

MEDICAL MARIJUANA CULTIVATION

DEPT. OF AGRICULTURE

3/15/16

CULTIVATION

- For the purposes of the Medical Marijuana Regulation and Safety Act, medical cannabis is an agricultural product
- Cultivation means any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of cannabis
- The Bureau of Medical Marijuana Regulation may establish appellations of origin for marijuana grown in California
- The CA Department of Food and Agriculture (CDFA) will administer the Medical Cannabis Cultivation Program

CULTIVATION LICENSE TYPES

- **Type 1:** Cultivation, Specialty Outdoor, Small, 5,000 sq. ft. or less or 50 plants if non-contiguous, no artificial light
- **Type 1A:** Cultivation, Specialty Indoor, Small 5,000 sq. ft. or less, exclusively artificial light
- **Type 1B:** Cultivation, Specialty Mixed-light, Small, 5,000 sq. ft. or less, mix of natural and artificial light



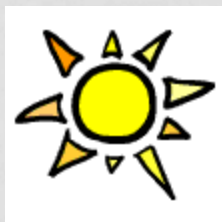
CULTIVATION LICENSE TYPES CONTINUED

- **Type 2:** Cultivation, Outdoor, Small
5,001-10,000 sq. ft., natural light
- **Type 2A:** Cultivation, Indoor, Small
5,001-10,000 sq. ft., artificial light
- **Type 2B:** Cultivation, Small Mixed-light,
5,001-10,000 sq. ft., natural and artificial light

CULTIVATION LICENSE TYPES CONTINUED

CDFA shall limit the number of allowed licenses for these:

- **Type 3:** Outdoor, Natural light, 10,001 sq. ft.- One acre.
- **Type 3A:** Indoor, Artificial light, 10,001-22,000 sq. ft.
- **Type 3B:** Mixed-light, 10,001-22,000 sq. ft., natural and artificial light



CULTIVATION LICENSES CONTINUED

- **Type 4:** Nursery, production of clones, immature plants, seeds, etc. for planting, propagation and cultivation. Can also transport live plants with this license.



LICENSING

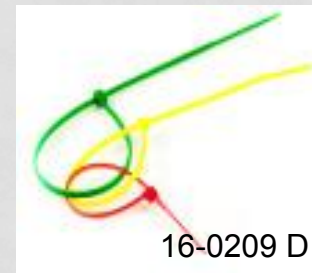
- No cultivation of medical marijuana is allowed without first obtaining both a local license or permit and a state license
- Revocation of either license terminates the ability to operate
- Required to obtain a separate license for each cultivation location
- License is valid for 12 months from date of issuance and shall be renewed annually
- Local jurisdiction can assess fees and taxes on facilities that are licensed
- A licensee can not be licensed as a retailer of alcoholic beverages

OTHER LICENSES TYPES

- Type 6: Manufacturer 1
- Type 7: Manufacturer 2
- Type 8: Testing
- Type 10: Dispensary, General
- Type 10A: Dispensary, no more than 3 retail sites
- Type 11: Distribution
- Type 12: Transporter
- A licensee may only hold a state license in up to 2 separate license categories, specific allowed combinations listed in law

TRACK & TRACE PROGRAM

- CA Dept. of Food & Agriculture (CDFA) will establish a program for reporting movement of medical marijuana through the distribution chain
- Establish procedures for the issuance and revocation of unique identifiers. All cannabis shall be labeled with the unique identifier.
- The unique identifier shall be attached at the base of each plant.



CULTIVATION AND THE DEPARTMENT OF AGRICULTURE

- The law allows the CDFA to enter into a cooperative agreement with a county agricultural commissioner to carry out the provisions of the cultivation program, including but not limited to, administration, investigations, inspections, licensing and assistance with the program
- The Ag Department currently has cooperative agreements with CDFA to carry out the Nursery Inspection Program at the local level for licensed producers of ornamental and crop plants for wholesale



PESTICIDES

- U.S. Environmental Protection Agency has not established appropriate pesticide tolerances for, or permitted the registration and lawful use of pesticides on cannabis crops intended for human consumption
- Use of pesticides is not adequately regulated due to these omissions in Federal law so cannabis in CA can and often does contain pesticide residues
- The new laws require the California Department of Pesticide Regulation to develop standards and regulations for the use of pesticides in cultivation of cannabis and develop maximum tolerances for pesticides in harvested cannabis

PESTICIDES AND AG DEPARTMENT RESPONSIBILITIES

- The Department is currently responsible for local administration of the State Pesticide Enforcement Program
- Responds to complaints about pesticide applications
- Conducts investigations of pesticide illnesses
- Conducts inspections of pesticide applications
- Reviews records of pesticide use, employee trainings, postings of pesticide information required for employee safety
- Inspections of pesticide storage areas
- Issues permits for use of pesticides in commercial crop production

ORGANICS

- Requires CDFA to make available by January 1, 2020, a certified organic designation and organic certification program for medical marijuana, if permitted under federal law and the National Organic Program
- The Ag Department currently enters into cooperative agreements with CDFA to carry out the state organic program at the local level



WEIGHTS & MEASURES

- The new law requires that weighing & measuring devices used in connection with sale or distribution meet standards
- The new law has some labeling requirements which would be under the Ag Departments Weights & Measures authority
- The Ag Department currently conducts inspections of commercial devices



GRADING

- The Ag Department administers the County Agricultural Grading Program
- If outdoor commercial medical marijuana cultivation is allowed, the department anticipates increased grading program requests



CONCERNS

- Many of the Ag Department programs tie back to Federal programs that the State law conflicts with
- Safety of department employees when conducting on site inspections
- Protecting employees from contacting marijuana residues while conducting inspection
- The presidential election could impact the entire program