



Cannabis Control Commission May Monthly Public Meeting

In-Person and Remote via Teams



Meeting Book - Cannabis Control Commission May Monthly Public Meeting Packet

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May 7, 2024

In accordance with Sections 18-25 of Chapter 30A of the Massachusetts General Laws and Chapter 107 of the Acts of 2022, notice is hereby given of a meeting of the Cannabis Control Commission. The meeting will take place as noted below.

CANNABIS CONTROL COMMISSION

**May 9, 2024
10:00 AM**

In-Person and Remote via [Microsoft Teams Live*](#)

PUBLIC MEETING AGENDA

- I. Call to Order
- II. Commissioners' Comments & Updates
- III. Minutes
- IV. Acting Executive Director and Commission Staff Report
- V. Staff Recommendations on Changes of Ownership

The Commission may enter closed executive session pursuant to G.L. c. 30A, § 21(a)(7), to review confidential background check information and/or investigatory materials in accordance with G.L. c. 6, §172 and G.L. c. 4, § 7, cl. 26 (a) and (f).

- 1. Apical, Inc.
 - 2. Ashlis Extracts, Inc.
 - 3. Ashlis Farm, Inc.
 - 4. Buudda Brothers 90 Sargeant Street, LLC
- VI. Staff Recommendations on Renewal Licenses
 - 1. Apical, Inc. (#MCR140696)
 - 2. Apical, Inc. (#MRR206700)
 - 3. Apical, Inc. (#MRR206699)
 - 4. Apical, Inc. (#MPR244094)
 - 5. Atlantic Medicinal Partners, Inc. (#MTC1506)
- VII. Staff Recommendations on Provisional Licenses



1. Catamount Cannabis Company, LLC (#MRN285084), Retail
 2. Chill & Bliss II, LLC (#MRN285090), Retail
 3. Cloud 9 Cannabis, LLC (#MRN285037), Retail
 4. Haze of Grafton, LLC (#MPN282215), Product Manufacturer
- VIII. Staff Recommendations on Final Licenses
1. 220 O'Neil, LLC (#MR284345), Retail
 2. ARL Healthcare, Inc. (#MR284873), Retail
 3. NashMac, LLC (#MR281304), Retail
 4. ReLeaf Alternative Natick, Inc. (#MR284537), Retail
 5. Smokey Leaf, LLC (#MR284276), Retail
- IX. Staff Recommendations on Responsible Vendor Training Renewals
1. Bright Buds Training (#RVR453146)
- X. Enforcement Actions
1. High Hawk Farm, LLC
 2. Holistic Industries, Inc.
 3. Olde World Remedies, Inc.
- XI. Commission Discussion and Votes
1. Executive Director Search Update *Acting Executive Director Debra Hilton-Creek*
 2. Model Equity Ordinance *Director of Licensing Kyle Potvin*
 3. Guidance on Municipal Equity *Director of Licensing Kyle Potvin*
 4. Island Transportation Discussion *Acting Chair Ava Concepcion*
 5. Delivery License Type Policy Updates
 - i. Delivery to Municipalities That Have Banned Marijuana Establishments
Update General Counsel Kristina Gasson
 - ii. Delivery to Hotels *Commissioner Bruce Stebbins*
 6. Accounts Receivables Policy Introductory Discussion *Commissioner Kimberly Roy and Bruce Stebbins*
 7. Job Description: Communications Manager *Acting Executive Director Debra Hilton-Creek*
- XII. New Business Not Anticipated at the Time of Posting
- XIII. Next Meeting Date
- XIV. Adjournment

*Closed captioning available

If you need reasonable accommodations in order to participate in the meeting, contact the ADA Coordinator Debra Hilton-Creek in advance of the meeting. While the Commission will do its best



to accommodate you, certain accommodations may not be available if requested immediately before the meeting.



CANNABIS CONTROL COMMISSION

November 9, 2023

10:00 AM

Via Remote Participation via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- Application Materials associated with:
 - Staff Recommendations on Changes of Ownership
 - Staff Recommendations on Renewal Licenses
 - Staff Recommendations on Provisional Licenses
 - Staff Recommendations on Final Licenses
 - Staff Recommendations on Responsible Vendor Training
- [Meeting Packet](#)
- November 2023 Government Affairs Update
- DEI and Employee Relations Director Job Description
- Senior Investigator Job Description
- First Assistant Enforcement Counsel Job Description
- Director of Enforcement Training Job Description

In Attendance:

- Acting Chair Ava Callender Concepcion
- Commissioner Nurys Z. Camargo
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

Minutes:

- 1) Call to Order
 - The Acting Chair (AC) recognized a quorum and called the meeting to order.
 - The AC gave notice that the meeting is being recorded.
 - The AC gave an overview of the agenda.
- 2) Commissioners' Comments and Updates – 00:01:14
 - Commissioner Stebbins thanked the Legal Department for submitting the regulations to the Secretary of State's office before the Chapter 180 statutory deadline. He mentioned the conversations he had with constituents regarding the law's implementation and other policy proposals. Commissioner Roy echoed



Commissioner Stebbins and mentioned the conversations she also had on policy with stakeholders. She looked forward to pivoting to other regulatory priorities to make the industry better. Commissioner Camargo noted her regulatory priorities and that the delivery license conversation would continue in December. The AC reiterated her support for veterans and noted the upcoming holiday. She thanked staff for their hard work in implementing the regulations and mentioned that she chaired eight public meetings. She thanked her fellow Commissioners for their support in voting for her to be the AC. She mentioned her background from an area of disproportionate impact and how that impacted her role as AC and as a Commissioner.

3) Acting Chair Discussion & Vote – 00:08:48

- Commissioner Stebbins thanked the AC for her work leading the agency during the policy discussions. He mentioned his desire to offer a motion to allow the Secretary to resume her role as AC. He said this process had been established by precedent. Commissioner Roy thanked the AC for her leadership and agreed with Commissioner Stebbins regarding the policy where the Secretary would serve as AC in the Chair's absence.
- Commissioner Stebbins moved that the Commission appoint the Commissioner serving as Secretary to serve as AC from the current meeting forward.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – No
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – No
- The Commission denied the motion to appoint the Commissioner serving as Secretary to serve as AC in the event the Chair was absent from this meeting, by a vote of two in favor and two opposed.
- Commissioner Camargo commended the AC's performance and moved to designate Commissioner Concepcion as AC until further notice from the State Treasurer's office.
- AC Concepcion seconded the motion.
- The AC took a call of the roll:
 - Commissioner Camargo – Yes
 - Commissioner Roy – No
 - Commissioner Stebbins – No
 - AC Callender Concepcion – Yes
- The Commission denied the motion to designate Commissioner Concepcion as AC until further notice from the state Treasurer's office, by a vote of two in favor and two opposed.



- Commissioner Stebbins asked if there were any interests or thoughts from his colleagues about rotating the Chair's responsibility in this intervening period and expressed concern that they were not following past practice. Commissioner Roy asked the body to consider a compromised solution since they were deadlocked. Commissioner Camargo stated that she would amend her motion to allow for the AC to remain in place until the December 14th public meeting. Commissioner Stebbins commented that he would want to commit to completing the Governance Charter to ensure that the Commission's roles were defined. Commissioner Camargo cautioned against tying the decision of who should serve as AC to the Governance Charter because the Charter involves extended conversations and policy discussions. The AC stated she shared Commissioner Stebbins' sentiment and agreed that it was important. Commissioner Stebbins reiterated that he thought they needed to continue the work on governance, and they needed to be diligent about trying to bring it to a conclusion as soon as possible. The AC stated the governance contract concluded on December 31st and that it was public information.
- Commissioner Camargo moved to designate Commissioner Concepcion as AC until the December 14th meeting.
- The AC seconded the motion.
- The AC took a call of the roll:
 - Commissioner Camargo – Yes
 - Commissioner Roy – No
 - Commissioner Stebbins – No
 - AC Callender Concepcion – Yes
- The Commission denied the motion to designate Commissioner Concepcion as AC until the December 14th meeting, by a vote of two in favor and two opposed.
- Commissioner Roy proposed a motion for the AC position to be rotated by each Commissioner at each meeting, and until the board had a resolution on the permanent Chair. She clarified that the AC could rotate alphabetically among the Commissioners. Commissioner Camargo stated she wanted to be mindful of the impact that would have on consistency for stakeholders and staff and added she did not desire to be AC. She mentioned she felt fully confident in the current AC and asked why her fellow commissioners felt the need to appoint a new AC. Commissioner Roy reiterated that they were deadlocked, and she wanted to find a compromised solution.
- Commissioner Stebbins shared a proposed motion to allow Commissioner Concepcion to remain as AC through December and to convene a meeting on governance. He added that they begin the new year with a rotating option for a Commissioner to serve as the AC for three months then rotate. Commissioner Roy stated she would be amendable if the rotation started January 1, 2024.
- Commissioner Stebbins proposed a revised motion that the AC would continue her service through December 31, 2023, that the Commission during that period would convene a meeting session to continue their work on governance, and that beginning



January 1, in alphabetical order that they rotate the chairmanship every three months. Commissioner Camargo proposed an amendment to have the current AC continue and table the vote on rotating until the December 14, 2023, public meeting and asked if a Commissioner who did not want to serve as AC could pass on their rotation. Commissioner Stebbins stated that he rejected the Commissioner's amendment, stated no Commissioner would have to serve as AC and reiterated his proposed motion. Asked by the AC for his reasoning, Commissioner Stebbins noted past practice and wanted to ensure fairness. He mentioned the governance work needed to be done and his hope that the Charter would offer clarity. The AC discussed stakeholder engagement and that most people want stability which Commissioner Camargo's motion would offer. Commissioner Stebbins agreed that consistency was important and wanted to commit the Commission to a clear path forward when the issues with the Chair were resolved. Commissioner Roy seconded the motion. She added the benefit of the rotation would be for them all to set the agenda through their different lenses. Commissioner Camargo mentioned she hoped that the agenda was for all Commissioners and that the former Chair's opinion was that the agenda was for all Commissioners to set. Commissioner Stebbins acknowledged that he never felt like he could not offer an agenda item. Commissioner Roy noted for the record that she had no conflict at play and that she wanted to compromise to move forward. Commissioner Camargo asked the legal department, if the AC was not picked at the meeting, what would occur. General Counsel Kristina Gasson (GC Gasson) echoed the legal advice given by Acting Deputy General Counsel Andrew Carter (ADGC Carter) at the August public meeting that it would be highly advisable for them to select a Chair as there was currently no appointed sitting Chair and therefore the Commission is empowered to exercise its statutory authority to appoint an AC as its presiding officer.

- Commissioner Stebbins moved that the Commission continue the AC's appointment through the December 14, 2023, public meeting; that the Commission continue its work relative to Governance and starting on the January 2024 public meeting; and that the Commission rotate the role of the AC among the four Commissioners on a quarterly basis until such time as the Commission is given word from the State Treasurer's office.
- ADGC Carter stated that it may be helpful for Commissioner Stebbins motion to indicate how the role would rotate. Commissioner Stebbins amended his motion. Commissioner Stebbins motion now required that starting with the January public meeting, the AC's role would rotate among Commissioners in alphabetical order and if a Commissioner chooses not to serve in that capacity, the AC's responsibility can be designated to the next Commissioner alphabetically.
- Commissioner Roy seconded the motion.
- Commissioner Camargo asked how long the rotations would last and Commissioner Stebbins responded that it would rotate quarterly.
- The AC took a call of the roll:
 - Commissioner Camargo – No
 - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
 - AC Callender Concepcion – No
 - The Commission denied the motion, by a vote of two in favor and two opposed.
 - Commissioner Roy made a motion to nominate Commissioner Stebbins as AC and Commissioner Stebbins stated that he would not second it as he was not interested in serving as Chair at this time.
 - Commissioner Camargo proposed a motion to designate Commissioner Concepcion as AC until the December 14, 2023, public meeting and have the rotating conversation then. Commissioner Roy emphasized the want to compromise and not have to that his discussion again during the December meeting. The AC supported Commissioner Camargo's position as she wanted to have the opportunity to speak with staff internally. Commissioner Roy stated that no one was entitled to this role and emphasized the want again to move forward.
 - Commissioner Camargo moved to designate Commissioner Concepcion as AC until December 14, 2023, public meeting where they will then revisit the conversation on rotation of AC. Commissioner Stebbins offered an amendment to include the furthering of their Governance work.
 - Commissioner Camargo amended her motion and offered a new motion to designate Commissioner Concepcion as AC until the December 14, 2023, public meeting while furthering their Governance work until the end of the year and revisiting the conversation on rotation of AC during the December meeting.
 - The AC seconded the motion.
 - The AC took a call of the roll:
 - Commissioner Camargo – Yes
 - Commissioner Roy – No
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission approved the motion to designate Commissioner Concepcion as AC until the December 14, 2023, public meeting while furthering their Governance work until the end of the year, and revisiting the conversation on rotation of AC during the December meeting by a vote three in favor and one opposed.
 - Commissioner Stebbins moved to take a ten-minute recess until 11:40 AM.
 - Commissioner Roy seconded the motion.
 - The AC took a call of the roll:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission approved a ten-minute recess until 11:40 AM, by a vote of four in favor and none opposed (Returned at 01:39:56).
- 4) Minutes for Approval – 01:40:07
- July 28, 2023



- Commissioner Camargo moved to approve the minutes for the July 28, 2023, Commission public meeting minutes.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the minutes for July 28, 2023.

- August 10, 2023
- Commissioner Roy moved to approve the minutes for the August 10, 2023, Commission public meeting minutes.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the minutes for August 10, 2023.

- September 8, 2023
- Commissioner Stebbins moved to approve the minutes for the September 8, 2023, Commission public meeting minutes.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the minutes for September 8, 2023.

- September 14, 2023
- The AC asked if the Commissioners had any questions or comments on the set of minutes.
- Commissioner Camargo moved to approve the minutes for the September 14, 2023, Commission public meeting minutes.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes



- The Commission unanimously approved the minutes for September 14, 2023.

5) Acting Executive Director and Commission Staff Report – 01:43:12

- AED Hilton-Creek discussed the work necessary to implement Chapter 180 and HCA reform. Commissioner Stebbins suggested continued updates at future public meetings. AED Hilton-Creek discussed the Budget Build Update for FY2025 and stated she would have more updates at the following public meetings. AED Hilton-Creek noted the hiring freeze. She provided the timeline of the hiring process stating that there were typically 103 days between posting and hiring and 84 from offer to hire. Commissioner Roy asked for the next meeting if they could find out how many veterans work at the Commission. AED Hilton-Creek noted that she thought one of the reasons why the back end was so long was due to hiring individuals who were already in positions and who need to give notice to their current role or to give time for the employee to move into the state. AED Hilton-Creek thanked ADGC Carter for his work as the Acting General Counsel. ADGC Carter introduced GC Gasson, noted her service in state government and welcomed her to the Commission. Commissioner Roy asked AED Hilton-Creek about the supplemental budget. AED Hilton-Creek stated that the budget had passed the first review and was on to the next stage of implementation. She anticipated there would be more information at the next meeting and that they would also keep everyone updated internally.
- Licensing Director Kyle Potvin (Director Potvin) presented highlights from the licensing data. Responding to a question from Commissioner Roy, Director Potvin stated he anticipated including data on pre-verification in the future. Director Potvin noted that the data regarding expiring, surrendering, and revoked licenses since the beginning of the program would be presented to the Commissioners next month. Commissioner Roy asked whether Director Potvin could obtain the data on minority owned businesses that have commenced operations for the next meeting to make sure they are meeting their equity mandate. Director Potvin stated he would take it back to the leadership team and see if they could report on that next meeting. Commissioner Stebbins mentioned he would also like those numbers broken down to have a broader breadth of Disadvantaged Business Enterprises (DBE) and how they were operating within the current industry. Director Potvin indicated he understood the importance of the request.

6) Staff Recommendations on Changes of Ownership – 02:16:08

- Licensing Manager Tsuko Defoe (Licensing Manager Defoe) presented on behalf of the licensing department the Staff Recommendations for Changes of Ownership, Renewals, Provisionals, Final licenses and Responsible Vendor Training.

1. Catahoula Cannabis LLC

- Commissioner Camargo moved to approve the Change of Ownership.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes



- Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
2. Hudson Growers Alliance, LLC
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
3. MedMen Boston, LLC
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
4. Munro Associates, LLC D/B/A The Vault
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
5. Theory Wellness, Inc.
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes



- The Commission unanimously approved the Change of Ownership.
6. Twisted Growers LLC
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
7. Webber Road Ops, LLC D/B/A Pioneer Cannabis Company
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
- 7) Staff Recommendations on Renewal Licenses – 02:23:48
- Commissioner Stebbins mentioned licensees who tried to surpass their goals of improving diversity and their positive impact plans. He noted that some licenses were reluctant to request personal information of their employees and indicated that the Commission could supply technical assistance on how to do so in a legal fashion. Commissioner Roy highlighted Ashli’s Extracts, Inc. and commended them on hiring 17% of their workforce as persons with disabilities.
 - Commissioner Roy made a motion to approve items numbered 1-28, 30-49, 52 and 54-95 on the agenda.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved items numbered 1-28, 30-49, 52 and 54-95 on the agenda.
 - Good Chemistry of Massachusetts, Inc. (#MCR140605)
 - Commissioner Stebbins requested a condition.



- Proposed condition: Within thirty business days of license renewal, clarify and update any results on compliance with diversity plan with activities related to goal number three, supplier diversity plan and any related data since last renewal in accordance with 935 Code Mass. Regs. 500.103(4)(b) and provide an update to CCC Licensing Division.
- Commissioner Roy moved to approve item number 29 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved item number 29 on the agenda, subject to the condition articulated by Commissioner Stebbins.

- ProVerde Laboratories, Inc. (#ILR267929)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within thirty business days of license renewal, clarify and update any results on municipal cost documentation and provide reference documentation from the host community and provide an update to the CCC Licensing Division.
- Commissioner Roy moved to approve item number 50 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved item number 50 on the agenda, subject to the condition articulated by Commissioner Stebbins.

- Pure Oasis LLC (#MRR206596)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within thirty business days of license renewal, clarify and update any results on compliance with diversity plan with activities related to goal number two and any related data since last renewal date in accordance with 935 Code Mass. Regs. 500.103(4)(b) and provide an update to the CCC Licensing Division.
- Commissioner Roy moved to approve item number 51 on the agenda subject to the condition articulated by Commissioner Stebbins.
- Commissioner Stebbins seconded the motion.



- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved item number 51 on the agenda subject to the condition articulated by Commissioner Stebbins.
- Resinate, Inc (#MCR140583)
- Commissioner Roy recused herself from the matter.
- Commissioner Stebbins moved to approve item number 53 on the agenda.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Recused
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission approved the renewal of item number 53 on the agenda, by a vote of three in favor and one recused.

8) Staff Recommendations on Provisional Licenses – 02:38:19

1. Finest Trees, LLC (#DOA100163), Marijuana Courier
 - Commissioner Stebbins moved to approve the Provisional License.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Provisional License.
2. Porter Square Remedies, LLC (#MRN284796), Retail
 - Commissioner Stebbins moved to approve the Provisional License.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
 - The Commission unanimously approved the Provisional License.
3. The Stories Company Whitman, LLC (#MRN284846), Retail



- Commissioner Roy requested a condition.
 - Proposed condition: Prior to final licensure, in accordance with 935 Code Mass. Regs. 500.140(6)(g), please include the phone number for the Massachusetts Substance Use Helpline on their consumer education.
- Commissioner Stebbins requested a condition.
 - Proposed condition: Prior to final application of licensure, contact CCC Licensing Division with an update to confirm their training and recruitment partners and eligibility to support their activities in accordance with 935 Code Mass. Regs. 500.101(1)(c)8.k.
- Commissioner Stebbins moved to approve the Provisional License, subject to the conditions requested by Commissioner Roy and Commissioner Stebbins.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the Provisional License, subject to the conditions requested by Commissioner Roy and Commissioner Stebbins.

9) Staff Recommendations on Final Licenses – 02:45:19

1. Gan Or, LLC (#MP282097), Product Manufacturing
2. Gan Or, LLC (#MD1292), Marijuana Delivery Operator
3. Northampton Labs (#IL281313), Independent Testing Laboratory
4. Nuestra, LLC (#MR281469), Retail
5. Pluto Cannabis Co. (#MR284913), Retail
6. Rhythm of Life, LLC (#MC283475), Cultivation, Tier 1 / Indoor
7. Rhythm of Life, LLC (#MP282066), Product Manufacturing
8. Seaside Joint Ventures, Inc. (#MR284549), Retail

- Commissioner Camargo moved to approve the final license roster from one to eight, as indicated on the agenda.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the final license roster from one to eight, as indicated on the agenda.

10) Staff Recommendations on Responsible Vendor Training – 02:46:43



1. CI Compliance Group (#RVN454102)

- Commissioner Roy moved to approve the Responsible Vendor Training.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the Responsible Vendor Training.
- Commissioner Camargo moved to take a five-minute recess until 12:55 PM.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved a five-minute recess until 12:55 PM (02:55:47).

11) Commission Discussion and Votes – 02:55:50

- The AC stated there would be four job descriptions that they were going to discuss, and they would be presented by AED Hilton-Creek, Director of Investigations Nomxolisi Khumalo (Director Khumalo), and Enforcement Counsel Rebecca Lopez (EC Lopez). The descriptions were read out of order due to technical difficulties. AED Hilton-Creek stated these positions are required to be brought before the commissioners and that they may not be hired within the current fiscal year.

1. Job Description: First Assistant Enforcement Counsel

- EC Lopez stated the position would assist the EC with oversight, operations, and decision making relative to enforcement matters and gave an overview of what the position would entail. Commissioner Stebbins stated he wanted to make sure they were not overlapping responsibilities with existing positions and asked if this could be a cross-departmental collaboration as opposed to a new position. EC Lopez noted the scope of the position would solely relate to enforcement matters. Commissioner Stebbins asked her why she decided on that first salary range and EC Lopez answered that the salary range was an open discussion that would heavily involve the Chief People Officer (CPO). EC Lopez confirmed for Commissioner Roy that the position would provide support on matters arising out of the implementation of Chapter 180.
- Commissioner Camargo moved to approve the job description for First Assistant Enforcement Counsel.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:



- Commissioner Camargo – Yes
- Commissioner Roy – Yes
- Commissioner Stebbins – Yes
- AC Callender Concepcion – Yes
- The Commission unanimously approved the job description for First Assistant Enforcement Counsel.

2. Job Description: Director of Enforcement Training

- Director Khumalo gave an overview of the position and stated the role would require the individual to be responsible for internal and external training programs related to the industry. Commissioners Roy and Stebbins both agreed that the position was necessary. Commissioner Stebbins asked if there was an opportunity for somebody who was already on the team to undertake some of the responsibilities while also doing their job. Director Khumalo stated she had determined that a new position was necessary as her staff did not have the time to take on these additional responsibilities and as to avoid potential conflicts. AED Hilton-Creek stated that the salary range was an estimate and the amount would depend on applicants. Commissioner Stebbins mentioned the tough fiscal year and that he wanted to continue the conversation when it came to posting the position. Commissioner Roy emphasized she thought it was important that the position work with the testing team and that the description should be shared with the auditor's office.
- Commissioner Roy moved to approve the job description for the Director of Enforcement Training.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the job description for Director of Enforcement Training.

3. Job Description: Senior Investigator

- Director Khumalo stated the role was a promotional opportunity for internal staff for them to focus on complex investigations and gave an overview of what the position would entail. Commissioner Stebbins mentioned he did not want to cause any tension between existing roles and a new senior investigator.
- The AC stated the live feed had gone down and suggested taking a recess.
- Commissioner Stebbins moved to take a ten-minute recess until 1:40 PM due to technical difficulties.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved a ten-minute recess until 1:40 PM, due to technical difficulties (Returned at 03:51:01).
- The AC summarized where the conversation left off prior to the technical difficulties.
- Commissioner Stebbins restated his question regarding potential tension between different investigator positions. Director Khumalo stated that the complex investigations that would fall under the purview of the Senior Investigator would separate that position from existing employees. She added that not everyone is interested in being a manager and that some were more interested in developing those specific skills. Commissioner Roy asked if there could possibly be more than one senior investigator and AED Hilton-Creek responded that it depended on capacity, needs and budget.
- Commissioner Roy moved to approve the job description for Senior Investigator.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission approved the job description for Senior Investigator, by a vote of four in favor and none opposed.

4. Job Description: Diversity, Equity, Inclusion / Employee Relations Director

- AED Hilton-Creek stated these job descriptions are intended to represent the general concept of the Commission's values and gave an overview of the job description for the [Diversity, Equity, Inclusion](#) (DEI) [Employee Relations](#) director. The AC added this was something that exemplified the understanding of the cultural needs and components at the Commission. Commissioner Stebbins asked if the DEI Director would collaborate with the social equity team, if they could perform in the Human Resources (HR) Department, and how other agencies have incorporated similar positions. AED Hilton-Creek clarified that the intent was to show the Commission is committed to diversity internally just as it is externally and that qualified candidates would have a well-rounded background not only just in DEI but also in HR.
- Commissioner Camargo expressed frustration that hiring for these positions was delayed because of the budget. Commissioner Stebbins commented about his excitement for the new positions, particularly the First Assistant Enforcement Counsel position. AED Hilton-Creek reiterated that she would review the budget for needs after the fiscal year. Commissioner Roy stated that the First Assistant Enforcement Counsel was critically important in order of prioritization. She asked if



employees leaving the Commission could free up resources which could be redeployed to hire one of the positions discussed today. AED Hilton-Creek stated yes, that was an option, but any funds which were used in that way could only fund a temporary position.

- Commissioner Camargo moved to approve the job description for Diversity, Equity, Inclusion, and Employee Relations Director.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the job description for Diversity, Equity, Inclusion, and Employee Relations Director.

12) Next Meeting Date – 04:21:39

- The AC noted that the next meeting would be on November 16, 2023, and would be in person at the Worcester headquarters. She also gave a tentative schedule for the remainder of the calendar year.

13) Adjournment – 04:22:22

- Commissioner Roy moved to adjourn.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the motion to adjourn.



CANNABIS CONTROL COMMISSION

November 16, 2023

10:00 AM

Remote Participation via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- Application Materials associated with Dris Corporation (#MDA1321)
- [Meeting Packet](#)
- Email correspondence from Cannalive Genetics, LLC

In Attendance:

- Acting Chair Ava Callender Concepcion
- Commissioner Nurys Z. Camargo
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins

Minutes:

1) Call to Order

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

2) Commissioners' Comments and Updates – 00:00:54

- The AC announced the resignation of Executive Director (ED) Shawn Collins effective December 4, 2023. She along with the other Commissioners expressed gratitude towards the ED for his exceptional work in overseeing the agency since its inception and wished him all the best in his future endeavors.

3) Staff Recommendations for Final Licenses – 00:08:44

- Director of Licensing Kyle Potvin (Director Potvin) introduced the final license recommendation for the Commission's consideration.
- Dris Corporation (#MDA1321), Marijuana Delivery Operator
- Commissioner Camargo moved to approve the Final License.
- Commissioner Stebbins seconded the motion.



- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the Final License.

4) Commission Discussion & Votes – 00:11:02

1. Research Department Update

- Chief of Research Julie Johnson (Chief Johnson) acknowledged past and present research staff who helped earn the Commission’s external reputation as leaders in applied cannabis policy research. She mentioned the meeting with Dr. Rosalie Pacula. She noted the research mandates pursuant to G. L. c. 94G, § 17. She gave a departmental update and noted the new department name as the Center for Cannabis Research and Policy (CCRP). The AC thanked Chief Johnson and noted that the research department was one of the things that set Massachusetts apart. Commissioner Stebbins thanked Chief Johnson for organizing Dr. Pacula’s visit. Commissioner Camargo asked if the CCRP would replace the research department. Chief Johnson stated they would still have the research department, but it would not be labeled that anymore. She added it was an organic evolution of their department becoming a center and that it would be more recognizable. Commissioner Camargo asked her if there were any open requests for proposal (RFP). Chief Johnson stated there were not currently but the RFP that they would be moving towards in fiscal year 2025 was the healthcare study. The AC asked about the internal steering committee for the CCRP and next steps. Chief Johnson stated due to budget constraints they may not be able to meet with their consultants until fiscal year 2025. She stated she would check in with Acting Executive Director Debra Hilton-Creek (AED Hilton-Creek) and determine next steps. Commissioner Roy thanked her for the update and expressed her excitement to be on the steering committee. She noted that federal illegality had been an obstacle with bridging external stakeholders. Commissioner Camargo asked how the Commissioners were selected to be part of the internal steering committee, and how long the Commissioners were assigned. Chief Johnson stated the proposal was approved back in November of 2022. Chief Johnson thanked the Commissioners and expressed her excitement to continuing working with all the members of the board and departments at the Commission.
- Commissioner Roy asked to adjourn for a five-minute recess.
- The AC stated they would adjourn for a five-minutes recess until 11:05 AM (returned at 00:47:22).

2. Regulatory Review Discussion: Microbusiness License Type

- Commissioner Stebbins gave an overview of the topic. Commissioner Roy explained that microbusiness licenses were created to help folks get into the industry with



limited capital. She added this license was designed with equity in mind and provided an overview of the existing regulatory scheme. Commissioner Stebbins presented the data relative to the microbusiness license type by year and explained that there could be less interest in the license if the Commission did not remove certain regulatory barriers. He mentioned the Commission remained focused on social equity and participation in the industry by qualified disadvantaged business enterprises. Commissioner Roy added that the Commission was focused on the importance of equity in building a robust and inclusive marketplace. She noted the licenses' rigidity for business owners trying to scale up their business. Commissioner Stebbins mentioned that the proposed regulatory changes would allow Massachusetts resident's microbusinesses to expand and grow with their success. Commissioner Roy noted the current issue where the business owner would need to surrender their microbusiness license before seeking another license which effectively cuts off cash flow. Commissioner Stebbins proposed a motion. The AC asked if there was any data on the number of microbusinesses that had undergone the wind down process. Commissioner Stebbins stated that no business has surrendered their microbusiness license. Commissioner Roy mentioned a microbusiness that she had met with was in the process of winding down due to the inability to scale and attracting investors. The AC asked Director Potvin what the requirements were to wind down a business. Director Potvin explained that no microbusiness licensee officially surrendered their license and that he had conversations with microbusiness licensees who were concerned about the need to wind down. He explained the process and that the Commission would look at the universe of products within a business when it wound down as it would be a public safety issue. The AC noted a significant reduction in the provisional applications and asked if there was any information that showed that people pursued a traditional license type instead of this microbusiness license. Director Potvin explained that he did not but that businesses are more likely to choose a tier one cultivation license over a microbusiness license because of the flexibility offered in the former. The AC asked about the specifics of the microbusiness license. Commissioner Stebbins explained that microbusinesses could grow up to 5,000 square feet which equaled the same canopy spaces as a tier one cultivator. Director Potvin confirmed that a business could apply for another license without putting their microbusiness out of business under the current proposed language. The AC asked what the difference were between a microbusiness license and a tier one license if the proposed amendments were adopted. Commissioner Roy stated that a microbusiness could not convert to a tier two and noted with the proposal the microbusiness would be able to apply to be a tier two separately while staying in business. Commissioner Stebbins added the microbusiness license was created for Massachusetts residents and required a twelve-month residency with other incentives. He added a tier one, and a microbusiness could both cultivate to the same amount of canopy but for the microbusiness license they had to prove Massachusetts residency and would receive helpful incentives. The AC stated she understood the license was a more appealing license than a tier one license and asked how it would be maintained as a small business license for mom-and-pop shops. Commissioner Camargo noted the eleven



microbusinesses who commenced operations and asked how to protect these businesses. Commissioner Stebbins mentioned the benefits that are offered with the microbusiness license for a small entrepreneur looking to enter the market. He added the microbusiness license as it was created and envisioned was still there to give people the opportunity to get into the marketplace. Commissioner Camargo noted that only two social equity licenses had commenced operation within microbusinesses and that it was interesting that folks that are Social Equity Program (SEP) applicants or Economic Empowerment Applicants (EEA) had not moved towards the license. Commissioner Roy explained her understanding that the license was not as attractive as others because the business could not incorporate scaling up when appealing to investors. Commissioner Camargo advocated that the board research equity within the licenses. Commissioner Stebbins believed these amendments would lead to a greater number of applicants applying for the microbusiness license. He added they did not know how much discussion around the limitations of the microbusiness type might have stalled people or made them go pursue a different license type. Commissioner Roy noted as regulators they were there to keep the industry safe, secure, and equitable. Commissioner Stebbins clarified that under the proposed amendment the license would count against their ownership of a license limit, but the business did not need to surrender the microbusiness license to pursue another. Commissioner Roy mentioned the microbusiness license was for SEP applicants and EEA to be eligible for delivery endorsement and social consumption licenses too and the policy sought to help scale up new opportunities. Commissioner Camargo explained that larger organizations could use the microbusiness license to exploit SEP participants and EEAs. She explained that the board needed to be careful to not set new regulations that hurt these businesses. The AC stated she wanted to make sure they were not creating a loophole which was not beneficial to the people they were trying to assist. Commissioner Stebbins mentioned the discussions in the old meeting minutes and prior conversations regarding the capital-intensive wind-down process required in the regulations. The AC noted that regulatory rounds would offer opportunities for the public to comment regarding the policy changes. Commissioner Stebbins noted how the regulatory promulgation process worked before it would be filed with the Secretary of State's office. Commissioner Roy read an email for the record that they had just received from Todd Dahn of Cannalive Genetics LLC regarding mom-and-pop shops. Director Potvin offered an amendment to the language which stated that no person or entity having direct or indirect control over a cultivation or product manufacturing license can then also apply for a microbusiness license and noted his reasoning for this proposal. Commissioner Camargo mentioned increasing the twelve-month residency.

- Commissioner Stebbins moved for staff to integrate the revisions to the regulations relative to the microbusiness license type, as outlined in the memorandum dated 5/12/2023, and contained in the Commissioner board book on 11/16/2023, and to include those proposed changes in the Commission's next regulatory submission.
- Commissioner Roy seconded the motion.



- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the motion.
- The AC noted a thirty-minute recess until 12:50 PM (Returned at 2:36:17).

3. FY2025 Budget Update – 2:36:18

- Acting Executive Director Debra Hilton-Creek (AED Hilton-Creek) presented the budget update. She mentioned the impact that Chapter 180 could have on the budget. Commissioner Stebbins asked if she expected the board would approve the fiscal year 2025 request at their next public meeting. AED Hilton-Creek confirmed. Commissioner Camargo asked if this was the first time that the other Commissioners would see the budget. AED Hilton-Creek confirmed. Commissioner Roy mentioned the budget shortfall and asked if someone could do a cost analysis on the creation and distribution of medical cards. She suggested a digital format option for cost savings and mentioned it would be more environmentally friendly. AED Hilton-Creek stated they would investigate that and report back. Commissioner Roy asked about next steps pertaining to delegation of authority. Commissioner Stebbins wished to discuss creating a plan with respect to hiring an ED. The AC stated her number one priority was making sure that the selection process was thoughtful. Commissioner Roy noted the previous Commissioners had created delegations where they transferred some of their authority to the ED and they needed to revisit that. Commissioner Stebbins noted he had been part of a couple of ED searches when he was at the Gaming Commission and mentioned an evaluation tool used. The AC asked Commissioner Roy if she was thinking about having a presentation around the delegation memo. Commissioner Roy confirmed she could do that. Commissioner Roy stated they needed to look at the job description and redefine it as the agency's needs had changed. The AC noted she wanted to speak with the legal department for their opinions and legal analysis. AED Hilton-Creek added she could draft a framework in collaboration with Legal on the recruitment process. The AC asked AED Hilton-Creek if she could follow-up with the Commissioners prior to the December 14th meeting.

5) Next Meeting Date – 02:58:16

- The Chair noted that the next meeting would be on December 14, 2023.

6) Adjournment – 02:58:27

- Commissioner Camargo moved to adjourn.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes



- Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Callender Concepcion – Yes
- The Commission unanimously approved the motion to adjourn.



CANNABIS CONTROL COMMISSION

December 14, 2023

10:00 AM

Via Remote Participation via [Microsoft Teams Live*](#)

PUBLIC MEETING MINUTES

Documents:

- Application Materials associated with:
 - Staff Recommendations on Changes of Ownership
 - Staff Recommendations on Renewal Licenses
 - Staff Recommendations on Provisional Licenses
 - Staff Recommendations on Final Licenses
- [Meeting Packet](#)
- Email correspondence from Equitable Opportunities Now
- Email correspondence from the Massachusetts Lodging Association
- Email correspondence from Chief John Carmichael, Jr.
- Email correspondence from Massachusetts Patient Advocacy Alliance, Inc.

In Attendance

- Commissioner Nurys Z. Camargo
- Commissioner Kimberly Roy
- Commissioner Bruce Stebbins
- Acting Chair Ava Callender Concepcion

Minutes:

1) Call to Order

- The Acting Chair (AC) recognized a quorum and called the meeting to order.
- The Acting Chair gave notice that the meeting was being recorded.
- The Acting Chair gave an overview of the agenda.

2) Commissioners' Comments and Updates – 00:01:43

- Commissioner Camargo explained the maturity of the industry and discussed the implementation of Chapter 180. Commissioner Roy thanked David O'Brien for the discussion he hosted with licensees and noted the development of the Model HCA. She discussed testing in the industry, her advocacy for veterans as medical patients, and the implementation of Chapter 180. Commissioner Stebbins mentioned his



conversation with Commissioner Camargo and House Chair Dan Donahue on social consumption. He mentioned that he would be speaking to WBUR on social consumption and had just spoken to the Lynn Chamber of Commerce regarding the entire industry. The AC reflected on the busy year and explained the work that went into implementing Chapter 180. She discussed the importance of the delivery conversation later in the meeting and commented about the need to focus on worker's safety in the upcoming year because of the death of Lorna McMurrey.

3) Acting Chair Discussion & Vote – 00:21:45

- Commissioner Stebbins noted his desire to collaborate with his fellow Commissioners by rotating the duties of the Chair. He made a motion to rotate the duties of the Chair, by alphabetical order every three months until the next Chair is selected.
- Commissioner Roy seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – No
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – No
- The motion failed, by a vote of two in favor and two opposed.
- Commissioner Camargo read into the record an email from Equitable Opportunities Now that supported the work of Acting Chair Concepcion. She agreed with the email and advocated for the AC to remain as Commissioner Concepcion. Commissioner Roy requested a recess to obtain legal counsel. Commissioner Stebbins noted this past vote had nothing to do with the performance of the AC. He mentioned that having the AC in that role during the policy discussions was helpful. He noted that the goal of his suggestion to rotate the AC responsibilities was to offer help with the burdensome requirements of the Chair's role. Commissioner Camargo disagreed with rotating responsibilities of the AC and reiterated her support for the current AC.
- Commissioner Roy made a motion to take a 15-minute recess.
- Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The motion to take a 15-minute recess passed unanimously.
- The AC reopened the discussion (00:59:38).
- Commissioner Camargo asked why Commissioner Stebbins would not nominate Commissioner Concepcion. Commissioner Stebbins noted his last motion offered Commissioners the ability to not take the AC role if they did not wish to act in that capacity. He explained that the rotation would be collaborative to help with that workload. He desired to implement his past motion and did not feel that he needed to



make a different motion. Commissioner Camargo moved to appoint Commissioner Concepcion as the AC until a new nomination was made by the appointing authority. Commissioner Roy asked the General Counsel Kristina Gasson (General Counsel Gasson) for her opinion about the delegation of authority of the AC and referenced the conversation on the subject that she raised at the public meeting on October 16, 2023. General Counsel Gasson referred to the Legal Department's previous counsel regarding the multiple ways that a Chair or AC may be appointed.

- The AC seconded Commissioner Camargo's motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – No
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The motion passed, by a total of three in favor and one opposed.

4) Minutes for Approval – 01:11:10

- September 18, 2023
 - Commissioner Stebbins moved to approve the minutes for the September 18, 2023, Commission public meeting.
 - Commissioner Roy seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the minutes for the September 18, 2023, Commission public meeting.
- September 20, 2023
 - Commissioner Camargo moved to approve the minutes for the September 20, 2023, Commission public meeting.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the minutes for the September 20, 2023, Commission public meeting.

5) Acting Executive Director's and Commission Staff Report – 01:12:36

- The Acting Executive Director Deborah Hilton-Creek (AED Hilton-Creek) described the transformation taking place as the Commission moves from a start-up to a mature



agency and reflected on the leadership and staff changes. She noted that it may be time to revisit and revise goals set by the former ED and potentially focus on new projects. She highlighted the high performance from agency staff. Commissioner Stebbins asked the AED to revisit the Commission's goals and the evaluation process for the ED. AED Hilton-Creek updated Commissioners on the development of an organizational training plan to support staff and improve conflict resolution. She noted that the Commission was in the process of recruiting a new ED and provided a high-level outline of what that process would entail. Commissioner Stebbins stated that he had previous experience searching for an ED for state agencies and emphasized that one of the Commissioners should be involved in the process. AED Hilton-Creek explained the different roles of internal and external groups in the search process which would work simultaneously. Lastly, AED Hilton-Creek noted the need for a DEI/EE Relations Director, which she stated was critical to the Commission's success as a collective body.

- Licensing Director Kyle Potvin (Director Potvin) updated the Commissioners on the implementation of Chapter 180. He stated that the draft charter had been approved, the first draft of the Model HCA had been completed and the identification of deliverables was underway. Priority deliverables included new and modified MassCIP applications, data capture, guidance documents, a Model HCA and updates to the Commission's website. Director Potvin presented highlights from licensing data noting a 31.6% increase in the number of licensees which received approval to commence operations over the same period in 2022. Director Potvin continued and provided the statistics for Microbusinesses and Minority-Owned Businesses (MBEs) noting that data on the latter was self-reported and that through the implementation of Chapter 180, there would soon be more accurate information which will be available online. Director Potvin provided an overview of non-active licenses by stage. Finally, Director Potvin provided an overview of all licensing applications. Commissioner Roy expressed an interest in increasing the number of Research Facility licenses.
- Commissioner Roy moved to recess for 45 minutes.
- Commissioner Camargo seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the motion to recess for 45 minutes until 1:45PM. (RETURNED AT 03:36:21).

6) Staff Recommendations on Changes of Ownership – 03:36:33

- Licensing Analyst Derek Chamberlin (Licensing Analyst Chamberlin) presented on behalf of the licensing department the Staff Recommendations for Changes of Ownership, Renewals, Provisionals and Final licenses.

1. Curaleaf Massachusetts, Inc.



- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
2. Curaleaf North Shore, Inc.
- Commissioner Roy moved to approve the Change of Ownership.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
3. Curaleaf Processing, Inc.
- Commissioner Stebbins moved to approve the Change of Ownership.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
4. Ganesh Wellness, Inc.
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
5. In Good Health, Inc.
- Commissioner Roy moved to approve the Change of Ownership.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:



- Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
6. Nature's Alternative, Inc.
- Commissioner Stebbins moved to approve the Change of Ownership.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
7. Northeastcann, Inc.
- Commissioner Camargo moved to approve the Change of Ownership.
 - Commissioner Roy seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
8. Turnbuckle Consulting Inc.
- Commissioner Roy moved to approve the Change of Ownership.
 - Commissioner Stebbins seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
 - The Commission unanimously approved the Change of Ownership.
- 7) Staff Recommendations on Renewals – 03:43:16
- Commissioner Roy made a motion to approve items numbered 1-12, 15-37, 39-56, 59-61, 64-69 and 71-77 on the agenda.
 - Commissioner Camargo seconded the motion.
 - The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes



- Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal roster of items numbered 1-12, 15-37, 39-56, 59-61, 64-69 and 71-77 on the agenda.
- Caregiver-Patient Connection (#MCR140616)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within thirty business days of approval of Application for Renewal, contact CCC Licensing Division for an update to identify any goals for hiring people of color, veterans, residents with disabilities, and LGBTQ+ people under licensee's Diversity Plan in accordance with 935 Code Mass. Regs. § 500.101(1)(c)8k and 935 Code Mass. Regs. § 500.103(4)(b).
- Commissioner Stebbins moved to approve the renewal of item 13 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal of item 13 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- KRD Growers, LLC (#MRR206704)
- Commissioner Stebbins requested two conditions.
 - Proposed condition: Within 30 business days of License renewal, contact CCC Licensing Division with an update to confirm your training and recruitment partners and eligibility to support your activities in accordance with 935 Code Mass. Regs. § 500.101(1)(c) 8k.
 - Proposed condition: Within 30 business days of License renewal, contact CCC Licensing Division with any update to your Positive Impact Plan and Goal #1 in accordance with 935 Code Mass. Regs. § 500.101(1)(a)11 and 500.103(4)(b).
- Commissioner Camargo moved to approve the renewal of item 38 on the agenda, subject to the conditions articulated by Commissioner Stebbins.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal of item 38 on the agenda, subject to the conditions articulated by Commissioner Stebbins.



- QPS Massachusetts Holdings LLC (#MPR244038) and QPS Massachusetts Holdings LLC (#MCR140561)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within thirty business days of approval of Application for Renewal, contact CCC Licensing Division for an update to identify any goals for hiring veterans, residents with disabilities, and LGBTQ+ people under licensee's Diversity Plan in accordance with 935 Code Mass. Regs. § 500.101(1)(c)8k and 935 Code Mass. Regs. § 500.103(4)(b).
- Commissioner Roy moved to approve the renewal roster of items 57 and 58 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal of roster items 57 and 58 on the agenda, subject to the condition articulated by Commissioner Stebbins.

- Sanctuary Medicinals, Inc. (#MPR244080) and Sanctuary Medicinals, Inc (#MCR140596)
- Commissioner Stebbins requested a condition.
 - Proposed condition: Within 30 business days of License renewal, contact CCC Licensing Division with an update to confirm your progress and data toward Goal #2 under your Positive Impact Plan in accordance with 935 Code Mass. Regs. § 935 Code Mass. Regs. 500.101(1)(a)11 and 935 Code Mass. Regs. § 500.103(4)(b).
- Commissioner Stebbins moved to approve the renewal roster of items 62 and 63 on the agenda, subject to the condition articulated by Commissioner Stebbins.
- Commissioner Roy seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission unanimously approved the renewal roster items 62 and 63 on the agenda, subject to the condition articulated by Commissioner Stebbins.

- Western Front, LLC (#MRR206705)
- Commissioner Camargo recused herself.
- Commissioner Roy moved to approve the renewal of item 70 on the agenda.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:



- Commissioner Camargo - Recused
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission approved the renewal roster of item 70 on the agenda by a vote of three in favor and one recused.
- Resinate, Inc. (#RMD1345)
- Commissioner Roy recused herself.
- Commissioner Camargo moved to approve the renewal of item 78 on the agenda.
- Commissioner Stebbins seconded the motion.
- The AC took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy - Recused
 - Commissioner Stebbins – Yes
 - AC Concepcion – Yes
- The Commission approved the renewal of item 78 on the agenda by a vote of three in favor and one recused.

8) Staff Recommendations on Provisional Licenses – 03:59:33

1. CommCan, Inc. (#MRN284925), Retail
 - Commissioner Camargo moved to approve the Provisional License.
 - Commissioner Roy seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the Provisional License.
2. Flora Holdings, LLC (#MRN284981), Retail
 - Commissioner Roy commented that this licensee is a woman owned business.
 - Commissioner Roy moved to approve the Provisional License.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the Provisional License.
3. FreeMarketMA, LLC (#MPN282279), Product Manufacturing



- Commissioner Roy requested a condition.
 - Proposed Condition: Prior to final licensure please inform the Commission of your “Additional Operational Plans for Product Manufacturers” as it relates to Quality Control Samples in accordance with 935 Code Mass. Regs. 500.130(5)(k) and 935 Code Mass. Regs. 500.130 (9).
 - Commissioner Stebbins moved to approve the Provisional License, subject to the condition requested by Commissioner Roy.
 - Commissioner Camargo seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the Provisional License, subject to the condition requested by Commissioner Roy.
4. New England Organics, LLC (#MRN281936), Retail
- Commissioner Camargo recused herself.
 - Commissioner Roy moved to approve the Provisional License.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Recused
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission approved the Provisional License by a vote of three in favor and one recused.
5. Yellow House Cannabis, LLC (#MRN284969), Retail
- Commissioner Roy celebrated that this licensee was a veteran owned business.
 - Commissioner Stebbins moved to approve the Provisional License.
 - Commissioner Camargo seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the Provisional License.
- 9) Staff Recommendations on Final Licenses – 04:06:17
1. 617 Therapeutic Health Center, Inc. (#MC28414), Cultivation, Tier 2 / Indoor
 2. Charles River Remedies, LLC (#MR283511), Retail
 3. Grass Appeal, LLC (#MC282123), Cultivation, Tier 3 / Indoor



4. Green Flash Delivery, LLC (#MD1298), Marijuana Delivery Operator
5. Health Circle, Inc. (#MC281787), Cultivation, Tier 2 / Indoor
6. Hoop City Ventures, LLC (#MR284806), Retail
7. MRM Industries, LLC (#MP281798), Product Manufacturing
8. Natural Agricultural Products, LLC (#MR284177), Retail
9. Pioneer Valley Trading Company, LLC (#MR284022), Retail
10. Sweetgrass Botanicals, LLC (#MP282058), Product Manufacturing
11. Sweetgrass Botanicals, LLC (#MR284185), Retail
12. Theory Wellness, Inc. (#MR284150), Retail
13. Twisted Growers, LLC (#MC281714), Cultivation, Tier 11 / Indoor
14. Twisted Growers, LLC (#MP281909), Product Manufacturing
15. Union Twist, Inc. (#MR284038), Retail
16. Grass Appeal, LLC (#MTC3770), Vertically Integrated Medical Marijuana Treatment Center
17. Green Gold Group (#MTC3831), Vertically Integrated Medical Marijuana Treatment Center
 - Commissioner Camargo noted the in-person attendance of some licensees and moved to approve the final license roster from one to seventeen as indicated on the agenda.
 - Commissioner Stebbins seconded the motion.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
 - The Commission unanimously approved the final license roster from one to seventeen as indicated on the agenda.

10) Commission Discussion and Votes – 04:10:18

- The AC explained an accommodation request to change the order of topics in the Commission Discussion and Votes section of the agenda and discuss the COVID administrative orders first.
- Commissioner Stebbins moved to change the order of the Commission Discussion and Votes section to discuss the COVID administrative orders first.
- Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the motion to change the order of the agenda.

1. COVID Administrative Orders



- General Counsel Gasson explained how, during COVID, the Commission had issued a temporary order allowing for healthcare providers to submit a waiver and use telehealth services to issue their initial written certificate of registration. She stated that this order would expire on December 31, and had relied on the continuing risks of COVID as its authority. General Counsel Gasson advised that if the order was allowed to expire, there was a regulatory requirement for an in-person visit for healthcare providers to issue an initial certificate of registration, but that there was also a provision for healthcare providers to request a waiver of this requirement. She also noted that these regulations could be revisited in light of the fact that the Board of Registration and Medicine and the legislature have redefined and broadened the term “telehealth”. Regarding the temporary order, General Counsel Gasson stated that in her opinion, the commission could no longer reasonably rely on COVID as an authority, but that the Commission could continue to allow waivers through the motion language she had supplied which indicated that the Commission planned on amending the relevant regulations. The AC read into the record an email she had received from Jeremiah McKinnon of the Cannabis Advisory Board stating that telehealth had become an invaluable part of medical marijuana. Responding to questions from Commissioners Roy and Stebbins, General Counsel Gasson clarified that her proposed motion language would extend and amend the existing order such that it would no longer rely on the risk of COVID but instead on the intent of the Commission to revisit regulations requiring an in-person appointment for the first written certificate of registration. The Commissioners and General Counsel Gasson discussed the proposed motion language.
- Commissioner Roy moved to extend all waivers granted pursuant to the order allowing for telehealth consultations for patients until the Commission promulgates the regulatory amendments approved by the Commission at the December 14, 2023, public meeting.
- Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Roy’s motion.
- Commissioner Roy moved for a five-minute recess.
- Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes



- The Commission unanimously approved Commissioner Camargo’s motion for a five-minute recess until 2:55PM. (Returned at 04:46:21).
- Commissioner Stebbins noted additional orders issued in light of COVID which allowed licensees to hold virtual community meetings, and which delineated Medical Marijuana Treatment Center’s (MTC’s) curbside as a part of their retail floor. General Counsel Gasson explained the administrative orders and that the orders would expire on December 31, 2023, if not extended. She noted that there is no regulatory requirement for community meetings to be held in-person and the only necessary step to allow for community meetings to be held virtually would be revision of guidance documents. Commissioner Stebbins indicated that a future topic for the Commission could be requiring for community meetings to be held both in-person and virtually. The AC stated that delivery operators could address the needs of anyone who stood to benefit from curbside pickup and Commissioner Roy mentioned that there was previous data indicating curbside pickup was not a popular option. General Counsel Gasson advised that if the administrative order regarding curbside pickup was allowed to expire, that MTCs would no longer be able to offer this option and that a similar adult-use order had already been allowed to expire. Commissioner Stebbins stated that no additional action was required of the Commissioners and Commissioner Roy clarified that there was a need for the communications team to indicate any changes in guidance to licensees.

2. Regulatory Review Discussion: Delivery License Type

- Commissioner Camargo described the delivery license types and discussed the Commission’s responsibility to determine whether to end or extend the exclusivity period. Director of Government Affairs and Policy Matt Giancola (Director Giancola) gave an overview of the delivery license types and compared other states’ policies regarding similar licenses. Commissioner Roy read aloud a letter from Chief John Carmichael, Jr. in support of amending the regulations to reduce the two-agent rule. Commissioner Stebbins stated that he had not taken a position as to the two-agent rule. He noted his reluctance to lower a security measure in order for the license type to become more lucrative or for the Commission to require licensees to disclose their finances in order to qualify. Commissioner Stebbins brought up additional items to revisit in the regulations regarding the maximum value that a driver may carry and to potentially allow for a single agent to deliver to regular customers. Commissioner Camargo listed the regulatory requirements regarding security for delivery license types and noted that many licensees had not found it to be significantly less capital intensive. She stated that she found the data from other jurisdiction’s rate of incidences surrounding marijuana delivery convincing. The AC stated that she had initially shared Commissioner Stebbins’ reluctance to remove the two-agent rule but indicated that she had been moved by the opinions from the public safety community and through witnessing licensees’ training practices. Commissioner Roy cautioned licensees that they are responsible for training their employees and described incidences of violence against delivery drivers in other states. Commissioner Stebbins



- recalled that the two-agent rule was not amended when delivery was revisited and operators still pursued the license type. He noted the requirement that delivery operators text every thirty-minutes could be affected by reducing the number of agents in a vehicle. Commissioner Camargo agreed with his points and read the language of her motion which would require staff to amend the language which will be brought back to the Commissioners for review and vote. Commissioner Roy noted that she was in support of the motion but that she would be looking at prioritizing safety upon the policy discussion.
- Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy staff to develop and draft regulations modifying the Marijuana Courier, Marijuana Delivery Operator, and Marijuana Establishment with Delivery endorsement license types to allow these licensees the option of delivering marijuana and marijuana products to consumers, with one Marijuana Establishment agent in a vehicle at a time. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission’s deliberation and vote.
 - Commissioner Roy seconded the motion and asked for clarification on who the sponsoring commissioner is for the purpose of the motion.
 - Commissioner Camargo stated that both she and the AC were the sponsoring Commissioners and amended her motion to read “Commissioners” instead of “Commissioner”.
 - The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – No
 - Acting Chair Concepcion – Yes
 - The Commission approved the Commissioner Camargo’s motion by a vote of three in favor and one against.
-
- Commissioner Camargo explained that Delivery Operator or Marijuana Courier licenses were capped at two licenses upon promulgation of regulations in 2020 and Director Giancola explained the historical reasoning that past Commissioners had been concerned that a licensee with three delivery licenses in addition to retail licenses could saturate the market.
 - Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy staff to develop and draft regulations modifying the ownership and control regulations for individuals and licensees to own and control no more than 3 delivery licenses. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission’s deliberation and vote.
 - Commissioner Roy asked her fellow Commissioners if they thought there could be any unexpected consequences of raising the cap on delivery licenses. The AC responded that in light of the scale of businesses seeking this license type, she thought unexpected consequences were unlikely. Commissioner Roy noted that she did not see any issues during the exclusivity period, but wanted to be thoughtful of what could happen when it expires. Commissioner Stebbins asked whether the motion



language would allow for licensees to potentially hold three Marijuana Courier and Marijuana Delivery Operator Licenses. The AC responded that the motion allowed for the working group to discuss this issue. Commissioner Roy read aloud the current regulation capping the number of delivery and courier licenses. She stated that, in her reading, licensees were currently allowed to hold two of each, and the motion in its present form could potentially reduce the number of licenses. The Commissioners discussed how to amend the motion so that it did not unintentionally reduce the license cap with input from General Counsel Gasson.

- Commissioner Camargo requested a five-minute recess to seek legal advice.
- The Acting Chair stated the Commissioners would recess until 4:25PM.
(RETURNED 06:16:18)

- General Counsel Gasson clarified the current regulations regarding delivery licenses for the Commissioners, stating that there are three delivery type licenses and licensees are limited to possessing two delivery licenses of any type they choose. General Counsel Gasson continued and explained that the motion on the table allowed for a working group to consider raising the cap to three of the delivery-type licenses.
- Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy staff to develop and draft regulations modifying the ownership and control regulations for individuals and licensees to own and control no more than 3 delivery licenses. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission's deliberation and vote.
- The AC seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Camargo's motion.

- Commissioner Camargo discussed the topic of repackaging for Delivery Operators.
- Commissioner Camargo moved to direct the sponsoring Commissioner to confer with Compliance, Legal, and Policy Staff to develop and draft regulations modifying the Marijuana Delivery Operator license type to allow these licensees to repackage marijuana and marijuana products, subject to and in compliance with all current requirements of repackaging. The sponsoring Commissioner shall present the draft regulations at a future meeting for the full Commission's deliberation and vote.
- The AC seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes



- The Commission unanimously approved Commissioner Camargo’s motion.
- The AC read into the record the number of municipalities which are currently “no delivery” towns, stated that current regulations allowed for MTCs to deliver to “no delivery” towns and listed Maine, New Jersey and California as jurisdictions which allow for marijuana deliveries regardless of whether or not a municipality opted in to permit cannabis within their community.
- Regarding delivery to hotels, Commissioner Stebbins stated that he had spoken with the Executive Director of the Mass Hospitality Association who had presented concerns regarding smoking in hotel/motel rooms and the potential of medical emergencies. He and Commissioner Camargo agreed to work together on the issue of delivery to hotels.

3. FY 2025 Budget Request

- AED Hilton-Creek described the Commission’s internal budget process and reviewed the budget request for fiscal year (FY) 2025. AED Hilton-Creek clarified for Commissioner Roy that she was able to rely upon notes kept by the former Chief Operating Officer (COO) regarding the Commissioners’ priorities. AED Hilton-Creek noted that the agency was largely self-funded and showed the growth of the agency through revenue collections. She described the process used by department heads to dictate their budget. AED Hilton-Creek presented the final request for Commission consideration of \$25.9 million which includes line items for public education which had not been included in FY24. Commissioner Roy appealed to her fellow Commissioners to focus on their legislative outreach regarding public education, noting the upcoming issue of social consumption. Commissioner Stebbins agreed and stated that he thought collaboration with the Department of Public Health on public education regarding social consumption was important. He described a recent meeting with Commissioner Camargo and the ED of Nevada’s Cannabis Compliance Board in which their ED stated he wished he had focused on public awareness before rolling out their social consumption program. AED Hilton-Creek stated that she had discussed the Commission’s internal budgeting process with the finance team and had decided on a new ongoing budgeting process which will run continuously throughout the year to better serve the Commission’s needs.
- Commissioner Roy moved to approve the FY25 budget request as outlined by Commission staff.
- The Commissioner Camargo seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the FY25 budget request as outlined by Commission staff.



4. CY 2023 Secretary's Report

- Commissioner Roy thanked the legal staff and thanked the new members of the department. She recalled the sets of minutes completed and the records requests over the past year. She noted the legal team's work in the regulations during the implementation of Chapter 180. She discussed potential trainings in the new year and her desire to revisit the proposed working group reviewing the Enhanced Code of Ethics and Employee Handbook.

5. Job Description: Director of Operations

- AED Hilton-Creek explained the need for this role and stated she wanted to bring it before the Commission due to the wide-ranging responsibilities of the position. She stated it would be an option for promotion for internal candidates and that it would also be posted externally. Commissioner Camargo noted that the Commission had considered eliminating the COO position and asked the AED, in light of that and other vacant leadership roles, how the organizational chart might be affected. AED Hilton-Creek stated that she had considered the structure of the Commission and Commissioner Stebbins cautioned against restructuring the Commission before the onboarding of a new ED so that they had the opportunity to leave their imprint on the Commission. AED Hilton-Creek clarified that she had not intended to restructure but to prepare a proposal which the new ED may act on at their own discretion. Commissioner Roy stated that there was a list of delegations of Commission responsibilities which had been delegated to the former ED. She stated that the list should be reviewed as it would affect the search for an ED. The AED stated that she would prepare a packet for Commission review which would address structural issues and would be informed by delegations. Chief of Investigations and Enforcement Yaw Gyebi asked that commissioners be careful when reviewing delegations as some responsibilities had been delegated to staff who are better able to quickly serve the needs of licensees such as the case of changes of ownership.
- Commissioner Stebbins moved that the commission approve the director of operations job description as posted in the commission meeting packet subject to any nonmaterial grammatical changes that need to be made.
- Commissioner Roy seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved Commissioner Stebbins motion.

11) Next Meeting Date – 07:25:38

- The Acting Chair noted that the next meeting would be on January 11, 2024.
- The Acting Chair gave a tentative schedule for the remainder of the calendar year.

12) New Business Not Anticipated at the Time of Posting – 07:26:31



- No new items were identified.

13) Adjournment – 07:26:34

- Commissioner Camargo moved to adjourn.
- Commissioner Stebbins seconded the motion.
- The Acting Chair took a roll call vote:
 - Commissioner Camargo – Yes
 - Commissioner Roy – Yes
 - Commissioner Stebbins – Yes
 - Acting Chair Concepcion – Yes
- The Commission unanimously approved the motion to adjourn.



From: [Bruce Stebbins](#)
To: [Brendan Pauley](#)
Cc: [Michael Baker](#); [Ivannia Corrales Solis](#)
Subject: FW: CCC Delivery Regulation
Date: Tuesday, April 30, 2024 4:11:21 PM

FYI

From: Christina Pappas <cpappas@openthedoor.biz>
Sent: Tuesday, November 28, 2023 10:21 AM
To: Bruce Stebbins <Bruce.Stebbins@cccmass.com>
Cc: Grace O'Day <Grace.ODay@cccmass.com>; Matt Giancola <Matt.Giancola@cccmass.com>; Maryalice Curley <Marylalice.Curley@cccmass.com>
Subject: Re: CCC Delivery Regulation

Good Morning!

You were on my list for follow-up – I'm sorry you had to chase me on this one.

I ran the information by the Board and some other members and the general consensus is that they're not interested in having delivery to the hotels. They talked a bit about the delivery and how food delivery is just left overnight in the lobby or in some cases hotels let them go up to rooms – but I explained the transaction process as you explained to me and they were okay with that.

But the other concerns raised were primarily -

- Smoking in the rooms – even though our hotels are non-smoking
- Liability – Guests may not know how much edible they can tolerate and get themselves into medical trouble

I'm happy to coordinate a call or have you at a meeting if you'd like.

Just let me know what might work for you.

Chris

From: Bruce Stebbins <Bruce.Stebbins@cccmass.com>
Date: Tuesday, November 28, 2023 at 10:11 AM
To: Christina Pappas <cpappas@openthedoor.biz>
Cc: Grace O'Day <Grace.ODay@cccmass.com>, Matt Giancola <Matt.Giancola@cccmass.com>, Maryalice Curley <Marylalice.Curley@cccmass.com>
Subject: RE: CCC Delivery Regulation

Good morning Christina – Hope you and your family and friends enjoyed the Thanksgiving holiday weekend.

I wanted to circle back on this and see if you had any feedback from your members or the board. The commission is planning to discuss delivery and possible hotel delivery at our next meeting on 11/14. If we proceed with amending our regulations, there will obviously be a public input session and opportunity for your association or individual members to offer their thoughts or concerns in a more formal way.

Thanks again for your help.

From: Christina Pappas <cpappas@openthedoor.biz>
Sent: Tuesday, October 24, 2023 9:18 PM
To: Bruce Stebbins <Bruce.Stebbins@cccmass.com>
Cc: Grace O'Day <Grace.ODay@cccmass.com>; Matt Giancola <Matt.Giancola@cccmass.com>; Maryalice Curley <Maryalice.Curley@cccmass.com>
Subject: Re: CCC Delivery Regulation

Thanks for sending this.
I'll draft something up and get it out to the board and will let you know their feedback.

Have a nice night.

Chris

On Oct 24, 2023, at 9:15 PM, Bruce Stebbins <Bruce.Stebbins@cccmass.com> wrote:

Christina – First of all, let me thank you so much for your time yesterday and discussing the topic of cannabis deliveries to hotels, which is currently not allowed under our regulations. Only licensed couriers or delivery operators are licensed to deliver cannabis products to consumers. The commission appreciates your willingness to reach out to your board members for their reaction and feedback. Thank you for your notes from your colleagues out west. Here are a helpful link and document.

First of all, here is our zoning tracker which list each community in Massachusetts and whether delivery is allowed. As I mentioned, the CCC is also considering whether or not to allow deliveries into the “No” towns. Each lodging business could look at whether their community allows delivery now or not. [Municipal Zoning Tracker - Cannabis Control Commission Massachusetts \(masscannabiscontrol.com\)](https://masscannabiscontrol.com/municipal-zoning-tracker)

Attached is a shortened list of FAQ's, which may help describe the current guidelines for delivery to a customer.

We would welcome any thoughts from your board members on the question. Any

feedback as I stated is greatly appreciated and welcomed.

<image001.png>

Bruce Stebbins, *Commissioner*

Pronouns: He, Him, His

Cannabis Control Commission

Union Station

2 Washington Square

Worcester, MA 01604

(O) 774.415.0443

Bruce.Stebbins@CCCMass.com

www.Mass-Cannabis-Control.com

[<image002.png>](#)

[<image003.png>](#)

[<image004.png>](#)

[<image005.png>](#)

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<10-2023 Delivery FAQs for MA Lodging.docx>

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From: [Ava Concepcion](#)
To: [Brendan Pauley](#)
Cc: [Michael Baker](#); [Ivannia Corrales Solis](#)
Subject: FW: Introduction & 12/14 Meeting Agenda
Date: Saturday, April 27, 2024 10:19:09 AM
Attachments: [MPAA Memo on Telehealth and Curbside Pickup Extension 12_16_2022 \(1\).pdf](#)
[MPAA Telehealth and Patient Access Memo Jan 2023 \(1\).pdf](#)
[MPAA Medical Cannabis Normalization Memo June 26 2023.pdf](#)
[MPAA Regulation Comment 9.7.2023.pdf](#)

Good morning Brendan

Below and attached are communications I referenced at the December 14, 2023, public meeting from Jeremiah MacKinnon regarding the importance of telehealth in medical marijuana.

From: Jeremiah MacKinnon <director@compassionforpatients.com>
Sent: Tuesday, December 5, 2023 4:31 PM
To: Ava Concepcion <Ava.Concepcion@cccmass.com>
Subject: Introduction & 12/14 Meeting Agenda

Acting Chair Concepcion,

Good afternoon, my name is Jeremiah MacKinnon and I am President of the Massachusetts Patient Advocacy Alliance, Inc. (MPAA). As MPAA President I hold an Ex-Officio seat on the Cannabis Advisory Board and currently serve as Chair of the Public Health Subcommittee, having replaced Nichole Snow.

I would like to first recognize your leadership in navigating the recent challenges facing the Commission. Your efforts to keep things moving as Acting Chair have not gone unnoticed. I welcome the possibility of initiating a dialogue with you. Perhaps we can arrange a meeting, either physically or virtually, in the forthcoming weeks. If there's ever a medical cannabis related question or concern that surfaces please feel free to reach out, as I am available to assist.

I do wish to bring to your attention an urgent concern that has been growing for some time in the medical cannabis community. The waivers that allow initial patient certification visits to be conducted via telehealth are set to expire at the end of the month. The importance of these telehealth waivers cannot be overstated. The idea that this lifeline would disappear is causing significant alarm due to the fact that it is still unclear if the topic will be discussed this month.

Telehealth is essential for many patients and enables them to access the benefits of the medical marijuana program. MPAA recognizes this as an equity issue. Many patients who rely on telehealth are living with mobility challenges, financial limitations, lack of transportation, inability to find child care, and other unique factors. Allowing these waivers to expire would disproportionately affect our most vulnerable residents by increasing the hardship associated with enrolling in the medical marijuana program.

MPAA therefore respectfully asks that you support placing this topic on the agenda for discussion at the Commission's upcoming meeting next Thursday, December 14th. For the past 44 months these

waivers have been in effect, extended multiple times, and since then telehealth has become an inseparable part of how medicine is practiced in the modern world. To upset the status-quo at this time would be detrimental to qualifying patients and would put the future growth of the medical marijuana program at risk. MPAA supports extending the waivers that allow initial visits to be conducted via telehealth until such time that the policy is made permanent in regulation, as we believe this is in the best interest of patients.

For a more comprehensive understanding of our position at MPAA, please feel free to review the four documents prepared by our organization over the past year that touch on the topic of telehealth, which are attached to this email. Thank you for considering our position.

Sincerely,

Jeremiah MacKinnon
President & Executive Director
Massachusetts Patient Advocacy Alliance, Inc.
www.compassionforpatients.com
One Beacon Street, Floor 15
Boston, MA 02108

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From: [Kimberly Roy](#)
To: [Brendan Pauley](#)
Subject: FW: Microbusienss Mom and Pop discussion
Date: Tuesday, April 30, 2024 8:10:56 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

From: Kimberly Roy
Sent: Thursday, November 16, 2023 12:07 PM
To: Ivannia Corrales Solis <Ivannia.Corrales.Solis@cccmass.com>; Michael Baker <Michael.Baker@cccmass.com>
Subject: FW: Microbusienss Mom and Pop discussion

Email entered into the record for the minutes.



Kimberly Roy, Commissioner
Cannabis Control Commission
Union Station
2 Washington Square
Worcester, MA 01604
(O) 774-415-0435 | (C) 857-753-2116
Kimberly.Roy@CCCMass.com
www.MassCannabisControl.com



From: Todd Dahn <Todd@cannalivegenetics.com>
Sent: Thursday, November 16, 2023 12:05 PM
To: Nurys Z Camargo <Nurys.Camargo@cccmass.com>; Bruce Stebbins <Bruce.Stebbins@cccmass.com>; Kimberly Roy <Kimberly.Roy@cccmass.com>; Ava Concepcion <Ava.Concepcion@cccmass.com>
Subject: Microbusienss Mom and Pop discussion

Hello Commissioner Camargo

There is no financial disqualification for wealthy mom and pops opening a microbusiness, Mom and Pop doesn't mean poor it means local in the regs. You guys are framing this as only for people who don't have money because it still takes hundreds of thousands of dollars to build anything.

Please try add this to the discussion.

Todd Dahn
CEO
Cannalive Genetics, LLC

From: [Kimberly Roy](#)
To: [Brendan Pauley](#)
Subject: FW: Product Delivery - Two Person Rule
Date: Tuesday, April 23, 2024 10:37:47 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

Good morning Brendan,

Please see requested letter below.
I had also sent to Ivannia on 12/14.



Kimberly Roy, Commissioner
Cannabis Control Commission
Union Station
2 Washington Square
Worcester, MA 01604
(O) 774-415-0435 | (C) 857-753-2116
Kimberly.Roy@CCCMass.com
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-



From: Kimberly Roy
Sent: Thursday, December 14, 2023 3:35 PM
To: Ivannia Corrales Solis <Ivannia.Corrales.Solis@cccmass.com>
Subject: FW: Product Delivery - Two Person Rule

For the minutes...



Kimberly Roy, Commissioner
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-



From: Matt Giancola <Matt.Giancola@cccmass.com>
Sent: Thursday, December 14, 2023 6:56 AM
To: Debra (Debbie) Hilton Creek <Debra.Hilton.Creek@cccmass.com>
Cc: Kristina Gasson <Kristina.Gasson@cccmass.com>; Yaw Gyebi <Yaw.Gyebi@cccmass.com>; Maryalice Curley <Maryalice.Curley@cccmass.com>; Grace O'Day <Grace.ODay@cccmass.com>; Kate Flanagan <Kate.Flanagan@cccmass.com>
Subject: FW: Product Delivery - Two Person Rule

Good morning, Commissioners,

I hope you are well. Below, please find correspondence from the Massachusetts Chiefs of Police Association regarding the two-agent rule, sent by Cannabis Advisory Board John Carmichael. Chief Carmichael serves as Chief of the Newton Police Department. If you need anything, please let me know.

Best regards,



Matt Giancola

Director of Government Affairs and Policy
Cannabis Control Commission
Worcester Union Station
2 Washington Square
Worcester MA 01604
O: (774) 415-0462
Matt.Giancola@cccmass.com
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From: John Carmichael <jcarmichael@newtonma.gov>
Sent: Wednesday, December 13, 2023 6:36 PM
To: Cannabis Control Commission <commission@cccmass.com>
Cc: John Carmichael <jcarmichael@newtonma.gov>; Mark Leahy <mleahy@masschiefs.org>; Eric Gillis - Agawam Police (<chiefapd@agawam.ma.us> <chiefapd@agawam.ma.us>; Eric Atstupenas <legal@masschiefs.org>
Subject: Product Delivery - Two Person Rule

Dear Members of the Cannabis Control Commission,

Pursuant to 935 CMR 500.000: ADULT USE OF MARIJUANA, the delivery of marijuana products requires minimum staffing of two delivery agents to be in the vehicle during all

delivery operations. The delivery of product requires that at least one agent remain with the vehicle when the vehicle contains Marijuana or Marijuana Products and /or when handling money.

When the adult use marijuana delivery regulations were promulgated, I was the law enforcement representative that recommended public safety measures such as two-person rule when handling product in delivery operations, handling cash, and other regulations as they relate to destruction.

The concept for this safety measure was consistent with how law enforcement handles and tracks property, and it was believed that such measures would provide sufficient safety standards for delivery agents, and maintain a high level of accountability during delivery operations.

I understand that the CCC is considering amending the two-person rule and allowing delivery operations to be authorized to deliver with one delivery agent and allow two-person rule if the delivery licensee so chooses.

Based on the fact that delivery operations have seen success and safe delivery for agents, the Massachusetts Chiefs of Police Association supports the proposed amendment to the CMR reducing the two-person rule.

If there are any questions please do not hesitate to contact me.

Respectfully,
Chief John Carmichael
Newton PD

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.



Monday June 26, 2023

Cannabis Control Commission
Union Station
2 Washington Square
Worcester, MA 01604

The Massachusetts Patient Advocacy Alliance, Inc. (MPAA) greatly appreciates the Commission's dedication to ensuring that the rulemaking process is carried out in a manner that is careful, deliberate, and responsive to the input of many stakeholders. While our organization is heavily focused on passing H.117 this legislative session we recognize that there are important reforms that can be achieved through regulation. On June 8th, the Commission raised issues of major importance to MPAA, including permanence for telemedicine, removing supervision for nurse practitioners, and digital medical cards. We consider these proposals to be essential in aligning the medical marijuana program with how healthcare is currently practiced in Massachusetts. To further the Commission's desire to pick a number of topics that are ripe for action the MPAA is therefore imploring the Commission to implement the following measures in an immediate manner to provide patients and caregivers with meaningful enhancements during this regulatory update.

From Waivers to Permanence: Telehealth for Initial Certifications

The current waivers are set to expire in December and if they lapse it would be a major disruption to how the program now operates. As an agency, the Commission has a duty to ensure that its policies and regulations around medical cannabis are in alignment with the state's broader healthcare framework. Telehealth is considered as valid an option for healthcare delivery as in-person care in Massachusetts. To prevent the disruption to patient access that a lapse of the current telemedicine policies would have, the MPAA suggests the following edits be made during this regulatory adjustment to maintain the status-quo and normalize cannabis healthcare.

935 CMR 501.010(8)(a):

~~(a) A Clinical Visit may occur in-person or by telehealth means, provided that a Clinical Visit for issuing an initial Certificate of Registration must be conducted in-person.~~

(a) If a Clinical Visit is conducted by telehealth means, the Certifying Healthcare Provider shall ensure that there is an ability to deliver the service using telehealth with the same standard of care and in compliance with licensure and registration requirements as is applicable to in-person services to patients and shall comply with any additional requirements established by the Commission.



Respecting the Ability for Nurse Practitioners to Practice Independently

Requiring certified nurse practitioners (CNPs) to be supervised by physicians is contradictory to the established framework of independent practice in the state. CNPs are able to operate with full autonomy as they have demonstrated their ability to provide safe and high-quality care that is comparable to that of a physician. By letting CNPs practice without a supervisor, issues regarding access to clinicians can be addressed, and new models of care can be developed. Rather than mandatory supervision, the emphasis should be on empowering CNPs to consider optimizing patient outcomes with medical cannabis care. MPAA therefore suggests the following changes to bring the medical cannabis system in alignment with traditional healthcare in Massachusetts.

935 CMR 501.007(2)(e):

(e) An attestation by the supervising physician for the CNP that the CNP is certifying patients for medical use of Marijuana pursuant to the mutually agreed upon guidelines between the CNP and physician supervising the CNP's prescriptive practice; and

935 CMR 501.007(4):

(4) After registering, a Certifying CNP is responsible for notifying the Commission, in a form and manner determined by the Commission, within five business days after any changes to the CNP's information ~~including, but not limited to, changes to his or her supervising physician~~

Creation of a Digital Card for Patients and Caregivers

Establishing a digital card option is a cost-saving, eco-friendly, and innovative method of demonstrating enrollment in the medical marijuana program. In preliminary discussions between MPAA and patients on this topic, several individuals have expressed a desire to continue receiving a plastic Program ID card if the digital option were made available. This can also be true for individuals who engage in home cultivation and prefer to possess a physical card for their own protection. However, MPAA does support the development of a digital card because we understand its ability to enhance accessibility for individuals who find it convenient to have their documentation available on their smartphone or other digital devices. Additionally, a digital card option would improve efficiency and reduce administrative burdens associated with physical card verification processes. The Commission can likely interpret the digital option as fulfilling on the requirement for a registration card without the need for a regulatory change.



Conclusion

As patients we recognize that we were not the focus of Chapter 180 of the Acts of 2022. Despite this fact, MPAA feels strongly that regular updates to the medical marijuana program are essential. The most pressing issue facing the program that will cause immediate disruption is the scheduled expiration of the telemedicine waivers in December. Additionally, removing the involvement of a supervising physician in the practice of certified nurse practitioners, and creating an option for digital ID cards are examples of simple and quick changes that would have a big positive impact on patient access. These three steps will work together to help normalize medical cannabis, lessen stigma, and bring the program into alignment with how healthcare is practiced in Massachusetts. We believe that acting on improving patient access is worthy of attention during this regulatory adjustment alongside the legislative mandates of Chapter 180 of the Acts of 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremiah MacKinnon". The signature is fluid and cursive, written in a professional style.

Jeremiah MacKinnon
President & Executive Director
Massachusetts Patient Advocacy Alliance, Inc.



ONE BEACON STREET 15TH FLOOR BOSTON, MA 02108

December 16, 2022
Cannabis Control Commission
Union Station
2 Washington Square
Worcester, MA 01604

Subject: Memorandum on Telehealth Waivers and Curbside Pickup Operations

During the last four years, the Commission has taken significant steps to preserve patient access to medical marijuana, for which we are grateful. The Massachusetts Patient Advocacy Alliance, Inc. (MPAA) is a 501(c)(4) non-profit organization developed following the successful passage of Question 3 in 2012 to legalize medical use marijuana in the Commonwealth. Today the organization continues to represent qualifying patients, caregivers, and those who would benefit from the implementation and longevity of the medical use marijuana program currently governed under Chapter 94I of Massachusetts General Laws and the regulatory body contained in 935 CMR 501.000 administered by the Cannabis Control Commission. As per M.G.L. Chapter 10, Section 77, the MPAA President sits on the Cannabis Advisory Board and has the power to appoint a registered qualifying patient to also serve on the board.

As a result of ongoing COVID isolation requirements in Massachusetts¹, and the recent recommendation by the Centers for Disease Control and Prevention for people to wear masks because of increased COVID, RSV, and influenza positivity rates², we believe the Commission is justified in extending the Telehealth Waivers and Curbside Pickup Operations in order to reduce the risk of exposure to infectious diseases and ultimately protect the health and safety of Registered Qualifying Patients, Certifying Healthcare Providers, and Personal Caregivers. Our organization encourages the Commission to avoid a lapse at this time by further extending the Telehealth Waivers and Curbside Pickup Operations in the interest of having a more comprehensive discussion surrounding these policies in the new year.

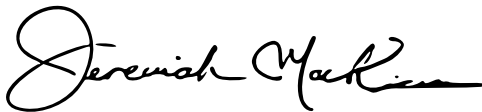
¹ Massachusetts Has Not Eased On Some COVID Isolation Requirements, 22News WWLP, Julia Cunnningham, 11/20/2022, <https://www.wwlp.com/news/health/massachusetts-has-not-eased-on-some-covid-isolation-requirements/>

² MA Residents Should Consider Masks 3 Viruses Spreading CDC Says, Patch News, Neal McNamara, 12/8/2022, <https://patch.com/massachusetts/boston/ma-residents-should-consider-masks-3-viruses-spreading-cdc-says>

Telemedicine has become a valuable tool in helping to improve the availability and accessibility of medical care. Remote clinical visits have been most beneficial to patients in end of life care, those with mobility issues, and individuals who live in underserved areas of Massachusetts that would otherwise have limited access to a certifying healthcare provider. The ease of use for both the patient and provider has made the experience of using telemedicine both a cost-effective and convenient option. We support extending the authorization for Telehealth Waivers and Curbside Pickup Operations as they have both helped to facilitate uninterrupted access to essential medical care without the need to expose patients to life-threatening dangers.

MPAA would also like to take this opportunity to remind the Commission that we support adopting these policies permanently in regulations³. We welcome a more robust discussion in the future as we continue to share our support for both telemedicine and curbside pickup, the improvement these policies have had on patient access, and for both to become permanent features of our state's program. To assist in the Commission's review, the MPAA will follow up to provide useful data illustrating how these policies have improved the lives of patients in Massachusetts.

Thank you for your consideration and taking up this important topic for patients and their caregivers around the Commonwealth.



Jeremiah MacKinnon, President & Executive Director

³ Massachusetts marijuana regulators asked to revisit recreational delivery, telehealth, MassLive, Colin A. Young, State House News Service, 08/4/2020 <https://www.masslive.com/marijuana/2020/08/massachusetts-marijuana-regulators-asked-to-revisit-recreational-delivery-telehealth.html>



Thursday, September 7, 2023

Cannabis Control Commission
Union Station
2 Washington Square
Worcester, MA 01604

Regulation Comment

The Massachusetts Patient Advocacy Alliance (MPAA) has been at the forefront of concerns surrounding Host Community Agreements since the early days of the medical marijuana program¹. For years, at local meetings, our community of advocates witnessed firsthand how medical marijuana businesses were essentially held ransom by municipalities eager to profit off of the permitting process². It is for this reason that we emphatically support the Commission's proposed changes to the medical marijuana regulations 935 CMR 501.000 that seek to comply with Chapter 180 of the Acts of 2022. We also support the proposed updates to the adult-use regulations 935 CMR 500.000 and the Commission's stated equity goals for the cannabis industry. Patients suffered for many years because of high prices that were partly to blame on these unjustified municipal fees. However, if you were to ask some of our most state's vulnerable residents, the diverse class of patients who are using marijuana for medical purposes, they would likely say that this draft in its current form is incomplete. This is because permanent telehealth policies were not incorporated into this draft. Equitable access to healthcare is not something that can be temporary or missing from regulations any longer. MPAA believes the Commission has a legal obligation to make the option to use telehealth for initial visits permanent because the regulation 935 CMR 501.010(8)(a) has no rational basis, is discriminatory, out of step with how medicine is now practiced in Massachusetts, and places undue hardships on those who qualify for the medical marijuana program.

Much has changed in the past three and a half years in addition to Chapter 180 that the Commission must take into account when defining the scope of the current regulatory adjustment. Chapter 260 of the Acts of 2020³ is one such example of landmark legislation which passed and has established telehealth as an equal part of the Massachusetts healthcare system. Additionally, it is the policy of the Board of Registration in Medicine, responsible for licensing, regulating, and disciplining Massachusetts physicians that, " the practice of medicine shall not require a face-to-face encounter between the physician and the patient prior to health care delivery via

¹ Allison Manning, "In exchange for approving pot dispensary applications, cities demand lucrative cash perks", Boston.com, accessed 9/7/2023 from <https://www.boston.com/news/local-news/2016/03/22/in-exchange-for-approving-pot-dispensary-applications-cities-demand-lucrative-cash-perks/>

² "Kay Lazar, Marijuana dispensary licenses to the highest bidder?", The Boston Globe, accessed 9/7/2023 from <https://www.bostonglobe.com/metro/2016/07/24/marijuana-dispensary-licenses-highest-bidder/fxXp5MBR9nAl6npITopS3M/story.html>

³ "An Act Promoting a Resilient Health Care System That Puts Patients First", Mass.gov, accessed 9/7/2023 from <https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter260>



telemedicine.”⁴ Telehealth has become a lifeline for patients with chronic conditions, low-incomes, limited transportation, living in remote areas, and those who find themselves excluded from the traditional healthcare system. The original Department of Public Health regulations from 2013 were promulgated before telehealth became as widely accepted in the healthcare community as it is today. MPAA has always believed that at its core the regulation requiring an in-person clinical visit for new qualifying patients was discriminatory and unfairly limited access to the medical marijuana program. The passage of Chapter 260 and recent Board of Registration in Medicine policy cements that discrimination as fact. Indeed the medical marijuana program’s in-person requirement for initial certificates of registration stands out⁵ as an exception to the progressive new norms which welcome telehealth access in Massachusetts. Disabled individuals with severe mobility issues and others who find themselves burdened by this regulation will have merit to their grievances. Due to recent changes made in the Commonwealth regarding telehealth, and the lack of any rationale for continuing in-person visits for initial certificates of registration, we believe that regulation 935 CMR 501.010(8)(a) is discriminatory and needs to be updated immediately to reflect the medical landscape as it exists today.

The end of 2023 brings with it a number of questions, and for many patients, their concerns center on the return of COVID and the continuity of telehealth. Some Massachusetts hospitals have already reinstated mask mandates⁶, high profile individuals including First Lady Dr. Jill Biden have tested positive⁷, and vaccine manufacturers are preparing to release new boosters to combat new variants⁸. After consistently extending telehealth waivers the Commission should attempt to reduce uncertainty by providing clear direction for telehealth’s future.

There is no ignoring the tremendous amount of work and focus that was required to make this draft possible. Yet, the task of updating this draft to end the face-to-face requirement for initial certificates of registration is straightforward, uncomplicated, and fits within the scope of bringing equity to the medical cannabis industry. Maintaining the status quo of the past three and a half years, whether through an extension of the telehealth waivers, or an update to this draft before it is finalized is necessary in order to avoid the immediate and irreparable harm that would occur by reverting to pre-pandemic policies. Without a rational basis for such a rollback, and considering

⁴ “Policy 20-01: Policy on Telemedicine (Amended October 6, 2022)”, Board of Registration in Medicine, accessed 9/7/2023 from <https://www.mass.gov/doc/policy-20-01-policy-on-telemedicine-amended-october-6-2022>

⁵ “Massachusetts Professional Requirements, Online Prescribing”, Center for Connected Health Policy, accessed 9/7/2023 from <https://www.cchpca.org/massachusetts/?category=professional-requirements&topic=online-prescribing>

⁶ “UMass Memorial reinstates staff mask mandate after 'dramatic increase' in COVID cases”, WBZ News, accessed 9/7/2023 from <https://www.cbsnews.com/boston/news/umass-memorial-mask-mandate-staff-covid/>

⁷ “Jill Biden positive for COVID, President Biden tests negative, White House says”, Reuters, accessed 9/7/2023 from <https://www.reuters.com/world/us/jill-biden-positive-covid-president-biden-tests-negative-white-house-2023-09-05/>

⁸ Youri Benadjaoud, “COVID-19 booster shots expected as early as next week”, ABC News, accessed 9/7/2023 from <https://abcnews.go.com/Health/covid-19-booster-shots-expected-early-week/story?id=102943545>



Massachusetts' broad efforts to incorporate telehealth into healthcare, this move may be contrary to the public interest. In order to provide the public and stakeholders with a clear and transparent understanding of the Commission's direction regarding the future of telehealth policies, we urge the Commission to clarify the agency's plans regarding telehealth at the upcoming public meeting scheduled for September 18th.

The Commission should therefore act in the best interest of patients, caregivers, and healthcare providers to make the necessary adjustments and update the definition of Clinical Visit as well as 935 CMR 501.010(8)(a) as shown below during this regulatory adjustment. In the event that the regulations are not updated MPAA asks that the Commission extend the telehealth waivers that are set to expire at the end of 2023 until such time that they are able to become permanently enshrined in regulation.

935 CMR 501.002: Definitions

Clinical Visit means an in-person or telehealth visit during which a Certifying Healthcare Provider establishes a Bona Fide Healthcare Provider Patient Relationship and conducts a full assessment of the Patient's medical history and current medical condition, including the Debilitating Medical Condition, and explains the potential benefits and risks of Marijuana use. ~~A Clinical Visit for an initial Certificate of Registration shall be performed in-person.~~

935 CMR 501.010: Written Certification of a Debilitating Medical Condition for a Qualifying Patient

(8) An initial or renewal Written Certification submitted before a Clinical Visit is prohibited.

~~(a) A Clinical Visit may occur in person or by telehealth means, provided that a Clinical Visit for issuing an initial Certificate of Registration must be conducted in-person.~~

~~(b)~~ (a) If a Clinical Visit is conducted by telehealth means, the Certifying Healthcare Provider shall ensure that there is an ability to deliver the service using telehealth with the same standard of care and in compliance with licensure and registration requirements as is applicable to in-person services to patients and shall comply with any additional requirements established by the Commission.

A handwritten signature in black ink, reading "Jeremiah MacKinnon", written over a horizontal line.

Jeremiah MacKinnon, President & Executive Director

Massachusetts Patient Advocacy Alliance, Inc.
One Beacon Street, Floor 15
Boston, MA 02108



TELEHEALTH AND PATIENT ACCESS

The Massachusetts Patient Advocacy Alliance, Inc. (MPAA) would like to thank the Cannabis Control Commission (Commission) for its vote on December 28th, 2022 to extend the pandemic era policies. As the Commission plans to meet on February 9th to discuss and consider the future of these policies we hope that this memorandum can help inform your decision making process. In our opinion, the Commission must consider the possibility of extending the telehealth waivers until regulatory updates make the policy permanent. If the policy expires, this would be a dramatic upset to the status quo with the potential to limit future enrollment in the Medical Use of Marijuana Program. As we will explain, the recently passed landmark legislation regarding telehealth, policy clarifications from the Board of Registration in Medicine, and the continued national public health emergency have serious implications that are worth taking into consideration. Prior to the waivers taking effect in March of 2020 the requirement for an in-person clinical visit for an initial patient certification was a major barrier to enter the medical marijuana program for patients who are homebound, living in rural parts of the Commonwealth, or struggle to find reliable access to transportation due to verified financial hardship. The practice of medicine now legally includes telehealth in Massachusetts. For a state agency like the Commission to rollback telehealth access for qualifying patients would be discriminatory in our view and out of alignment with the spirit of how healthcare is practiced in Massachusetts.

TELEHEALTH INNOVATION IN MASSACHUSETTS

Massachusetts has a strong reputation for its innovative and high quality healthcare system. It was Dr. Kenneth Bird at Mass General Hospital (MGH) who coined¹ the term "telemedicine" in the 1970's after he developed the first telehealth program in the nation² using television technology to give clinicians at MGH the ability to examine sick travelers arriving at Boston Logan Airport. In the decades since then remote clinical visits have become an integral part of the global healthcare system. It is important to recognize that medical cannabis is a part of the Massachusetts

¹ Carla Garnett, "History of TV Tech in Medicine Mined for 21st Century Lessons". NIH Record, accessed 1/30/2023, from <https://nihrecord.nih.gov/2016/06/03/history-tv-tech-medicine-mined-21st-century-lessons>

² Obituary: "Dr. Kenneth Bird, 73; Used TV for Diagnosis". New York Times Archives, accessed 1/30/2023, from <https://www.nytimes.com/1991/02/16/obituaries/dr-kenneth-bird-73-used-tv-for-diagnosis.html>



healthcare ecosystem and has been for over ten years. As an agency, the Commission has a duty to ensure that its policies and regulations around medical cannabis are in alignment with the state's broader healthcare framework. It is clear based on the Commonwealth's history of embracing new technologies in healthcare that state agencies should allow tools such as telehealth to be utilized in order to provide residents with a better quality of life.

CHAPTER 260 OF THE ACTS OF 2020

Ensuring that patients have access to healthcare via telehealth quickly became a legislative priority during the coronavirus pandemic. Telehealth was the focus of landmark legislation signed into law in January of 2021 titled, *An act promoting a resilient health care system that puts patients first*. The law, otherwise known as Chapter 260 of the Acts of 2020, strengthened access to telehealth in many ways³ and affirmed that the practice of medicine officially includes telehealth in the Commonwealth. State law is now much clearer on the matter than it was in March of 2020. Telehealth is considered as valid an option for healthcare delivery as in-person care. Any decision by the Commission to require in-person visits for initial consultations would therefore be inconsistent with the state's recent efforts to expand access to healthcare through telehealth.

BOARD OF REGISTRATION IN MEDICINE POLICY 2020-01

On March 16, 2020 the Board of Registration in Medicine adopted interim policy 2020-01 that was later made permanent.⁴ The key takeaway is the following passage, *"the practice of medicine shall not require a face-to-face encounter between the physician and the patient prior to health care delivery via telemedicine."*⁵ While the medical marijuana law requires a clinical visit as a component of establishing a *Bona fide* healthcare professional-patient relationship, it does not specify that a visit for an

³ "Massachusetts enacts telehealth bill that signals further expansion of telehealth services in the Commonwealth" Adler Pollock & Sheehan P.C. (March 3, 2021). Accessed 1/30/2023, from <https://www.apslaw.com/its-your-business/2021/03/03/massachusetts-enacts-telehealth-bill-that-signals-further-expansion-of-telehealth-services-in-the-commonwealth/>

⁴ "Massachusetts adopts permanent telehealth policy for the first time" The National Law Review. (July 1, 2020). Accessed 1/30/2023, from <https://www.natlawreview.com/article/massachusetts-adopts-permanent-telehealth-policy-first-time>

⁵ "Board of Registration in Medicine Approves Policy on Telemedicine", Mass.gov. Accessed 1/30/2023. <https://www.mass.gov/news/board-of-registration-in-medicine-approves-policy-on-telemedicine>



initial patient certification be conducted in-person. Therefore the regulatory requirement contained in 935 CMR 501.010(8)(a) is not a statutory requirement.

NATIONAL PUBLIC HEALTH EMERGENCY CONTINUES

While Massachusetts ended its public health emergency on June 15, 2021 the nationwide public health emergency continues to be in effect. In fact, on January 11, 2023 the United States Secretary of Health and Human Services, Xavier Becerra, extended the nationwide public health emergency until April 11, 2023.⁶ The state requirement for individuals to self-isolate for 5-10 days after testing positive for coronavirus also continues to remain in place.⁷ On January 30, 2023 President Joe Biden informed Congress that he will end the national public health emergency on May 11, 2023.⁸

STIGMATIZATION OF MEDICAL CANNABIS PATIENTS & TELEHEALTH

Our mission at the MPAA is to help medical cannabis become normalized as part of the healthcare system within the Commonwealth. Patients and caregivers are constantly fighting stigma related to medical cannabis in housing, employment, and in other areas such as continuity of care in hospital settings. Understanding that in Massachusetts telehealth is healthcare, if qualifying patients and certifying healthcare providers are unable to practice medicine in the fashion allowed by law, it further stigmatizes the medical use of cannabis and creates confusion for clinicians, patients, and the general public. The Commission currently defines clinical visit as either an, "in-person or telehealth visit" but at the same time prohibits clinical visits via telehealth for initial certificates of registration. MPAA has always believed that this rule requiring a first time visit to be in-person was prejudiced and stigmatizing. MPAA still holds that view. Telehealth has become the status quo in Massachusetts and because of that patients with debilitating conditions will be harmed if the Commission rolls

⁶ COVID-19: Renewal of Determination that a Public Health Emergency Exists. (January 11, 2023). Accessed 1/30/2023, from <https://aspr.hhs.gov/legal/PHE/Pages/covid19-11Jan23.aspx>

⁷ Covid-19 isolation and exposure guidance for the general public. Mass.gov. (October 31, 2022). Accessed 1/30/2023, from <https://www.mass.gov/info-details/covid-19-isolation-and-exposure-guidance-for-the-general-public>

⁸ Miller, Z., & Seitz, A. (January 30, 2023). *President Biden to end covid-19 emergencies on May 11*. AP NEWS. Accessed 1/30/2023, from <https://apnews.com/article/biden-united-states-government-district-of-columbia-covid-public-health-2a80b547f6d55706a6986debc343b9fe>



back these waivers. In addition to stigmatizing medical cannabis patients and their healthcare providers rolling back the ability for first time clinical visits via telehealth will create stigma about the quality of telehealth care. The rollback would create a perception that telehealth is a substandard form of care compared to in person healthcare, which is not supported by data. We request that the Commission consider the negative consequences a rollback could cause to patients, their healthcare providers, and the perception of telehealth care.

HUNDREDS OF LOW INCOME PATIENTS HELPED WITH TELEHEALTH

In an effort to help patients in need during the pandemic MPAA developed a patient referral program through our website that refers patients in need of reduced cost certifications to clinicians who can provide low-cost care. We can safely say that we have helped over 500 new patients become certified for the medical program since the waivers were instituted as well as hundreds more for low cost renewals. We have helped connect hundreds of new patients to clinicians and telehealth has in many cases made that a possibility. In 2023, we are revamping our referral system and rebranding it as "Cannabis Care Connect" in the hopes that we can expand our impact. Until medical cannabis certifications from healthcare providers are covered by MassHealth many individuals will continue to struggle to enroll in the medical program because of out of pocket costs. Telehealth is by far the most inexpensive way for those who don't have reliable access to transportation to have a clinical visit with a certifying healthcare provider.

CONCLUSION

The passage of Chapter 260 of the Acts of 2020 has at long last made telehealth equivalent to in-person healthcare in the state of Massachusetts. Interim rules developed by the Board of Registration in Medicine have become permanent and make perfectly clear that telehealth is now part of how medicine is practiced. With the continuation of the National Public Health Emergency until May 11, 2023, it is also extremely important that special care is taken to consider the needs of immunocompromised patients and individuals who test positive for coronavirus who cannot safely attend face to face clinical visits. Rolling back the ability for healthcare providers to utilize telehealth for first time clinical visits would stigmatize the medical use of cannabis and make in-person visits seem superior. The impact of a rollback will be most significant on low income patients, homebound patients, and patients living in rural areas. MPAA is therefore asking the Cannabis Control Commission to take



these facts and other relevant information into consideration when reviewing this topic. Over the past three years the use of telehealth has become inseparable from how medicine is practiced in Massachusetts. MPAA would argue that telehealth is now inseparable from how medical cannabis is practiced in the Commonwealth. It has been over ten years since the passage of Question 3 to legalize medical cannabis because of the compassion of voters in the Commonwealth. We hope that same spirit of compassion is what guides this topic to a positive conclusion for patients and their healthcare providers. Thank you for your consideration and taking up this important topic for patients and their healthcare providers around the Commonwealth.

A handwritten signature in black ink, reading "Jeremiah MacKinnon", is positioned above a horizontal line.

Jeremiah MacKinnon, President & Executive Director

Apical, Inc.
0254-COO-03-1023

CHANGE OF OWNERSHIP AND CONTROL OVERVIEW

1. Licensee Information:

Licensee Business Name:	Apical, Inc.
Licensee d/b/a Name:	Phat Panda, by Grow Op Farms

2. License(s) Affected by this Change Request:

License Number	License Type
MC281385	Cultivator
MP281333	Product Manufacturer
MR281246	Retailer
MR283720	Retailer

3. The licensee has paid the applicable fees for this change request.

4. The licensee is proposing to add the following as Persons Having Direct or Indirect Control:

Individual	Role
Katrina Hewitt-McKinley	Person with Direct or Indirect Control

5. The licensee is proposing to add the following as Entities Having Direct or Indirect Control:

Entity	Role
Panda Solutions LLC	Entity with Direct or Indirect Control
Phat Panda LLC	Entity with Direct or Indirect Control

6. Background checks were conducted on all proposed parties and no suitability issues were discovered.

7. The proposed parties do not appear to have exceeded any ownership or control limits over any license type.



8. Commission staff conducted an organizational and financial inspection into the parties associated with this request and found no issues or inconsistencies with the information provided to the Commission.

RECOMMENDATION

Commission staff recommend review and decision on the request for change of ownership and control, and if approved, request that the approval be subject to the following conditions:

1. The licensee and proposed parties may now effectuate the approved change.
2. The licensee shall notify the Commission when the change has occurred.
3. The licensee shall submit a change of name request following this approval if any business or doing-business-as names associated with the license(s) will require modification.
4. The licensee is subject to inspection to ascertain compliance with Commission regulations.
5. The licensee shall remain suitable for licensure.
6. The licensee shall cooperate with and provide information to Commission staff.
7. The licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) and/or 935 CMR 501.105(1) after effectuating the change, if applicable, and shall give Commission staff adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.



Ashli's Extracts, Inc.
0238-COO-03-0723

CHANGE OF OWNERSHIP AND CONTROL OVERVIEW

1. Licensee Information:

Licensee Business Name:	Ashli's Extracts, Inc.
Licensee d/b/a Name:	Zahara

2. License(s) Affected by this Change Request:

License Number	License Type
MP281374	Product Manufacturer

3. The licensee has paid the applicable fees for this change request.

4. The licensee is proposing to add the following as Persons Having Direct or Indirect Control:

Individual	Role
Denis L. O'Sullivan	Person with Direct or Indirect Control
John Heckel	Person with Direct or Indirect Control
Caroline O'Sullivan	Person with Direct or Indirect Control

5. The licensee is proposing to add the following as Entities Having Direct or Indirect Control:

Entity	Role
DOS 2022 Florida Gifting Trust	Entity with Direct or Indirect Control

6. Background checks were conducted on all proposed parties and no suitability issues were discovered.

7. The proposed parties do not appear to have exceeded any ownership or control limits over any license type.



8. Commission staff conducted an organizational and financial inspection into the parties associated with this request and found no issues or inconsistencies with the information provided to the Commission.

RECOMMENDATION

Commission staff recommend review and decision on the request for change of ownership and control, and if approved, request that the approval be subject to the following conditions:

1. The licensee and proposed parties may now effectuate the approved change.
2. The licensee shall notify the Commission when the change has occurred.
3. The licensee shall submit a change of name request following this approval if any business or doing-business-as names associated with the license(s) will require modification.
4. The licensee is subject to inspection to ascertain compliance with Commission regulations.
5. The licensee shall remain suitable for licensure.
6. The licensee shall cooperate with and provide information to Commission staff.
7. The licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) and/or 935 CMR 501.105(1) after effectuating the change, if applicable, and shall give Commission staff adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.



Ashli's Farm, Inc.
0239-COO-03-0723

CHANGE OF OWNERSHIP AND CONTROL OVERVIEW

1. Licensee Information:

Licensee Business Name:	Ashli's Farm, Inc.
Licensee d/b/a Name:	Zahara

2. License(s) Affected by this Change Request:

License Number	License Type
MC281451	Cultivator

3. The licensee has paid the applicable fees for this change request.

4. The licensee is proposing to add the following as Persons Having Direct or Indirect Control:

Individual	Role
Denis L. O'Sullivan	Person with Direct or Indirect Control
John Heckel	Person with Direct or Indirect Control
Caroline O'Sullivan	Person with Direct or Indirect Control

5. The licensee is proposing to add the following as Entities Having Direct or Indirect Control:

Entity	Role
DOS 2022 Florida Gifting Trust	Entity with Direct or Indirect Control

6. Background checks were conducted on all proposed parties and no suitability issues were discovered.

7. The proposed parties do not appear to have exceeded any ownership or control limits over any license type.



8. Commission staff conducted an organizational and financial inspection into the parties associated with this request and found no issues or inconsistencies with the information provided to the Commission.

RECOMMENDATION

Commission staff recommend review and decision on the request for change of ownership and control, and if approved, request that the approval be subject to the following conditions:

1. The licensee and proposed parties may now effectuate the approved change.
2. The licensee shall notify the Commission when the change has occurred.
3. The licensee shall submit a change of name request following this approval if any business or doing-business-as names associated with the license(s) will require modification.
4. The licensee is subject to inspection to ascertain compliance with Commission regulations.
5. The licensee shall remain suitable for licensure.
6. The licensee shall cooperate with and provide information to Commission staff.
7. The licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) and/or 935 CMR 501.105(1) after effectuating the change, if applicable, and shall give Commission staff adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.



Buudda Brothers 90 Sargeant Street, LLC
0255-COO-03-1123

CHANGE OF OWNERSHIP AND CONTROL OVERVIEW

1. Licensee Information:

Licensee Business Name:	Buudda Brothers 90 Sargeant Street, LLC
Licensee d/b/a Name:	N/A

2. License(s) Affected by this Change Request:

License Number	License Type
MP281870	Product Manufacturer

3. The licensee has paid the applicable fees for this change request.

4. The licensee is proposing to add the following as Persons Having Direct or Indirect Control:

Individual	Role
Konstantinos C. Marselis	Person with Direct or Indirect Control

5. The licensee is proposing to add the following as Entities Having Direct or Indirect Control:

Entity	Role
Blue Fox Brands Inc.	Entity with Direct or Indirect Control

6. Background checks were conducted on all proposed parties and no suitability issues were discovered.

7. The proposed parties do not appear to have exceeded any ownership or control limits over any license type.

8. Commission staff conducted an organizational and financial inspection into the parties associated with this request and found no issues or inconsistencies with the information provided to the Commission.



RECOMMENDATION

Commission staff recommend review and decision on the request for change of ownership and control, and if approved, request that the approval be subject to the following conditions:

1. The licensee and proposed parties may now effectuate the approved change.
2. The licensee shall notify the Commission when the change has occurred.
3. The licensee shall submit a change of name request following this approval if any business or doing-business-as names associated with the license(s) will require modification.
4. The licensee is subject to inspection to ascertain compliance with Commission regulations.
5. The licensee shall remain suitable for licensure.
6. The licensee shall cooperate with and provide information to Commission staff.
7. The licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) and/or 935 CMR 501.105(1) after effectuating the change, if applicable, and shall give Commission staff adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.



MARIJUANA ESTABLISHMENT RENEWALS

EXECUTIVE SUMMARY

COMMISSION MEETING: MAY 9, 2024

RENEWAL OVERVIEW

1. Name, license number, renewal application number, host community, and funds deriving from a Host Community Agreement allocated for the municipality for each Marijuana Establishment presented for renewal:

	Licensee Name	License Number	Renewal Application Number	Location	Municipal Costs Disclosed
1	Apical, Inc.	MC281385	MCR140696	Fitchburg	\$0.00
2	Apical, Inc.	MR281246	MRR206700	Easthampton	\$0.00
3	Apical, Inc.	MR283720	MRR206699	Northampton	\$0.00
4	Apical, Inc.	MP281333	MPR244094	Fitchburg	\$0.00

2. All licensees have submitted renewal applications pursuant to 935 CMR 500.103(4) which include the licensee's disclosure of their progress or success towards their Positive Impact and Diversity Plans.
3. All licensees have submitted documentation of good standing from the Secretary of the Commonwealth, Department of Revenue, and Department of Unemployment Assistance, if applicable.
4. All licensees have paid the appropriate annual license fee.
5. The licensees, when applicable, have been inspected over the previous year. Commission staff certify that, to the best of our knowledge, no information has been found that would prevent renewal of the licenses mentioned above pursuant to 935 CMR 500.450.

RECOMMENDATION

Commission staff recommend review and decision on the above-mentioned licenses applying for renewal, and if approved, request that the approval be subject to the licensee remaining in compliance with the Commission regulations and applicable law.



MEDICAL MARIJUANA TREATMENT CENTER RENEWALS

EXECUTIVE SUMMARY

COMMISSION MEETING: MAY 9, 2024

RENEWAL OVERVIEW

1. Name, license number, location(s), for each Medical Marijuana Treatment Center presented for renewal:

	Licensee Name	License Number	Location (Cultivation)	Location (Dispensing)
5	Atlantic Medicinal Partners, Inc.	MTC1506	Fitchburg	Fitchburg

2. All licensees have submitted renewal applications pursuant to 935 CMR 501.103.
3. All licensees have paid the appropriate annual license fee.
4. The licensees, when applicable, have been inspected over the previous year. Commission staff certify that, to the best of our knowledge, no information has been found that would prevent renewal of the licenses mentioned above pursuant to 935 CMR 501.450.

RECOMMENDATION

Commission staff recommend review and decision on the above-mentioned licenses applying for renewal, and if approved, request that the approval be subject to the licensee remaining in compliance with the Commission regulations and applicable law.



220 O’Neil, LLC
MR284345

ESTABLISHMENT OVERVIEW

1. Name and address of the Marijuana Establishment:

Licensee Business Name:	220 Oneil, LLC
Licensee d/b/a Name:	Green City
Licensed Location:	220 O’Neil Boulevard, Attleboro, MA 02703

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The licensee is associated with the following license type(s):

The licensee is not associated with any other license applications or licenses.

LICENSING OVERVIEW

4. The licensee was approved for provisional licensure for the above-mentioned license(s) on October 13, 2022.
5. The licensee has paid all applicable license fees.
6. No new information has been reported to Commission staff regarding the organizational structure of the entity since the issuance of the provisional license(s).
7. No new information has been discovered by Commission staff regarding the suitability of the licensees previously disclosed since the issuance of the provisional license(s).

INSPECTION OVERVIEW

8. Commission staff inspected the licensee’s facility on the following date(s): March 27, 2024.

Final License Executive Summary 1



9. The licensee's facility was inspected by Commission staff and found to be in full compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable.
10. No evidence was discovered during the inspection(s) that indicated the licensee was not in compliance with all applicable state laws and local bylaws or ordinances.
11. Specific information from Commission staff's inspection is highlighted below:

- a. Security

Enforcement staff verified that all security-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. The security of all entrances and exits;
- ii. Visitor procedures;
- iii. Limited access areas;
- iv. Verification of a primary and back-up security company;
- v. Presence of perimeter and duress alarms; and
- vi. All cameras complied with Commission requirements.

- b. Inventory and Storage

Enforcement staff verified that all inventory-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Secure storage of marijuana and marijuana products;
- ii. Sanitation and pest control measures; and
- iii. Inventory controls and procedures.

- c. Retail Operation

Enforcement staff verified that all retail-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Verification of identifications for access;
- ii. Layout of the sales floor; and
- iii. Availability and contents of adult-use consumer education materials.

- d. Transportation

The licensee will not be performing transportation activities at this time.

RECOMMENDATION

Commission staff recommend final licensure with the following conditions:



1. The licensee may possess and otherwise acquire marijuana, but shall not dispense, sell, or otherwise transport marijuana to other Marijuana Establishments, or to consumers, until upon inspection, receiving permission from the Commission to commence full operations.
2. The licensee is subject to inspection to ascertain compliance with Commission regulations.
3. The licensee remains suitable for licensure.
4. The licensee shall cooperate with and provide information to Commission staff.
5. Licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) prior to the issuance of a commencement of operations and that Commission staff be given adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.

The licensee has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the licensee is recommended for final licensure.

As part of the approval of final licensure, the Commission authorizes staff to take all necessary actions to review compliance with the above-referenced conditions and to approve the commencement of operations.



ARL Healthcare, Inc.

MR284873

ESTABLISHMENT OVERVIEW

1. Name and address of the Marijuana Establishment:

Licensee Business Name:	ARL Healthcare, Inc.
Licensee d/b/a Name:	Panacea Wellness
Licensed Location:	216 Ricciuti Drive, Quincy, MA 02169

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The licensee is associated with the following license type(s):

Type	Status	Location
Marijuana Cultivator, Tier 4/Indoor (20,001 – 30,000 sq. ft.)	Final License	New Bedford
Marijuana Product Manufacturing	Final License	New Bedford
Marijuana Retailer	Commence Operations	Beverly
Marijuana Retailer	Commence Operations	Middleborough
MTC	Commence Operations	New Bedford – Middleborough

LICENSING OVERVIEW

4. The licensee was approved for provisional licensure for the above-mentioned license(s) on January 11, 2024.
5. The licensee has paid all applicable license fees.

Final License Executive Summary 1



6. No new information has been reported to Commission staff regarding the organizational structure of the entity since the issuance of the provisional license(s).
7. No new information has been discovered by Commission staff regarding the suitability of the licensees previously disclosed since the issuance of the provisional license(s).

INSPECTION OVERVIEW

8. Commission staff inspected the licensee's facility on the following date(s): February 28, 2024.
9. The licensee's facility was inspected by Commission staff and found to be in full compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable.
10. No evidence was discovered during the inspection(s) that indicated the licensee was not in compliance with all applicable state laws and local bylaws or ordinances.
11. Specific information from Commission staff's inspection is highlighted below:

- a. Security

Enforcement staff verified that all security-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. The security of all entrances and exits;
- ii. Visitor procedures;
- iii. Limited access areas;
- iv. Verification of a primary and back-up security company;
- v. Presence of perimeter and duress alarms; and
- vi. All cameras complied with Commission requirements.

- b. Inventory and Storage

Enforcement staff verified that all inventory-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Secure storage of marijuana and marijuana products;
- ii. Sanitation and pest control measures; and
- iii. Inventory controls and procedures.

- c. Retail Operation

Enforcement staff verified that all retail-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:



- i. Verification of identifications for access;
- ii. Layout of the sales floor; and
- iii. Availability and contents of adult-use consumer education materials.

d. Transportation

Enforcement staff verified that all transportation-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Vehicle and staffing requirements;
- ii. Communication and reporting requirements; and
- iii. Inventory and manifests requirements.

RECOMMENDATION

Commission staff recommend final licensure with the following conditions:

1. The licensee may possess and otherwise acquire marijuana, but shall not dispense, sell, or otherwise transport marijuana to other Marijuana Establishments, or to consumers, until upon inspection, receiving permission from the Commission to commence full operations.
2. The licensee is subject to inspection to ascertain compliance with Commission regulations.
3. The licensee remains suitable for licensure.
4. The licensee shall cooperate with and provide information to Commission staff.
5. Licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) prior to the issuance of a commencement of operations and that Commission staff be given adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.

The licensee has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the licensee is recommended for final licensure.

As part of the approval of final licensure, the Commission authorizes staff to take all necessary actions to review compliance with the above-referenced conditions and to approve the commencement of operations.



NashMac, LLC
MR281304

ESTABLISHMENT OVERVIEW

1. Name and address of the Marijuana Establishment:

Licensee Business Name:	NashMac, LLC
Licensee d/b/a Name:	CannaBarn
Licensed Location:	678 Adams Street, Abington, MA 02351

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The licensee is associated with the following license type(s):

The licensee is not associated with any other license applications or licenses.

LICENSING OVERVIEW

4. The licensee was approved for provisional licensure for the above-mentioned license(s) on June 8, 2023.
5. The licensee has paid all applicable license fees.
6. No new information has been reported to Commission staff regarding the organizational structure of the entity since the issuance of the provisional license(s).
7. No new information has been discovered by Commission staff regarding the suitability of the licensees previously disclosed since the issuance of the provisional license(s).

INSPECTION OVERVIEW

8. Commission staff inspected the licensee's facility on the following date(s): March 5, 2024.

Final License Executive Summary 1



9. The licensee's facility was inspected by Commission staff and found to be in full compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable.
10. No evidence was discovered during the inspection(s) that indicated the licensee was not in compliance with all applicable state laws and local bylaws or ordinances.
11. Specific information from Commission staff's inspection is highlighted below:

- a. Security

Enforcement staff verified that all security-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. The security of all entrances and exits;
- ii. Visitor procedures;
- iii. Limited access areas;
- iv. Verification of a primary and back-up security company;
- v. Presence of perimeter and duress alarms; and
- vi. All cameras complied with Commission requirements.

- b. Inventory and Storage

Enforcement staff verified that all inventory-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Secure storage of marijuana and marijuana products;
- ii. Sanitation and pest control measures; and
- iii. Inventory controls and procedures.

- c. Retail Operation

Enforcement staff verified that all retail-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Verification of identifications for access;
- ii. Layout of the sales floor; and
- iii. Availability and contents of adult-use consumer education materials.

- d. Transportation

The licensee will not be performing transportation activities at this time.

RECOMMENDATION

Commission staff recommend final licensure with the following conditions:



1. The licensee may possess and otherwise acquire marijuana, but shall not dispense, sell, or otherwise transport marijuana to other Marijuana Establishments, or to consumers, until upon inspection, receiving permission from the Commission to commence full operations.
2. The licensee is subject to inspection to ascertain compliance with Commission regulations.
3. The licensee remains suitable for licensure.
4. The licensee shall cooperate with and provide information to Commission staff.
5. Licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) prior to the issuance of a commencement of operations and that Commission staff be given adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.

The licensee has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the licensee is recommended for final licensure.

As part of the approval of final licensure, the Commission authorizes staff to take all necessary actions to review compliance with the above-referenced conditions and to approve the commencement of operations.



ReLeaf Alternative Natick, Inc.

MR284537

ESTABLISHMENT OVERVIEW

1. Name and address of the Marijuana Establishment:

Licensee Business Name:	ReLeaf Alternative Natick, Inc.
Licensed Location:	291 Worcester Street, Natick, MA 01760

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The licensee is associated with the following license type(s):

The licensee is not associated with any other license applications or licenses.

LICENSING OVERVIEW

4. The licensee was approved for provisional licensure for the above-mentioned license(s) on August 9, 2022.
5. The licensee has paid all applicable license fees.
6. No new information has been reported to Commission staff regarding the organizational structure of the entity since the issuance of the provisional license(s).
7. No new information has been discovered by Commission staff regarding the suitability of the licensees previously disclosed since the issuance of the provisional license(s).

INSPECTION OVERVIEW

8. Commission staff inspected the licensee's facility on the following date(s): March 28, 2024.



9. The licensee's facility was inspected by Commission staff and found to be in full compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable.
10. No evidence was discovered during the inspection(s) that indicated the licensee was not in compliance with all applicable state laws and local bylaws or ordinances.
11. Specific information from Commission staff's inspection is highlighted below:

- a. Security

Enforcement staff verified that all security-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. The security of all entrances and exits;
- ii. Visitor procedures;
- iii. Limited access areas;
- iv. Verification of a primary and back-up security company;
- v. Presence of perimeter and duress alarms; and
- vi. All cameras complied with Commission requirements.

- b. Inventory and Storage

Enforcement staff verified that all inventory-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Secure storage of marijuana and marijuana products;
- ii. Sanitation and pest control measures; and
- iii. Inventory controls and procedures.

- c. Retail Operation

Enforcement staff verified that all retail-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Verification of identifications for access;
- ii. Layout of the sales floor; and
- iii. Availability and contents of adult-use consumer education materials.

- d. Transportation

The licensee will not be performing transportation activities at this time.

RECOMMENDATION

Commission staff recommend final licensure with the following conditions:



1. The licensee may possess and otherwise acquire marijuana, but shall not dispense, sell, or otherwise transport marijuana to other Marijuana Establishments, or to consumers, until upon inspection, receiving permission from the Commission to commence full operations.
2. The licensee is subject to inspection to ascertain compliance with Commission regulations.
3. The licensee remains suitable for licensure.
4. The licensee shall cooperate with and provide information to Commission staff.
5. Licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) prior to the issuance of a commencement of operations and that Commission staff be given adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.

The licensee has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the licensee is recommended for final licensure.

As part of the approval of final licensure, the Commission authorizes staff to take all necessary actions to review compliance with the above-referenced conditions and to approve the commencement of operations.



Smokey Leaf, LLC
MR284276

ESTABLISHMENT OVERVIEW

1. Name and address of the Marijuana Establishment:

Licensee Business Name:	Smokey Leaf, LLC
Licensed Location:	45-49 Bank Row, Greenfield, MA 01301

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The licensee is associated with the following license type(s):

The licensee is not associated with any other license applications or licenses.

LICENSING OVERVIEW

4. The licensee was approved for provisional licensure for the above-mentioned license(s) on November 18, 2021.
5. The licensee has paid all applicable license fees.
6. No new information has been reported to Commission staff regarding the organizational structure of the entity since the issuance of the provisional license(s).
7. No new information has been discovered by Commission staff regarding the suitability of the licensees previously disclosed since the issuance of the provisional license(s).

INSPECTION OVERVIEW

8. Commission staff inspected the licensee's facility on the following date(s): March 26, 2024.



9. The licensee's facility was inspected by Commission staff and found to be in full compliance with the requirements listed in 935 CMR 500.105 through 935 CMR 500.160 as applicable.
10. No evidence was discovered during the inspection(s) that indicated the licensee was not in compliance with all applicable state laws and local bylaws or ordinances.
11. Specific information from Commission staff's inspection is highlighted below:

- a. Security

Enforcement staff verified that all security-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. The security of all entrances and exits;
- ii. Visitor procedures;
- iii. Limited access areas;
- iv. Verification of a primary and back-up security company;
- v. Presence of perimeter and duress alarms; and
- vi. All cameras complied with Commission requirements.

- b. Inventory and Storage

Enforcement staff verified that all inventory-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Secure storage of marijuana and marijuana products;
- ii. Sanitation and pest control measures; and
- iii. Inventory controls and procedures.

- c. Retail Operation

Enforcement staff verified that all retail-related requirements were in full compliance with Commission regulations. Some of the requirements verified include the following:

- i. Verification of identifications for access;
- ii. Layout of the sales floor; and
- iii. Availability and contents of adult-use consumer education materials.

- d. Transportation

The licensee will not be performing transportation activities at this time.

RECOMMENDATION

Commission staff recommend final licensure with the following conditions:



1. The licensee may possess and otherwise acquire marijuana, but shall not dispense, sell, or otherwise transport marijuana to other Marijuana Establishments, or to consumers, until upon inspection, receiving permission from the Commission to commence full operations.
2. The licensee is subject to inspection to ascertain compliance with Commission regulations.
3. The licensee remains suitable for licensure.
4. The licensee shall cooperate with and provide information to Commission staff.
5. Licensure is subject to notification to the Commission of any update to written operations plans required by 935 CMR 500.105(1) prior to the issuance of a commencement of operations and that Commission staff be given adequate opportunity to review said plans at the business location or the location where any such plans are maintained in the normal course of business.

The licensee has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the licensee is recommended for final licensure.

As part of the approval of final licensure, the Commission authorizes staff to take all necessary actions to review compliance with the above-referenced conditions and to approve the commencement of operations.



Catamount Cannabis Company, LLC

MRN285084

APPLICATION OF INTENT REVIEW

1. Name, address, and license type(s) sought of the proposed License Applicant:

License Applicant Business Name:	Catamount Cannabis Company, LLC
Proposed Location:	1105 Mohawk Trail, Shelburne, MA 10370

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The license applicant is associated with the following license type(s):

The license applicant is not associated with any other license applications or licenses.

4. List of all required individuals and their roles:

Individual	Role
Jennifer Bellino	Person Having Direct/Indirect Control / Capital Contributor
Anne Bellino	Person Having Direct/Indirect Control / Capital Contributor
Ariana Darcy	Person Having Direct/Indirect Control / Capital Contributor
Cynthia Gibbs	Person Having Direct/Indirect Control / Capital Contributor

5. List of all required entities and their roles:

No other entity appears to have ownership or control over this license applicant business.

6. License Applicant's Status:

Expedited Applicant (Woman-Owned Business)

7. The license applicant and host community executed a Host Community Agreement ("HCA") on November 6, 2020. The license applicant submitted their application prior to March 1, 2024 and provided the required certification form.

Provisional License Executive Summary 1



8. The Commission received a municipal response from the host community on April 1, 2024 stating the applicant was in compliance with all local ordinances or by-laws.
9. The license applicant proposed the following goals for its Positive Impact Plan:

Goal
The license applicant proposes to hire 50% of individuals from the following Commission identified Areas of Disproportionate Impact: Greenfield.
The license applicant proposed to provide free industry-specific educational seminars on a quarterly basis.

BACKGROUND CHECK REVIEW

10. There were no disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions.
11. There were no concerns arising from background checks on the individuals or entities associated with the application.

MANAGEMENT AND OPERATIONS PROFILE REVIEW

12. The license applicant submitted all required summaries of plans, policies, and procedures for the operation of the proposed establishment. The summaries were determined to be substantially compliant with the Commission’s regulations.
13. The license applicant proposed the following goals for its Diversity Plan:

Goal
The license applicant proposes to hire the following: 50% Women and 30% minority, veteran, persons with a disability or persons who are LGBTQ+. Of the 30%, 70% People of color, particularly Black, African American, Hispanic, Latinx, and Indigenous peoples, 5-10% Veterans, 5-10% Persons with Disabilities, and 5-10% LGBTQ+ People.
The license applicant proposes to institute a “blind hiring” policy.
The license applicant proposes to provide training for Hiring Managers that address unconscious bias and cultural sensitivity.

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations.
2. Final license is subject to inspection to ascertain compliance with applicable state laws, local codes, ordinances or bylaws, and local licensing requirements.



3. Final licensure is subject to the applicant ensuring that all remaining required individuals be fingerprinted pursuant to previous Commission notifications.
4. The license applicant shall cooperate with and provide information to Commission staff.
5. Provisional licensure is subject to the payment of the appropriate license fee.

The license applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.



Chill & Bliss II, LLC
MRN285090

APPLICATION OF INTENT REVIEW

1. Name, address, and license type(s) sought of the proposed License Applicant:

License Applicant Business Name:	Chill & Bliss II, LLC
Proposed Location:	503 Quincy Avenue, Quincy, MA 02169

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The license applicant is associated with the following license type(s):

The license applicant is not associated with any other license applications or licenses.

4. List of all required individuals and their roles:

Individual	Role
Kimberly Wall	Person Having Direct/Indirect Control

5. List of all required entities and their roles:

Entity	Role
WallCare, LLC	Entity Having Direct/Indirect Control

No other entity appears to have ownership or control over this license applicant business.

6. License Applicant's Status:

Expedited Applicant (Woman-Owned Business)

7. The license applicant and host community executed a Host Community Agreement ("HCA") on July 24, 2023. The license applicant submitted their application prior to March 1, 2024 and provided the required certification form.

Provisional License Executive Summary 1



8. The Commission received a municipal response from the host community on April 4, 2024 stating the applicant was in compliance with all local ordinances or by-laws.
9. The license applicant proposed the following goals for its Positive Impact Plan:

Goal
The license applicant proposes to hire five (5) individuals from the following Commission identified Areas of Disproportionate Impact: MA Residents with Past Drug Convictions, and/or MA Residents with Parents or Spouses with Past Drug Convictions.
The license applicant proposes to host an annual record sealing workshop.

BACKGROUND CHECK REVIEW

10. There were no disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions.
11. There were no concerns arising from background checks on the individuals or entities associated with the application.

MANAGEMENT AND OPERATIONS PROFILE REVIEW

12. The license applicant submitted all required summaries of plans, policies, and procedures for the operation of the proposed establishment. The summaries were determined to be substantially compliant with the Commission's regulations.
13. The license applicant proposed the following goals for its Diversity Plan:

Goal
The license applicant proposes to hire the following: 50% Women, 15% People of color, particularly Black, African American, Hispanic, Latinx, and Indigenous peoples, 10% Veterans, 15% Persons with Disabilities, and 15% LGBTQ+ People.
The license applicant proposes to contract with diverse businesses who are 5% Women, 5% People of color, particularly Black, African American, Hispanic, Latinx, and Indigenous peoples, 5% Veterans, 5% Persons with Disabilities, and 15% LGBTQ+ People.

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations.

Provisional License Executive Summary 2



2. Final license is subject to inspection to ascertain compliance with applicable state laws, local codes, ordinances or bylaws, and local licensing requirements.
3. The license applicant shall cooperate with and provide information to Commission staff.
4. Provisional licensure is subject to the payment of the appropriate license fee.

The license applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.



Cloud 9 Cannabis, LLC

MRN285037

APPLICATION OF INTENT REVIEW

1. Name, address, and license type(s) sought of the proposed License Applicant:

License Applicant Business Name:	Cloud 9 Cannabis, LLC
License Applicant d/b/a Name:	Pinnacle Cannabis
Proposed Location:	15 Liberty St, Quincy, MA 02169

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Retailer

3. The license applicant is associated with the following license type(s):

Type	Status	Location
Marijuana Cultivator, Tier 2/Indoor (5,001 – 10,000 sq. ft.)	Provisional License	Orange

4. List of all required individuals and their roles:

Individual	Role
David Lang	Person Having Direct/Indirect Control

5. List of all required entities and their roles:

No other entity appears to have ownership or control over this license applicant business.

6. License Applicant's Status:

General Applicant



7. The license applicant and host community executed a Host Community Agreement (“HCA”) on August 1, 2023. The license applicant submitted their application prior to March 1, 2024 and provided the required certification form.
8. The Commission received a municipal response from the host community on March 26, 2024 stating the applicant was in compliance with all local ordinances or by-laws.
9. The license applicant proposed the following goals for its Positive Impact Plan:

Goal
The license applicant proposes to hire 100% of individuals from the following Commission identified Areas of Disproportionate Impact: Quincy or Braintree.
The license applicant proposes working with a minimum of two (2) third-party contractors who reside in or operate from the following Commission identified Areas of Disproportionate Impact: Quincy or Braintree.
The license applicant proposes to engage with wholesale suppliers who operate from the following Commission identified Areas of Disproportionate Impact: Holyoke and Worcester.

BACKGROUND CHECK REVIEW

10. There were no disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions.
11. There were no concerns arising from background checks on the individuals or entities associated with the application.

MANAGEMENT AND OPERATIONS PROFILE REVIEW

12. The license applicant submitted all required summaries of plans, policies, and procedures for the operation of the proposed establishment. The summaries were determined to be substantially compliant with the Commission’s regulations.
13. The license applicant proposed the following goals for its Diversity Plan:

Goal
The license applicant proposes to hire the following: 20% Women, 20% People of color, particularly Black, African American, Hispanic, Latinx, and Indigenous peoples, 20% Veterans, 20% Persons with Disabilities, and 20% LGBTQ+ People.
The license applicant proposes to engage with at least 10% of suppliers who are Women, People of color, particularly Black, African American, Hispanic, Latinx, and Indigenous peoples, Veterans, Persons with Disabilities, and LGBTQ+ People.



The license applicant proposed to have 100% of staff take job satisfaction surveys annually, or upon exit, with a 75% or greater satisfaction regarding inclusivity, and 100% of staff having access to diversity literature in the workplace.

The license applicant proposed to promote 50% of employees within its first year of operations who are Women, People of color, particularly Black, African American, Hispanic, Latinx, and Indigenous peoples, Veterans, Persons with Disabilities, and LGBTQ+ People.

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations.
2. Final license is subject to inspection to ascertain compliance with applicable state laws, local codes, ordinances or bylaws, and local licensing requirements.
3. The license applicant shall cooperate with and provide information to Commission staff.
4. Provisional licensure is subject to the payment of the appropriate license fee.

The license applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.



Haze of Grafton, LLC

MPN282215

APPLICATION OF INTENT REVIEW

1. Name, address, and license type(s) sought of the proposed License Applicant:

License Applicant Business Name:	Haze of Grafton, LLC
License Applicant d/b/a Name:	Simplicity Dispensary
Proposed Location:	135 Westboro Rd., Grafton, MA 01536

2. Type of final license sought (if cultivation, its tier level and outside/inside operation):

License Type(s) Sought:
Marijuana Product Manufacturer

3. The license applicant is associated with the following license type(s):

Type	Status	Location
Marijuana Retail	Provisional License	Grafton

4. List of all required individuals and their roles:

Individual	Role
Colonel Boothe	Person Having Direct/Indirect Control

5. List of all required entities and their roles:

No other entity appears to have ownership or control over this license applicant business.

6. License Applicant's Status:

General Applicant

7. The license applicant and host community executed a Host Community Agreement ("HCA") on February 2, 2020. The license applicant submitted their application prior to March 1, 2024 and provided the required certification form.

Provisional License Executive Summary 1



8. The Commission received a municipal response from the host community on March 28, 2024 stating the applicant was in compliance with all local ordinances or by-laws.
9. The license applicant proposed the following goals for its Positive Impact Plan:

Goal
The license applicant proposes to create a brand incubator program name “Social Empowerment Collective” to foster entrepreneurship and economic empowerment from the following Commission identified Areas of Disproportionate Impact: Certified Economic Empowerment Priority Applicants and Social Equity Program Participants.

BACKGROUND CHECK REVIEW

10. There were no disclosures of any past civil or criminal actions, occupational license issues, or marijuana-related business interests in other jurisdictions.
11. There were no concerns arising from background checks on the individuals or entities associated with the application.

MANAGEMENT AND OPERATIONS PROFILE REVIEW

12. The license applicant submitted all required summaries of plans, policies, and procedures for the operation of the proposed establishment. The summaries were determined to be substantially compliant with the Commission’s regulations.
13. The license applicant proposed the following goals for its Diversity Plan:

Goal
The license applicant proposes to hire the following: 50% Women, 25% People of color, particularly Black, African American, Hispanic, Latinx, and Indigenous peoples.
The license applicant proposes to create gender-neutral job descriptions, hold career fairs at least once annually in the City of Worcester.
The license applicant proposes to host cultural sensitivity training for all employees once annually.

RECOMMENDATION

Commission staff recommend provisional licensure with the following conditions:

1. Final license is subject to inspection to ascertain compliance with Commission regulations.



2. Final license is subject to inspection to ascertain compliance with applicable state laws, local codes, ordinances or bylaws, and local licensing requirements.
3. The license applicant shall cooperate with and provide information to Commission staff.
4. Provisional licensure is subject to the payment of the appropriate license fee.

The license applicant has demonstrated compliance with the laws and regulations of the Commonwealth and suitability for licensure. Therefore, the applicant is recommended for provisional licensure.



Bright Buds Training

RVR453147

RESPONSIBLE VENDOR TRAINING (“RVT”) TRAINER SUMMARY

1. Name, address, and contact information of the proposed RVT trainer:

Item	Information
RVT Applicant Name	Bright Buds Training
RVT Certification Number	RV453983
RVT Applicant d/b/a Name	Bright Buds Training
RVT Address	24 East Bowery Street, Newport, RI 02840
RVT Business Phone Number	(203) 508-0183
RVT Business Email Address	mollydupont@brightbudstraining.com
RVT Business Website	https://brightbudstraining.com/

2. The RVT trainer has submitted a renewal application to continue to provide a training program for the Basic Core Curriculum.
3. No owner, manager, or employee of the RVT trainer is a Person or Entity Having Direct or Indirect Control of a Marijuana Establishment or Medical Marijuana Treatment Center. The following is a list of all required individuals disclosed:

Individual	Role
Molly Dupont	Owner

GENERAL OVERVIEW OF TRAINING PROGRAM

4. The RVT trainer was originally certified on June 9, 2022. Since that time, or the time of its last renewal, the RVT trainer has provided instruction to 363 of Marijuana Establishment and Medical Marijuana Treatment Center agents.
5. The RVT trainer’s program is presented in a virtual format model.
6. The RVT trainer has continued to demonstrate the following:
- To verify the identification and certify completion of the training program for each agent;

RVT Renewal Executive Summary 1



- b. To track trainees' time needed to complete the course training;
- c. To allow for the trainees to ask questions of the RVT; and
- d. To evaluate each trainee's proficiency with course material.

RECOMMENDATION

Commission staff recommends the RVT trainer listed above be approved for renewal for a two-year certification to provide its training program with the following conditions:

1. The RVT trainer shall ensure all training materials reflect current Commission regulations.
2. The RVT trainer shall remain fully compliant with all applicable Commission regulations.

This recommendation is based on the review and evaluations of required materials and information submitted to the Commission.



April __, 2024

High Hawk Farm, LLC
101 Daunt Road
Barre, Massachusetts 01005
MC282412

Case No. ENF-2022-0000001264

FINAL ORDER AND STIPULATED AGREEMENT

This Final Order and Stipulated Agreement (herein, “Order”) between the Commonwealth of Massachusetts Cannabis Control Commission (the “Commission”) and High Hawk Farm, LLC (“Respondent”) (together, the “Parties”) is offered for the purposes of settlement and in lieu of further administrative action. The Commission finds that resolution of this matter serves the purposes of G.L. c. 94G, 935 CMR 500.360, and 935 CMR 500.500 because Respondent has accepted responsibility for the violations set forth in this Order and has cooperated with the Commission’s investigation, and further, where the pesticide contamination at issue occurred prior to commence operations and Respondent has no other record of compliance infractions.

Accordingly, the Commission and Respondent stipulate to the following facts of record, applicable law, findings, and remedies:

1. The Commission has jurisdiction over the conduct and operations of licensed Marijuana Establishments and the subject matter herein pursuant to the provisions of the Commonwealth’s marijuana laws, G.L. c. 94G, and 935 CMR 500.000 *et seq.*;
2. The Commission possesses all powers necessary or convenient to carrying out and effectuating its purposes including conducting investigations of compliance with Commission laws, imposing fines, or otherwise restricting a license for violations of G.L. c. 94G or any regulation promulgated by the Commission;
3. In accordance with its statutory mandate, the Commission has adopted regulations for the administration, clarification, and enforcement of laws regulating and licensing Marijuana Establishments which include:
 - a. Requirements for record keeping by Marijuana Establishments and procedures to track Marijuana cultivated, processed, manufactured, delivered or sold by Marijuana Establishments. G.L. c. 94G, § 4(a½)(xiii); and
 - b. Health and safety standards...for the cultivation, processing, manufacturing, and distribution of Marijuana.... *See* G.L. c. 94G, § 4(a½)(xxiii);
4. Pursuant to its authority under G.L. c. 94G §§ 4(a), 4(a½), the Commission may issue a Notice of Fines to show cause as to why a fine or other financial penalty against a



Licensee should not be imposed for any acts or omissions determined to be in violation of the state Marijuana laws. *See* 935 CMR 500.360;

5. Respondent was subject to an investigation by Commission investigators. From that investigation, the Commission alleges violations of Commission regulations, 935 CMR 500.000, relative to Respondent's cultivation operations at its facility in Barre, Massachusetts;
6. On September 11, 2023, the Commission issued a Notice of Fines against Respondent;
7. On October 10, 2023, Respondent submitted a request for Informal Dispute Resolution, which stayed enforcement proceedings relative to the Notice of Fines;

Facts of Record

8. Respondent is an Outdoor Marijuana Cultivator located at 101 Daunt Road, Barre, Massachusetts 01005, and is licensed to grow, cultivate, and harvest Marijuana;
9. Respondent applied for licensure on or around December 13, 2019;
10. On May 7, 2020, the Commission approved Respondent for provisional licensure as a Marijuana Cultivator. Respondent paid its initial license fee on May 8, 2020, and the provisional license became active on May 9, 2020. On or around November 19, 2020, the Commission issued Respondent final license no. MC282412;
11. Respondent commenced cultivation operations on or around January 19, 2023;
12. Before commencing operations, on June 14, 2021, MCR Labs, LLC ("MCR"), a Commission-licensed Independent Testing Laboratory, issued four Certificates of Analysis ("COA") for four plant samples taken from Respondent's cultivation batch, harvested on or around June 3, 2021. Testing of the samples detected Bifenthrin exceeding 10 parts per billion (ppb) (the "test results"):

Lab Sample Name	Metrc Tag No.	Bifenthrin Concentration
3bears OG B1	1A40A03000037DD000000241	72.2 ppb
3bears OG B2	1A40A03000037DD000000242	72.1 ppb
Tricross 1	1A40A03000037DD000000246	53.5 ppb
Grease Gun 1	1A40A03000037DD000000248	43.5ppb

13. On June 16, 2021, Respondent reported the test results to the Commission;
14. On July 1, 2021, the Massachusetts Department of Agricultural Resources ("MDAR") and investigators from the Commission's Investigations and Enforcement department



(the “department”) conducted a joint unannounced inspection at Respondent’s cultivation facility. MDAR and Commission investigators interviewed Respondent’s staff and collected wipe samples from various locations in the licensed premises, including near and inside Greenhouse no. 1 and Greenhouse no. 2. MDAR submitted the wipe samples to the Massachusetts Pesticide Analysis Laboratory (“MPAL”) for analysis;

15. On August 17, 2021, MPAL issued its analysis report which included the following results:

MPAL Reference	Sample Description	Result
CLE 210701-1 CLE	Wipe Blank, Greenhouse #1	Non-detect
CLE 210701-2 CLE	Wipe of plastic wall, left middle above cross-brace	Non-detect
CLE 210701-3 CLE	Wipe of plastic wall, right middle below cross-brace	Non-detect
CLE 210701-4 CLE	Liquid solution in Husqvarna Backpack	Non-detect
CLE 210701-5 CLE	Wipe Blank, Greenhouse #2	Non-detect
CLE 210701-6 CLE	Wipe of plastic wall, left middle above cross-brace	Non-detect
CLE 210701-7 CLE	Wipe of plastic wall, right middle below cross-brace	Non-detect
CLE 210701-8 CLE	Liquid from “All-purpose hand Sprayer” Greenhouse #2	Non-detect
CLE 210701-9 CLE	Plastic container bottoms Greenhouse #2	Non-detect
CLE 210701-10 CLE	Composite leaf sample Greenhouse #2	Non-detect
CLE 210701-11 CLE	Leaf samples from dying plant in Greenhouse #2	296.1ppb

16. Only sample no. CLE 210701-11 tested positive for pesticides. CLE210701-11 was taken from a dying plant located in the front of Greenhouse no. 2 near the air intake (the “unharvested plant”). The unharvested plant was in the same building as vegetating Marijuana plants and was contaminated with Bifenthrin at a concentration of 296.1 ppb;
17. The unharvested plant was identified by Metrc tag no. 1A40A02000037DD000000183 and derived from a cultivation batch named Tricross Greenhouse Two. The unharvested plant had been grown in Greenhouse no. 2;
18. During the unannounced inspection on July 1, 2021, Commission investigators observed trash bins in Greenhouse no. 2 containing various cultivation material including sticky traps which had insects attached. The trash bins were located in the same building as vegetating Marijuana plants;



19. Commission investigators also observed multiple dying seedlings in Greenhouse no. 2. The seedlings had flies on them and damaged vascular tissue. The seedlings were located in the same building as other vegetating Marijuana plants;
20. On July 30, 2021, Commission investigators conducted an announced inspection at Respondent's facility to witness destruction of Marijuana plants contaminated with Bifenthrin. At the inspection, Respondent suggested that a buckler borrowed from one of its registered agents may have been the source of Bifenthrin contamination;
21. A buckler is a machine that removes flowers and leaves from the stalks of harvested plants for further processing. The lower end of a branch or stalk is fed into a metal plate that has holes which is connected to a roller which pulls the stem through, de-stemming flower from the stem;
22. On August 31, 2021, the department issued a Notice of Deficiency (NOD) to Respondent for failure to use best cultivation practices to limit pesticide contamination;
23. On September 2, 2021, Respondent submitted a Plan of Correction (POC) that was rejected by the department on September 15, 2021, for failing to provide an assessment of the suspected source of Bifenthrin contamination consistent with 935 CMR 500.160(4)(c);
24. On September 15, 2021, the department issued a second NOD to Respondent for failure to use best cultivation practices to limit pesticide contamination following the detection of Bifenthrin at a concentration of 296.1 ppb in the unharvested plant;
25. On September 19, 2021, Respondent submitted an amended POC to the department in response to both NODs. In the amended POC, Respondent identified "processing equipment used at another location offsite" as the suspected source of contamination and further surmised that the unharvested plant "was exposed to airborne contamination from the processing equipment being used in close proximity to that plant";
26. On September 24, 2021, the department rejected Respondent's amended POC requesting clarification of the processing equipment that was the suspected source of Bifenthrin contamination;
27. On October 6, 2021, Commission investigators interviewed Respondent's registered agent (the "Agent"), who had been identified as the owner of the borrowed buckler. The Agent confirmed that they had lent the buckler to Respondent and to other home growers throughout the Commonwealth;
28. On October 22, 2021, Respondent provided a revised POC. In its submission, Respondent stated that it "does not use (or store on-site) any pesticides for use on marijuana" and, after conducting an internal investigation, "does not have any proof pesticides were



physically brought onto the site and/or administered to or onto [their] marijuana plants.” Respondent concluded that the suspected source of Bifenthrin detected in Greenhouse no. 2 originated from the borrowed bucket used to process the harvest batch. Respondent claimed that the bucket was likely contaminated when it was borrowed, proper cleaning of the equipment was not done prior to bringing the equipment onto the premises, and the bucket’s vibration during use spread Bifenthrin into the air intake for Greenhouse no. 2 and dispersed by the fan;

29. On July 1, 2021, MDAR had taken wipe samples of three surfaces/items in Greenhouse no. 1 and five surfaces/items in Greenhouse no. 2. No Bifenthrin was detected on any of those surfaces;
30. In contrast to those wipe samples, which included surfaces/items in Greenhouse no. 2, the unharvested plant in the same space detected positive for Bifenthrin at a concentration of 296.1 ppb;
31. On February 28, 2022, MDAR issued Administrative Order no. 22-PE-04 ordering the destruction of certain Marijuana, finding that, due to the fact that test results were positive for Bifenthrin and pesticides containing Bifenthrin are not labeled for use on cannabis, Pesticides were used by Respondent in violation of G.L. c. 132B, § 6A;
32. Respondent did not appeal MDAR’s order;
33. Throughout 2020 and 2022, Respondent’s Quality Control and Facility Cleaning Standard Operating Procedures (SOPs) were in effect;
34. Respondent’s Quality Control Standard Operating Procedure (SOP) stated that “[q]uality control measures will primarily be in the form of adherence to the written standard operating procedures...in order to ensure quality and consistency of products produced within the facility. The facility will utilize the established and proven SOP’s [sic] for all cultivation and processing operations. The facility will use standard operating procedures (SOP’s) [sic] to promote good growing and handling practices including: All aspects of the: Irrigation, propagation, cultivation, fertilization; harvesting, drying, curing”;
35. Respondent’s Facility Cleaning SOP included a “multi-part cleaning process with any equipment or instruments that comes in contact with cannabis” and provides steps that would be taken for sanitizing equipment. It further stated that Respondent will “utilize a log for the cleaning and maintenance of equipment that will require any employee performing these tasks to fill out what was done, the time and date, and a signature”;
36. On November 18, 2022, the department requested cleaning records for the bucket from Respondent;

37. On November 28, 2022, Respondent was unable to produce any records for cleaning the bucket, stating: “High Hawk Farm acknowledged in our deficiency statement response on October 22, 2021 that equipment was brought into the facility and not properly cleaned, therefor [sic] there is no records of cleaning that equipment”;

Applicable Law

38. Application of Pesticides shall be performed in compliance with G.L. c. 132B and the regulations promulgated at 333 CMR 2.00 through 333 CMR 14.00. Any testing results indicating noncompliance shall be immediately reported to the Commission. 935 CMR 500.120(5);
39. Pesticides means a substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, and any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant. 935 CMR 500.002;
40. Testing of Marijuana Products shall be performed in a form and manner determined by the Commission including the *Protocol for Sampling and Analysis of Finished Marijuana and Marijuana Products for Marijuana Establishments, Medical Marijuana Treatment Centers, and Colocated Marijuana Operations* (the “Testing Protocol”). 935 CMR 500.160(1);
41. In accordance with the Testing Protocol, Marijuana and Marijuana Products are tested for contaminants specified by the Commission including any plant growth regulators and the presence of pesticides. State law prohibits the use of pesticides during Marijuana Cultivation. The Commission applies a 10-ppb threshold to determine detection of pesticides for purposes of compliance with pre-market testing requirements. *See* Testing Protocol at 23;
42. Every Marijuana Establishment shall have and follow detailed written operating procedures which shall include protocols to ensure accurate recordkeeping and plans for quality control, including product testing for contaminants in compliance with 935 CMR 500.160. *See* 935 CMR 500.105(1)(g)-(h);
43. All Marijuana Establishments, including those that develop, Repackage, or Process non-Edible Marijuana Products shall maintain all contact surfaces, including utensils and equipment, in a clean and sanitary condition. Such surfaces shall be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the U.S. Environmental Protection Agency (EPA), in accordance with labeled instructions. *See* 935 CMR 500.105(3)(b)9.;
44. The cultivation process shall use best practices to limit contamination including, but not limited to, mold, fungus, bacterial diseases, rot, pests, Pesticides not in compliance with 935 CMR 500.120(5) for use on Marijuana, mildew, and any other contaminant identified

as posing potential harm. Best practices shall be consistent with state and local law including, but not limited to, the Commission's Guidance on Integrated Pest Management. 935 CMR 500.120(9);

45. State law defines Integrated Pest Management (IPM) as "a comprehensive strategy of pest control whose major objective is to achieve desired levels of pest control in an environmentally responsible manner by combining multiple pest control measures to reduce the need for reliance on chemical pesticides; more specifically, a combination of pest controls which address conditions that support pests and may include, but is not limited to, the use of monitoring techniques to determine immediate and ongoing need for pest control, increased sanitation, physical barrier methods, the use of natural pest enemies and a judicious use of lowest risk pesticides when necessary." 333 CMR 14.02;
46. The Commission's Guidance on IPM describes the basic concepts of effective IMP strategy as: 1. Knowledge; 2. Prevention; 3. Monitoring; and 4. Intervention. For outdoor cultivators recommendations for pest prevention include, but are not limited to, keeping plants healthy and sanitizing plant material by inspecting for signs of infestation;
47. The four recommended primary strategies of pest and disease control are Cultural, Mechanical, Biological, and Chemical Control. Cultural Control includes modifications to the growing environment to make the habitat unaccommodating for pests. Mechanical Control requires the use of physical methods to trap, exclude, and remove pests, including the "removal of diseased plant material." Biological Control is the utilization of natural predators and parasites to directly attack pests. And Chemical Control is the judicious use of chemicals to remove pests;
48. Acceptance of a provisional or final license constitutes an agreement by the Marijuana Establishment that it will adhere to the practices, policies, and procedures that are described in its application materials, as well as all relevant laws, regulations, and any conditions imposed by the Commission as part of licensure. 935 CMR 500.103(2)(d);

Stipulated Findings

49. The Commission, through its Acting Executive Director, and Respondent have come to mutual agreement and understanding, and jointly propose to the Commission a resolution of the alleged violations in lieu of proceeding with an administrative hearing to determine the merits of such allegations. The terms and conditions of this Order are expressly subject to ratification by the full Commission. Pursuant to G.L. c. 10, § 76, three Commissioners shall constitute a quorum and the affirmative vote of three Commissioners shall be required for ratification of this Order;
50. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent agrees to the stipulated findings set forth in Paragraphs 51–53, inclusive of all subparagraphs;



51. Respondent accepts responsibility for the Bifenthrin detected and found on Marijuana at its facility in violation of 935 CMR 500.120(5);
- a. On June 14, 2021, four samples of plants, harvested by Respondent on or around June 3, 2021, tested positive for Bifenthrin in the following concentrations: 43.5, 53.5, 72.1, and 72.2. ppb;
 - b. On July 1, 2021, MDAR staff collected samples from various locations throughout the licensed premises and sent those samples to MPAL for analysis. Sample no. CLE 210701-11 was taken from the unharvested plant located in Greenhouse no. 2;
 - c. On August 17, 2021, MPAL determined that the unharvested plant in Greenhouse no. 2 was contaminated with Bifenthrin at a concentration of 296.1 ppb;
 - d. None of the other environmental wipe samples tested by MPAL were contaminated with Bifenthrin;
 - e. Bifenthrin is a synthetic pyrethroid used as an insecticide but is not authorized for use in cannabis cultivation;
 - f. Although the actual source of Bifenthrin contamination has not been definitively identified, on February 28, 2022, MDAR found the Respondent used Pesticides in violation of G.L. c. 132B, § 6A and issued an order for destruction of contaminated Marijuana. Respondent did not challenge MDAR's findings by appealing its administrative order;
52. Respondent did not follow its SOPs for cleaning equipment used for Processing Marijuana violating 935 CMR 500.105(1)(g)-(h) and 935 CMR 500.105(3)(b)9.:
- a. On or around June 3, 2021, Respondent harvested Marijuana at its cultivation facility and Processed it using a buckler borrowed from the Agent;
 - b. The borrowed buckler had been lent to home growers throughout the Commonwealth;
 - c. Respondent's Quality Control SOP required that Respondent utilize good growing and handling practices during all aspects of cultivation;
 - d. Respondent's Facility Cleaning SOP employed a "multi-part cleaning process with any equipment or instruments that comes into contact with cannabis" and stated that tracking of cleaning and maintenance would be recorded through a log;
 - e. Respondent did not properly clean or sanitize the borrowed buckler prior to using it to harvest Marijuana;
53. Respondent failed to utilize best practices to limit contamination of Marijuana at its facility in violation of 935 CMR 500.120(9):
- a. On or around June 3, 2021, Respondent harvested Marijuana at its Premises and Processed it using a buckler borrowed from the Agent;
 - b. The borrowed buckler had been lent to home growers throughout the Commonwealth;
 - c. Respondent did not properly clean or sanitize the buckler before using it to harvest Marijuana;



- d. Cleaning and sanitizing borrowed equipment before using it to process Marijuana is a mechanical IPM control to mitigate potential contamination;
- e. On July 1, 2021, there were dead and dying Marijuana seedlings in Greenhouse no. 2 that had flies on them and damage to vascular tissue;
- f. On July 1, 2021, the unharvested plant contaminated with Bifenthrin was located near the front air intake in Greenhouse no. 2;
- g. On July 1, 2021, trash bins in Greenhouse no. 2 contained a variety of cultivation material, including sticky traps with insects attached;
- h. The dead and dying seedlings, the unharvested plant, and trash bins were in the same structure as vegetative Marijuana plants;
- i. Removal of dead, diseased, infested, or contaminated, plant and cultivation material away from vegetating Marijuana plants is a cultural and mechanical IPM control to mitigate pest pressure and contamination of healthy Marijuana;
- j. Respondent failed to employ cultural and mechanical controls to mitigate potential contamination of Marijuana;

Stipulated Remedy

54. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent further agrees to the stipulated remedies and terms set forth in Paragraphs 55-79, inclusive of all subparagraphs;
55. Respondent agrees to pay a monetary fine in the amount of ten thousand dollars (\$10,000.00), made payable by check or money order to the Cannabis Control Commission Marijuana Regulation Fund;
- a. Payment shall consist of installments due and payable pursuant to the following schedule:

<u>Amount</u>	<u>Due Date</u>
\$5,000.00	No later than thirty (30) days from the date of ratification of this Order by the Commission.
\$5,000.00	No later than two (2) years from the date of ratification of this Order by the Commission.

- b. Nothing in this Order shall prohibit Respondent from submitting payments in advance of the due date, or in installments less than the amount due but no less than \$500.00 increments, provided that the required amounts are paid in full by the due dates listed above;
56. Payments shall be mailed to the following address:
- a. Via USPS:
Cannabis Control Commission
PO Box 412144
Boston, MA 02241-2144
 - b. Via Courier/Overnight:



Bank of America Lockbox Services
Cannabis Control Commission 412144
MA5-527-02-07
2 Morrissey Boulevard
Dorchester, MA 02125

57. Respondent shall not use Pesticides not labeled for use in cannabis cultivation;
58. Respondent shall submit to a twelve-month probationary period (the “probationary period”) for license no. MC282412 which will take effect on the date this Order is ratified:
 - a. Any substantial noncompliance with any Commission laws by Respondent during the probationary period shall constitute full and adequate grounds for license suspension or revocation;
 - b. Prior to enforcing this provision, the department agrees to send Respondent a Letter of Warning giving notice of the alleged substantial noncompliance and providing an opportunity for Respondent to correct the deficiencies;
59. During the probationary period any and all test results reporting detection of Bifenthrin at a level other than Non-Detect, whether written or verbal, shall be reported by Respondent to the Commission within 24 hours;
60. During the probationary period, Respondent shall submit container soil and water samples test results consistent with the Commission’s *Protocol for Sampling and Analysis of Environmental Media for Marijuana Establishments, Medical Marijuana Treatment Centers, and Colocated Marijuana Operations* to the department during each growing season in 2024 and 2025 to test for presence of all Pesticides from Greenhouse no. 1 and Greenhouse no. 2. The test results—consisting of one water sample test result and one container soil sample test result from each of the two Greenhouses—shall be submitted to the department by the end of May 2024, July 2024, March 2025, and May 2025, for a total of four (4) submissions, totaling sixteen (16) separate test sample results;
61. Respondent shall conduct training for all its employees on IPM, pesticides, and the requirements of 935 CMR 500.120. Respondent shall provide a curriculum to the department and a certificate or other documentation demonstrating completion of the training to the department within five days of completion;
62. Respondent shall develop and implement an SOP dedicated to cleaning processes for borrowed equipment used during cultivation operations. Respondent shall also maintain a cleaning log for borrowed equipment that is separate from Respondent’s other cleaning logs and a log tracking borrowed equipment on Respondent’s Premises. Respondent shall submit its cleaning SOP for borrowed equipment to the department;



63. Respondent shall designate and identify an employee who will be responsible for compliance with and maintenance of Respondent's SOPs. Respondent shall notify the department of any changes to the individual designated within 24 hours;
64. Respondent submits that satisfaction of the affirmative relief measures identified in Paragraphs 57-63 on or before the date that is six (6) months after the date this Order is ratified by the Commission, notwithstanding the requirements of Paragraph 60, is a reasonable time to implement the measures identified therein;
65. This Order may be admissible as evidence in any future hearing before the Commission or used in connection with any future licensure or administrative actions by the Commission;
66. Any issues relating to the underlying complaint and investigation that formed the basis for this Order against Respondent (and any defenses that Respondent may have to such complaint or investigation) shall not be at issue in a proceeding against Respondent for failing to comply with the terms of this Order;
67. Respondent agrees that the Commission may consider the Order and the facts and circumstances described therein in connection with review of an application for licensure, renewal of licensure, or suitability review;
68. Respondent acknowledges advisement of hearing rights and process of the proceedings and wishes to resolve all issues which were the subject of the investigation or in any way related to the investigation by entering into this Order;
69. If approved by the Commission and upon execution of all parties, this Order shall have the same force and effect as an order entered after formal hearing pursuant to 935 CMR 500.500(12), except that it may not be appealed. Failure to comply with the terms of this Order, including but not limited to failure to make a timely payment in accordance with Paragraph 55, may constitute the basis for further administrative action against Respondent;
70. Respondent acknowledges that the Commission advised Respondent of its opportunity to consult with an attorney of their choosing and Respondent represents that they have had an opportunity to do so prior to signing the Order. Respondent acknowledges that they have been given a reasonable period of time in which to consider the terms of this Order before signing it. Respondent acknowledges and confirms that they have entered into this Order voluntarily and of their own free will, without duress or coercion, and that they are competent to enter into this Order. Respondent acknowledges that they have carefully read and fully understand the meaning and intent of this Order;
71. Respondent further understands and knowingly and voluntarily waives the following rights:
 - a. The right to proceed with the adjudicatory proceeding;



- b. The right to cross-examine witnesses, subpoena witnesses, present evidence and testify on Respondent's own behalf at that hearing;
 - c. The right to appeal this Order;
72. Respondent consents to the terms and conditions described herein and agrees to waive its right to judicial review of this Order pursuant to G.L. c. 30A, § 14;
73. Upon execution by all parties, this Order shall represent the entire and final agreement of the parties. In the event that any provision of this Order is deemed unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of the Order shall be given full force and effect;
74. This Order shall be binding upon Respondent and shall inure to the benefit of the parties to this Order and their respective successors and assignees and shall be construed in accordance with and governed by the laws of the Commonwealth of Massachusetts;
75. Upon ratification of this Order by the Commission, this Order shall become a permanent part of Respondent's record and shall be open to public inspection and disclosure pursuant to the Commission's standard policies and procedures or applicable law;
76. The Commission may reject the terms of this Order or otherwise deny ratification and entry of the Order. In such event, the terms of the Order shall be null and void, including but not limited to Respondent's admissions, and the parties will proceed to hearing;
77. This Order may be executed by e-mail and any signature delivered by either email or first-class mail shall be deemed to be as valid as an original signature;
78. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent and shall not in any way be the obligation of the Commission; and
79. For purposes of addressing any future violations of the Order, the Commission regulations, 935 CMR 500.000, *et seq.*, shall include all later adopted regulations that are in effect at the time of the subsequent violation.

This Order is subject to ratification by the Commission. Upon ratification, this Order becomes binding on the Parties. Failure to comply with the above conditions may result in administrative action against Respondent up to and including suspension and/or revocation of registration.

[SIGNATURE BLOCK ON NEXT PAGE]



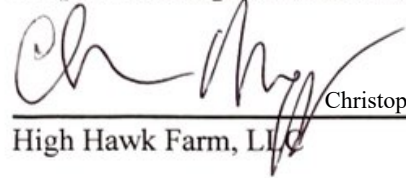
Commonwealth of Massachusetts Cannabis Control Commission

Debra Hilton Creek, Acting Executive Director
and Chief People Officer

Date Signed

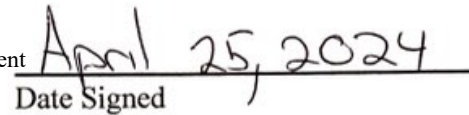
Ratified by Commission vote (___ yes, ___ no, ___ abstain) on May ___, 2024.

Respondent High Hawk Farm, LLC



High Hawk Farm, LLC

Christopher Higgins, Vice President



Date Signed



April 15, 2024

Holistic Industries Inc.
96 Palmer Road
Monson, MA 01057

Case No. ENF-2022-0000001340

FINAL ORDER AND STIPULATED AGREEMENT

This Final Order and Stipulated Agreement (herein, “Order”) between the Commonwealth of Massachusetts Cannabis Control Commission (the “Commission”) and Holistic Industries (herein, “Holistic” or “Respondent”) (collectively, the “Parties”) is offered for the purposes of settlement and in lieu of further administrative action. The Commission finds that resolution of this matter serves the purposes of G.L. c. 94G, and G.L. c. 94I, due to Respondent’s cooperation with the Commission’s investigation and agreement to take affirmative action to advance patient and consumer safety.

Accordingly, the Commission and Respondent stipulate to the following facts of record, applicable law and remedies as provided below. The Respondent has voluntarily agreed to the Stipulated Remedy and, subject to ratification by majority vote of the Commission, this Order is binding on both the Commission and Respondent for the purpose of bringing this matter to a final resolution.

Legislative, Statutory, and Regulatory Authority

1. The Commission has jurisdiction over the conduct and operations of licensed Marijuana Establishments and licensed Medical Marijuana Treatment Centers (MTCs) and the subject matter herein pursuant to the provisions of the Commonwealth’s marijuana laws, G.L. c. 94I, G.L. c. 94G, 935 CMR 500.000 *et seq.* and 935 CMR 501.000 *et seq.*;
2. The Commission possesses all powers necessary or convenient to carrying out and effectuating its purposes including conducting investigations of compliance with Commission laws, imposing fines, or otherwise restricting a license for violations of G.L. c. 94I, G.L. c. 94G, or any regulation promulgated by the Commission;
3. In accordance with its statutory mandate, the Commission has adopted regulations for the administration, clarification, and enforcement of laws regulating Marijuana Establishments and MTCs, which include:
 - a. Requirements that buildings be maintained in a safe and sanitary manner. 935 CMR 500.105(3)(b), 935 CMR 501.105(3)(b);



- b. Requirements that licensees maintain Standard Operating Procedures (SOPs) relative to the safe operation of the premises. 935 CMR 500.105(1), 935 CMR 501.105(1);
 - c. Requirements that licensees refrain from conduct that would endanger the health, safety, or welfare of the people of the Commonwealth. 935 CMR 500.450(15); 935 CMR 501.450(15);
 - d. Requirements that licensees conduct representative testing, inclusive of sample collection and methodology, in a form or manner as determined by the Commission. G.L. c. 94G, § 15(a)(2); 935 CMR 500.160; 935 CMR 501.160.
- 4. Pursuant to its authority under G.L. c. 94I and G.L. c. 94G, §§ 4(a), 4(a½), the Commission may issue an Order to Show Cause as to why a fine or other financial penalty against a Licensee should not be imposed for any acts or omissions determined to be in violation of the state Marijuana laws. *See* 935 CMR 501.360;
 - 5. Respondent was subject to an investigation by Commission investigators. Based on that investigation, the Commission alleges violations of Commission regulations, 935 CMR 501.000 and 935 CMR 500.00, relative to Respondent's production operations at its MTC/ME in Monson, Massachusetts;
 - 6. The Commission finds said investigation has established facts sufficient to sustain a finding of regulatory violations on the part of Respondent as detailed below in *Commission Findings and Applicable Law*. Holistic neither admits nor denies there were regulatory violations;
 - 7. For the purposes of this agreement and Order, the following are the Facts of Record:

Facts of Record

- 8. Holistic is a vertically integrated multi-state operator ("MSO") that operates two Marijuana Establishments ("ME"), one Marijuana Product Manufacturer ("MPM"), one Marijuana Cultivator ("MC"), and two Medical Marijuana Treatment Centers ("MTC") in Massachusetts. Under licenses no. MC282056 and RMD685 Respondent operates a Marijuana Cultivation facility in Monson Massachusetts that produces Marijuana for medical and recreational use. Holistic received a final license for its Medical license on November 9, 2016, and a license for its Adult Use cultivation at the Monson facility on April 22, 2020;
- 9. Between September and November of 2021, the Commission received complaints regarding potential mold contamination at Holistic's Monson facility, including complaints from employees that potentially contaminated product was "pushed through anyway". The Commission further received a letter from the Monson Board of Health requesting an inspection of the facility due to mold complaints;



10. The Commission issued a Notice of Deficiency dated October 8, 2021 and received a mold remediation plan as part of a Plan of Correction from Holistic, which was verified on May 3, 2022 to have been implemented in full;
11. In the course of investigation, Holistic cooperated with investigators and produced records. The Commission alleges the following facts, which Holistic neither admits nor denies:
 - a. That a mold issue of some kind was known to exist at the facility since at least November 2020, which was verified to be remediated entirely on May 3, 2022;
 - b. That mold was present on certain tables used to process marijuana;
 - c. That mold was present in certain growing rooms of the facility;
 - d. That mold was present in other locations throughout the Monson facility, including office spaces, drains, HVAC systems, and structural elements;
 - e. A former Holistic employee determined after reviewing Holistic's testing experience that polymerase chain reaction (PCR) testing would likely result in Marijuana passing testing, whereas Plate Assay testing would likely result in Marijuana failing testing;
 - f. That Holistic knowingly requested PCR testing in multiple instances to help ensure product would get to market;
 - g. That the request of PCR testing was used to ensure the maximum volume of product would reach the market given the circumstances present at the Holistic facility;
 - h. That Holistic knew that at least some of the product from its facility that was sold to the public smelled and tasted like mold, despite having passed PCR testing;
 - i. That numerous consumer and patient complaints were levied to Holistic in this period complaining that the product smelled and tasted like mold;
 - j. That Holistic provided samples of Marijuana that had passed testing to employees for their consumption and to test for, at least in part, moldy flavor;
 - k. That Holistic remediated some batches of Marijuana after some employees tested the same for moldy flavor;
 - l. That Holistic began remediation efforts in or around April of 2021;



- m. That Holistic completed remediation at a significant cost to Holistic; and
- n. That Holistic did not cease production while it remediated the facility.

Commission Findings and Applicable Law

12. The Commission, through its acting Executive Director, and supported by facts and evidence, has determined that the following violations are substantially supported by the Facts of Record:
- a. Respondent violated regulations requiring that all Marijuana Establishments and MTCs shall “Process the leaves and flowers...which shall be...Free of contamination by mold, rot other fungus, pests...” 935 CMR 500.105(3)(b), 935 CMR 501.105(3)(b);
 - b. Respondent violated regulations requiring that every Marijuana Establishment or MTC “Follows a set of detailed written operating procedures” inclusive of those “...for Quality Control, including product testing for contaminants in compliance with 935 CMR 500.160” 935 CMR 500.105(1)(g), 935 CMR 501.105(1)(g);
 - c. Respondent’s conduct implicated “...the welfare of the public...” 935 CMR 500.450(15); 935 CMR 501.450(15).
 - d. Respondent failed to ensure representative testing of Marijuana was conducted in a form or Manner Determined by the Commission. G.L. c. 94G, § 15(a)(2); 935 CMR 500.160; 935 CMR 501.160.

Stipulated Remedy

13. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent agrees to the stipulated remedies and terms set forth in Paragraphs 13 – 30, inclusive of all subparagraphs;
14. Respondent shall pay a monetary fine in the amount of two-hundred thousand dollars (\$200,000.00) made payable by check or money order, payable to the order of the Cannabis Control Commission Marijuana Regulation Fund;
15. Payment shall be postmarked thirty (30) calendar days from the date this Order is ratified by Commission vote and be mailed to the following address:
- a. Via USPS:
Cannabis Control Commission
PO Box 412144
Boston, MA 02241-2144
 - b. Via Courier/Overnight:
Bank of America Lockbox Services
Cannabis Control Commission 412144



MA5-527-02-07
2 Morrissey Boulevard
Dorchester, MA 02125

16. Further, Respondent shall, for a period of six months from the date of this Order:
- a. Engage a third-party Independent Testing Laboratory (ITL) acceptable to both the Commission and the Respondent, to perform all required microbial testing for Marijuana flower. Respondent shall continue to have the authority to choose ITLs for all other testing;
 - b. Representative samples of Marijuana flower for testing purposes shall be collected by the ITL;
 - c. Said testing shall be conducted using PCR methods followed by confirmatory plate assay testing for all flower samples.
 - d. Holistic shall make a Registered Agent available to identify batches that are ready to be sampled and assist the ITL. The ITL shall then identify and collect representative samples from the identified harvest batches for testing;
 - e. Both the Commission and Respondent, after being provided with ample opportunity to conduct vetting, have agreed to utilize ATOZ Laboratories, Inc. (ATOZ) as the designated ITL under this Agreement. ATOZ has assured the Parties to their satisfaction of its capacity to undertake its responsibilities described in this Agreement on terms mutually agreed upon by Holistic and ATOZ;
 - f. Should ATOZ become unable or unwilling to execute the responsibilities described in this Agreement under the terms mutually agreed upon by Holistic and ATOZ, Respondent shall use an ITL of its own choosing and the time period of this provision shall be tolled until such time as a new ITL with similar capacity can be selected by the Parties.
17. This Order may be admissible as evidence in any future hearing before the Commission or used in connection with any future licensure or administrative actions by the Commission although the Commission agrees that the Order by itself shall not be a reason to deny Holistic a license or to renew its licenses;
18. Any issues relating to the underlying complaint and investigation that formed the basis for this Order against Respondent (and any defenses that Respondent may have to such complaint or investigation) shall not be at issue in a proceeding against Respondent for failing to comply with the terms of this Order;
19. Respondent acknowledges advisement of hearing rights and process of the proceedings and wishes to resolve all issues which were the subject of the investigation or in any way related to the investigation by entering into this Order;
20. If approved by the Commission and upon execution of all parties, this Order shall have the same force and effect as an order entered after formal hearing pursuant to 935 CMR



501.500(12) or 935 CMR 500.500(12), except that it may not be appealed. Failure to comply with the terms of this Order, including but not limited to failure to make a timely payment in accordance with Paragraph 15, may constitute the basis for further administrative action against Respondent;

21. Respondent acknowledges that the Commission advised Respondent of its opportunity to consult with an attorney of its choosing and Respondent represents that it has had an opportunity to do so prior to signing this Order. Respondent acknowledges that it has been given a reasonable period of time in which to consider the terms of this Order before signing it. Respondent acknowledges and confirms that it has entered into this Order voluntarily and of its own free will, without duress or coercion, and that it is competent to enter into this Order. Respondent acknowledges that it has carefully read and fully understands the meaning and intent of this Order;
22. Respondent further understands and knowingly and voluntarily waives the following rights:
 - a. The right to proceed with the adjudicatory proceeding;
 - b. The right to cross-examine witnesses, subpoena witnesses, present evidence and testify on Respondent's own behalf at that hearing;
 - c. The right to appeal this Order.
23. Respondent consents to the terms and conditions described herein and agrees to waive its right to judicial review of this Order pursuant to G.L. c. 30A, § 14;
24. Upon execution by the Parties, this Order shall represent the entire and final agreement of the Parties. In the event that any provision of this Order is deemed unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of this Order shall be given full force and effect;
25. This Order shall be binding upon Respondent and shall inure to the benefit of the Parties and their respective successors and assignees and shall be construed in accordance with and governed by the laws of the Commonwealth of Massachusetts;
26. Upon ratification of this Order by the Commission, this Order shall become a permanent part of Respondent's record and shall be open to public inspection and disclosure pursuant to the Commission's standard policies and procedures or applicable law;
27. The Commission may reject the terms of this Order or otherwise deny ratification and entry of this Order. In such event, the terms of this Order shall be null and void, including but not limited to Respondent's admissions;
28. This Order may be executed by e-mail and any signature delivered by either email or first-class mail shall be deemed to be as valid as an original signature;



29. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent and shall not in any way be the obligation of the Commission; and

30. For purposes of addressing any future violations of this Order, the Commission regulations, 935 CMR 500.000, *et seq.*, and 935 CMR 501.000 *et seq.* shall include all later adopted regulations that are in effect at the time of the subsequent violation.

This Order is subject to ratification by the Commission. Upon ratification, this Order becomes binding on the Parties. Failure to comply with the above conditions may result in administrative action against Respondent up to and including suspension and/or revocation of licensure or registration.

Commonwealth of Massachusetts Cannabis Control Commission

Debra Hilton-Creek,
Acting Executive Director and Chief People Officer

Date Signed

Ratified by Commission vote (___ yes, ___ no, ___ abstain) on May ___, 2024.

Respondent Holistic Industries Inc.


Joshua Genderson
Chief Executive Officer

April 15, 2024
Date Signed



April __, 2024

Olde World Remedies, Inc.
50 Congress Street, Suite 420
Boston, Massachusetts 02109
MR282742

Case No. ENF-2022-0000001185

FINAL ORDER AND STIPULATED AGREEMENT

This Final Order and Stipulated Agreement (herein, “Order”) between the Commonwealth of Massachusetts Cannabis Control Commission (the “Commission”) and Olde World Remedies, Inc. (“Respondent”) (together, the “Parties”) is offered for the purposes of settlement and in lieu of further administrative action. The Commission finds that resolution of this matter serves the purposes of G.L. c. 94G, 935 CMR 500.360, and 935 CMR 500.500 because Respondent has accepted responsibility for the violations set forth in this Order, and further, where Respondent agrees to enhanced Commission oversight for a probationary period.

Accordingly, the Commission and Respondent stipulate to the following facts of record, applicable law, findings, and remedies:

1. The Commission has jurisdiction over the conduct and operations of licensed Marijuana Establishments and the subject matter herein pursuant to the provisions of the Commonwealth’s marijuana laws, G.L. c. 94G, and 935 CMR 500.000 *et seq.*;
2. The Commission possesses all powers necessary or convenient to carrying out and effectuating its purposes including conducting investigations of compliance with Commission laws, imposing fines, or otherwise restricting a license for violations of G.L. c. 94G or any regulation promulgated by the Commission;
3. In accordance with its statutory mandate, the Commission has adopted regulations for the administration, clarification, and enforcement of laws regulating and licensing Marijuana Establishments which include:
 - a. Requirements for the information to be furnished by a licensee relating to the licensee’s employees. G.L. c. 94G, § 4(a½)(ix);
 - b. Procedures and grounds for the revocation and suspension of a license or registration. G.L. c. 94G, § 4(a½)(xi);
 - c. Requirements for record keeping by Marijuana Establishments and procedures to track Marijuana cultivated, processed, manufactured, delivered or sold by Marijuana Establishments. G.L. c. 94G, § 4(a½)(xiii);



- d. Minimum standards for the requirement that all licensees possess and operate a...seed-to-sale tracking system sufficient to ensure the appropriate track and trace of all marijuana cultivated, processed or manufactured pursuant to this chapter. *See* G.L. c. 94G, § 4(a½)(xvii); and
 - e. Minimum security requirements for licensees sufficient to deter and prevent theft and unauthorized entrance into areas containing marijuana, which shall include but not be limited to the use of security cameras, provided that the requirements shall not prohibit the cultivation of marijuana outdoors or in greenhouses. G.L. c. 94G, § 4(a ½)(xviii);
- 4. Pursuant to its authority under G.L. c. 94G §§ 4(a), 4(a½), the Commission may issue a Notice of Fines to show cause as to why a fine or other financial penalty against a Licensee should not be imposed for any acts or omissions determined to be in violation of the state Marijuana laws. *See* 935 CMR 500.360;
 - 5. Respondent was subject to an investigation by Commission investigators. From that investigation, the Commission alleges violations of Commission regulations, 935 CMR 500.000, relative to Respondent's retail operations at its facility in Lynn, Massachusetts;
 - 6. On September 11, 2023, the Commission issued a Notice of Fines against Respondent;
 - 7. On October 6, 2023, Respondent requested an administrative hearing pursuant to 801 CMR 1.01 and 935 CMR 500.500;
 - 8. On November 2, 2023, Respondent submitted a request for Informal Dispute Resolution, which stayed enforcement proceedings relative to the Notice of Fines;

Facts of Record

- 9. Respondent is an operational adult-use Marijuana Retailer located at 953 Western Avenue, Lynn, Massachusetts 01905, and is licensed to purchase, sell, or otherwise transfer Marijuana to Marijuana Establishments and to customers under License no. MR282742;
- 10. Respondent applied for licensure on December 6, 2019;
- 11. The Commission approved Respondent's provisional retail license on May 7, 2020. On June 17, 2021, the Commission issued Respondent its final license;
- 12. Respondent commenced retail operations on July 24, 2021;
- 13. Metrc is the Commission-designated Seed-to-sale System of Record that licensees must use to electronically track the activities of all registered Marijuana Establishment Agents



relative to the cultivation, manufacture, transport, sale and/or delivery of all Marijuana and Marijuana Products under a licensee's custody and control;

14. On September 18, 2021, Respondent's Inventory Manager, Ethan Brin ("Brin"), discovered that Metrc Package no. 1A40100001AF6000018609 (herein, "Metrc Package no. 18609") was short one pre-roll at the close of business. After identifying the discrepancy, Brin reviewed Respondent's security footage for the day to reconcile the inventory;
15. Footage from Respondent's security system on September 18, 2021 between 9:38:55 AM and 9:41:06 AM, revealed that one of Respondent's employees, Devin Burke ("Burke"), sold one ARL Healthcare Nature's Heritage Wonka Bar 1 gram (g) Pre-Roll Infused w/ Bubble Hash ("Pre-Roll no. 1") from Metrc Package No. 18609 to a customer, yet Burke also put a second pre-roll from the same Metrc Package ("Pre-Roll no. 2") into the customer's bag without charging them;
16. Beginning at 9:39:25 AM, Respondent's security footage shows Burke picking up Pre-Roll no. 1, scanning it, and setting it down. At 9:39:30 AM, Burke clearly has difficulty scanning Pre-Roll no. 2. After failing to scan Pre-Roll no. 2 multiple times, Burke placed Pre-Roll no. 1 and Pre-Roll no. 2 into a white exit bag and completed the retail transaction. After concluding the transaction, Burke handed the exit bag containing both pre-rolls to the customer;
17. Metrc Receipt no. 0027881995 and Respondent's Point-of-Sale System Order no. 22859266 confirm the sale of only one pre-roll to the customer on September 18, 2021;
18. After discovering the inventory discrepancy and Burke's actions, Brin reported the incident to Sedrick Wali ("Wali"), Respondent's Vice President, on or around September 18, 2021, who responded by reviewing the security footage, scheduling a meeting with Burke, and informing Joel Rothenberg ("Rothenberg"), Respondent's President, of the incident;
19. Three to four days after the incident, Brin and Wali met with Burke who admitted to giving two pre-rolls to the customer without charging them for both and identified the customer as his father;
20. On September 27, 2021, Brin adjusted Metrc Package no. 18609 by negative 1g—or a single pre-roll—and entered a note in Metrc stating that the adjustment was due to an "entry error";
21. After receiving a tip about Burke's distribution of Pre-Roll no. 2, the Investigations and Enforcement department (the "department") conducted an unannounced inspection at Respondent's facility on September 30, 2021;



22. At the inspection, Commission investigators interviewed Rothenberg, Wali, and Brin, and asked them to review Respondent's Standard Operating Procedures (SOPs) for anti-diversion and incident reporting;
23. Respondent's Prevention of Diversion SOP provides that "employees are required to report known or suspected incidents of...loss by employees and visitors." These circumstances include "discrepancies in inventories." The SOP also includes a section with specific steps on how Respondent would respond to loss of Marijuana or Marijuana Products including a requirement that the "Director of Security or designee will immediately notify appropriate law enforcement authorities and the Commission within 24 hours after discovering...discrepancies identified during inventory...";
24. Respondent's SOP for Inventory of Marijuana and Marijuana Products (the "Inventory SOP") requires "all losses, inaccurate or unusual discrepancies in weight found in inventories must be reported to a Manager and an Incident Report is required to be filled out. The Compliance Officer along with the Chief Operating Officer (COO) will investigate any instance of loss, unusual discrepancy in weight or inaccurate inventory. The Compliance Officer or the COO will immediately notify appropriate law enforcement authorities and the Commission within 24 hours after discovering the discrepancies identified during an inventory...";
25. Respondent's Required Notifications SOP (the "Notifications SOP") tracks the language of 935 CMR 500.110(9)(a) and states that "Olde World Remedies CEO or designee will notify the [Commission] and the appropriate law enforcement authorities within 24 hours after discovering the following: a. discovery of inventory discrepancies...." Further, "Olde World Remedies will, within 10 calendar days, provide written notice to the Commission of any incident described [in the preceding paragraph], by submitting an incident report in the form and manner determined by the [Commission]";
26. During September 2021, Respondent's Diversion, Inventory, and Notifications SOPs were in effect;
27. After reviewing the SOPs and without identifying any specific incident, Commission investigators asked Rothenberg and Wali if there had been any inventory issues, instances of diversion, or theft they wanted to disclose. Both Rothenberg and Wali answered in the negative;
28. The investigators asked Rothenberg and Wali to review the Commission's incident reporting regulations and again asked Rothenberg and Wali whether there were any incidents they would like to report but did not point any specific incident that might be the subject of the unannounced inspection. Rothenberg and Wali again said, "no";
29. Commission investigators asked to see Respondent's security footage from September 18, 2021, at 9:41 AM. Before watching the footage, the investigators asked whether



Rothenberg and Wali knew why they were being asked about this specific time and date. Rothenberg and Wali responded that they did not;

30. While reviewing the security footage of Burke giving away Pre-Roll no. 2, Rothenberg and Wali identified Burke. The investigators asked if Rothenberg and Wali knew the customer Burke was helping. Rothenberg and Wali both answered “no”;
31. After reviewing the footage, the investigators asked Rothenberg and Wali if they were aware of the incident involving Burke. Wali stated that he was still unsure about what incident they were referring to as the footage showed a customer entering the store and the end of a transaction;
32. At that time, Commission investigators directly confronted Rothenberg and Wali and told them that the Commission classified the incident as an act of diversion. Upon learning that the incident was considered a diversion, Rothenberg and Wali were forthcoming with information. In response, Rothenberg acknowledged that he and Wali knew about the incident and explained that while he was away that day, Wali had been present and had informed him of the issue, but they did not know the incident would be classified as diversion;
33. Wali admitted that he and Brin had met with Burke on or around September 21, 2021, and that Burke told them he had given Pre-Roll no. 2 to his father without charging him. Rothenberg and Wali told the investigators they decided to give Burke another chance because he had tried to scan the product for an extended period of time. Rothenberg and Wali also told investigators that Burke had been under some distress during the transaction because of a personal matter;
34. When asked why they were not forthcoming with information about the incident, Rothenberg and Wali explained that they were unaware that the inventory discrepancy and incident were reportable or would be classified as an act of diversion by the Commission because Brin and Wali had determined where the product had gone, had confirmed the facts of the incident with Burke, issued him notice of probation without terminating his employment;
35. After the inspection, Respondent submitted an incident report to the department and filed a police report with local law enforcement on September 30, 2021;
36. On November 4, 2021, the department issued a Notice of Deficiency to Respondent for failure to maintain real-time inventory, failure to notify the Commission or Law Enforcement Authorities of a reportable incident, and misleading Commission investigators;
37. On November 5, 2021, Respondent submitted a Plan of Correction (POC) to the department. In response to the violation of misleading Commission investigators, Respondent stated that it had misjudged the situation by not viewing it as an act of



diversion and “upon realizing the gravity of the situation...divulged all the information [it] knew”;

Applicable Law

38. Any distribution of Marijuana and Marijuana Products shall be tracked in Metrc. Any distribution of Marijuana and Marijuana Products that is not tracked in Metrc may result in the suspension or revocation of a Marijuana Establishment License or other administrative action. *See* 935 CMR 500.105(8)(g);
39. Metrc is the Seed-to-sale Electronic Tracking System designated by the Commission as the System of Record for Marijuana Establishments. Metrc shall capture everything that happens to an individual Marijuana plant, from seed and cultivation, through growth, harvest and Manufacture of Marijuana Products and Marijuana-infused Products, including transportation, if any, to final sale of finished products. *See* 935 CMR 500.002;
40. A Marijuana Establishment shall notify appropriate Law Enforcement Authorities and the Commission of the discovery of inventory discrepancies immediately and, in no instance, more than 24 hours following discovery of the incident. *See* 935 CMR 500.110(9)(a)1.;
41. A Marijuana Establishment shall, within ten calendar days, provide notice to the Commission of any incident described in 935 CMR 500.110(9)(a) by submitting an incident report to the Commission. *See* 935 CMR 500.110(9)(b);
42. A Marijuana Establishment shall have and follow a set of detailed written operating procedures. 935 CMR 500.105(1);
43. Operating procedures shall include protocols for security measures in compliance with 935 CMR 500.110 and policies and procedures to ensure accurate recordkeeping, including inventory protocols for Transfer and inventory compliance with 935 CMR 500.105(8) and (9). 935 CMR 500.105(1)(a), (g);
44. Standard operating procedures, or SOPs, are internal documents which are developed by a licensee, submitted to the Commission in the licensee’s application for licensure, and reviewed in connection with the licensing inspection process. SOPs are representations of the protocols the licensee will follow in certain circumstances. *See* 935 CMR 500.101(1)(c)8;
45. Information provided by the Marijuana Establishment that is deceptive, misleading, false or fraudulent, or that tends to deceive or create a misleading impression, whether directly, or by omission or ambiguity, including lack of disclosure or insufficient disclosure, constitutes full and adequate grounds for suspension or revocation of licensure. 935 CMR 500.450(2);



46. The Commission may inspect a Marijuana Establishment at any time without prior notice to determine the Marijuana Establishment's compliance. All areas, activities and records of a Marijuana Establishment and activities and records of Marijuana Establishment Agents are subject to such inspection. Submission of an application by or issuance of a License to a Marijuana Establishment constitutes consent for such inspection. *See* 935 CMR 500.301(1);
47. During the course of an investigation or inspection, a Marijuana Establishment shall immediately on request make available to the Commission all information that may be relevant to an inspection or investigation of an incident or a complaint. *See* 935 CMR 500.301(3);
48. The failure to cooperate with an inspection may result in administrative or disciplinary action against the Licensee. 935 CMR 500.301(7);

Stipulated Findings

49. The Commission, through its Acting Executive Director, and Respondent have come to mutual agreement and understanding, and jointly propose to the Commission a resolution of the alleged violations in lieu of proceeding with an administrative hearing to determine the merits of such allegations. The terms and conditions of this Order are expressly subject to ratification by the full Commission. Pursuant to G.L. c. 10, § 76, three Commissioners shall constitute a quorum and the affirmative vote of three Commissioners shall be required for ratification of this Order;
50. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent agrees to the stipulated findings set forth in Paragraphs 51–54, inclusive of all subparagraphs;
51. Respondent failed to track the distribution of Marijuana and Marijuana Products in Metrc in violation of 935 CMR 500.105(8)(g);
- a. On September 18, 2021, Burke took two pre-rolls from Metrc Package no. 18609, recorded the sale of only Pre-Roll no. 1, but put both Pre-Roll no. 1 and Pre-Roll no. 2 into the customer's bag without charging the customer for Pre-Roll no. 2 due to his inability after many efforts to properly scan the product;
 - b. Burke is a registered Agent with Respondent, making Respondent liable for his conduct;
 - c. As a result of Burke's actions, there was no record in Respondent's virtual inventory for Metrc Package no. 18609 for the distribution of Pre-Roll no. 2 at the end of the day;
 - d. On September 27, 2021, Brin adjusted Metrc Package no. 18609 by negative 1g—or a single pre-roll—to correct the discrepancy between Respondent's physical inventory and its virtual inventory;



52. Respondent failed to notify Law Enforcement Authorities and the Commission of the discovery of an inventory discrepancy within 24 hours and did not submit an incident report to the Commission within ten calendar days in violation of 935 CMR 500.110(9)(a)1. and (b):
- On September 18, 2021, Brin discovered a discrepancy in Respondent's virtual inventory for Metrc Package no. 18609 and learned that Burke was the cause of the discrepancy;
 - Brin reported the inventory discrepancy and Burke's actions to Wali who reviewed the security footage, scheduled a meeting with Burke, and informed Rothenberg of the incident;
 - While *de minimis* inventory discrepancies are a reality for the industry, with adjustments made on a frequent basis, licensees are required to notify the Commission of reportable incidents including, but not limited to, inventory discrepancies. Rothenberg and Wali failed to understand the inventory discrepancy as a reportable incident and therefore did not notify Law Enforcement Authorities or the Commission of the incident or submit an incident report until September 30, 2021;
53. Respondent failed to follow its Diversion, Inventory, and Notifications SOPs violating 935 CMR 500.105(1)(a) and (g):
- On September 18, 2021, Brin discovered a discrepancy in Respondent's virtual inventory for Metrc Package no. 18609 and learned that Burke was the cause of the discrepancy;
 - Brin reported the inventory discrepancy and Burke's actions to Wali who reviewed the surveillance footage, scheduled a meeting with Burke, and informed Rothenberg of the incident;
 - Respondent's SOPs for Inventory, Diversion, and Notifications required Respondent and its various staff, including its COO, Compliance Officer, and Director of Security to notify the Commission of inventory discrepancies within 24 hours after discovery;
 - Respondent's Notifications SOP also prescribed that Respondent would provide written notice to the Commission of any inventory discrepancies within 10 calendar days by submitting an incident report;
 - Respondent did not notify the Commission or Law Enforcement Authorities within 24 hours of discovery of the inventory discrepancy for Metrc Package no. 18609;
 - Respondent did not submit an incident report to the Commission within 10 days after discovery of the inventory discrepancy for Metrc Package no. 18609;
54. Respondent misled Commission investigators during an investigation and made a false record entry in Metrc in violation of 935 CMR 500.450(2):
- On September 18, 2021, Brin discovered a discrepancy in Respondent's inventory for Metrc Package no. 18609, reviewed footage from Respondent's security system, learned that the discrepancy was attributable to Burke's actions;



- b. Brin reported his findings to Wali who reviewed the security footage himself, scheduled a meeting with Burke, and informed Rothenberg of the incident;
- c. At a meeting with Brin and Wali on or around September 21, 2021, Burke admitted that he had failed to scan Pre-Roll no. 2 and in a moment of indecision gave it to the customer;
- d. Burke notified Brin and Wali that the customer was his father;
- e. On September 27, 2021, Brin adjusted Respondent's virtual inventory for Metrc Package no. 18609 to account for the discrepancy between Respondent's virtual and physical inventory caused by Burke;
- f. While *de minimus* inventory discrepancies are a reality for the industry, with adjustments made on a frequent basis, licensees are required to make accurate and truthful reporting in Metrc. Brin entered a note in Metrc falsely attributing the inventory discrepancy as an "entry error";
- g. Brin is a registered Agent for Respondent making Respondent liable for his conduct;
- h. Twelve days after Respondent discovered the inventory discrepancy and Burke's actions, nine days after Brin and Wali met with Burke, and three days after Brin adjusted Respondent's inventory, on September 30, 2021, Commission investigators asked Wali, Rothenberg, and Brin multiple times about their knowledge of the inventory discrepancy and Burke's actions on September 18, 2021;
- i. Rothenberg and Wali were not forthcoming in their responses to Commission investigators despite their knowledge of Burke's actions, because they were unaware that the incident was reportable to the Commission and an act of diversion;
- j. It appears that Wali was not forthcoming with Commission investigators about his knowledge of the incident due to his belief that the incident was not reportable or an act of diversion. Wali fully admitted he was informed of the incident on September 18, 2021, by Brin and had met with Burke on September 21, 2021, to discuss the same. Wali contends that it never occurred to him that this was a diversion;
- k. Rothenberg and Wali disclosed their knowledge of the inventory discrepancy and Burke's actions only after Commission investigators made clear the purpose for their visit and that they already knew about Burke's distribution of Pre-Roll no. 2 on September 18, 2021;
- l. In its POC dated November 5, 2021, Respondent explained that it had misjudged the situation for not viewing it as an act of diversion and "upon realizing the gravity of the situation...divulged all the information [it] knew";
- m. Rothenberg and Wali are registered Agents and Managers for Respondent, making Respondent liable for their conduct;

Stipulated Remedy



55. In lieu of proceeding with an administrative hearing and subsequent proceedings, Respondent further agrees to the stipulated remedies and terms set forth in Paragraphs 56–76, inclusive of all subparagraphs;

56. Respondent agrees to pay a monetary fine in the amount of sixty thousand dollars (\$60,000.00), made payable by check or money order to the Cannabis Control Commission Marijuana Regulation Fund;

- a. Payment shall consist of installments due and payable pursuant to the following schedule:

<u>Amount</u>	<u>Due Date</u>
\$18,000.00	No later than one (1) year from the date of ratification of this Order by the Commission.
\$21,000.00	No later than two (2) years from the date of ratification of this Order by the Commission.
\$21,000.00	No later than three (3) years from the date of ratification of this Order by the Commission.

- b. Nothing in this Order shall prohibit Respondent from submitting payments in advance of the due date, or in installments less than the amount due but no less than \$500.00 increments, provided that the required amounts are paid in full by the due dates listed above;

57. Payments shall be mailed to the following address:

- a. Via USPS:

Cannabis Control Commission
PO Box 412144
Boston, MA 02241-2144

- b. Via Courier/Overnight:

Bank of America Lockbox Services
Cannabis Control Commission 412144
MA5-527-02-07
2 Morrissey Boulevard
Dorchester, MA 02125

58. Respondent shall submit to a six-month probationary period (the “probationary period”) for license no. MR282742 which will take effect on the date this Order is ratified:

- a. Any substantial noncompliance with any Commission laws by Respondent during the probationary period shall constitute full and adequate grounds for license suspension or revocation;
- b. Prior to enforcing this provision, the department agrees to send Respondent a Letter of Warning giving notice of the alleged substantial noncompliance and providing an opportunity for Respondent to correct the deficiencies;



59. During the probationary period, Respondent shall conduct an audit of all the Marijuana and Marijuana Products at its facility twice per month, for a total of twelve (12) inventory audits. Each month, the first audit is due to the department on the 15th of the month and the second is due on the last day of the month. This requirement is in addition to Respondent's obligations under 935 CMR 500.105(8);
60. Respondent shall participate in the following continuing education before the end of the probationary period and must provide a certificate or other documentation demonstrating completion of each course to the department within five days of completion unless such training has been completed within the past 20 days, in which case certification shall be provided to the department:
- a. Respondent's Owners and Management shall undergo ethics training. Respondent shall provide the curriculum to the department for approval prior to engaging in the training;
 - b. All Respondent's staff, including Management staff, shall submit to a refresher training on: (1) inventory, (2) recordkeeping, and (3) reporting obligations to the Commission. Respondent shall provide a curriculum to the department for approval prior to engaging in the training;
 - c. All Respondent's staff, including Management staff, shall complete the Basic Core Curriculum for Responsible Vendor Training before the end of the probationary period;
 - d. All Respondent's staff, including Management staff, shall take and complete the following courses: (1) the Massachusetts Metrc New Business Training; (2) the Metrc Learn training courses for Sales Journey Levels 1, 2, and 3; and (3) the Massachusetts Advanced Retailer Webinar;
61. Respondent's failure to comply with its audit or training obligations under Paragraphs 59–60 during the probationary period shall result in an automatic penalty assessment of one thousand dollars (\$1,000.00) per defaulted obligation. Respondent understands that it will not be afforded a hearing right to challenge the automatic fine assessment. Upon receiving a demand for payment from the Commission, Respondent shall provide such payment by check or money order payable to the Cannabis Control Commission Marijuana Regulation Fund within 30 days. Payment for penalties assessed against the Respondent under this clause shall be mailed to one of the addresses listed in Paragraph 57;
62. This Order may be admissible as evidence in any future hearing before the Commission or used in connection with any future licensure or administrative actions by the Commission;
63. Any issues relating to the underlying complaint and investigation that formed the basis for this Order against Respondent (and any defenses that Respondent may have to such complaint or investigation) shall not be at issue in a proceeding against Respondent for failing to comply with the terms of this Order;



64. Respondent agrees that the Commission may consider the Order and the facts and circumstances described therein in connection with review of an application for licensure, renewal of licensure, or suitability review;
65. Respondent acknowledges advisement of hearing rights and process of the proceedings and wishes to resolve all issues which were the subject of the investigation or in any way related to the investigation by entering into this Order;
66. If approved by the Commission and upon execution of all parties, this Order shall have the same force and effect as an order entered after formal hearing pursuant to 935 CMR 500.500(12), except that it may not be appealed. Failure to comply with the terms of this Order, including but not limited to failure to make a timely payment in accordance with Paragraph 56, may constitute the basis for further administrative action against Respondent;
67. Respondent acknowledges that the Commission advised Respondent of its opportunity to consult with an attorney of their choosing and Respondent represents that they have had an opportunity to do so prior to signing the Order. Respondent acknowledges that they have been given a reasonable period of time in which to consider the terms of this Order before signing it. Respondent acknowledges and confirms that they have entered into this Order voluntarily and of their own free will, without duress or coercion, and that they are competent to enter into this Order. Respondent acknowledges that they have carefully read and fully understand the meaning and intent of this Order;
68. Respondent further understands and knowingly and voluntarily waives the following rights:
- a. The right to proceed with Respondent's hearing request submitted on October 6, 2023;
 - b. The right to cross-examine witnesses, subpoena witnesses, present evidence and testify on Respondent's own behalf at that hearing;
 - c. The right to appeal this Order;
69. Respondent consents to the terms and conditions described herein and agrees to waive its right to judicial review of this Order pursuant to G.L. c. 30A, § 14;
70. Upon execution by all parties, this Order shall represent the entire and final agreement of the parties. In the event that any provision of this Order is deemed unenforceable by a court of competent jurisdiction, such provision shall be severed, and the remainder of the Order shall be given full force and effect;
71. This Order shall be binding upon Respondent and shall inure to the benefit of the parties to this Order and their respective successors and assignees and shall be construed in accordance with and governed by the laws of the Commonwealth of Massachusetts;



72. Upon ratification of this Order by the Commission, this Order shall become a permanent part of Respondent's record and shall be open to public inspection and disclosure pursuant to the Commission's standard policies and procedures or applicable law;
73. The Commission may reject the terms of this Order or otherwise deny ratification and entry of the Order. In such event, the terms of the Order shall be null and void, including but not limited to Respondent's admissions, and the parties will proceed to hearing;
74. This Order may be executed by e-mail and any signature delivered by either email or first-class mail shall be deemed to be as valid as an original signature;
75. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent and shall not in any way be the obligation of the Commission; and
76. For purposes of addressing any future violations of the Order, the Commission regulations, 935 CMR 500.000, *et seq.*, shall include all later adopted regulations that are in effect at the time of the subsequent violation.

This Order is subject to ratification by the Commission. Upon ratification, this Order becomes binding on the Parties. Failure to comply with the above conditions may result in administrative action against Respondent up to any including suspension and/or revocation of registration.

Commonwealth of Massachusetts Cannabis Control Commission

Debra Hilton Creek, Acting Executive Director

Date Signed

Ratified by Commission vote (___ yes, ___ no, ___ abstain) on May ___, 2024.

Respondent Olde World Remedies, Inc.



Olde World Remedies, Inc.

04/26/24

Date Signed





Model Municipal Equity By-Law or Ordinance Template

Introduction & Purpose

Pursuant to M.G.L. c. 94G § 3(d)(5), the Cannabis Control Commission (“Commission”) is required to establish minimum acceptable standards for Host Communities to promote and encourage full participation in the regulated marijuana industry by people from communities that were disproportionately harmed by marijuana prohibition and enforcement and to positively impact those communities. Furthermore, M.G.L. c. 94G, § 4(a)(xxxi)-(xxxii) empowers the Commission to establish procedures for Host Communities to promote and encourage full participation in the regulated marijuana industry during Host Community Agreement negotiations with License Applicants that have been designated as Social Equity Businesses, Social Equity Program Participants, and Economic Empowerment Priority Applicants.

Under 935 CMR 500.181(3)(a) and 501.181(3)(a), Host Communities are presumed to have met the Commission's minimum acceptable equity standards for promoting and encouraging full participation in the regulated marijuana industry by taking one (1) or more of the following actions:

1. Adopting an ordinance or by-law to exclusively permit Social Equity Businesses for three (3) years or until the goals of the exclusivity period have been met;
2. Adopting the Model By-Law or Ordinance (“Model”) created by the Commission to permit Social Equity Businesses; or
3. Creating a Local Approval Process for equity applicants that is administered on a 1:1 basis, where a General Applicant may be approved only after a Social Equity Business has commenced operations. Host Communities may choose to administer a 1:1 Local Approval Process until such time as 50% of the Licensees operating in the Host Community are Social Equity Businesses.

~~This Model Municipal Equity By-Law or Ordinance Template document (“Model”) was created by the Commission to help guide Host Communities with compliance of new regulatory requirements. This Model provides one (1) of three (3) the minimum municipal equity standard options for Host Communities municipalities to adopt under 935 CMR 500.181(3)(a)(2) and 501.181(3)(a), and Commission regulations and Guidance on Municipal Equity and Industry Participation also provide options for Host Communities municipalities are encouraged to exceed these minimum standards-. Please note that Host Communities must adopt local rules or bylaws to comply with 935 CMR 500.181(3) and 501.181(3) on or before May 1, 2024.~~

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The Commission advises Host Communities to consult with appropriate counsel and other relevant authorities and official to ensure adoption an appropriate by-law or ordinance that meets legal requirements.

MODEL MUNICIPAL EQUITY BY-LAW/ORDINANCE

Section 1: Legislative Authority

The [City/Town] ~~by-law/ordinance~~ is authorized pursuant to St. 2022, c. 180, ~~a~~An act relative to equity in the cannabis industry, M.G.L. c. 94G and M.G.L. c. 94I, 935 CMR §§ 500.000, ~~and §§ 501.000.~~

Section 2: Purpose

The intent of this [by-law/ordinance] is to develop clear ~~policies and procedures~~ requirements to encourage full participation in the marijuana industry by people from communities that were disproportionately harmed by ~~m~~Marijuana prohibition and enforcement. These policies and procedures will assist the [City/Town] in negotiating host community agreements with applicants for marijuana establishments and medical marijuana treatment centers such as social equity businesses, social equity program participants, or economic empowerment priority applicants, ~~and~~ other business owners.

Section 3: Applicability

This [by-law/ordinance] shall apply to all [City/Town] individuals and entities applying to be ~~a marijuana establishment or medical marijuana treatment center in the adult use and medical use cannabis industries~~ located within the [City/Town]. No ~~person individual or entity~~ shall operate a marijuana establishment or a medical marijuana treatment center unless duly licensed to do so by the ~~c~~Cannabis ~~c~~Control ~~c~~Commission. Nothing in this section shall be construed to supersede federal and state laws governing the sale and distribution of marijuana.

Section 4: Definitions

The definitions set forth in M.G.L. c. 94I § 1, M.G.L. c. 94G § 1, 935 CMR §§ 500.002, ~~and §§ 501.002, §§ 500.181(4)(a), and §§ 501.181(4)(a)~~ are incorporated herein by reference. ~~In the~~

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Section 5: Transparency of ~~Applications and Applicants~~ Local Approval Process

1. The [City/Town] shall publish data regarding its total applicant pool, which shall identify each pre-verified or verified social equity business, social equity program participant, or economic empowerment priority applicant.
2. The [City/Town] shall publicize certain information in a conspicuous location at its offices and on its website which shall, at minimum, include:
 - ~~1.a.~~ All required steps of the [City/Town]'s local approval process including, but not limited to, all associated fees, deadlines, and meeting schedules for local bodies involved in the Local Approval Process;
 - ~~2.b.~~ Identification of key individuals involved in the [City/Town]'s local approval process, including, but not limited to, their name, title, business address, and business contact information such as email address or phone number;
 - ~~3.c.~~ A list of all documentation required by the [City/Town]'s local approval process, in downloadable form and paper form;
 - ~~4.d.~~ Identification of application criteria for local approval to operate a marijuana establishment or medical marijuana treatment center, and scoring methodologies relied on by the [City/Town];
 - ~~5.e.~~ General and individual scoring information for all license applicants;
 - ~~6.f.~~ The [City/Town]'s explanation, in narrative form, of its reasoning for the approval or denial of an application; and
 - ~~7.g.~~ Any other information required by the Commission as outlined in 935 CMR §§ 500.000 and §§ 501.000.

Section 6: ~~Procedures and Policies~~ Practices for Host Community Agreement Negotiations

1. The [City/Town] shall adhere to ~~required~~best practices for host community agreement negotiations with individuals or entities pre-verified or verified as social equity businesses, and license applicants that have been designated as social equity program participants or economic empowerment priority applicants including, but not limited to, the following:
 - ~~2.a.~~ The [City/Town] shall develop a standard evaluation form, or use a form developed by the ~~cannabis control~~ cCommission, that scores components of an application.



The evaluation form shall include consideration of equity in the overall evaluation score which must comprise not less than 25% of the total evaluation score.

~~3.b.~~ This equity component shall include:

- ~~a.i.~~ whether an individual, entity, or license applicant is pre-verified or verified by the ~~cannabis control~~ ~~c~~Commission as a social equity business;
- ~~b.ii.~~ whether the license applicant is a social equity program participant;
- ~~c.iii.~~ whether the license applicant is an economic empowerment priority applicant;
- ~~d.iv.~~ whether a license applicant or pre-verified individual or entity has a prior ~~m~~Marijuana-related criminal offense or conviction;
- ~~e.v.~~ whether a license applicant or pre-verified individual or entity is part of an area of disproportionate Impact, as identified by the ~~cannabis control~~ ~~c~~Commission; or
- ~~f.~~ whether a pre-verified individual is of Black, African American, Hispanic, Latino, Native American or indigenous descent, or a majority of a pre-verified entity or license applicant entity is comprised of individuals that are of Black, African American, Hispanic, Latino, Native American or indigenous descent.

- ~~c.~~ If the [City/Town] decides to allow additional marijuana establishments or medical marijuana treatment centers, at least 50% of those licenses, but no less than one license, above the previously established cap shall be reserved for license applicants that are pre-verified or verified social equity businesses, social equity program participants, ~~e~~Economic ~~e~~Empowerment ~~p~~Priority ~~a~~Applicants, or all.

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Section 7: Equity Standards for Host Community Agreements

1. The [City/Town] shall prioritize negotiations of host community agreements with equity parties. For the purposes of negotiations of a host community agreement for an application for licensure, equity parties are as follows:
 - a. ~~A~~ license applicant that is pre-verified or verified as a social equity business; or
 - b. ~~A~~ license applicant that has been designated as social equity program participants, economic empowerment priority applicants, or both.
2. The [City/Town] may waive or reduce fees for an equity party to a host community agreement negotiation, including, but not limited to community impact fees, zoning, and occupancy fees.
3. At minimum, the [City/Town] shall take the following actions during host community



agreement negotiations with an equity party to promote and encourage their full participation:

- a. ~~E~~engage in an ongoing dialogue by providing multiple opportunities for discussion and negotiation of host community agreement terms including, at minimum, two conferences with an equity party;
- b. ~~I~~include any attorney, authorized representative, or other advocate, if elected by an equity party, in all negotiation discussions and conferences;
- c. ~~P~~romote language access by providing a certified interpreter or translator to assist an equity party who is a non-english speaker during all negotiation discussions and conferences;
- d. ~~P~~rovide reasonable opportunities for an equity party to review a proposed host community agreement, term, or condition, outside of a negotiation conference, or to seek review or input by a third party of their choice;
- e. ~~N~~egotiate the terms of a host community agreement in good faith, including consideration of flexible terms that may mitigate particular challenges affecting an equity party, such as access to capital, with all terms and clauses conspicuously identified and openly discussed; and
- f. ~~A~~allow an equity party to propose an amendment to, or seek cancellation of, a host community agreement within thirty days from the date of execution of the host community agreement.

4. The [City/Town] may also:

- a. ~~E~~xpedite or prioritize the local approval process for social equity businesses, social equity program participants, and economic empowerment priority applicants;
- b. ~~P~~rovide technical assistance for social equity businesses, social equity program participants, and economic empowerment priority applicants navigating the local approval process;
- c. ~~D~~esignate a municipal contacts who shall work closely with social equity businesses, social equity program participants, and economic empowerment priority applicants in the local approval process from initial inquiry through the end of the permitting process; or
- d. ~~A~~adopt an exclusivity period to permit social equity businesses for three years or until the goals of the exclusivity period have been met as determined by the municipality.

5. The [City/Town] shall not:

- a. ~~N~~egotiate a host community agreement with an equity party through the use of undue influence, duress, coercion, intimidation, threats, or any strong-arm tactics;
- b. ~~T~~hreaten loss of an equity party's position in its local application queue or delay to the processing of an equity party's application;
- c. ~~C~~ompel an equity party to sign a host community agreement in any manner that conflicts with the practices required through applicable state law and regulations; and



d. ~~N~~egotiate or discontinue negotiations with an equity party in bad faith.

4.

Section 87: Municipal Equity Plan

1. The [City/Town] shall develop an equity plan to promote and encourage full participation in the regulated cannabis industry by individuals from communities disproportionately harmed by cannabis prohibition and enforcement.
2. The [City/Town] shall publicize its equity plan in a conspicuous location at its offices and on its website.
3. The [City/Town]'s equity plan shall:
 - a. ~~E~~ncourage applications from business and individuals that would meet the definition of ~~s~~Social ~~e~~Equity ~~b~~Businesses, ~~s~~Social ~~e~~Equity ~~p~~Program ~~p~~Participants, and ~~E~~conomic ~~e~~Empowerment ~~p~~Priority ~~a~~Applicants as determined by the Commission; and
 - ~~b. I~~nclude goals, programs, and measurements the [City/Town] Host Community will utilize to promote and encourage equity participation.

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Section 8: Equity Standards for Host Community Agreements

1. ~~The [City/Town] shall prioritize negotiations of host community agreements with equity parties. For the purposes of negotiations of a host community agreement for an application for licensure, equity parties are as follows:~~

- a. ~~a license applicant that is pre-verified or verified as a social equity business; or~~
- b. ~~a license applicant that has been designated as social equity program participants, economic empowerment priority applicants, or both.~~

2. ~~The [City/Town] may waive or reduce fees for an equity party to a host community agreement negotiation, including, but not limited to community impact fees, zoning, and occupancy fees.~~

3. ~~At minimum, the [City/Town] shall take the following actions during host community agreement negotiations with an equity party to promote and encourage their full participation:~~

a. ~~engage in an ongoing dialogue by providing multiple opportunities for discussion and negotiation of host community agreement terms including, at minimum, two conferences with an equity party;~~

b. ~~include any attorney, authorized representative, or other advocate, if elected by an equity~~

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party, in all negotiation discussions and conferences;

e. — promote language access by providing a certified interpreter or translator to assist an equity party who is a non-english speaker during all negotiation discussions and conferences;

d. — provide reasonable opportunities for an equity party to review a proposed host community agreement, term, or condition, outside of a negotiation conference, or to seek review or input by a third party of their choice;

e. — negotiate the terms of a host community agreement in good faith, including consideration of flexible terms that may mitigate particular challenges affecting an equity party, such as access to capital, with all terms and clauses conspicuously identified and openly discussed; and

f. — allow an equity party to propose an amendment to, or seek cancellation of, a host community agreement within thirty days from the date of execution of the host community agreement.

4. — The [City/Town] may also:

a. — expedite or prioritize the local approval process for social equity businesses, social equity program participants, and economic empowerment priority applicants;

b. — provide technical assistance for social equity businesses, social equity program participants, and economic empowerment priority applicants navigating the local approval process;

c. — designate counsel and/or a municipal planner, or other designees, as municipal contacts who shall work closely with social equity businesses, social equity program participants, and economic empowerment priority applicants in the local approval process from initial inquiry through the end of the permitting process; or

d. — adopt an exclusivity period to permit social equity businesses for three years or until the goals of the exclusivity period have been met.

5. — The [City/Town] shall not:

a. — negotiate a host community agreement with an equity party through the use of undue influence, duress, coercion, intimidation, threats, or any strong arm tactics;

b. — threaten loss of an equity party's position in its local application queue or delay to the processing of an equity party's application;

c. — compel an equity party to sign a host community agreement in any manner that conflicts with the practices required through applicable state law and regulations and

d. — negotiate or discontinue negotiations with an equity party in bad faith.

b. —

Section 9: State Notification

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The [City/Town] shall make all notifications regarding this [by-law/ordinance] and any other information to the ~~Massachusetts Cannabis Control Commission~~cannabis control commission as required by applicable state law and regulations in a timely manner.

Section ~~109~~: Implementation

This [by-law/ordinance] shall not be implemented in a manner that conflicts or interferes with the M.G.L. c. 94G or c. 94I, or with the regulations promulgated thereunder, including 935 CMR §§ 500.~~000~~ or ~~§§~~ 501.~~000~~.

Section ~~110~~: Severability

If any provisions of this [by-law/ordinance] shall be held to be invalid, those provisions shall be severable, and the remaining sections shall be valid with full force and effect.





COMMONWEALTH OF MASSACHUSETTS

Guidance on Municipal Equity & Industry Participation

April 2024

Massachusetts Cannabis Control Commission

Ava Callender Concepcion, Acting Chair

Nurys Camargo, Commissioner

Kimberly Roy, Commissioner

Bruce Stebbins, Commissioner

Debra Hilton-Creek-, Acting Executive Director [& Chief People Officer](#)

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I. Introduction

The following guidance is provided to assist municipalities working with businesses seeking to apply for licensure and operate as (1) adult-use Marijuana Establishments (“ME”) under 935 Code Mass. Regs. § (“CMR”) 500.000 and/or (2) Medical Marijuana Treatment Centers (“MTC”) under 935 CMR 501.000. This guidance is not legal advice. If municipalities have questions regarding the legal requirements for licensure and other compliance obligations, they are encouraged to consult appropriate legal counsel.¹

II. Role of Cannabis Control Commission

The Commission has broad authority over the licensing of MEs and MTCs. It has also established regulatory requirements to address public safety, health, and welfare concerns such as the testing², potency, packaging, labeling, advertising³, dispensing, and diversion of marijuana and marijuana products.⁴ Additionally, the Commission is empowered to promote and encourage the full participation in the regulated marijuana industry by individuals and communities disproportionately impacted by marijuana prohibition, women, minority, and veteran-owned businesses.

As a licensing agency, the Commission reviews applicants’ qualifications for licensure, including background checks and suitability determinations, prior to issuing provisional and final licenses and ultimately approving a licensee to commence operations. As part of their licensing application process, applicants must hold a community outreach meeting and enter into a Host Community Agreement (“HCA”) with a municipality.⁵ Additionally, all individuals and entities seeking licensure must be found suitable as licensees by the Commission pursuant to 935 CMR 500.800, 500.801 (Table A), 501.800, and/or 501.801 (Table A). Individuals and entities may be disqualified for licensure if they have been convicted of a felony (not including marijuana-related offenses) and may have the ability to seek a hearing. Individuals and entities unsure if they are suitable for licensure should seek independent legal counsel.

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Furthermore, the Commission is now required to review and approve HCAs⁶ and review local ordinances and by-laws to ensure the municipality promotes an equitable licensed cannabis industry within its borders.⁷ The Commission started its review and enforcement of HCAs in March 2024. Beginning~~in~~ May 1, 2024, the Commission will commence review and enforcement of local equity policies required under relevant law and regulations.

¹ The Commission uses the term “counsel” as inclusive of and not limited to the following municipal positions: Town Counsel, City Solicitor, Corporation Counsel, Special Town/Municipal Counsel, and Labor Counsel.

² 935 CMR 500.160 and 935 CMR 501.160.

³ 935 CMR 500.105 501.105, and 935 CMR 500.145.

⁴ 935 CMR 500.110 and 501.110.

⁵ 935 CMR 500.180 ; 935 CMR 501.180.

⁶ G.L. c. 94G § 4(a); 935 CMR 500.181(3) and 935 CMR 501.181(3).

⁷ 935 CMR 500.181(3)(d) and 935 CMR 501.181(3)(d).



Once a license has been issued, the Commission may inspect MEs and MTCs, investigate close associates of a licensee whom the Commission suspects is involved in the financing, operation, or management of such licensee, and may impose fees and fines and conduct adjudicatory proceedings. It may also restrict, revoke, or suspend a license.⁸

The Commission has developed relationships with federal, state, and municipal officials in order to address areas of common concern. It may adopt, amend, or repeal regulations for the implementation, administration, and enforcement of the law; refer cases for criminal prosecution to the appropriate law enforcement authorities; monitor federal activity regarding marijuana and hemp; and prepare and publish research studies, legislative reports, or related materials.⁹

More information regarding the Commission's licensing process can be found in its [Guidance on Licensure](#).

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III. Commission License Types

The Commission is empowered to license businesses that meet certain qualifications as MEs and MTCs. A brief list and description of the different types of licenses issued by the Commission are as follows:

Medical Marijuana Treatment Center

An MTC is an entity licensed under 935 CMR 501.000, that acquires, cultivates, possesses, processes, repackages, transports, sells, distributes, delivers, dispenses, or administers marijuana, marijuana products, related supplies, or educational materials to Registered Qualifying Patients or their Personal Caregivers for medical use.

Marijuana Cultivator, Microbusiness, and Craft Marijuana Cooperative

A Marijuana Cultivator is an entity licensed to cultivate, process and package Marijuana, and to transfer Marijuana to other MEs, but not to Consumers. Cultivators select what tier, *i.e.*, size of the grow they will operate, which determines their application and licensing fees.

A Microbusiness is an entity that can be either a Tier 1 Marijuana Cultivator or Marijuana Product Manufacturer, or both; if it is in receipt of a Delivery Endorsement issued by the Commission, it may deliver Marijuana or Marijuana Products produced at its licensed location directly to Consumers.¹⁰

A Craft Marijuana Cooperative is a type of Marijuana Cultivator organized as a limited liability company,

⁸ See generally G.L. c. 94G § 4; 935 CMR 500.301-500.370 and 935 CMR 501.301-501.370; 935 CMR 500.500 and 935 CMR 501.500.

⁹ See generally G.L. c. 94G § 4.

¹⁰ See 935 CMR 500.002.



limited liability partnership, or a cooperative corporation.¹¹ The cooperative license authorizes it to cultivate, obtain, manufacture, process, package, brand and transfer marijuana products to MEs, but not to consumers.

Marijuana Product Manufacturer

A Marijuana Product Manufacturer is an entity authorized to obtain, manufacture, process, and package marijuana or marijuana products, and to transport and transfer product to other MEs, but not to consumers.¹² All edibles prepared by a manufacturer shall be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 590.000: *State Sanitary Code Chapter X: Minimum Sanitation Standards for Food Establishments*, and with the requirements for food handlers specified in 105 CMR 300.000: *Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements*. Safe handling regulations are enforceable by local boards of health.

Marijuana Retailer

A Marijuana Retailer is an entity authorized to transport, sell, purchase, -repackage, or otherwise transfer marijuana or marijuana products to MEs and to sell marijuana, marijuana products, marijuana accessories and branded goods to consumers 21 years of age or older.¹³ A Marijuana Retailer may be collocated with an MTC.¹⁴

Marijuana Transporters

There are two types of Marijuana Transporter licenses: (1) a Third-party Transporter; and (2) an Existing Licensee Transporter.

A Third-party Transporter is an entity currently licensed to do business in Massachusetts that does not hold any other ME license pursuant to 935 CMR 500.050¹⁵ and is not formerly registered or currently licensed as an MTC pursuant to CMR 501.000: *Medical use of Marijuana*. A Third-party Transporter is permitted to transport marijuana and marijuana products between MEs and between MTCs.

An Existing Licensee Transporter is an ME that wishes to contract with other MEs to transport their marijuana and marijuana products to other MEs. Marijuana Transporters are allowed to warehouse marijuana and marijuana products in a form and manner determined by the Commission.¹⁶

Delivery Licenses

There are two available types of Delivery Licenses: (1) Marijuana Courier; and (2) Marijuana Delivery

¹¹ 935 Code Mass. Regs. § 500.002.

¹² 935 CMR 500.002.

¹³ 935 CMR 500.002.

¹⁴ 935 CMR 500.050(8).

¹⁵ See 935 CMR 500.050, details the various Marijuana Establishment types.

¹⁶ See 935 CMR 500.050(9).



Operator.

A Marijuana Courier may enter into a Delivery Agreement with a Marijuana Retailer to deliver finished marijuana Products, marijuana accessories, and marijuana branded goods directly to consumers or with an MTC to deliver to patients or caregivers. A Marijuana Courier cannot wholesale, warehouse, process, repackage, or white label these products.

A Marijuana Delivery Operator may wholesale finished marijuana products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness, or Craft Marijuana Cooperative. It can also sell and deliver finished marijuana products, marijuana accessories, and marijuana branded goods directly to consumers. A Marijuana Delivery Operator cannot currently process or repackage marijuana products.

Marijuana Research Facility

A Marijuana Research Facility Licensee may be an academic institution, nonprofit corporation, or domestic corporation or entity authorized to do business in the Commonwealth, including a licensed ME or MTC, that is licensed to conduct research.¹⁷ A license to operate a Marijuana Research Facility is separate from a Research Permit to conduct a specific research project as researchers need Commission approval for each Research Permit before conducting their research. A Marijuana Research Facility Licensee may engage in cultivation or product manufacturing of marijuana or marijuana products if the cultivation or product manufacturing process is the subject of its research. Additionally, Marijuana Research Facility Licensees may not transfer marijuana or marijuana products to other licensees, other than for testing, or sell to consumers, patients, or caregivers.¹⁸

Independent Testing & Standards Laboratories

There are two types of laboratory licenses: (1) Independent Testing Laboratory (“ITL”), and (2) Standards Laboratory. An ITL primarily contracts with licensees to test products for sale to consumers and patients. ITL licensees cannot have a financial relationship (other than for testing services) or hold licenses with other MEs or MTCs.

A Standards Laboratory is an entity that would otherwise qualify to be an ITL but instead performs tests to verify the results of an ITL at the request of the Commission.

Social Consumption Establishment

A Social Consumption Establishment is an entity licensed to sell marijuana or marijuana products and allow consumers to consume marijuana or marijuana products solely on its premises.¹⁹ The Commission has developed regulations for the licensing of these entities and will commence Social Consumption

¹⁷ 935 CMR 500.002.

¹⁸ 935 CMR 500.147.

¹⁹ 935 CMR 500.002.



Establishment licensing when there are regulatory amendments to facilitate a successful and safe market.²⁰

More information regarding the Commission’s available license types can be found in its [Guidance on Licensure](#).

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IV. Role of Host Communities & Municipalities

The local control provisions under G.L. c. 94G both authorize and limit the way in which Host Communities can control MEs and MTCs in their communities. For clarity, Host Communities are defined as a municipality in which an ME and/or MTC is located or in which a license applicant has proposed locating an ME and/or MTC.

HCA and Community Impact Fees (CIFs)

Under state law, MEs and MTCs are required to execute HCAs with the municipalities in which they plan to operate. The agreement must stipulate the responsibilities of the community and the ME or MTC. An HCA is a required component of a license application, so an applicant must execute an HCA with a municipality prior to submitting an application with the Commission.²¹

The HCA may include a CIF; however, it is not mandatory. If a Host Community elects to issue or claim a CIF, it must be reasonably related to the actual operations of an ME or MTC and an enhanced need for a Host Community’s goods or services in order to offset the impact of operations.²² Any cost to a city or town imposed by the operation of an ME or MTC must be adequately documented and is considered a public record under Massachusetts Public Records Law.²³

Additional information on HCA, can be found in the [Guidance for Host Community Agreements](#).

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State and Local Taxes

There are three (3) different local and state taxes imposed on the retail sale of adult-use marijuana, which are passed onto the consumer, but not patients and caregivers unless they are purchasing accessories and branded goods.

The state sales tax and state excise tax are collected by the Department of Revenue (“DOR”) and then distributed to municipalities at least four times per year.²⁴ The DOR also empowers a Host Community

²⁰ See 935 CMR 500.050(6).

²¹ G.L. c. 94G § 3(d).

²² 935 CMR 500.002; 935 Code Mass. Regs. § 501.002.

²³ G.L. c. 66 § 10.

²⁴ Adult-use marijuana is subject to the state sales tax of 6.25%; the state excise tax of 10.75%; and the local option for cities



to impose an additional tax, referred to as the local tax option, of up to 3% on retail transactions for marijuana or marijuana products by a Marijuana Retailer.²⁵

Local Control: By-laws and Ordinances

Under the “local control” provisions of G.L. c. 94G, § 3, the Legislature delegated to municipalities control over MEs²⁶ and MTCs²⁷ operating within their borders. Under § 3, and Commission regulations, Host Communities and municipalities can regulate the number, operations, and locations of potential MEs and MTCs.²⁸ The Commission, in turn, has broad authority over licensing and registration of these applicants, as well as ensuring that HCAs and local ordinances and by-laws that focus on promoting an equitable industry comply with the provisions of G.L. c. 94G.

A Host Community and municipality may adopt ordinances and by-laws that impose reasonable safeguards on the operation of MEs and MTCs and “any business dealing in marijuana accessories,” so long as the restrictions are not unreasonably impracticable and do not conflict with G.L. c. 94G and 94I, or regulations promulgated by the Commission.²⁹

A municipality may determine that a proposed marijuana-related use falls under an existing use authorized by its by-laws or ordinances. However, if a municipality elects to create new ordinances or by-laws with respect to MEs or MTCs, it may implement those that restrict the time, place, and manner of ME or MTC operations and any business dealing in marijuana accessories.³⁰ However, local zoning by-laws or ordinances may not operate to prevent the conversion of an MTC to an adult-use ME engaged in the same type of activity.³¹ The Commission interprets conversion to include not only replacing the operation of an MTC entirely with the operation of an ME, but also addressing colocated marijuana operations, *i.e.*, businesses desiring to sell both medical-use and adult-use marijuana.

Under St. 2022, c. 180, and Commission regulations, Host Communities are required to establish local ordinances or by-laws to promote and encourage full participation in the regulated marijuana industry by individuals and communities that have been disproportionately impacted by marijuana prohibition and enforcement, women, minority, and veteran-owned businesses no later than May 1, 2024. More information on these requirements can be found below in Section VI.

or towns, a figure up to 3% on all *retail* transactions. G.L. c. 64N, §§ 2, 3 (a).

²⁵ 830 CMR 64N.1.1.

²⁶ Under G.L. c. 94G, § 1, a Marijuana Establishment is defined as a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

²⁷ Under G.L. c. 94I, § 1, a Medical Marijuana Treatment Center is defined as the premises approved under a medical use marijuana license.

²⁸ See e.g., G.L. c. 94G, §§ 3 (a)(2) and (d); 935 CMR 500.170(2) and 935 CMR 501.170(2).

²⁹ G.L. c. 94G, § 3(a).

³⁰ G.L. c. 94G, § 3 (a)(1).

³¹ *Id.* See also the Supreme Judicial Court’s decision in CommCan, Inc. & another v. Town of Mansfield, 488 Mass. 291, which provides discussion of this issue.



Limiting Marijuana Businesses

Under G.L. c. 94G, § 3, a municipality may adopt by-laws and ordinances that limit the number of MEs in its community, but it must submit any by-law or ordinance for approval to the voters if the ordinance or by-law would:

- Prohibit the operation of one (1) or more types of ME within the municipality;
- Limit the number of Marijuana Retailers to fewer than 20% of the number of liquor licenses (retail sale not to be drunk on premises) issued in the municipality under G.L. c. 138, § 15. For example, if a municipality has 100 liquor licenses, that municipality may set a maximum limit of 20 marijuana retailers; or
- Limit the number of any type of ME to fewer than the number of MTCs registered to engage in the same type of activity.

If a municipality chooses to enact any of the above-listed enumerated restrictions, the following procedures shall be followed:

- The city solicitor or town counsel must prepare a summary of the proposed ordinance or by-law indicating the number and types of MEs which shall be permitted to operate under the proposed ordinance or by-law and shall be included on the ballot;
- A ballot question shall be prepared asking “Shall this [city or town] adopt the following [by-law or ordinance]? [solicitor/counsel summary] [full text of by-law or ordinance]:”;
- If the majority of the votes cast in answer to the question are in the affirmative, the city or town may adopt the by-law or ordinance, but if the majority of votes cast is in the negative, the city or town shall not adopt the by-law or ordinance; and
- The ballot question may be placed on the ballot at a regular or special election held by the city or town by a vote of the board of selectmen or by the city or town council, with the approval of the mayor or chief executive officer of a city that does not have a mayor, and subject to a municipal charter, if applicable.³²

If a Host Community elects to increase its existing limit on the number of MEs or MTCs permitted to operate, they should ensure a minimum of 50%, but no fewer than one license, of the additional licenses beyond the previously set cap are allocated for Social Equity Businesses or individuals pre-verified with the status of a Social Equity Program Participant or Economic Empowerment Applicant.³³ A Host Community seeking exemption from this regulatory requirement may submit a waiver request pursuant to 935 CMR 500.850 or 501.850. Such request must include identification of proposed compensating features, as provided under 935 CMR 500.850(2)(b) or 501.850(2)(b).³⁴

³² G.L. c. 94G, § 3(e)(3).

³³ 935 CMR 500.181(3)(c)(2); 935 CMR 501.181(3)(c)(2).

³⁴ 935 CMR 500.181(3)(c)(2); 935 CMR 501.181(3)(c)(2).



Municipality Imposed Penalties

A Host Community is permitted to establish civil penalties for violation of an ordinance or by-law enacted pursuant to the Local Control provisions of G.L. c. 94G, § 3, but the penalty must be similar to that imposed for violations of an ordinance or by-law related to alcoholic beverages.³⁵

Additional Permits

Additional local permits may be required. Although Host Communities are prohibited from using a zoning by-law or ordinance to prevent the conversion of an MTC to an ME, the Commission does not interpret the word “prevent” to prohibit the municipality from requiring an MTC that is eligible under the statute to apply for any additional local permits required to change its existing operation to an ME for adult-use. The Commission cautions local permitting boards from exercising their discretion in acting on a request for a local permit in a manner that could be deemed to conflict with the applicable law and regulations.

Buffer Zones

Under state law, an ME or MTC may not be located within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.³⁶

The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the ME/MTC entrance to the geometric center of the nearest school entrance, unless there is an impassable barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the ME/MTC entrance to the geometric center of the nearest school entrance. The Commission has defined “impassable barrier” as a highway, public or private way or path, inaccessible structure, body of water, or other obstruction that renders any part of the 500-foot straight-line distance between a ME/MTC and a school entrance inaccessible by a pedestrian or automobile.

Municipalities may adopt an ordinance or by-law to reduce that distance requirement under state law and regulations.³⁷

V. The Municipal Role in the Commission Licensing Process

Separate and apart from the Commission’s licensing process, Host Communities and municipalities must also implement its own municipal review process.

³⁵ G.L. c. 94G, § 3 (a)(5).

³⁶ G.L. c. 94G, § 5(b)(3).

³⁷ G.L. c. 94G, § 5(d)(3) ; 935 CMR 500.110(3); 935 CMR 501.110(3).



The applicant must demonstrate compliance and knowledge with all municipal requirements. To do so, the Commission will directly provide the Host Community with a municipal notice form to be completed by the municipality.³⁸ This form is used to inform the Commission that the license applicant has complied with all applicable municipal by-laws and ordinances at its current stage in the licensing process.

For all ME and MTC License Applicants not subject to 935 CMR 500.102(1)(d)(2), the municipality has 60 days to complete this form.³⁹ For other license applicants, such as Social Equity Business Applicants, municipalities are provided 30 days to respond. Failure to respond to the Commission will result in approval by acquiescence.

VI. Municipal Equity Requirements

Host Communities are required to establish local rules or by-laws to create equity standards to promote and encourage full participation in the regulated marijuana industry.⁴⁰ On or before May 1, 2024, a Host Community shall submit an attestation to the Commission affirming it has adopted local laws to effectuate compliance and identify the specific local laws passed.⁴¹ The Host Community shall also submit its equity plan and any other documentation demonstrating compliance with state law and regulations.⁴²

Minimum Standards for Equity By-laws and Ordinances

A Host Community shall develop a municipal equity plan to encourage full participation in the regulated marijuana industry by individuals from communities disproportionately harmed by cannabis prohibition. The equity plan shall:

- Encourage applications from business and individuals that would meet the definition of Social Equity Businesses (“SEB”), Social Equity Program Participants (“SEP”), and Economic Empowerment Priority Applicants (“EEA”) as determined by the Commission;
- Include goals, programs, and measurements a Host Community will utilize to promote and encourage equity participation; and
- Consistently publish data regarding the total applicant pool for MEs identifying as SEBs, SEPs, and/or EEAs.

Municipal Transparency Practice Requirements

Host Communities are encouraged to build their licensee selection process in a way that prioritizes the community’s individual needs and the Commonwealth’s commitment to an equitable industry and

³⁸ 935 CMR 500.102(1)(d) and 935 CMR 501.102(1)(d).

³⁹ 935 CMR 500.102(1)(d)1 and 935 CMR 501.102(1)(d)1.

⁴⁰ G.L. c. 94G, §3 (f).

⁴¹ 935 CMR 500.181(3)(d) and 935 CMR 501.181(3)(d).

⁴² 935 CMR 500.181(3)(b)2 and 935 CMR 501.181(3)(b)2.



economic justice. To promote and encourage full participation, Host Communities must also adopt transparent practices when establishing their framework.

Practices shall include but are not limited to:

- Publicizing information in a public location at its offices and on its website which at a minimum shall include:
- All required steps of a Host Community's local approval process including, but not limited to, all associated fees, deadlines, and meeting schedules for local bodies involved in the local approval process;
- Identification of key individuals involved in a Host Community's local approval process, including, but not limited to, their names, titles, business addresses, and business contact information such as email addresses or phone numbers;
- A list of all documentation required by a Host Community's local approval process, in downloadable form and paper form;
- Identification of application criteria for local approval to operate an ME and scoring methodologies relied on by a Host Community;
- General scoring information for all applicants and a Host Community's scoring of each individual applicant;
- A Host Community's explanation, in narrative form, of its reasoning for the approval or denial of an application; and
- Any other information required by the Commission.⁴³

The Commission recommends the following additional methods to promote equity in a Host Community:

- Designating specific municipal contacts who shall work closely with SEB applicants in the permitting process from initial inquiry through special permit and building permit process while also providing technical assistance;
- Reduce financial barriers by waiving or reducing fees for SEBs associated with permitting processes and approvals as allowable by ordinance and streamline permitting for these applicants; or
- Provide priority licensing review to SEBs.

HCA Negotiations: Required Practices Related to Equity

Host Communities must adhere to required practices for HCA negotiations with individuals or entities pre-verified or verified as SEBs, and those designated by the Commission as SEPs and EEAs, including, but not limited to, the development of a standard evaluation form, or use a form developed by the Commission, that scores components of an application. The evaluation form shall include consideration

⁴³ 935 CMR 500.181(5)(b) and 935 CMR 501.181(5)(b).



of equity in the overall evaluation score which must comprise not less than 25% of the total evaluation score which shall include the following:

- whether an individual, entity, or license applicant is pre-verified or verified by the Commission as an SEB;
- whether the license applicant is a SEP;
- whether the license applicant is an EEA;
- whether a license applicant or pre-verified individual or entity has a prior marijuana-related criminal offense or conviction;
- whether a license applicant or pre-verified individual or entity is part of an area of disproportionate Impact, as identified by the cannabis control Commission; or
- whether a pre-verified individual is of Black, African American, Hispanic, Latino, Native American or indigenous descent, or a majority of a pre-verified entity or license applicant entity is comprised of individuals that are of Black, African American, Hispanic, Latino, Native American or indigenous descent.

FYI—For Your Information

During the HCA negotiation and evaluation, individuals and entities meeting one or more of the criteria listed above should be awarded no less than 25% of the total evaluation score. Host Communities may award more than 25% of the total evaluation score at their discretion.

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Host Community Positive Impact Plan

Host Communities must also develop a plan to positively impact one or more of the following communities. Although this plan is custom to each Host Community, it must outline the goals, programs and measurements the Host Community will pursue to impact one or more of the following communities:

- Past or present residents of the geographic "disproportionately impacted areas," which have been defined by the Commission and identified in its Guidance for Identifying Areas of Disproportionate Impact;
- State-designated EEAs;
- State-designated-SEP participants;
- Massachusetts residents who have past drug convictions; and
- Massachusetts residents with parents or spouses who have drug convictions.

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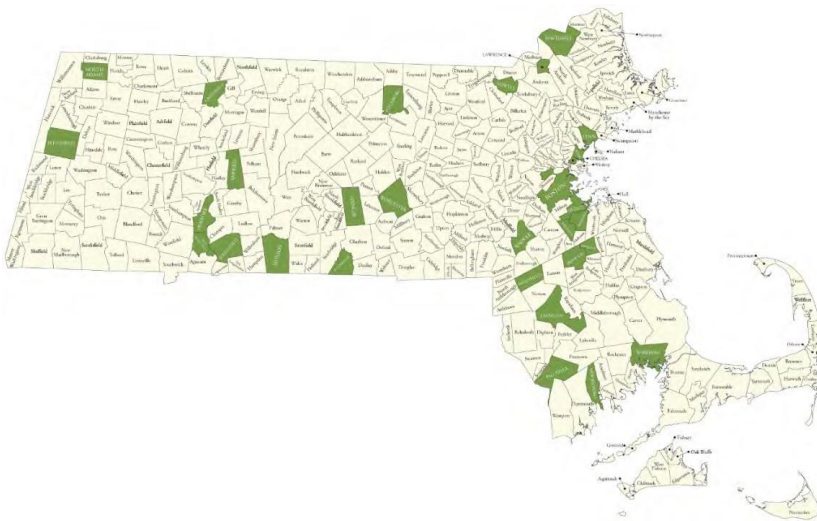
Identified geographical disproportionately impacted areas are located in, or fully comprised, of 30 cities and towns. For more information on proper identification, please see the Commission's [Guidance for Identifying Areas of Disproportionate Impact](#). The following is a list and map of the 30 cities and

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towns:

30 Communities of Disproportionate Impact			
Abington	Amherst	Boston	Braintree
Brockton	Chelsea	Fall River	Fitchburg
Greenfield	Haverhill	Holyoke	Lawrence
Lowell	Lynn	Mansfield	Monson
New Bedford	North Adams	Pittsfield	Quincy
Randolph	Revere	Southbridge	Spencer
Springfield	Taunton	Walpole	Wareham
West Springfield	Worcester		



Host Communities may look at the Commission's [Guidance on Positively Impact Disproportionately Impact People](#), also known as Positive Impact Plans, [for additional information on fulfilling this requirement](#). Host Communities are encouraged to consult appropriate counsel on ways to satisfy this requirement in compliance with state law and regulations.

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Host Community Compliance & Notification Requirements

As previously discussed, Host Communities are required to adopt certain by-laws or ordinances by May 1, 2024 pursuant to Commission regulations. Host Communities must notify the Commission of its initiatives and compliance by submitting required information through the Commission's Massachusetts Cannabis Industry Portal ("MassCIP").

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Host Communities will be required to create a logon username and password. Once into MassCIP, Host Communities should access the Host Community Municipal Equity Notification application. An authorized representative of the Host Community should complete the application. If the Commission identifies issues with the submission, elements of noncompliance, or if no submission occurs by a Host Community, a notice of deficiency or request for information may be issued pursuant to 935 CMR 500.301 or 501.301.

VII. Complaints Against Host Communities

Any interested person may file a complaint with the Commission alleging noncompliance for license applicants, licensees, Host Communities, or any other population under the Commission's statutory and regulatory jurisdiction.

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After receiving a complaint, the Commission may, at its discretion, conduct an investigation. If the Commission substantiates an allegation of noncompliance, then the Commission may take administrative or enforcement action against a Host Community, including but not limited to, sending a notice of deficiency, requesting additional information or otherwise taking action.⁴⁴ A Plan of Correction may be required. Failure to comply with Commission request may result in enforcement action against the Host Community.

After May 1, 2025, a Host Community may be fined for noncompliance in an amount equal to the total of the CIFs received from all MEs and MTCs operating in the Host Community during the prior calendar year. All fines shall be deposited into the Cannabis Social Equity Trust Fund.⁴⁵ If a Host Community fails to correct the noncompliant conduct, it may result in one of the following:

- Issuance of sanctions pursuant to 935 CMR 500.360;
- Loss of a Host Community's good compliance standing for purposes of 935 CMR 500.180(2)(e);
- Identification of a Host Community lack of good compliance standing in a form and manner determined by the Commission; or
- Abstaining from consideration of any new license applications affiliated with a Host Community until a Host Community's good compliance standing is restored.⁴⁶

⁴⁴ 935 CMR 500.180(3)(d)4 and 935 CMR 501.180(3)(d)4.

⁴⁵ 935 CMR 500.180(3)(e) and 935 CMR 501.180(3)(e).

⁴⁶ 935 CMR 500.180(3)(d)4 and 935 CMR 501.180(3)(d)4.



The Commission may identify on its website any Host Community that has been assessed a fine for noncompliance.⁴⁷

FYI—For Your Information

The Commission maintains communication avenues for constituents, consumers, patients, caregivers, license applicants, licensees, registered agents, and others to report noncompliant matters and other complaints. As of April 2024, the Commission is designing a more efficient communication mechanism to receive complaints of noncompliance and other issues to enhance user experience and due diligent reviews. Until this enhancement is implemented, any constituent may continue to report complaints to the Commission at Commission@CCCMass.com or by phone at 774-415-2000.

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VIII. Seeking Counsel, Support, and Questions

Host Communities, municipalities, license applicants, licensees, and other interested parties are encouraged to seek legal advice from a licensed attorney with respect to municipal by-laws, ordinances, requirements, and processes, as well as negotiations regarding HCAs.

Other available resources for interested parties for additional guidance:

- Guidance on Host Community Agreements;
- Guidance on Licensure;
- Model Host Community Agreement;
- HCA Waiver;
- Guidance on Equity Programs; and
- Commission's FAQ Page.

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For more information and resources regarding HCAs, please visit our page. If you have additional questions on these HCAs policies, please contact the Commission at Commission@CCCMass.com or (774) 415-0200.

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⁴⁷ 935 CMR 500.180(3)(e)3 and 935 CMR 501.180(3)(e)3.



Cannabis Control Commission

Job Description

Department: Administration

Reports to: Director of Communications

Job Title: Communications Manager

FLSA Status: Exempt

I. PURPOSE OF THE JOB

- Under the direction of the Director of Communications, the Communications Manager manages the implementation of the Commission's communications strategy to support the agency's positive image and directly oversees the agency's media relations, including press staff.

II. ESSENTIAL FUNCTIONS AND RESPONSIBILITIES

- Serves as a key advisor to the Director of Communications and provides leadership in the design and execution of strategic communications and rapid responses on behalf of the agency.
- As Manager of the agency's media engagements and press staff, establishes and maintains relationships with local and national outlets, counterpart state agencies, peer regulators, and other partners to develop innovative and informative communication efforts that support and promote a safe, equitable, and robust cannabis marketplace in Massachusetts.
- Directs press staff in the organization and facilitation of Commission press conferences, media availabilities, media training, and preparation for public speaking engagements and interviews.
- Manages opportunities for Commissioners and staff to engage with constituents as subject matter experts, including, but not limited to speaking opportunities and interviews at roundtables, events, conferences, and other appearances in the Commonwealth, region, and throughout the country.
- Builds and keeps current the traditional communications team's editorial calendar to support clear, robust communication to diverse constituencies throughout the Commonwealth; earn positive local, regional, and national media coverage of the Commission's work; effectively promote agency events, engagements, and activities, and more.
- Brainstorms and oversees communication opportunities that educate the public about the Commission's work and elevates the agency's profile, as well as ensures timely and effective responses to outreach related to speaking invitations, media inquiries, and internal and external requests for communications support.
- Helps manage crisis communications planning in collaboration with the Commissioners, Executive Director, Director of Communications, General Counsel, and other relevant Commission staff.

- Oversees and assists with writing and editing of press releases, media advisories, opinion pieces, web and social media content, speeches, and other external communications that inform, educate, and make constituents aware of agency developments.
- Manages interdepartmental collaboration on proactive communication projects, including media outreach, and supports the design and production of content for reports, presentations, educational materials, and other public-facing collateral.
- Collaborates with the Director of Communications, Director of Digital and Creative Services, and other Commission staff to plan and implement public awareness campaigns through integrated communication channels.

III. OTHER DUTIES AND RESPONSIBILITIES

- Works with the Director of Communications, Chief Communications Officer, Executive Director, and Commissioners to ensure consistent, on-brand messaging in integrated communication channels.
- Supports the Director of Communications in managing the Commission's editorial content calendar to ensure all deadlines are met.
- Oversees performance management of the press team.
- Maintains the Commission's publicity plan in line with the budget.
- Attends meetings, hearings, and events that directly impact the Commission's communications, marketing, and outreach.
- Performs related duties as assigned.

IV. KNOWLEDGE AND SKILLS

- Knowledge of Commission's mission, standards, and goals.
- Excellent management and communication skills, including writing and presenting skills.
- Comfort with speaking to press and representing an organization's mission, values, and goals in public-facing engagements.
- Solid interpersonal and organizational skills; able to manage multiple projects at the same time and ensure multiple perspectives are represented in communication of nuanced policy topics.
- Strong project management skills and attention to detail.
- Comfortable working independently, as well as with teams.
- Strong proofreading skills.
- Expert computer (i.e. Word, Excel, Access) and design skills (i.e. Photoshop, Illustrator, Publisher, Wordpress).

IV. EDUCATION AND EXPERIENCE

- Bachelor's Degree in Public Relations, Communications, Journalism, or a related field from an accredited institution of higher education required; advanced degree preferred.
- A minimum of five years of experience working in the media, public relations, or communications fields.
- Experience managing a team to communicate complex information to diverse audiences.
- Background preferred working in Massachusetts government and collaborating with peers across state agencies on matters that impact shared jurisdiction.
- Proven ability to design and/or manage a publicity campaign.
- Experience working with people from diverse cultural and ethnic backgrounds.

IV. SALARY RANGE: M2 salary band mid-to-maximum

Memorandum

To: Commissioners
Cc: Debra Hilton-Creek, Acting Executive Director
From: Matt Giancola, Director of Government Affairs and Policy
Date: May 9, 2024
Subject: **May 2024 Government Affairs Update**

Legislative Update

Commissioners and staff hosted the Second Annual State of Cannabis event at the State House to share updates and data with legislators and their staff on the ongoing work of the Commission.

Municipal Update

Commissioner Stebbins met with West Springfield Mayor William Reichelt. They discussed the Town's first licensed cannabis dispensary, efforts that moved the Town to execute a host community agreement for its first Retailer, impact of changes to HCA's through Chapter 180, and topics around social consumption.

Municipal Law Unit

The Attorney General's Municipal Law Unit (MLU) issued [one marijuana-related decision](#) this past month:

Town of Westhampton: The MLU largely approved zoning bylaws from November 2023 but did not approve a section defining and requiring Marijuana Dispensaries to be not-for-profit entities as it conflicts with the Commission's definition. The MLU also recommended the Town consult with its Town Counsel to determine if additional clarifying amendments are needed to adjust additional definitions that do not directly align with Commission definitions.





Cannabis Control Commission

Monthly Public Meeting

May 9, 2024 at 10:00 a.m.

Via Microsoft Teams



Agenda

1. Call to Order
2. Commissioners' Comments & Updates
3. Minutes
4. Acting Executive Director and Commission Staff Report
5. Staff Recommendations on Changes of Ownership
6. Staff Recommendations on Renewal Licenses
7. Staff Recommendations on Provisional Licenses
8. Staff Recommendations on Final Licenses
9. Staff Recommendations on Responsible Vendor Training Renewals
10. Enforcement Actions
10. Commission Discussion and Votes
11. New Business Not Anticipated at the Time of Posting
12. Next Meeting Date
13. Adjournment

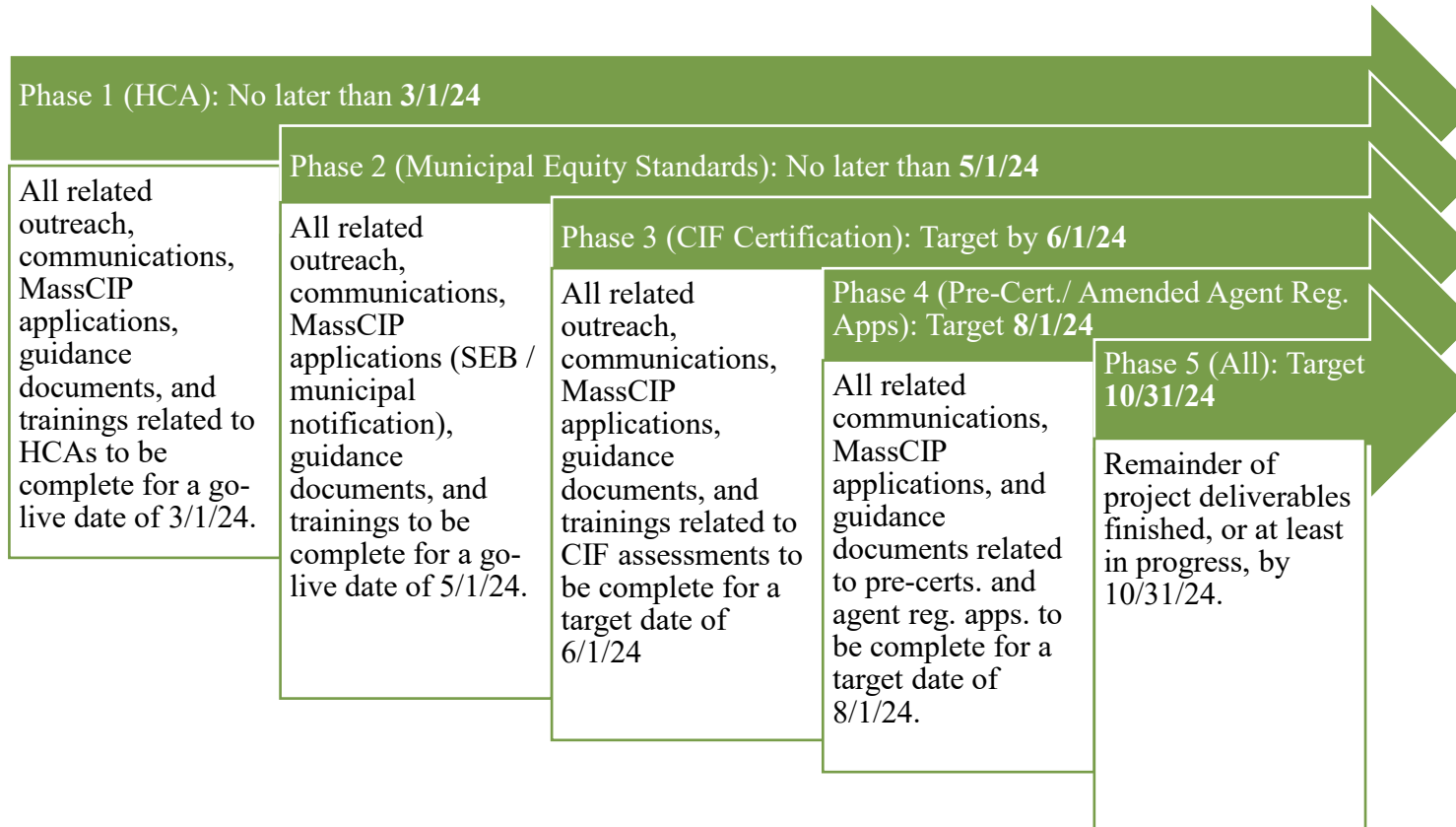
Acting Executive Director Report

- Staff Recognition
- Chief of Staff Role
- Office of the Comptroller Audit Findings
- FY 2025 Budget Update



Update: Chapter 180 Regulations Implementation

Identification of Key Dates and Milestones



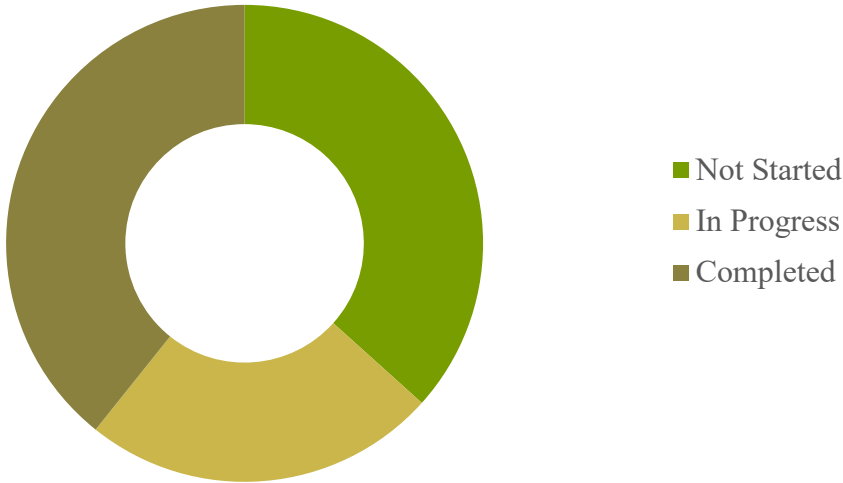
Chapter 180 Data Snapshot | May 9, 2024

Data snapshot showing progress on the Chapter 180 Implementation deliverables. In this context, “deliverables” mean the end work product (e.g., Model HCA Template).

Deliverables (By Status)	#	%
Not Started	99	36.7%
In Progress	65	24.1%
Completed	106	39.3%
Total	270	

➡ + 20

Deliverables (By Status)



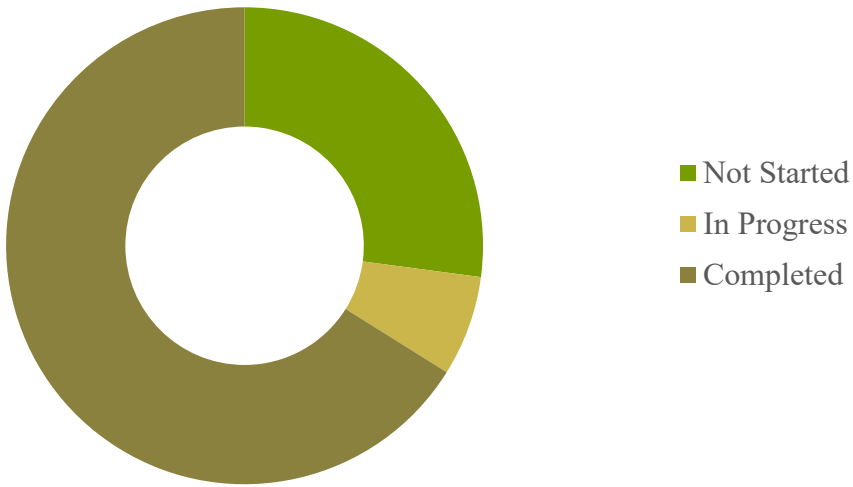
Chapter 180 Data Snapshot | May 9, 2024

Data snapshot showing progress on the Chapter 180 Implementation checklist items. In this context, “checklist items” mean the individual work contribution to the end product (deliverable). (e.g., For the Model HCA Template, checklist items included the initial draft by the Enforcement Counsel team, review and editing by General Counsel team, formatting by the Digital Communication team, etc.).

Checklist Items (By Status)	#	%
Not Started	236	21.8%
In Progress	65	6.0%
Completed	780	72.2%
Total	1081	

➡ + 145

Checklist Items (By Status)



Update: Chapter 180 Regulations Implementation (cont.)

- Milestone Accomplishments
- Current Project Team Focus
- Staff Training & Bandwidth Comments
- Timeline Evaluation & Possible Readjustment
- Update on HCA Progress
- Follow-up: Municipal Equity Waiver Question



Chapter 180: Acknowledgments & Appreciations

Since December, a large number of deliverables and checklist items have been completed, hours of people power utilized, individuals not actively participating in the project covering other duties and assisting, and significant collaboration across departments, teams, and staff realized.

Staff would like to acknowledge and show appreciation for the following teams in particular this month:

- Communications Traditional, Digital, Government Affairs & Policy, and Equity Programming and Community Outreach Teams
- I&E Licensing, Investigations, and Enforcement Counsel Teams
- General Counsel Team



Highlights from Licensing Data

- 12 applications awaiting first review
- 18 applications awaiting supplemental review
- 4 applications for Provisional License consideration
- 5 licensees for Final License consideration
- 88,387 certified active patients



Licensing Applications | May 9, 2024

The totals below are number of approvals by stage.

Type	#
Pre-Certified/Delivery Endorsed Microbusiness	206
Provisionally Approved	138
Provisional License	506
Final License	58
Commence Operations	652
Total	1,560

➡ + 22.8%

* Note: This represents the percent increase since May 2023.

Provisionally approved means approved by the Commission but has not submitted license fee payment yet – provisional license has not started



Licensing Applications | May 9, 2024

Type	Pending Application	Pre-Certified Endorsement	Initial License Declined	Provisionally Approved	Provisional License	Final License	Commence Operation	Total
Craft Marijuana Cooperative	2	N/A	0	0	4	0	0	6
Marijuana Courier License	11	N/A	0	1	12	1	10	35
Marijuana Courier Pre-Certification	15	102	0	N/A	N/A	N/A	N/A	117
Independent Testing Laboratory	1	N/A	0	2	2	0	16	21
Marijuana Cultivator	44	N/A	2	47	189	26	132	440
Marijuana Delivery Operator License	10	N/A	0	0	21	2	11	44
Marijuana Delivery Operator Pre-Certification	17	100	0	N/A	N/A	N/A	N/A	117
Marijuana Microbusiness	6	N/A	0	4	12	2	5	29
Marijuana Product Manufacturer	31	N/A	1	46	134	17	113	342
Marijuana Research Facility	5	N/A	0	1	1	0	0	7
Marijuana Retailer	51	N/A	2	35	125	10	356	579
Marijuana Transporter with Other Existing ME License	5	N/A	0	2	5	0	3	15
Microbusiness Delivery Endorsement	1	4	0	0	1	0	1	7
Third Party Transporter	10	N/A	0	0	0	0	5	15
Standards Laboratory	0	N/A	0	0	0	0	0	0
Total	209	206	5	138	506	58	652	1,774



Non-Active Licenses By Stage | May 9, 2024

Type	Provisional License	Final License	Commence Operation	Total
Craft Marijuana Cooperative	1	0	0	1
Marijuana Courier License	2	1	3	6
Independent Testing Laboratory	0	0	0	0
Marijuana Cultivator	28	2	2	32
Marijuana Delivery Operator License	9	0	2	11
Marijuana Microbusiness	2	0	1	3
Marijuana Product Manufacturer	19	1	3	23
Marijuana Research Facility	0	0	0	0
Marijuana Retailer	12	0	3	15
Marijuana Transporter with Other Existing ME License	0	0	0	0
Microbusiness Delivery Endorsement	0	0	0	0
Third Party Transporter	0	0	0	0
Standards Laboratory	0	0	0	0
Total	73	4	14	91





Staff Recommendations on Licensure



The Commission is in Executive Session

*The public meeting will resume at the conclusion of the
Executive Session*

Staff Recommendations: Changes of Ownership

1. Apical, Inc.
2. Ashlis Extracts, Inc.
3. Ashlis Farm, Inc.
4. Buudda Brothers 90 Sargeant Street, LLC



Staff Recommendations: Renewals

1. Apical, Inc. (#MCR140696)
2. Apical, Inc. (#MRR206700)
3. Apical, Inc. (#MRR206699)
4. Apical, Inc. (#MPR244094)
5. Atlantic Medicinal Partners, Inc. (#MTC1506)

Staff Recommendations: Provisional Licenses

1. Catamount Cannabis Company, LLC (#MRN285084), Retail
2. Chill & Bliss II, LLC (#MRN285090), Retail
3. Cloud 9 Cannabis, LLC (#MRN285037), Retail
4. Haze of Grafton, LLC (#MPN282215), Product Manufacturer



Staff Recommendations: Final Licenses

1. 220 O'Neil, LLC (#MR284345), Retail
2. ARL Healthcare, Inc. (#MR284873), Retail
3. NashMac, LLC (#MR281304), Retail
4. ReLeaf Alternative Natick, Inc. (#MR284537), Retail
5. Smokey Leaf, LLC (#MR284276), Retail



Staff Recommendations: Responsible Vendor Training Renewals

1. Bright Buds Training (#RVR453146)



Enforcement Actions

1. High Hawk Farm, LLC
2. Holistic Industries, Inc.
3. Olde World Remedies, Inc.





**The Commission is in recess
until 11:40**



Commission Discussion & Votes

Commission Discussion & Votes

1. Executive Director Search Update
2. Model Equity Ordinance
3. Guidance on Municipal Equity
4. Island Transportation Discussion
5. Delivery License Type Policy Updates
 - i. Delivery to Municipalities That Have Banned Marijuana Establishments Update
 - ii. Delivery to Hotels
6. Accounts Receivables Policy Introductory Discussion
7. Job Description: Communications Manager



Commission Discussion & Votes

Draft Model Ordinance or By-Law

- New draft Model Ordinance or By-Law (“Model”).
- The goal of the Model is to provide a template for Host Communities to consider when complying with new municipal equity requirements, namely, adopting an ordinance or by-law to promote the inclusion of social equity businesses and individuals into the marijuana industry.
- Update from April:
 - *Commission feedback incorporated in final draft.*
 - *Public comment period held between 4/11-4/25/24.*
 - *Public comments were received, reviewed, and incorporated in the final draft where appropriate.*
- Staff Recommendation:
 - *Staff would like Commission review and approval of the final draft.*



Commission Discussion & Votes

Draft Guidance on Municipal Equity and Industry Participation

- New draft guidance document that incorporates elements of the current “Guidance for Municipalities” and new municipal equity requirements for cities and towns pursuant to Chapter 180.
- The goal of this guidance is to assist municipalities that are or will be Host Communities with adopting and complying with rules to promote industry participation for social equity businesses and individuals harmed by marijuana prohibition.
- Update from April:
 - *Commission feedback incorporated in final draft.*
 - *Public comments for the Model Ordinance and By-Law were reviewed and incorporated in the final draft where appropriate.*
- Staff Recommendation:
 - *Staff would like Commission review and approval of the final draft.*



Commission Discussion & Votes

4. Island Transportation Discussion

5. Delivery License Type Policy Updates

i. Delivery to Municipalities That Have Banned Marijuana
Establishments Update

ii. Delivery to Hotels

6. Accounts Receivables Policy Introductory Discussion

7. Job Description: Communications Manager





Issue of Extended or Delinquent Accounts Receivable

Issue of Extended or Delinquent Accounts Receivable

- Delinquent payments are becoming a threat to the licensed cannabis industry according to many businesses and stakeholders across the country. Preliminary findings from a comprehensive study conducted by Whitney Economics shed light on the **\$3.8 billion dollar issue** plaguing cannabis operators and ancillary businesses nationwide.
- Challenges such as delayed payments and bad debt jeopardize financial stability, **creating a ripple effect throughout the supply chain in Massachusetts**. This phenomenon has been called a “self-fulfilling negative shockwave.”
- The topic was raised at recent roundtable discussions held with Commissioners hosted by the Cannabis Business Association (MassCBA) and Massachusetts Cannabis Coalition.
- The Commission’s Government Affairs and Policy Team put together a comprehensive memorandum outlining the size of the problem for the national industry and measures considered by other jurisdictions including **California, New York, Colorado, New Jersey, Michigan** and others.
- Commissioners Roy and Stebbins also met with leadership from the Massachusetts Alcohol Beverage Control Commission (ABCC) at the urging of Massachusetts Licensed Operators.



Accounts Receivable - Implications

- Account Receivable refers to the balance of money due to a firm for goods or services delivered or used but not yet paid for by customers.
- An excessive balance of outstanding accounts receivable can create financial challenges for all participants within the supply chain.
- If retailers fail to make timely payments to wholesalers and product manufacturers:
 - **Original suppliers (cultivators) may not be getting paid;**
 - **Testing labs may develop accounts in arrears;**
 - **Other ancillary suppliers may experience delays in payments for their services;**
 - **Licensees may fail to meet payroll for employees, and other obligations.**



Key Takeaways

- In discussions with the ABCC, we learned that they have secured, from an outside vendor, a platform for alcohol distributors to post delinquent payments and identify those vendors. Distributors pay to have access to the platform and there is no expenditure by the ABCC.
- Retailers or delinquent payers are not prohibited from continuing to make purchases but may require all future deliveries be paid at the time of delivery.
- Delinquency does not jeopardize the ability for an ABCC licensee to renew their license.
- Current cannabis licensees may not obtain renewal for their license if they have failed to pay their annual license fee or have other outstanding obligations (taxes, unemployment assistance, good standing with the Secretary of State) due to the Commonwealth.



Options for Licensees Seeking Payment

- Licensees are allowed to negotiate with delinquent business partners to offer new terms or payment arrangements.
- Licensees may decide to end any further sales to any business customer.
- Licensees can certainly seek relief through the Massachusetts Court System or other means.

NEWS ▾ EDITIONS ▾ LISTS VIEWPOINTS ▾ WBJ EVENTS ▾ BUSINESS CALENDAR ▾ BIZ MARKETPLACE ▾

Dudley cannabis dispensary sued over alleged \$56K in unpaid invoices



PHOTO | RHETT JORDAN
Greatest Hits Cannabis Co. in Dudley

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Next Steps and Options for the Commission

- The Commission needs to gain a better understanding and breadth of the issue and its impact here in Massachusetts before deciding on any changes to current policy and regulations.
- Direct the Commission to formulate a general comment question and have it posted for a two-week response.
- The question will be sent to all currently operating licensees.
- We will consider making a public technical assistance session available for all licensees on the topic of accounts receivable, responsible strategies to work with suppliers and delinquent customers, and other proactive tactics.



Proposed Public Comment Questions

- 1. How does the issue of outstanding accounts receivable impact your operation?*
- 2. Please quantify the outstanding accounts receivable currently owed to your business (e.g., the average, or total, amount of money that is still unpaid after any agreed upon terms have expired between you and your delinquent clients).*
- 3. What proactive measures have you undertaken to minimize your financial risk to unpaid invoices?*
- 4. Should the Commission reform its regulations to establish a means for industry to identify delinquent clients?*
- 5. What additional steps should the Commission consider to assist licensees with this issue?*

To submit responses, please email the Commission at Commission@CCCMass.com with the subject heading “Accounts Receivable”.



Motion

Move: that the Commission, through the Acting Executive Director and staff, publish the proposed public comment questions to its website, send the public comment questions directly to each Commenced Operation Licensee electronically, and assemble any related comments for Commission consideration.

Commission Discussion & Votes

7. Job Description: Communications Manager





Upcoming Meetings & Adjournment

Upcoming Meetings and Important Dates

Public Meeting dates are tentative and subject to change

Next Meeting Date

May 23, 2024

Policy Public Meeting

10:00am

Remote via Microsoft Teams

2024 Public Meetings*

June 13

December 12

July 11

August 8

September 12

October 10

November 14





Additional Licensing Data

Licensing Applications | May 9, 2024

The totals below are all license applications received to date.

Type	#
Pending	209
Withdrawn	1,389
Incomplete	8,145
Denied	5
Approved: Delivery Pre-certifications	202
Approved: Delivery Endorsements	5
Approved: Licenses	1,353
Total	11,308



Licensing Applications | May 9, 2024

The totals below are number of licenses approved by category.

Type	#
Craft Marijuana Cooperative	4
Marijuana Courier	24
Marijuana Delivery Operator	34
Independent Testing Laboratory	20
Marijuana Cultivator	385
Marijuana Microbusiness	35
Marijuana Product Manufacturer	308
Marijuana Research Facility	2
Marijuana Retailer	526
Marijuana Third Party Transporter	5
Marijuana Transporter with Other Existing ME License	10
Total	1,353



Licensing Applications | May 9, 2024

Status	#
Application Submitted: Awaiting Review	12
Application Reviewed: More Information Requested	179
Application Deemed Complete: Awaiting 3rd Party Responses	14
All Information Received: Awaiting Commission Consideration	4
Applications Considered by Commission (includes Delivery Pre-Cert)	1,565
Total	1,774



Licensing Applications | May 9, 2024

The totals below are applications that have submitted all four packets and are pending review.

Type	#
Craft Marijuana Cooperative	2
Delivery-Only Provisional Licensure (Part 2)	11
Delivery-Only Pre-Certification (Part 1)	15
Independent Testing Laboratory	1
Marijuana Cultivator	44
Marijuana Delivery Operator Provisional License (Part 2)	10
Marijuana Delivery Operator Pre-Certification (Part 1)	17
Marijuana Microbusiness	6
Marijuana Product Manufacturer	31
Marijuana Research Facility	5
Marijuana Retailer	51
Marijuana Transporter with Other Existing ME License	5
Microbusiness Delivery Endorsement	1
Third Party Transporter	10
Total	209



Licensing Applications | May 9, 2024

Type	Pending Application	Pre-Certified Endorsement	Initial License Declined	Provisionally Approved	Provisional License	Final License	Commence Operation	Total
Marijuana Cultivator (Indoor)	34	N/A	1	43	170	56	107	411
Marijuana Cultivator (Outdoor)	10	N/A	1	4	19	2	25	61
Total	44	N/A	2	47	189	58	132	472



Licensing Applications | May 9, 2024

Of 1,353 applications approved by the Commission, the following applications have Economic Empowerment Priority Review, Social Equity Program Participant, and/or Disadvantaged Business Enterprise status. Please note, applicants may hold one or more statuses. **Please note that the end total represents the total number of applications/licenses at that step in the licensure process.**

Type	Economic Empowerment	Social Equity Program	Disadvantaged Business Enterprise	Total
Pre-Certified/Delivery Endorsed Microbusiness	43	170	28	241
Provisionally Approved	10	19	29	58
Provisional License	33	84	102	219
Final License	0	9	9	18
Commence Operations	28	48	78	154
Total	114	330	246	690

+7.31%

+21.15%

+15.77%



Licensing Applications | May 9, 2024

The totals below are distinct license numbers that have submitted all required packets.

The 1,774 applications represent 1,014 separate entities

Type	#
MTC Priority	255
Economic Empowerment Priority	135
Expedited Review	673
General Applicant	711
Total	1,774

Type	#
Expedited: License Type	79
Expedited: Social Equity Participant	317
Expedited: Disadvantaged Business Enterprise	180
Expedited: Two or More Categories	97
Total	673



Licensing Applications – EE Only | May 9, 2024

Type	Pending Application	Pre-Certified Endorsement	Initial License Declined	Provisionally Approved	Provisional License	Final License	Commence Operation	Total
Craft Marijuana Cooperative	0	N/A	0	0	0	0	0	0
Marijuana Courier License	3	N/A	0	0	4	0	4	11
Marijuana Courier Pre-Certification	3	29	0	N/A	N/A	N/A	N/A	32
Independent Testing Laboratory	0	N/A	0	0	0	0	0	0
Marijuana Cultivator	2	N/A	0	2	5	0	0	9
Marijuana Delivery Operator License	1	N/A	0	0	4	0	2	7
Marijuana Delivery Operator Pre-Certification	1	14	0	N/A	N/A	N/A	N/A	15
Marijuana Microbusiness	0	N/A	0	0	0	0	0	0
Marijuana Product Manufacturer	1	N/A	0	3	3	0	2	9
Marijuana Research Facility	1	N/A	0	0	0	0	0	1
Marijuana Retailer	4	N/A	0	4	16	0	20	44
Marijuana Transporter with Other Existing ME License	0	N/A		1	1	0	0	2
Microbusiness Delivery Endorsement	0	0	0	0	0	0	0	0
Third Party Transporter	1	N/A	0	0	0	0	0	1
Standards Laboratory	0	N/A	0	0	0	0	0	0
Total	17	43	0	10	33	0	28	131



Licensing Applications – SEP Only | May 9, 2024

Type	Pending Application	Pre-Certified Endorsement	Initial License Declined	Provisionally Approved	Provisional License	Final License	Commence Operation	Total
Craft Marijuana Cooperative	0	N/A	0	0	1	0	0	1
Marijuana Courier License	7	N/A	0	1	8	1	7	24
Marijuana Courier Pre-Certification	12	79	0	N/A	N/A	N/A	N/A	91
Independent Testing Laboratory	0	N/A	0	0	0	0	0	0
Marijuana Cultivator	2	N/A	0	6	19	2	6	35
Marijuana Delivery Operator License	6	N/A	0	0	18	2	9	35
Marijuana Delivery Operator Pre-Certification	14	87	0	N/A	N/A	N/A	N/A	101
Marijuana Microbusiness	0	N/A	0	0	4	0	1	5
Marijuana Product Manufacturer	5	N/A	0	7	15	1	7	35
Marijuana Research Facility	0	N/A	0	0	0	0	0	0
Marijuana Retailer	14	N/A	1	4	17	3	16	55
Marijuana Transporter with Other Existing ME License	1	N/A	0	1	2	0	1	5
Microbusiness Delivery Endorsement	1	5	0	0	0	0	1	7
Third Party Transporter	1	N/A	0	0	0	0	0	1
Standards Laboratory	0	N/A	0	0	0	0	0	0
Total	63	171	1	19	84	9	48	395



Cultivation Applications | May 9, 2024

Type	Pending Application	Initial License Declined	Provisionally Approved	Provisional License	Final License	Commence Operation	Total
Microbusiness w/ Tier 1 Cultivation (up to 5,000 sq. Ft.)	0	0	3	4	1	5	13
Cultivation Tier 1 (Up to 5,000 sq. ft.)	13	0	5	42	7	26	93
Cultivation Tier 2 (5,001-10,000 sq. ft.)	6	0	10	53	10	34	113
Cultivation Tier 3 (10,001-20,000 sq. ft.)	5	2	8	40	3	22	80
Cultivation Tier 4 (20,001-30,000 sq. ft.)	1	0	4	14	2	12	33
Cultivation Tier 5 (30,001-40,000 sq. ft.)	2	0	9	8	1	10	30
Cultivation Tier 6 (40,001-50,000 sq. ft.)	3	0	4	8	0	6	21
Cultivation Tier 7 (50,001-60,000 sq. ft.)	2	0	1	4	1	4	12
Cultivation Tier 8 (60,001-70,000 sq. ft.)	1	0	0	1	0	2	4
Cultivation Tier 9 (70,001-80,000 sq. ft.)	3	0	1	3	1	2	10
Cultivation Tier 10 (80,001-90,000 sq. ft.)	1	0	1	1	0	6	9
Cultivation Tier 11 (90,001-100,000 sq. ft.)	7	0	4	15	1	8	35
Total	44	2	50	193	27	137	453
Total Maximum Canopy (Sq. Ft.)	1,705,000	40,000	1,610,000	4,840,000	540,000	3,875,000	

+27.9%

+14.3%

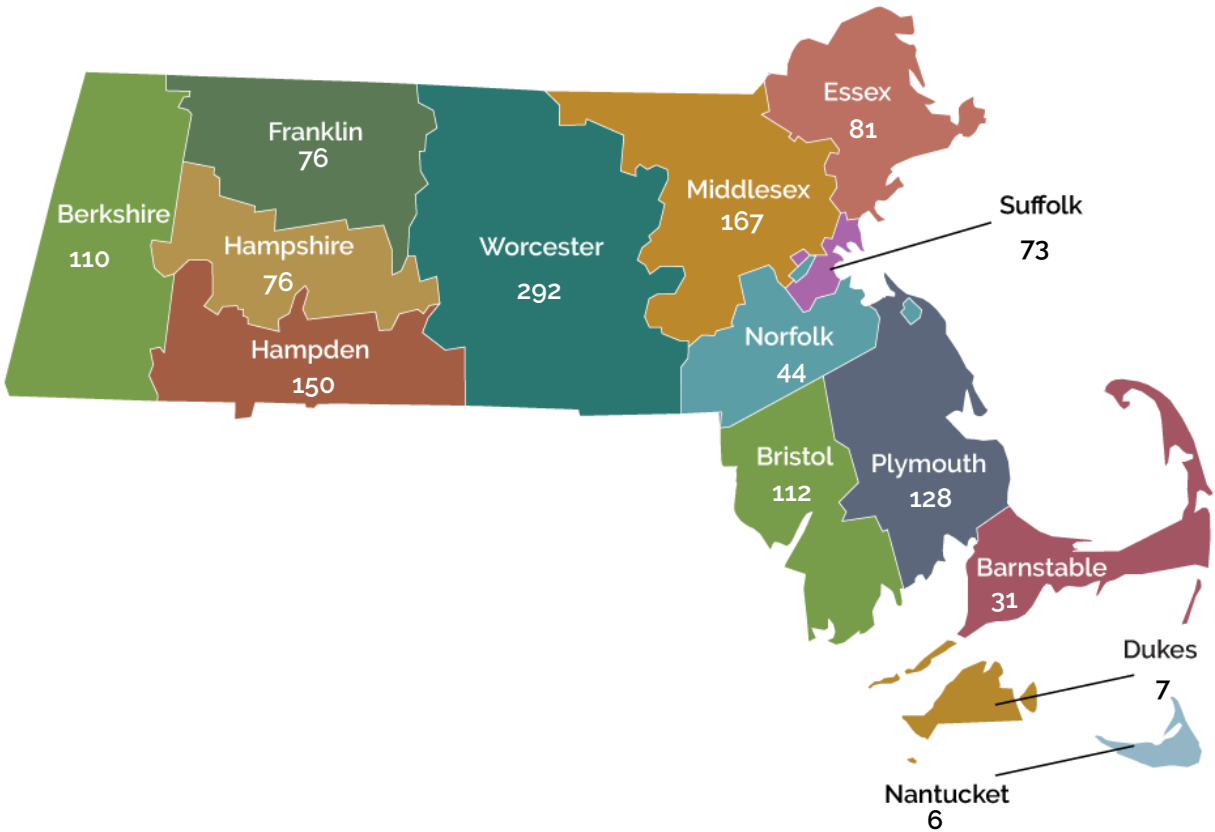
* Note: percentage is of “Total” commence operations licenses



Marijuana Establishment Licenses | May 9, 2024

The totals below represent entities in each county that have achieved at least a provisional license

County	#	+/-
Barnstable	31	0
Berkshire	110	0
Bristol	112	0
Dukes	7	0
Essex	81	0
Franklin	76	0
Hampden	150	0
Hampshire	76	2
Middlesex	167	1
Nantucket	6	0
Norfolk	44	0
Plymouth	128	1
Suffolk	73	1
Worcester	292	0
Total	1,353	5



MMJ Licensing and Registration Data | May 9, 2024

The numbers below are a snapshot of the program for the month of May.

MTC Licenses	#
Provisional	24
Final	0
Commence Operations	106
License Expired	61
Total	191

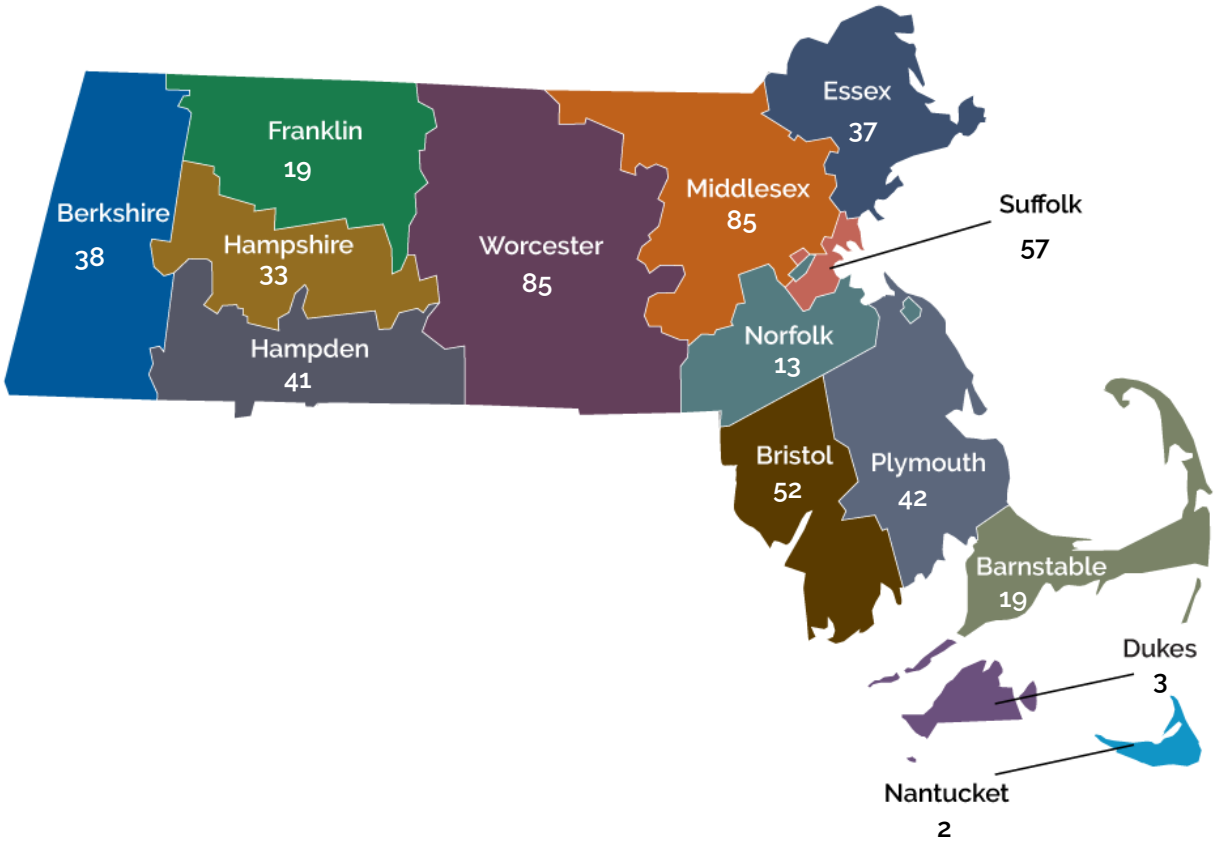
MMJ Program	#
Certified Patients	93,606
Certified Active Patients	88,387
Active Caregivers	6,829
Registered Certifying Physicians	329
Registered Certifying Nurse Practitioners	118
Registered Physician Assistants	1
Ounces Sold	100,515



Marijuana Retailer Licenses | May 9, 2024

The totals below are the total number of retail licenses by county.

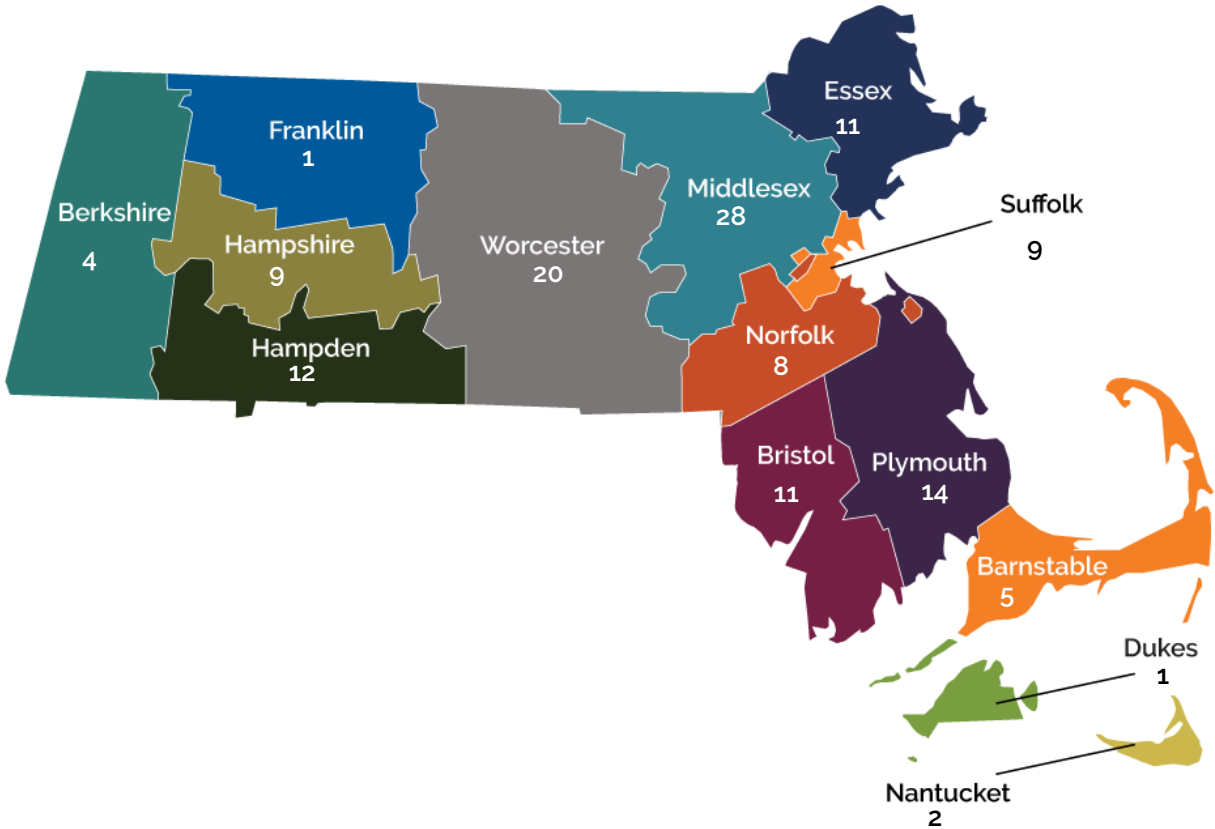
County	#	+/-
Barnstable	19	0
Berkshire	38	0
Bristol	52	0
Dukes	3	0
Essex	37	0
Franklin	19	0
Hampden	41	0
Hampshire	33	1
Middlesex	85	0
Nantucket	2	0
Norfolk	13	0
Plymouth	42	0
Suffolk	57	1
Worcester	85	0
Total	526	2



Medical Marijuana Treatment Center Licenses (Dispensing) May 9, 2024

The totals below are the total number of MTC (Dispensing) licenses by county.

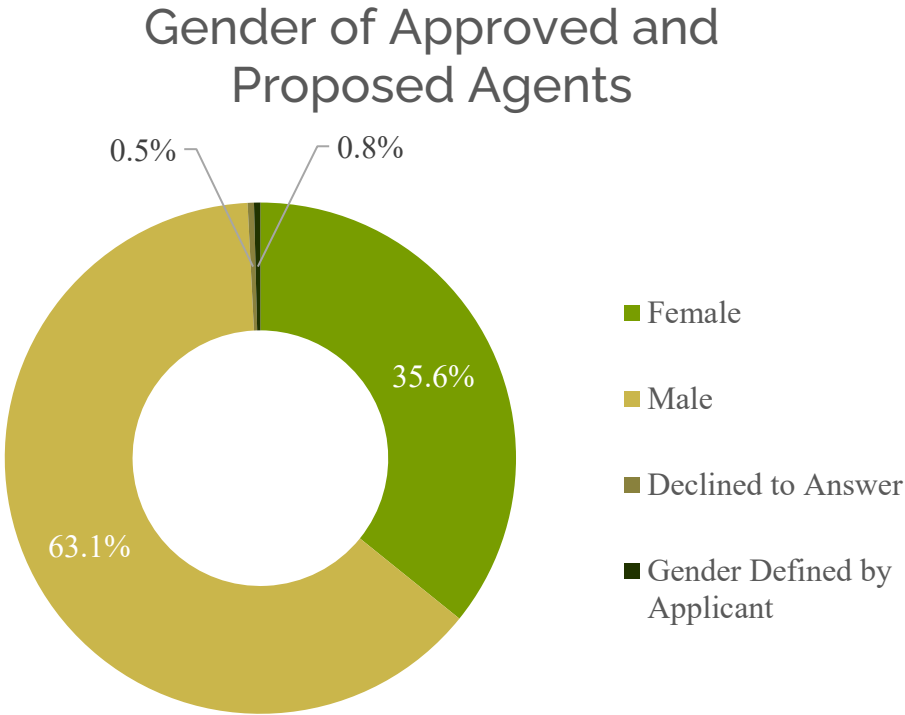
County	#
Barnstable	5
Berkshire	4
Bristol	11
Dukes	1
Essex	11
Franklin	1
Hampden	12
Hampshire	9
Middlesex	28
Nantucket	2
Norfolk	8
Plymouth	14
Suffolk	9
Worcester	20
Total	144



Agent Applications | May 9, 2024

Demographics of Approved and Pending Marijuana Establishment Agents

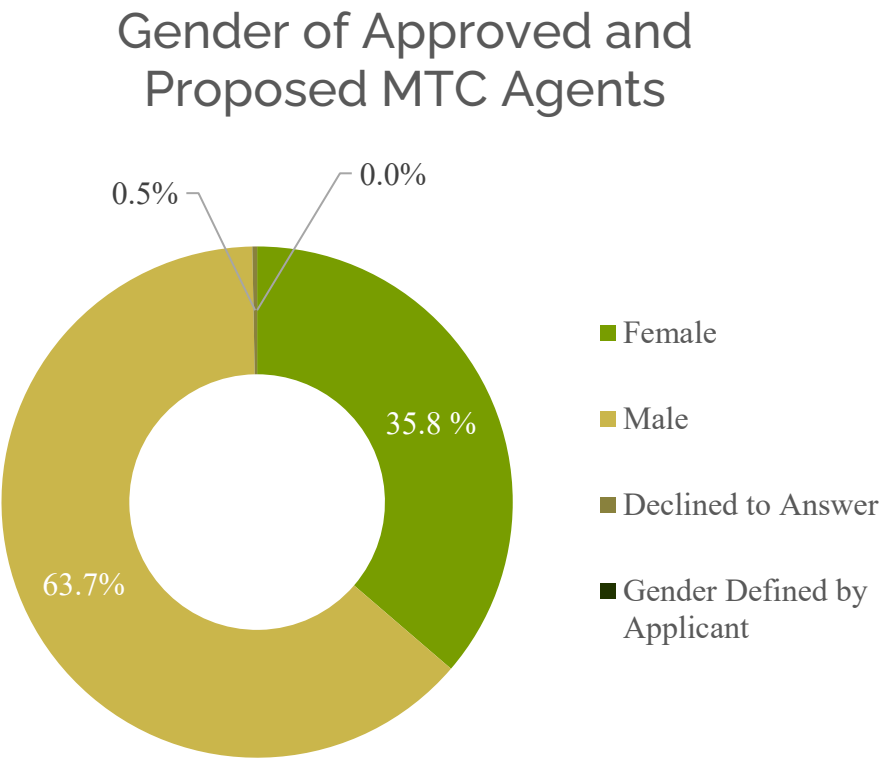
Gender	#	%
Female	8,291	35.6%
Male	14,668	63.1%
Declined to Answer	183	0.8%
Gender Defined by Applicant	120	0.5%
Total	23,262	100.0%



Agent Applications | May 9, 2024

Demographics of Approved and Pending Medical Marijuana Treatment Center Agents

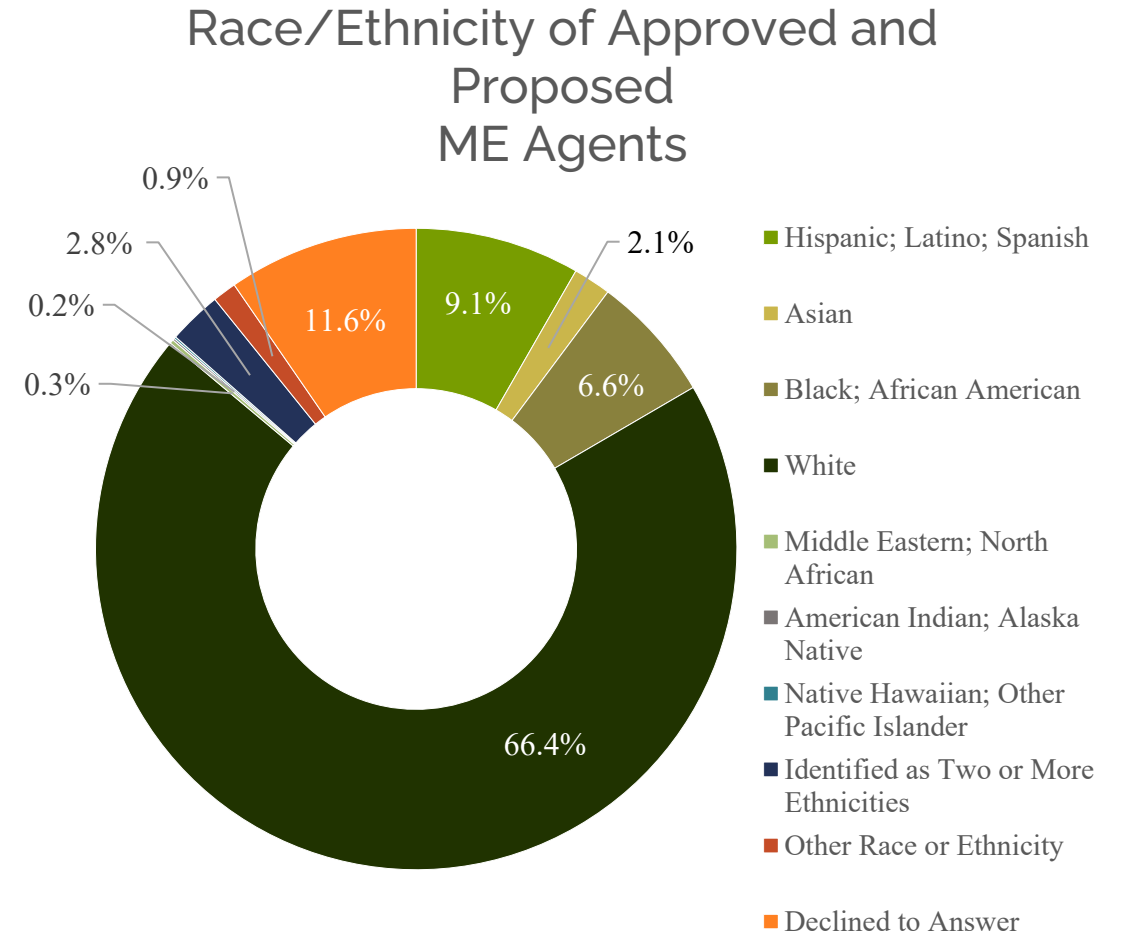
Gender	#	%
Female	2,563	35.8%
Male	4,555	63.7%
Declined to Answer	0	0.0%
Gender Defined by Applicant	34	0.5%
Total	7,152	100.0%



Agent Applications | May 9, 2024

Demographics of Approved and Pending Marijuana Establishment Agents

Race/Ethnicity	#	%
Hispanic; Latino; Spanish	2,124	9.1%
Asian	487	2.1%
Black; African American	1,526	6.6%
White	15,454	66.4%
Middle Eastern; North African	60	0.3%
American Indian; Alaska Native	38	0.2%
Native Hawaiian; Other Pacific Islander	17	0.1%
Identified as Two or More Ethnicities	651	2.8%
Other Race or Ethnicity	204	0.9%
Declined to Answer	2,701	11.6%
Total	23,262	100.0%

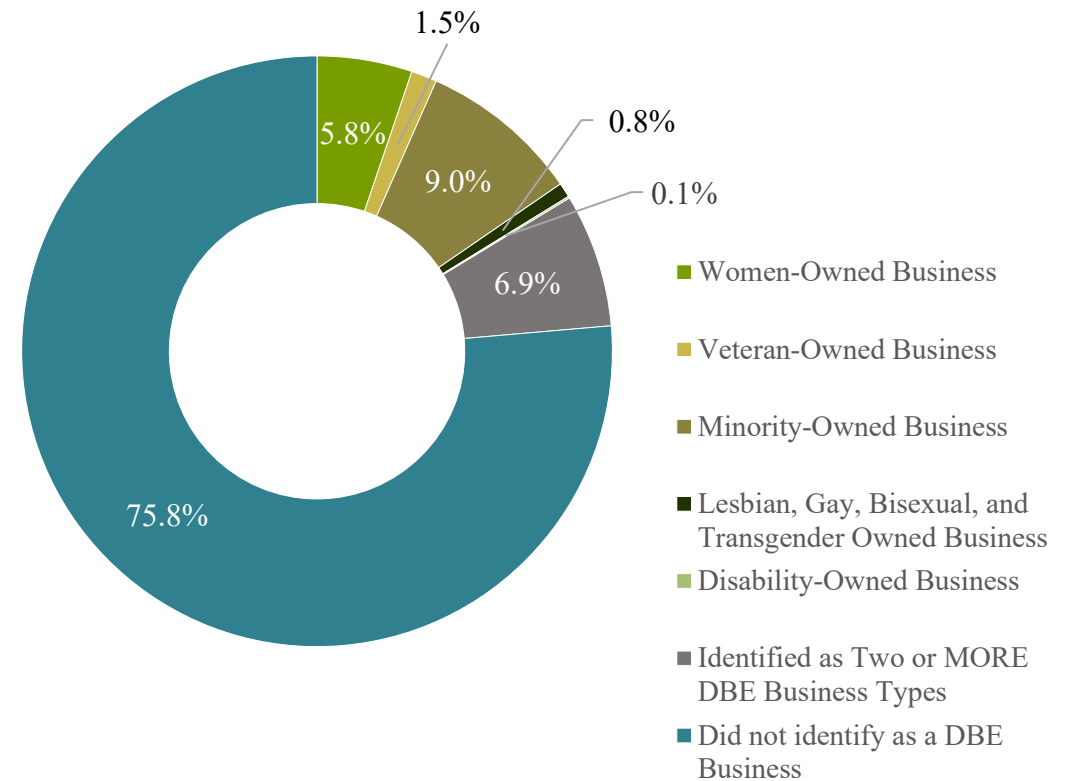


Licensing Applications | May 9, 2024

Disadvantaged Business Enterprise Statistics for Approved Licensees

Type	#	% of Group
Women-Owned Business	91	5.8%
Veteran-Owned Business	24	1.5%
Minority-Owned Business	140	9.0%
Lesbian, Gay, Bisexual, and Transgender Owned Business	12	0.8%
Disability-Owned Business	2	0.1%
Identified as Two or MORE DBE Business Types	108	6.9%
Did not identify as a DBE Business	1,183	75.8%
Total	1,560	100.0%

DBE Statistics Approved Licensees

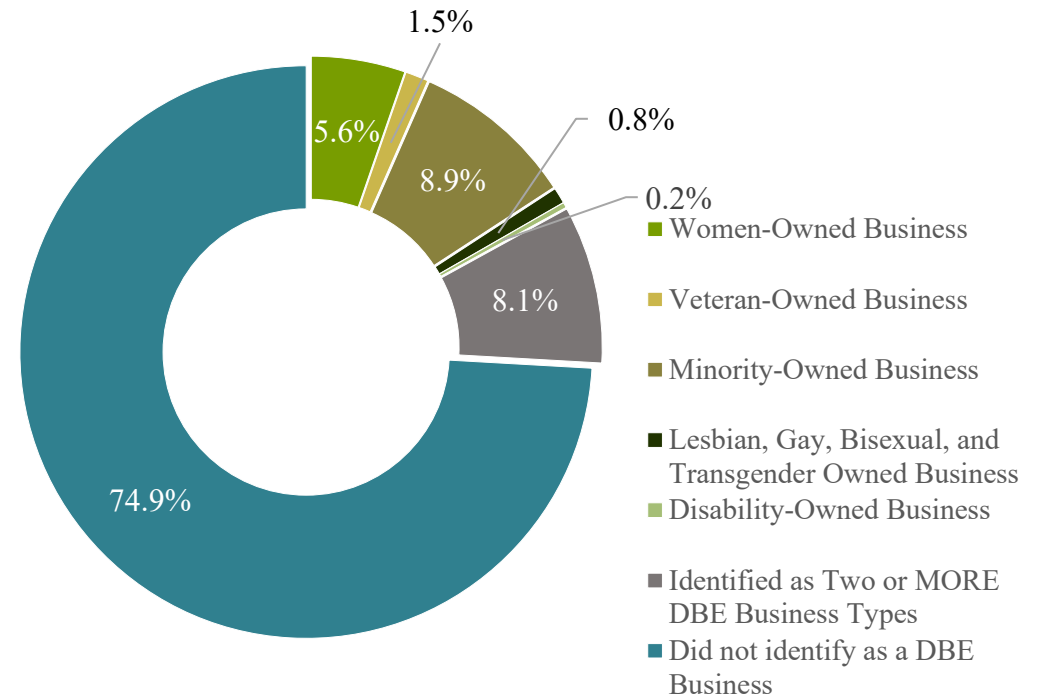


Licensing Applications | May 9, 2024

Disadvantaged Business Enterprise (DBE) Statistics for Pending and Approved License Applications

Type	#	% of Group
Women-Owned Business	99	5.6%
Veteran-Owned Business	26	1.5%
Minority-Owned Business	157	8.9%
Lesbian, Gay, Bisexual, and Transgender Owned Business	14	0.8%
Disability-Owned Business	4	0.2%
Identified as Two or MORE DBE Business Types	144	8.1%
Did not identify as a DBE Business	1,325	74.9%
Total	1,769	100.0%

DBE Statistics for Pending & Approved License Applications



Adult Use Agent Applications | May 9, 2024

Total Agent Applications:

- 369 Total Pending
 - 364 Pending Establishment Agents
 - 5 Pending Laboratory Agents
- 3,588 Withdrawn
- 2,724 Incomplete
- 5,104 Expired
- 39,565 Surrendered
- 6 Denied / 2 Revoked
- **74,251 Active**

Of the 369 Total Pending:

- 248 not yet reviewed
- 121 CCC requested more information
- 0 awaiting third party response
- 0 review complete; awaiting approval



Medical Use Agent Applications | May 9, 2024

The total number of MTC agent applications received by status.

MTC Agent Application	#
Pending MTC Agent Applications	46
Pending Laboratory Agent Applications	0
Incomplete	40
Revoked	13
Denied	31
Surrendered	18,845
Expired	2,972
Active	7,105
Total	29,052

