

CANNABIS CONTROL COMMISSION

December 4, 2025

10:00 AM

**In-Person at Cannabis Control Commission, Second Floor Public Meeting Room,
Worcester Union Station, 2 Washington Square, Worcester and with Remote Access via
[Microsoft Teams Live*](#)**

PUBLIC MEETING MINUTES

Documents:

- [Meeting Packet](#)
- November 26, 2025, 935 Code Mass. Regs. § 500.00 Draft Social Consumption Regulations.
- November 5, 2025, Inversion/Debarment Memorandum.
- October 21, 2025, MJBizDaily article.

In Attendance:

- Chair Shannon O'Brien
- Commissioner Carrie Benedon
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

Minutes:

I. Call to Order

- The Chair recognized a quorum and called the meeting to order.
- The Chair gave notice that the meeting is being recorded.
- The Chair gave an overview of the agenda.

II. Commissioners' Comments & Updates – 00:01:16

- Commissioner Roy thanked Solar Cannabis in Somerset and David O'Brien from the Cannabis Business Association for hosting herself and the Chair. She stated that the red tape removal committee was spoken about and folks were very excited. She mentioned honoring the will of the voters on Social Consumption (SC) License types and how close they were getting to the finish line. Commissioner Stebbins thanked T.Bear in Wareham and Alternative Compassion Services for hosting tours. He noted a tour with Commissioner Benedon at Lowkey2 prior to them opening their doors in West Roxbury and a meeting with Phil from Freshly Baked in Taunton. He



mentioned listening to one of the in-person equity program trainings and thanked staff. Commissioner Benedon thanked everyone who made her transition and onboarding so smoothly. She noted terrific staff and how lucky they were to be supported by such a phenomenal team. She also mentioned the visit to Lowkey2. The Chair thanked the Information Technology (IT) department. She also noted that Solar was a registered powerplant and her desire to promote good behavior and recognize it. She added that one of the most significant drivers of energy consumption increases in Massachusetts had been the cultivation of Cannabis. Commissioner Roy mentioned the leadership rating program for Marijuana Establishments and Marijuana related businesses and requested that the topic be put on an agenda for a future Public Meeting.

III. Commission Discussion and Votes – 00:08:44

1. Red Tape Removal Committee Structure and Roster Finalization

- The Chair and Executive Director Travis Ahern (ED) thanked Commissioner Benedon for weighing in. The Chair provided an overview of the topic. Commissioner Roy stated as they had moved forward, they realized some of the regulations no longer made sense. She expressed excitement and ambition for this. Commissioner Stebbins noted their inaugural Commissioners and the opportunity they had to peel back some cautious regulation. He added the need for clarity in regulations. The Chair stated they would be moving to amend the previous motion. She announced the roster of internal staff and external individuals who they invite to work on the informal committee. The Chair walked through the processes on how the internal working group would work with external consulting. The ED noted to rescind the previous motion. The Chair asked General Counsel Kajal Chattopadhyay (GC Chattopadhyay) on how to amend the previous motion and create a new one. GC Chattopadhyay suggested to amend or rescind the prior motion and then move forward with a new motion to vote on.
- Commissioner Roy moved to amend the previous motion on red tape removal taken on October 15, 2025, and finalize the rostering invitation of external invitees as has been presented by the Chair to work with the red tape removal working group to review recommendations for prioritization of future regulatory changes for Commissioners to consider no later than June 30, 2026.
- Commissioner Benedon seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved the motion.

2. Secret Shopper Program and Debarment Update



- The Chair noted that the Commission did not have a secret shopper program and only an intermittent process where they could do confirmatory testing. She added that not having an independent standards testing lab made it difficult. She expressed that they were looking into different ways that the Commission could create and fund a secret shopper program that allowed the Commission to make sure that products were properly labeled, protected public health and safety, and Consumers. Commissioner Roy noted that she was in the secret shopper working group and they needed to make it a robust reality. She thanked the team and expressed that they were executing confirmatory testing, but constraints had made the program tricky. She expressed the need for resources to execute. The Chair mentioned the program could require some regulatory change and funding was important. Commissioner Stebbins expressed hope of getting the resources needed to bring it to the execution stage. Commissioner Roy mentioned the Alcoholic Beverages Control Commission (ABCC) and age verification. She added that aside from resources, she thought it could be easily addressed in regulation when they address exclusivity. She requested it be in scope and noted issues with the language in regulation. Deputy General Counsel Michael Baker (DGC Baker) shared the ongoing conversation around the definition of Commission Delegee and the need for a carve out with the secret shopper program to have Commission Delegee mean something other than what it was currently defined as. He added that if the Commissioners decided to extend delivery exclusivity and a regulatory round with that, whatever they submit to the Secretary as far as amendment, then that would make it in scope. He advocated for them to do that upfront, so it was within scope. Commissioner Roy requested a meeting for them to discuss what they would like to see in that scope. DGC Baker expressed that it would be helpful for staff to prepare for what to expect in that round and explained timeline on promulgation and exclusivity. The ED noted there were other mechanisms they could use depending on where the Commissioners were when discussing the exclusivity report. DGC Baker reiterated that if they wanted the exclusivity period to expire, no action relative to regulations needed to be taken. The Chair thanked the Donahue Institute for preparing the report and helping them meet their obligations. The Chair explained the issue of debarment and that it was raised by Commissioner Roy. She noted that the state of New York did not have an as robust seed-to-sale tracking system as Massachusetts, but they did have greater enforcement actions related to unlicensed activities. Commissioner Roy explained why she raised the issue and she stated it caught her eye when reading a MJBizDaily article around New York moving to punish a Marijuana distributor at the heart of an inversion scheme. She noted she had never heard of the enforcement tool before and thanked AGC Laduzinski for looking into the issue and providing a memorandum. She provided the New York's debarment enforcement sanction that can bar a person or business from holding a Cannabis License in the future and from contracting with New York's Office of Cannabis Management (OCM) or with Licensees following serious or repeated violations of Cannabis law. She quoted the definition and legal basis in New York's Cannabis regulations. The Chair noted the need as a Commission to strengthen the work of good operators and make sure that people who were not



following the law did not have the opportunity to compete illegally or to undermine the health and safety of the system. Commissioner Stebbins stated he would share his comments and questions with the Legal department and Enforcement Counsel Timothy Goodin (EC Goodin) and noted that they did not offer a definition for diversion or inversion in their regulations and needed too before deciding penalties. The Chair mentioned the idea of having a meeting with representatives from the Attorney General's Office (AGO). The Chair asked what the current process was for investigators who discovered a Licensee engaging in an illegal grow or something of that sort. The ED noted the Commission's suitability process but noted debarment was not an outcome that existed and it would require regulatory change. Chief of Investigations and Enforcement Nomxolisi Jones (Chief Jones) explained the current process when an investigator found out about diversion or inversion stating that the process typically involved police and they sent them a referral as soon as possible. Commissioner Roy asked if they made referrals to district attorneys and Chief Jones stated that since she had been with the Commission, they had not. She added that when they reach out to police or state police, if the district attorney is involved, they have reached out to the Commission to let them know their process. She added that they have requested for them to participate as witnesses. The Chair asked if they made a referral of potential criminal behavior, was the referral confidential and Chief Jones confirmed it was not. The Chair requested a list of all criminal referrals that the Commission had made over the course of the past four years and Chief Jones confirmed. Commissioner Roy noted the next step was to have meetings on inversion to get as much information as possible and figure out if it made sense for them to tackle it in regulation. Chief Jones referenced an instance where a Licensee assigned the duties of their License to another Licensee and how they handled that. EC Goodin highlighted what was contained in the regulations currently and he provided detail on the instance Chief Jones mentioned where they allowed another entity to utilize their License to complete transfers and he explained the suitability process. Commissioner Benedon asked after ten years if a prior regulatory violation would still be considered a factor in evaluating suitability or if it was no longer considered at all after ten years. Chief Jones stated they would investigate it as they had never encountered that as the agency hasn't been around that long. The Chair asked if they observed criminal activity and made a referral how quickly it would be brought to the Commission for review. Chief Jones stated for enforcement actions, they waited till they had all of the final evidence for the board's review, consideration, or discussion. Chief Jones stated that they did not have jurisdiction to investigate criminal matters, and they do not want to prejudice the Licensee and mentioned due process. She also noted that they had to wait for the outcome of the criminal complaint from the agencies looking into the matter until the matter had been adjudicated for them to be able to get involved in that regard.

- Commissioner Roy moved to take a recess returning at 11:30 AM.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:



- Commissioner Benedon – Yes
- Commissioner Roy – Yes
- Commissioner Stebbins – Yes
- Chair O’Brien – Yes
- The Commission unanimously approved the motion.
- The Commission took a brief recess. (Returned at 01:23:12.)

3. Discussion and Review of Draft Regulations and Policy Questions

- The Chair expressed that the plan for the discussion was to get as close to consensus as they could and take the official final vote at the December 11th Public Meeting. Associate General Counsel Erica Bruno (AGC Bruno) started on 935 Code Mass. Regs. § 500.141(10)(e)5.. Commissioner Stebbins noted the desire for clarity to not send the signal that they needed to get separate systems and that they also needed odor control equipment beyond that when the odor control equipment may be part of the existing ventilation system. AGC Bruno noted it could be helpful to clarify that in the language specifically that it did not need a separate system that has to be purchased outside of their ventilation and filtration system and she proposed language. Commissioner Benedon proposed to include “within the ventilation system” or a standalone system. Commissioner Roy stated she would like to keep it as part of the ventilation system. The ED suggested including a caveat that it could be part of the other equipment to give them the optionality. AGC Bruno noted an alternative as they could amend 5. to read “odor control equipment sufficient to mitigate Cannabis odor from being detected outside the property lines, which may be contained within the ventilation and filtration system.” Commissioner Stebbins stated that leaving the language as it was, may be sufficient. Commissioner Benedon noted she had a conversation with the Legal department and after reviewing the regulations in totality, she was satisfied that it could adequately be left to the municipalities to enforce. The Chair confirmed consensus to leave the language as is. AGC Bruno read 935 Code Mass. Regs. § 500.141(3)(b)1.- 3.. The Chair noted that the legislature was considering some statutory changes that would require the Commission to have responsive regulation changes in the future that could impact what they were currently working on. Commissioner Roy noted her concerns were satisfied with keeping the product with who purchased it and budtender not having custody of purchased product. The Chair noted consensus. She then went on to 935 Code Mass. Regs. § 500.141(3)(d)5. and proposed amendments from Commissioners. Commissioner Roy noted her concern to not disincentivize the establishments to not carry products like the inhibitors. Commissioner Stebbins suggested dividing 5. into two parts. Deputy General Counsel Michael Baker (DGC Baker) provided the reason they married them together as anything outside of their jurisdiction would defer to the municipality to sell. The Chair asked about needing to be approved by the municipality and asked if it was mandated somewhere else in the regulations. AGC Bruno confirmed that SCE Licensees would be required to provide shelf-stable products including food and water to Consumers. AGC Bruno stated they could put together some language to break the section into two and revisit it after a break. AGC



Bruno went on to 935 Code Mass. Regs. § 500.141(4)(k) around exit bags with liquids and provided context around research on an exit bag for beverages and provided proposed language. She also read an amendment proposed by Commissioner Stebbins. Commissioner Stebbins explained his amendment to keep up with availability of technology, and he noted feedback from a company who made seals for canned beverages. AGC Bruno went to the Standard Operating Procedure (SOP) section for exit bags and read how it was currently drafted and proposed changes to include an exit bag for liquids. AGC Bruno went on to the definition of Cooling Down Area. The Chair expressed the desire to not want anyone to stay for any reason and was opposed to all the language. Commissioner Stebbins proposed leaving it up to the Licensee and establishment. The Chair asked if they did not include the language, if they were precluded from having a space and Commissioner Stebbins stated that the language they had currently allowed them to do that, and the Chair noted areas of liability they do not want to create and referenced a bar. Commissioner Roy asked if it would be more appropriate in a guidance document and Commissioner Stebbins stated that he always envisioned it in guidance. AGC Bruno stated that it was only in a guidance document, there would be no teeth for enforcement and read 935 Code Mass. Regs. § 500.141(2)(p). Commissioner Roy expressed her concerns about involuntarily going into a Cooling Down Area and being prohibited from purchasing. Commissioner Benedon noted that she shared Commissioner Roy's and the Chair's comments around regulating something that was completely optional and discretionary on part of the Licensees. She added that if it was not addressed in regulations at all, there could be more incentive to a Licensee to have a space as such by not regulating. Commissioner Benedon asked if they did not include any reference to a Cooling Down Area would anything in the regulations prohibit an establishment from functionally having such a space and AGC Bruno confirmed there would be no express prohibition against having a space, it would be permissible but not regulated. Commissioner Roy noted the robust and strong comments they heard at the Public Hearing. The Chair mentioned her appreciation for the work Commissioner Stebbins had done on the topic as it was pro public safety and noted an enforcement problem for them and municipalities. Commissioner Stebbins stated he would connect with the Legal department during break to walk through concerns and come back to discuss. AGC Bruno went on to 935 Code Mass. Regs. §§ 500.141(10)(d) and 500.141(11)(d). AGC Bruno noted that there was not a standard developed as to a specific recommendation as to Personal Protective Equipment (PPE) and that the area was in the Occupational Safety and Health Administration (OSHA)'s jurisdiction for worker safety. She read Commissioner Roy's suggested amendment and Commissioner Roy explained why she wanted to add the language. Commissioner Benedon asked if they were bringing OSHA compliance into their enforcement jurisdiction and Commissioner Roy stated they were already referred to in other areas. AGC Bruno read (i) and provided some suggestions from Commissioners Roy and Stebbins around if there's an indoor smoking consumption area ventilation and filtration system failure, would ceasing all consumption occur or just smoking and what would be the time frame for smoke to



dissipate. She included some research around smoke dissipation and the findings. Commissioner Roy appreciated the research and suggested changing the language from 72 hours to 48 hours and after that time they could convert to non-smoking until the ventilation system was properly fixed. Commissioner Stebbins asked about the intention of fully vacating the area and Commissioner Roy explained. Commissioner Benedon stated that the language was not clear and suggested adding language for clarity. Commissioner Stebbins proposed language and DGC Baker stated they would work offline on new language.

- Commissioner Benedon moved to take a recess returning at 1:45 PM.
 - Commissioner Roy seconded the motion.
 - The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
 - The Commission unanimously approved the motion.
 - The Commission took a brief recess. (Returned at 04:01:49.)
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- The Chair referenced the list of criminal referrals she requested from Chief Jones and asked the ED if they could also have background for what the referrals were for. The ED stated he would start compiling as much information as possible. The Chair reiterated they would be taking a final vote on the SC regulations on December 11th and that they would announce the process around once the regulations were promulgated. AGC Bruno went on to 935 Code Mass. Regs. § 500.141(3)(d)5. and read the proposed amendment. Commissioner Stebbins stated that it met the suggestion of breaking out the two between other items that the community could have oversight and approval of versus making other products available and not disincentivizing them. The Chair noted consensus. AGC Bruno then went to 935 Code Mass. Regs. § 500.141(10)(i) to address the requirement to vacate the Consumption Area and read the proposed amendment. The Chair noted consensus. Commissioner Stebbins expressed his appreciation to his colleagues for their indulgence as they went through the Cooling Down Areas and expressed that after sitting down with the Legal department, he was comfortable with striking the whole Cooling Down Area section as his concerns could be addressed in other areas. Commissioner Roy mentioned receiving an email from Ellen Brown around Responsible Vendor Training (RVT) training. Commissioner Stebbins noted a good next step would be to have educational compliance sessions. DGC Baker stated that they currently have several public health and safety focused things baked into the RVT training. The ED noted that there would need to be development specifically within the process that would lay out for implementation and a working group that would have Commissioner sponsors led by Director of Enforcement Training Armond Enos (Director Enos). DGC Baker stated they would work on getting a draft back to the Commissioners and the public as soon as possible for the 11th.



Commissioner Roy noted the significant milestone. The Chair applauded Commissioner Stebbins for being the lead Commissioner of the working group and Commissioner Benedon for keeping up with the work that fellow Commissioners had already done prior.

IV. New Business Not Anticipated at the Time of Posting – 04:19:50

- The Chair stated that there was no new business which was not anticipated at the time of posting.

V. Next Meeting Date – 04:19:55

- The Chair stated that the next meeting was scheduled for December 11, 2025.

VI. Adjournment – 04:20:48

- Commissioner Benedon moved to adjourn.
- Commissioner Stebbins seconded the motion.
- The Chair took a roll call vote:
 - Commissioner Benedon – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Chair O'Brien – Yes
- The Commission unanimously approved the motion.

