requirements – Owner Information				
4	Support the regulations as currently drafted requiring applicants, licensees or owners who have any administrative or civil judgements for violations of labor standards rendered against them to provide a detailed description for the licensing authority.	15-113	Noted	The Department thanks the commenter for their submission. No modifications to the text are requested, so no further response is required.
5	Where is 40130 9(a)?	15-38	Rejected	The construction of section does not require the inclusion of a subsection 9(a).

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6	Labor Standards: All licensing authorities should include violations of labor standards as part of the licensing process and enforcement, which shall include revocation of the license.	15-33	Noted	The Department incorporated this recommendation from the Cannabis Advisory Committee in the proposed text.
7	Disclosure of owners: require an applicant for an annual license who lists any corporation or other entity as an owner, to also disclose the names of the owners of the corporation or entity.	15-33	Noted	The Department's regulations require that if an entity owns 20% or more of a business the board members or executive members must be listed as owners.
§40179. Death, Incapacity, or Insolvency of a Licensee				
8	This section does not adequately mandate communication between state and local agencies about death, incapacity, or insolvency of a license. They suggest adding language the "the Department shall notify the applicable local jurisdiction where a licensed premises is located, is proposed to be located, or will be located regarding any administrative or enforcement action taken on a license."	15-36	Rejected	MAUCRSA developed a dual licensing system in which the state requests verification of local authorization for a licensed premises. Local jurisdictions may have different administrative or enforcement procedures than the state. It is not necessary to mandate communication in regulations for agencies to work together.
9	40179 (a), CDPH requires notification within 10 business days, but the BCC requires it within 14 calendar days. Please align regulations.	15-122 15L-4	Rejected	This requirement is in alignment with other notification requirements in the Department's regulations.

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§40230. Manufacturing Practices Definitions				
10	Replace (m) with "Control Measures."	15-22	Rejected	The Department has decided to use the terminology "preventative measures" for clarity and consistency.
§40235. Quality Control Program				
11	Commenter is opposed to adding this section as they feel it is too large of a change to be a 15-day change and recommend it should be a 45-day change.	15-97	Rejected	As noted in the Explanation of Changes released with the Modified Text, the elements of this section are not substantively new. Rather, this section and the proceeding sections are restructured from the existing requirements (both from the initially proposed text, as well as the emergency regulations that have been in effect since December 2017) with minor modifications to refer to other sections of existing law.
§40240 Ground, Building, and Manufacturing Premises				
12	Add "cannabis" and "cannabis products" to the last sentence of section (a)(6) (b)(1).	15-22	Rejected	All of the Good Manufacturing Practices requirements apply to "Cannabis" and "Cannabis products," therefore this change is not necessary.
13	Add "contact surfaces" and "packaging material" to the last sentence of (b)(2).	15-22	Rejected	If any glass breakage over a contact surface has the potential to contaminate cannabis or cannabis products, it would need to be addressed by this section.
14	Add "cannabis" and "components" to the last sentence of (b)(3)(C).	15-22	Rejected	This change is not necessary. Sewage contamination of cannabis or components would lead to contamination of the cannabis product, and is therefore already addressed in this paragraph.
15	Add "cannabis" and "components" to the last sentence of (b)(3)(D).	15-22	Rejected	This change is not necessary. Contamination of cannabis or components would lead to contamination of the cannabis product, and is therefore already addressed in this paragraph.
16	Allow grounds grading to satisfy the requirement for draining areas.	15-32	Rejected	The requirements in this section address the outcome of prevention of pooled or standing water, which can lead to product contamination. The licensee can achieve this outcome through any measure that is successful and conforms with other requirements.

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17	Allow ceiling panels which can be kept clean but which are not necessarily smooth surfaces. In areas where no manufacturing takes place, allow ceiling panels which are typical in office settings where no manufacturing takes place.	15-32	Rejected	The requirement that a ceiling be "smooth," as defined in 40230 (u)(2) is specific to the manufacturing premises where manufacturing is occurring, as determined on the premises diagram.
§40253 Product Quality Plan				
18	Commenter has several recommendations for changes to the Good Manufacturing Practices section of the regulations. They recommend returning to the adoption of Federal food processing regulations in order to make the industry stronger and to preserve the food safety of the products and lead to the avoidance of public health concerns.	15-26	Rejected	The modified text restructured and revised the Good Manufacturing Practices and Process and Procedures, but maintained substantively similar requirements to the US Food and Drug Administration requirements for manufacturing food, drug, and dietary supplements, as well as provisions of the Retail Food Code contained in the California Health and Safety Code. The revisions were intended to clarify the requirements, remove duplicative language, and be more conducive to a comprehensive understanding of good manufacturing practices.
19	Remove the requirements for a manufacturer to do a second in-home test or send to an outside laboratory, once the distributor has arranged for and completed the initial laboratory testing, prior to the delivery of the raw cannabis to the manufacturer.	15-32	Rejected	The modified text does not require internal testing of cannabis. Instead, internal testing is presented as an example of an option that licensees can use to ensure the quality of raw materials.
20	Commenter is concerned that as written subsection (e) paragraph (2) suggests that all cannabis manufacturers would have to create	15-93 15-94	Rejected	The modified text does not require internal testing of cannabis. Instead, internal testing is presented as an example of an option that licensees can use to ensure the quality of raw materials.

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	the capability to test for pesticides in raw cannabis goods in house. They recommend clarification that for the purposes of this section “in house” will include R&D testing with a licensed cannabis testing laboratory.			
21	Commenter is opposed to adding this section as they feel it is too large of a change to be a 15-day change and recommend it should be a 45-day change.	15-97	Rejected	As noted in the Explanation of Changes released with the Modified Text, the elements of this section are not substantively new. Rather, this section and the proceeding sections are restructured from the existing requirements (both from the initially proposed text, as well as the emergency regulations that have been in effect since December 2017) with minor modifications to refer to other sections of existing law.
§40277. Weights and Measures				
22	Commenter does not want the additional burden of regulations requiring that scales be sealed, as they are not forward customer facing scales.	15-5	Rejected	CalCannabis, the lead agency over the track-and-trace system, requires entries into track-and-trace to use sealed scales. The Department has included the requirement so that manufacturer licensees are aware of the need to use sealed scales.
§40280. Training Program				
23	Subsection (a): Training should be specific, “... within the timeframes specified <u>as they pertain to the explicit duties and purview of the individual.</u> ”	15-73	Rejected	The modified text is intended to differentiate training requirements for “all personnel” from personnel that are engaged in the manufacturing process. Additional training for personnel involved in any step of the manufacturing process is necessary to ensure they are qualified for their specific tasks. It is therefore necessary that personnel demonstrate an understanding of the procedures in which they are involved in order to protect public health and safety. Protecting public health and safety is a stated intention of the Act.

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§40290. Waste Management				
24	Commenter is concerned that if a waste hauler is not required to share a disposal ticket to confirm disposal, How will CDPH validate the date weight entered into Track and Trace? They are further concerned that this may cause diversion, create new opportunities for specialized businesses, is inconsistent with BCC regs, and that the regulations text should not be changed as current Waste Management practices will not conform to a new industry with unique workflows and regulations.	15-1	Rejected	<p>Upon further review, the Department determined that a weight ticket from a hauler would not represent the cannabis waste delivered to a landfill because it gets mixed with other waste. The Department determined that a valid waste hauler, hauling to its contracted location would be sufficient to determine diversion does not occur. All licensees are still required to adequately track their waste pursuant to other sections of the regulations.</p> <p>CDPH and the Bureau of Cannabis Control oversee different portions of the commercial cannabis industry. As such, each agency has different regulations to address specific licensing needs.</p>
25	Commenter is concerned that if a municipality has an exclusive agreement with a publicly traded trash hauler, how will the CDPH issue a license? The publicly traded company can't touch the material.	15-1	Rejected	Agreements, permits, and authorizations between local municipalities and haulers is not within the scope of these regulations.
26	Commenter is very concerned that the proposal does not require a scale ticket. They are concerned that a licensed operator could enter a harvest as waste in Track and Trace and then sell the crop on the black market, as they no longer need to	15-3	Rejected	Upon further review, the Department determined that a weight ticket from a hauler would not represent the cannabis waste delivered to a landfill because it gets mixed with other waste. The Department determined that a valid waste hauler, hauling to its contracted location would be sufficient to determine diversion does not occur. All licensees are still required to adequately track their waste pursuant to other sections of the regulations.

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	provide a scale ticket back to the client.			
27	Commenter suggests that “disposal” be more clearly defined, and that subsection (c) be revised to clarify that licensees shall render the cannabis and cannabis product unrecognizable before it leaves the premises in order to clarify who is responsible for doing so.	15-41	Rejected	The term “disposal” is already defined in Public Resources Code 40192, Waste Management, and therefore does not need to be further defined.
28	Commenter suggests modifying subsection (e) to say that franchised waste haulers must be permitted by the local jurisdiction in which the licensee is located.	15-41	Rejected	The intent of the section is to ensure local waste hauler requirements are adequately addressed. The Department believes contracted waste haulers understand the provisions of their local waste hauling approvals and does not believe this language grants them the authority to bypass the terms of their hauling permits. The Department will continue to coordinate with local agencies and CalRecycle to ensure the regulation is implemented as intended.
29	Commenter suggests modifying subsection (e) to say that cannabis waste may be collected in conjunction with organic waste.	15-41	Rejected	Nothing in the proposed text prohibits cannabis waste from being collected in conjunction with organic waste.
§40305. Requirements for Edible Cannabis Products				
30	Commenter notes that the 10mg single-serve THC requirements for edibles in §40305 seems to have been stricken, but is required under	15-17	Rejected	The 10 mg per serving limit for edible products required under BPC §26130 was, and continues to be, contained in Section 40315 of the regulations. This section was not modified for the 15 day public comment period.

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	BPC. Wants to ensure that this requirement still exists in this final version of the regulations.			
§40330. Failed Product Batches				
31	Commenter requests clarification if an edible cannabis product exceeds 100 milligrams, will it be subject to a remediation plan subject to 40330?	15-91	Noted	Edible products exceeding the 100 mg per package allowance may be remediated under certain conditions, which includes the submittal of a remediation plan that must be approved by the Department.
32	Commenter supports the edits to this section allowing for repackaging of edibles if THC levels have been exceeded.	15-95 15-122	Noted	The Department thanks the commenter for their submission. No modifications to the text are requested, so no further response is required.
33	Commenter argues for a 1-5% variation in THC and CBD before needing a remediation plan from the Department. Alternately enforce through random testing, since it is less likely to fail lab testing.	15L-1	Rejected	The comment is directed at regulations promulgated by the Bureau of Cannabis Control.
34	Support for the amendments to 40330(f) allowing for remediation of edibles.	15L-4	Noted	The Department thanks the commenter for their submission. No modifications to the text are requested, so no further response is required.
§40401. Release to Distributor as Finished Product				
35	Humboldt Sun Growers Guild is in support of the language that a "Finished Product" does not include all labeling requirements as this will ease	15-90	Noted	The Department thanks the commenter for their submission. No modifications to the text are requested, so no further response is required.

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	the pressure of having a failed label claim on final COA.			
§40405. Primary Panel Labeling Requirements: Manufactured Products				
36	Commenter strongly feels that all cannabinoid content should be clearly labeled on the primary panel.	15-103	Rejected	Allowing the placement of cannabinoids on either the primary or informational panel allows manufacturers the flexibility to determine the best place to include the cannabinoid content that won't obscure other labeling requirements while still providing information essential to the consumer.
§40409. Cannabinoid Content Labeling				
37	Commenter supports the edits to this section allowing cannabinoid content to be on the primary label or the informational panel. They do however, recommend an edit to allow businesses the ability to voluntarily list the approximate CBD and THC content on the primary panel and then list specific testing results on the information panel.	15-95	Rejected	Including two different cannabinoid content numbers (the approximate content and the actual, tested content) could be confusing to consumers. To reduce the potential for confusion and prevent the label from becoming false or misleading, this recommendation has been rejected.
38	Adding the extra decimal place and zero around the 2.0 makes it difficult for manufacturers who have already printed packaging based on earlier regulatory indications. Please allow a phase-in for this requirement.	15-103	Rejected	The current emergency regulations do not allow for the less than 2 mg labeling or any variation thereof. Until adopted, proposed regulations are subject to change.
39	Commenter supports the ability for distributors to put cannabinoid content	15-78	Noted	No modifications to the text have been recommended.

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	onto labels after COA testing is completed.	15-101 15-102 15-110 15-114 15-122		
40	Strongly support the allowance of post-labeling testing.	15L-4	Noted	The Department thanks the commenter for their submission. No modifications to the text are requested, so no further response is required.
41	Additional Label: In addition to all the rights and responsibilities afforded to a licensee regarding packaging and labeling, how a distributor would also be allowed to apply an additional label to the final product if the final product's test results are inconsistent with the existing printed results.	15-33	Noted	The Department incorporated this recommendation from the Cannabis Advisory Committee in the modified text.
§40417. Child-Resistant Packaging Requirements				
42	Commenter suggests requiring manufacturers to transfer all cannabis products to distributors in CRP by January 1, 2019, not 2020, citing public safety.	15-36 15-40 15-95	Rejected	The Department, in conjunction with the Bureau, received numerous submissions regarding the length of time that can be needed to develop and produce child-resistant packages. Because this rulemaking package contains several amendments to existing packaging and labeling requirements, the Department was concerned about the potential for delays in the supply chain if sufficient, compliant child-resistant packaging could not be acquired. In order to provide for the transition to child-resistant packaging, in addition to other amended requirements, the Department and the Bureau jointly determined to allow for a delay in the effective date of the requirement until January 1, 2020.

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43	Commenter is concerned about the move back to package-level CRP for non-activated cannabis products, as it contributes to plastic pollution while not being necessary for public safety. They recommend either dropping or returning to exit-bag only CRP.	15-7 15-8 15-9 15-10 15-12 15-13 15-18 15-37 15-39 15-42	Rejected	BPC §26130 requires all cannabis and cannabis products to be sold in child-resistant packaging. The statute's mandate is to protect public health and safety, and consequently the three licensing authorities are retaining CRP at the product level. Until January 1, 2020, exit packaging or product level CRP can be used to meet the CRP requirement.
44	Commenters support the move back to product-level CRP.	15-16 15-37 15-39 15-42 15-44 15-74 15-75 15-76 15-92 15-110	Noted	The Department thanks the commenter for their submission. No modifications to the text are requested, so no further response is required.
45	Commenter is concerned the requirements for inhaled or topical products is unclear and suggests language to clarify that CRP be either child resistant for the life of the	15-17	Rejected	Section 40417 (a)(2) identifies the requirements for inhaled and topical cannabis products. These products may utilize child-resistance only until first opened, if the package is labeled with a statement "this package is not child-resistant after opening". Otherwise, the product must maintain child resistance for the life of the product.

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	product or child resistant only until first opened, with a warning.			
46	Wants to return to exit packages only, and that CRP should not be required for business to business transfers.	15-67 15-68 15-70 15-77	Rejected	If a product is moving to a manufacturer for further processing or packaging, child-resistant packaging is not required until the product is in final form.
47	Commenters suggest a return to retail-level CRP with exit bags, as individual CRP is too expensive.	15-45 15-46 15-47 15-48 15-49 15-50 15-51 15-52 15-53 15-54 15-55 15-56 15-57 15-58 15-59 15-60 15-61 15-62 15-63	Rejected	The statute's mandate is to protect public health and safety, and consequently the three licensing authorities are retaining CRP at the product level. Until January 1, 2020, exit packaging or product level CRP can be used to meet the CRP requirement.

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		15-64 15-65 15-66		
48	Commenter recommends return to exit-packaging CRP as it allows for better education, reduces plastic waste, reduces reliance on out-of-state CRP vendors, supports a better customer experience, and is easier to regulate.	15-69 15-78 15-114	Rejected	The Department thanks the commenter for this submission. The statute's mandate is to protect public health and safety, and consequently the three licensing authorities are retaining CRP at the product level. Until January 1, 2020 exit packaging or product level CRP can be used to meet the CRP requirement.
49	Opposed to allowing exit packaging, even for a certain duration.	15-71	Rejected	The Department of Public Health believes the January 1, 2020, timeline to establish product-level CRP will allow companies that have not established CRP product packaging sufficient time to meet product-level CRP packaging requirements. CRP exit-packaging will allow manufacturers to continue to operate while protecting public health and safety.
50	Commenter supports the current regulations that allow a one-year reprieve until product level CRP can be re-established, but does not want exit bags as the solution as they are still dangerous plastic waste.	15-86	Rejected	BPC 26130 requires all cannabis and cannabis products to be sold in child-resistant packaging. The Department's regulations implement this statutory requirement.
51	Commenter does not want CRP required at all, either product level or exit packaging. It is not the Department's responsibility to regulate parent's keeping cannabis away from their children.	15-88	Rejected	BPC 26130 requires all cannabis and cannabis products to be sold in child-resistant packaging. The Department's regulations implement this statutory requirement.

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52	Strike the words “until the date specified) in subsection (c) so that CRP may be fulfilled through exit packaging or by the producer.	15-90	Rejected	The statute’s mandate is to protect public health and safety, and consequently the three licensing authorities are retaining CRP at the product level. Until January 1, 2020, exit packaging or product level CRP can be used to meet the CRP requirement.
53	Commenter suggests that as of January 1, 2020, only multi-serving edible cannabis products be transferred to a distributor in child resistant packaging. CRP for all products is costly and time-consuming and will reduce the number of compliant brands on the market.	15-91	Rejected	BPC 26130 requires all cannabis and cannabis products to be sold in child-resistant packaging. A statutory change is needed to remove this requirement for non-edible products.
54	Commenter suggests adopting CRP requirements of this section on January 1, 2019, or not at all, as the year grace period unfairly punishes companies who have already spent money on making their products CRP compliant.	15-93 15-94	Rejected	The current emergency regulations require product-level CRP. The modified text will allow companies that have not established CRP product packaging sufficient time to meet product-level packaging requirements. Licensees that have been operating under the CRP emergency regulations will remain compliant and do not need to make any changes.
55	Strike the CRP requirement and allow it to be met by exit bags only.	15-96 15-108	Rejected	The Department thanks the commenter for this submission. The statute’s mandate is to protect public health and safety, and consequently the three licensing authorities are retaining CRP at the product level. Until January 1, 2020 exit packaging or product level CRP can be used to meet the CRP requirement.

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56	Commenter asks that CDPH expressly state that a child resistant exit packaging is not required if the products meets the child resistance requirements prior to 2020. The exit package requirement is damaging to beverage producers because the exit packages are generally not large enough for beverage products.	15-111	Rejected	The requirements in 40417 of the modified text specifically allows for either form of CRP until January 1, 2020.
57	Commenter suggests shortening the forbearance period to 6 months for complying with the requirements for CRP, and in addition they suggest language that allows for those commercial cannabis licensees already complying with child-resistant packaging to not have to have redundant exit packaging.	15-117	Rejected	A start date of January 1, 2020, has been developed in accordance with the other licensing authorities. The requirements in 40417 of the modified text specifically allows for either form of CRP until January 1, 2020. Licensees that have been operating under the CRP emergency regulations will remain compliant and do not need to make any changes.
58	Commenter is opposed to requiring product-level CRP for oral vaporizer cartridges specifically. They are not attractive to children, cannot be ingested without a vaporizer, and will cause more waste if they are packaged in CRP. Keep retail-level CRP.	15-28	Rejected	The Department thanks the commenter for this submission. The statute's mandate is to protect public health and safety, and consequently the three licensing authorities are retaining CRP at the product level. Until January 1, 2020, exit packaging or product level CRP can be used to meet the CRP requirement.
59	Clarification on Packaging: Provide clarification on the concepts of primary packaging, secondary packaging, and child-resistant	15-33	Noted	The modified text provides clarification on child-resistant packaging and packaging layers. No further modifications are necessary.

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	packaging (with respect to primary v. secondary) and labeling.			
60	Child-Resistant Packaging: Clarify how and where child-resistant packaging should be used.	15-33	Noted	The modified text provides detailed information on how child-resistant packaging is defined and the requirements for each product type. No further modifications are necessary.
61	Commenter states you eliminate the insane amount of waste you are causing by having too much packaging and plastic child resistant exit packaging. We are trying to be more green, not kill our planet. You should support sustainable practices.	15-118	Rejected	BPC §26130 requires all cannabis and cannabis products to be sold in child-resistant packaging. The Department's regulations implement this statutory requirement. The Department's mandate is to protect public health and safety. Packaging requirements reflect these priorities.
§40510. Track and Trace System General Requirements				
62	Commenter suggests changing 40510(c)(1) to business days.	15-34	Rejected	Business days may vary depending on the company or organization. Changing to calendar days provides a more reliable reporting system. In addition, this language aligns with the other licensing authorities.
63	Commenter would like clarification on why days were changed to calendar days, and suggest maintaining the business days or give an extension of the timelines if the Department prefers calendar days.	15-93 15-94	Rejected	Business days may vary depending on the company or organization. Changing to calendar days provides a more reliable reporting system. In addition, this language aligns with the other licensing authorities.
64	Recommends returning to business days for this entire section.	15-89 15-100 15-104	Rejected	Business days may vary depending on the company or organization. Changing to calendar days provides a more reliable reporting system. In addition, this language aligns with the other licensing authorities

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65	Suggestion to edit subsection (a) to "Each applicant or licensee shall identify <u>an individual who is an owner and/or employee</u> of the commercial cannabis business... within ten (10) calendar <u>business</u> days of receiving notice..."	15-34	Rejected	This comment related to the Track and Trace manager is not related to the 15-day changes in the modified text. CDPH changed "business days" to "calendar days" to align with the other licensing authorities.
66	Ask that " <u>owner or employee</u> " be added to the requirements of this section.	15-89 15-95 15-100	Rejected	This comment is not related to the 15-day changes in the modified text.
67	Change 40517(a) to calendar days.	15-34 15-93 15-94 15-95	Noted	This requirement was made in the modified text. No additional changes to the text are necessary.
§40550 Inspections				
68	40550(g) Commenter points out that this section, on collective evidence and making copies of materials, is extremely broad and ambiguous as it relates to the particular documents that could be collected. They are also concerned that said items collected could not be protected from information act requests.	15L-2	Rejected	This section is in accordance with the authority provided to the licensing agencies in accordance with BPC §26012(c).
69	Suggestion to modify 40550 (h) to clarify that any master manufacturing protocol is considered to be private information and therefore exempt from	15-34	Rejected	To the extent that master manufacturing protocols can be kept confidential under existing statutory provisions, the Department will abide by that

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	sharing under Public Records Act requests.			confidentiality. However, the Department does not have the authority to declare documents confidential other than in accordance with statute.
Comments Not Directed at 15-Day Modified Text				
70	Commenter asks for the use of non-stigmatized, easy-to-understand phrases such as “Rolled Cannabis” or “Rolled Smokes” in packaging compliance to describe product identity. This is due to the negative perception of terms like “pre-rolls” and “joints” to consumers.	15-80	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
71	Commenter is very concerned that none of the regulatory agencies have stopped the sales of artificially high THC level products, flavored products, and anything that is inherently attractive to children. They cite alcohol and tobacco regulations as a guideline to follow.	15-16 15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
72	Commenter does not want manufacturers to create high potency cannabis products until there is evidence to support their creation.	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
73	Infused pre-rolls should be prohibited.	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
74	Pre-roll labels should include percentage of THC by weight and total in milligrams.	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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75	Commenter would like an exception to be made on the barring of ethyl alcohol and /or caffeine for use in topicals.	15-2	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
76	Commenter recommends that state labor laws compliance should be added into the regulatory process and into the application process.	15-29 15-120	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
77	Commenter recommends that state labor agencies and cannabis regulating agencies share information.	15-29 15-120	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
78	Commenter suggests creating a protocol for refunding application fees when estimates submitted were more than the gross annual revenue.	15-32	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
79	Edits suggested to add “minus the fair market value of products already included in such a license fee calculation during the present calendar year.” to subsection (c).	15-34	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
80	40152 (a) What if not applicable?	15-38	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
81	40152 (b) Define “expected” and how to calculate imaginary number amongst so much chaos and the threat of perjury.	15-38	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
82	Request to lower surveillance recording storage to 30 days.	15-34	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
83	CDPH should clarify how a licensee should communicate recalls and how that information will be shared with authorities, and provide guidance on how to process and respond to edible-borne illness complaints.	15-22	Rejected	This section was renumbered and is not new text, therefore this comment is rejected as it is not related to the 15-day changes in the modified text.
84	Commenter suggests adding a provision to this section stating that MCSB must coordinate with local authorities on recalls.	15-36	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
85	Commenter is concerned that CDPH has not done enough to ensure products are not attractive to youth. They recommend prohibiting the addition of menthol or other flavorings to non-topical and non-edible products and that infused beverages be prohibited.	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
86	Create a "Shared Facility Manager" license to allow management only of a shared facility.	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
87	Add a definition for "designated area."	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
88	Add a definition of "common-use area."	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
89	Department should create a list of types of equipment that can be shared "included but not limited to."	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
90	Please allow multiple Type-6 licenses in shared commercial kitchens to be consistent with the co-locating of licenses in Santa Cruz County.	15-35	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
91	Commenter wants regulations to ensure that once a licensee employs more than 20 employees, that they enter into and abide by a labor peace agreement within 30 days.	15-29 15-30	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
92	Requirement for a labor peace agreement "as soon as reasonably practicable" is vague and unenforceable. 60 days is a reasonable time frame.	15-120	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
93	Recommend that the licensee be required to give notice within ten days once they reach the 20 employee threshold.	15-120	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
94	Commenter recommends that all warning labels should be enlarged to increase visibility.	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
95	Commenter recommends that all package labels should include all required product warnings rather than on package inserts or booklets.	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
96	Commenter recommends that all edible cannabis products display a state-approved warning message and symbol on product label informational panels that include "Not for Kids," the National Poison Control Hotline number, and instructions on how to store the product away from children under 21.	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
97	Please create a small package guidelines handout, and make the requirements for the UID simpler, like "make it prominent" rather than dictate a size.	15-86	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
98	Commenter recommends lower the THC limits for concentrates and other products to protect children and adults in case of accidental consumption.	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
99	Please require only US or metric measurements, as both is too difficult especially on small packages.	15-82	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
100	The Universal Symbol should not be necessary on flower-only pre-rolls. It is in stark contrast to previous guidance and does not align with other sections of the regulations, specifically 40412.	15-90	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
101	Commenter requests a grace period to allow brand enough time to secure new labeling to comply with the new requirements.	15-11 15-91 15-105 15-121	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
102	Commenter strongly feels that all cannabinoid content should be clearly labeled on the primary panel.	15-103	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
103	Commenter suggests defining any edible cannabis products that are typically marketed to youth, such as rice krispie treats, cupcakes, granola bars, or animal crackers, as attractive to children.	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
104	Commenter suggests the adoption of plain packaging standards.	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
105	Allow for the use of “made with organic ingredients.”	15-81 15-119	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
106	Do not prohibit images of the product on the packaging, rather in the interest of safety and consumer awareness, the regulations should be more about ensuring that the photos are accurate and not embellished, rather than prohibiting them.	15-111	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
107	Commenter asks for clarification on opaque packaging: to avoid confusion, a further definition of what	15-32	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
	constitutes opaque for manufactured edibles would be appreciated. Allowing opaque amber bottles would seem to indicate that coloration on an edible package would serve to provide enough opaqueness without the added expense of using packaging which would be visually impermeable.			
108	Commenter recommends that the Department consider convening an advisory group of manufacturers and retail operators and consumers, to consult on which sort of packaging would be safe but user friendly.	15-32	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
109	Please add a clear definition of “multiple uses” in this section.	15-19	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
110	Commenter recommends that all health related statements be prohibited from any marketing of cannabis products.	15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
111	Commenter recommends that no advertising or marketing materials be allowed to display the consumption of cannabis, contain material that encourages the use of cannabis due to its intoxicating effects, depicts the activities considered dangerous while under the influence of cannabis including operating a motorized	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
	vehicles, being pregnant, or breastfeeding.			
112	Commenter recommends that manufacturers be prohibited from using their product brand, including logos, trademarks, or names, on any clothing, toys, games, game equipment, or other products marketed to or used by persons under the age of 21.	15-21 15-22	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
113	Commenter is concerned that none of the regulatory agencies have taken social equity into account in the licensing schemes, specifically prioritizing applications from individuals in communities heavily impacted by the War on Drugs. Recommends a new equity applicant category created to prioritize applications from those with cannabis-related convictions.	15-16 15-22 15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
114	Commenter states that prevalence of underage marijuana use is rapidly replacing underage alcohol.	15-14	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
115	The commenter recommends that the regulations should support an efficient and transparent system for the disclosure for public records.	15-29	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
116	Requiring repetitive PRA requests violates the intent of both the voters and the California Constitution.	15-29	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
117	Providing an efficient and transparent system for disclosure of public records is supported by legal precedent, is confidential, and an analogous practice.	15-29 15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
118	Recommends change to 40282(d) to increase industry reconciliation notification to 72 hours.	15-34	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
119	Amend 40255 subsection (c) to allow local licensing authorities and their inspectors or agents to have access to the master manufacturing protocol.	15-36	Rejected	MAUCRSA establishes a dual-licensing structure that provides local jurisdictions the authority to establish ordinances that meet the needs of their specific locality. A licensee must comply with all applicable local ordinances, therefore it is not necessary for the Department to delegate authority in this matter.
120	Do not require “cannabis-infused” to be larger than the name of the product on all products.	15-95	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
121	Commenter recommends that 40410 is amended so that manufacturers may list other non-cannabis ingredients as organic if they are qualified as such. Allow the inclusion of the phrase “made with organic ingredients”.	15-106	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
122	This is a general comment on making cannabis products more like tobacco,	15-109	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
	with banning all flavorings, beverages, etc., and requiring plain packaging.			
123	The component of 40258 requiring packaging to be assembled at the point of manufacture is severely detrimental to the cannabis beverage industry.	15-111	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
124	The requirement to label products with “MEDICAL USE ONLY” only if it meets certain conditions is overly burdensome on manufacturers making products that are within the THC threshold such that the cannabis product could be sold to either a medicinal or adult-use consumer. The regulations would effectively require manufacturers to forecast out the demand for medical versus adult-use cannabis products early in the supply chain.	15-111	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
125	Is there a specific reason why a manufacturer is prohibited from using dark shades of other colors for bottled glass (40415)?	15-111	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
126	For liquid edible products, would an opaque wrapping or labeling that covers the entire bottle except for the bottom meet the requirement to be opaque (40415)?	15-111	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
127	Consider requiring plain packaging on all products.	15-112	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
128	Supports the three agencies requiring licensees to abide by the terms of a labor peace agreement as soon as reasonably possible.	15-113	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
129	Allow primary licensees of shared-use facilities more than one day to notify the Department of the commencement of manufacturing.	15-116	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
130	Commenter is concerned that the regulating agencies have not listened to people who have been in the industry for decades, and how onerous regulations have stopped people from being able to enter the legal market.	15L-4	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
131	Section 40192(d): Commenter feels that the primary licensee gains too much power by being able to discontinue the shared model in just 30 days, leaving all the Type S licenses in an extremely vulnerable position. They suggest making it a year or exclude the language altogether so that this is instead dictated by the lease agreements licensees are able to negotiate themselves.	15L-1	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
132	Work closely with the BCC and CDFA to develop identical ownership definitions in order to ensure consistencies and minimize confusion.	15L-4	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
133	Transition Period Extension: Extend the transition period from 6 months to 12 months to allow transactions between A and M license.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
134	Transfer Between A and M Licenses: Recognizing that the existing system of keeping adult-use and medicinal use separate places a great financial, planning and efficiency burden on cultivators, potentially affecting the supply chain, recommend allowing cultivated materials to be transferred between A and M license types until the point of sale.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
135	Compassionate Medical Cannabis: All regulatory agencies should create a special state and local licensing processes for those providing free compassionate medical cannabis that is exempt from fees and taxes. This change should be incorporated in the emergency rules and be promulgated as soon as possible to implement this	15-33 15-110	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
	motion. The motion includes all noncommercial cannabis activity. No state identification card requirement should be included. Recommendation amended from original to add language stating no state identification card requirement.			
136	Compassionate Care Program: The full advisory committee should recommend to seek a legislative fix for the compassionate care program.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
137	Annual Fees: The licensing authorities should evaluate the amount of annual fees, especially fees paid by people with disabilities, military veterans, locally licensed equity applicants, and nonprofit compassion programs.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
138	A and M Licenses and Transition Period: Combine application and annual renewal fees for A and M licensees conducting the same business activities at the same licensed premises and to extend the grace period until January 1, 2020 under Section 5029 subdivision (b)(1).	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
139	Funding of Social Equity Program: The three licensing authorities should fund a social equity program. Include local program models to support the	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
	development of the statewide equity program.			
140	Earmarks, Fee Waivers, and Loans: Consider providing earmarks from tax revenue for equity programs, license fee waivers, and possible loans and or low interest loan programs for applicants that have already been approved. Use equity applicant data to drive policy decisions.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
141	Fee installment and deferrals: include an option for fees to be paid in installments. Modify the regulations to allow a license to be issued contingent on continued payment of fees in installments.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
142	Access to Property and premises: As part of the social equity program, the three licensing authorities to the extent allowed by statute should explore access for equity applicants to property and premises. Allow co-location for equity applicants	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
143	Use of Preparers: Allow the use of preparers to assist applicant in preparing applications.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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#	COMMENT	ID#	STATUS	RESPONSE
144	Illustrative Guide: Create an illustrative guide for packaging and labeling broken down by the components of packaging and labeling.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
145	Dosage Limits: Increase the limitation on dosage from 2,000 mg to 4,000 mg for any non-edible medical product that is not restricted by statute; and raise the dosage limitation from 1,000 mg to 2,000 mg for non-edible adult use products.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
146	Health Claim Advertising: Adult-use cannabis should not be allowed to make unsubstantiated health claims in advertising.	15-33	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
147	Recommend CDPH adopt enforcement regulations similar to those by BCC and CalCannabis	15-120	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.
148	Section 40102 was not amended – recommend amendments to incorporate BCC modifications	15-122	Rejected	This comment is rejected as it is not related to the 15-day changes in the modified text.

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The following comments were received by the Department, but are not relevant to the proposed rulemaking action because they are directed at the regulations or authority of the Bureau of Cannabis Control (BCC). Under BPC §26012(a)(1), BCC has the sole authority to create, issue, deny, renew, discipline, suspend, or revoke licenses for microbusinesses, transportation, storage unrelated to manufacturing activities, distribution, testing, and sale of cannabis and cannabis products.

#	COMMENT	ID#
149	Commenter is concerned at the regulations seeming to explicitly ban white-label/co-packing/brand use contracts.	15-4 15-23 15-24 15-25 15-27 15-78 15-83 15-85 15-87 15-89 15-99 15-100 15-114 15-120
150	Commenter asks what % does the licensee need to own of an externally managed brand? Does the licensee's corporation need to directly own the trademark or can they have a stake in a brand/trademark owned by an external corporation?	15-4
151	Commenter asks if he owns the brand and becomes an employee of the licensee that uses that brand, is that compliant under the new language	15-4

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#	COMMENT	ID#
152	Commenter is concerned about section 5032 that bars licensees from conducting commercial cannabis activity on behalf of, at the request of, or pursuant to a contract with any person that is not licensed under the Act. They believe this will undermine celebrity endorsements or collaborations.	15-6
153	Commenter is concerned about Section 5032, the ban on “private labeling” in the BCC regulations.	15-15 15-24 15-25 15-27 15-31
154	Allow re-testing by a new lab if a batch initially fails testing particularly when the cultivator or manufacturer comes forward with proof of an earlier test which shows the batch passed the testing process.	15-32 15-78 15-87 15-99 15-114
155	Commenter has concerns regarding failed batches. They suggest that in the event of a failed batch, licensees should be able to ask for another lab to test the batch due to the high number of failures and lack of consistency among labs.	15-79
156	Please modify this section to allow for plus or minus 10%, 15%, and 25% variances, previously included in the July 2018 proposed regulations; should be restored.	15-108
157	Section 5032: Commenter has major concerns that limiting commercial activities between only licensed entities will disproportionately impact black and brown communities, and particularly the sudden ban on white labeling.	15L-1
158	Section 5041.1: Commenter thinks that regulating branded merchandise seems unjustifiable excessive. They do not believe that the Bureau should need to provide written approval for any and all merchandise.	15L-1
159	Section 5411: Commenter would like the allowance to donate free cannabis goods to “cannabis patients who have difficulty accessing medical cannabis goods,” or who choose not to obtain a medical cannabis card that may affect their ability to stay in federally funded programs or housing. Nonprofits that host events for those most affected by the war on drugs could also use donations for fundraisers.	15-84 15-87 15-99 15L-1

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#	COMMENT	ID#
160	BCC Sections 5025 and 5028: These premises requirements are prohibitive and prevent multiple licensees from functioning out of the same premises, especially equity applicants.	15L-1
161	BCC Section 5015 is limiting. The commenter requests language be added to this section that allows equity programs to subsidize, waive, or defer fee payments.	15L-1
162	BCC Section 5026 definition of premises is limiting: commenter would like the allowance of using shipping containers to be considered a premises because they are a more sustainable and affordable way for licensees to start their businesses instead of actual (affixed) buildings	15L-1
163	The Bureau's obligation to comply with BPC 26190 necessitates efficient and transparent disclosure of records.	15-29
164	Efficient and transparent disclosure of public information will help the Bureau conduct application review and enforcement activities.	15-29
165	Surveillance provisions of 5044 are in conflict with the Labor Code	15-120
166	Support labor law violations as part of the BCC disciplinary guidelines	15-120
167	Support state employer ID numbers as part of application	15-120
168	5002 and 5004 – prevent financial assets and interests from public disclosure; revise section so that employees and sales reps are not considered financial interest holders	15-78 15-87 15-99 15-114
169	5301 – remove restriction that storage services for only cannabis goods packaged as they will be sold at retail	15-78 15-89 15-100 15-114
170	5311 – remove modified text	15-78 15-114
171	5015 – remove penalty on annual fee estimates	15-78 15-87 15-99 15-114

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#	COMMENT	ID#
172	5040 – remove restrictions on advertising placement on highways	15-78 15-114
173	Allow retailers to reject partial shipments for additional reasons	15-78 15-114
174	5303 – do not require pre-rolls to be tested after creation (allow to be tested as bulk flower)	15-78 15-89 15-100 15-114
175	Consider higher variance for low-weight products	15-78 15-114
176	Allow COAs to be transmitted digitally	15-78 15-89 15-99 15-100 15-114
177	Supportive of modifications to allow transfer between distributors	15-78 15-114
178	Clarify that unpackaged cannabis can be transported between distributors	15-89 15-100
179	Remove “terpenoid” from 5307	15-78 15-114
180	Exempt transport-only distributors from security requirements	15-78 15-114
181	Allow returns of cannabis	15-78 15-114
182	Reconsider the timeline and requirements for Phase 3 testing	15-78 15-114
183	Create established action limits for Category 1 pesticides	15-78 15-114

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#	COMMENT	ID#
184	5724 – remove milligram listing for inhalable products and define serving size	15-78 15-114
185	Recommended grammatical clarifications – 5002(c)(34), add “if applicable;” 5027, add turnaround time for approval; 5041(c), replace “photograph” with “image;” 5042(c), allow authorized individuals to escort visitors; 5049 – allow consumers to return waste cartridges and similar products for recycling.	15-78 15-114
186	Support 5032	15-75
187	Legalize hemp	15-115
188	Clarification and express limitations on how a distributor can create pre-rolls is needed	15-87 15-99
189	Concerns expressed about “non-cannabis” agencies ability to provide the resources required regarding application processing	15-43
190	Modified definition of “immature plant”	15-89 15-100
191	Remove requirement to update specific financial information	15-89 15-100
192	Modify requirements for security personnel	15-89 15-100
193	Delete modifications to requirements for transport vehicles	15-89 15-100
194	Self-Transport Distribution: Create a mechanism for cultivators to conduct self-transport distribution of their own product to a centralized processing facility, manufacturing facility, distributor or a lab for pre-testing, without the same requirements of the existing transportation license—including BCC regulation section 5044 and 5047—by either amending the existing transportation distribution license or creating a new license type.	15-33 15-72 15-89 15-100
195	Selling Samples: The Bureau should address how, if at all, licensees may provide samples for a nominal fee for B to B and B to C situations.	15-33 15-72 15-78

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#	COMMENT	ID#
		15-114
196	Storage Only Center License: Create a subcategory license, under the distribution license, designated as storage only center that's allowed to hold inventory and transport product. The transaction portion would remain under the full distribution license holder.	15-33
197	Enforcement Authority: The Bureau should 1) clearly identify the enforcement authority regarding advertisement placement; 2) clearly communicate who the enforcement authority is and how to contact them with complaints; 3) collect data on enforcement actions; and 4) require all advertisements have information regarding the license holder placing the advertisement.	15-33
198	Clarify Difference Between Citations and Orders of Abatement and Clarify References: The Bureau should 1) clarify an order of abatement versus a citation; 2) clean up language and clarify its process and procedural guidelines within the regulations, reference, and citation sections.	15-33
199	Advertising: The Bureau should 1) clarify rules and provide direction regarding what type and where advertising is allowed; 2) collect data on when and where advertising rules were violated and if the violation was targeted to minors.	15-33
200	Research and Support: All types of funding and bidding processes are considered by the state to acquire funds to cover the cost of research on diversity issues in the cannabis industry.	15-33
201	Proper Identification Training: The Bureau should include in its regulations an employee-training requirement on proper identification verification to prevent sale of cannabis and cannabis products to youth at the point of sale or upon delivery of product.	15-33
202	Branded Vehicles: The Bureau should study whether branded vehicles fall under existing advertising restrictions.	15-33
203	Data Collection: The Bureau should collect data and report yearly on youth and adult cannabis use and overuse; ER visits and treatment episodes; DUI and poison control calls related to cannabis.	15-33
204	Advertising to Age Specific Audience: The Bureau of Cannabis Control should amend Title 16, California Code of Regulations, Section 5040(a) to read as follows: Any advertising or marketing placed in broadcast, cable, radio, print, and digital communication shall only be displayed where at least 85% of the audience is reasonable expected to be 21 years of age or older, as determined by reliable up-to-date audience composition data.	15-33
205	Methods of Delivery: Clarify and simplify methods of delivery. Increase flexibility regarding vehicles and hours, consider increasing the value amounts that can be carried at one time. Clarification on the delivery receipt that eliminates the	15-33

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#	COMMENT	ID#
	need for an address instead uses the state license number on the delivery receipt. Flexibility in allowing local government to allow changes in hours of operation if they so choose.	
206	Testing for Research and Development: Regulations should allow for licensed laboratories to accept materials from any licensed entity that is part of the supply chain for research and development, without a requirement to report the results.	15-33
207	Expiration Date: Regulations should clarify that the testing results are valid on a finished manufactured cannabis product until the expiration date of the finished product, as determined by the manufacturer. The expiration date must be supported by in-house or third-party data.	15-33
208	Standard Testing Analytical Methodology: The Bureau should incorporate standard testing analytical methodology in final regulations. <i>Adopted with edits to this original recommendation.</i>	15-33
209	Waste Disposal: The Bureau should revisit cannabis waste disposal from testing laboratories.	15-33

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The following comments were received by the Department, but are not relevant to the proposed rulemaking action because they are directed at the regulations or authority of the California Department of Food and Agriculture, CalCannabis Licensing Program (CalCannabis). Under BPC §26012(a)(2), CalCannabis has the sole authority to create, issue, deny, renew, discipline, suspend, or revoke licenses for cultivation activities.

#	Comment	ID#
210	Clarify 8106(a)(1)	15-72
211	Add definitions for mother plants	15-72
212	Clarify self-distribution fees	15-72
213	Allow a larger variance for cannabis flower	15-72
214	Modify the plan requirements regarding plants extending over canopy boundary	15-72 15-107
215	Generator Hour Meters: Amend section 8306(d) [of Cal. Code Regulations, Title 3] to allow after-market non-resettable hour meters be installed, if feasible.	15-33
216	Outdoor Cultivation Definition: The definition of outdoor cultivation should allow the use of light deprivation techniques. Recommendation was amended from original statement to remove language regarding crop cycles.	15-33
217	Compassionate Use Programs: Language should be developed to create a cultivation-based tax incentive for products being set aside for compassionate use programs.	15-33