



**ANNUAL REPORT BY
THE VIRGINIA CANNABIS CONTROL AUTHORITY**

December 5, 2022

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OVERVIEW

During Special Session I of 2021, the General Assembly passed the Cannabis Control Act (“Act”), Subtitle II of Title 4.1 of the Code of Virginia. Section 4.1-601 of the Code of Virginia establishes the Virginia Cannabis Control Authority (“CCA” or “Authority”). The CCA is “an independent political subdivision of the Commonwealth, exclusive of the legislative, executive, or judicial branches of state government.” Va. Code § 4.1-601. The CCA consists of a Board of Directors (“Board”), the Cannabis Public Health Advisory Council, a Chief Executive Officer (CEO), and any agents and employees the Board or CEO chooses to employ. The CCA has reporting responsibilities to the Governor, General Assembly, the legislative Cannabis Oversight Commission, and the Secretary of Public Safety and Homeland Security.¹ The Act created the Board and the CCA with the stated purpose that the creation of such entities “is in the public interest, serves a public purpose, and will promote the health, safety, welfare, convenience, and prosperity of the people of the Commonwealth.” Va. Code § 4.1-601.

This report details the work of the CCA from December 8, 2021 - November 30, 2022, to establish the Authority’s operations and implement effective sections of the 2021 Cannabis Control Act. The period covered in this report represents the first full year of operations for the CCA. It was also a time where the CCA first operated with full-time, dedicated staff who were able to carry out the Board’s directives and address the Authority’s statutory mandates, including coordinating meetings of the Board, participating in other cannabis-related state activities, developing and disseminating educational materials, advising on legislative proposals, engaging in outreach initiatives, and pursuing public safety and public health initiatives.

While some of the CCA’s statutory mandates have changed since initial enactment of the Cannabis Control Act,² the CCA remains committed to the General Assembly’s directive that the Authority operate as the Commonwealth’s preeminent source of expertise on cannabis law, regulation, and policy. Public interest in cannabis policy continues to grow since the Cannabis Control Act decriminalized possession of cannabis in the Commonwealth. As detailed below, the CCA has devoted significant time and resources to meet the public appetite and need for information and guidance on this new, complex topic. The Authority’s mutually reinforcing roles as regulator, policy developer, and educator are best captured in its official mission statement, which highlights that the CCA’s overriding purpose is “to promote public health & safety and protect[s] consumers through balanced and inclusive cannabis regulation, policy, and education.”

¹ Va. Code § 4.1-602, 603, 604, 613, 620.

² Detailed in the Statutory Authorization and Legislative Updates section of this report.

STATUTORY AUTHORIZATION, LEGISLATIVE UPDATES, AND MISSION

The Cannabis Control Act passed in 2021 required the General Assembly to reenact many of the Act's provisions in its 2022 session for the provisions to remain effective law. Of note, provisions requiring reenactment included the legislative changes necessary to establish an adult-use retail cannabis market by the Act's original target date of January 1, 2024. The 2022 General Assembly did not reenact any of the provisions of the Cannabis Control Act requiring reenactment. While those portions of the Cannabis Control Act were not reenacted, the CCA remains committed to achieving the statutory mandates laid out in the Virginia code and continues to work to fulfill the General Assembly's directives.

The 2022 General Assembly adopted several legislative changes related to cannabis and ancillary issues such as hemp. Legislators modified cannabis public possession limits and the penalties associated with the violation of those limits.³ It continues to be lawful for Virginians to publicly possess up to one ounce of cannabis for personal use. However, as a result of the legislative changes, public possession of more than one ounce but less than four ounces will result in a civil penalty of \$25. Similarly, public possession of over four ounces but not more than one pound is now subject to a Class 3 misdemeanor; subsequent violations of this limit are subject to a Class 2 misdemeanor. And public possession of more than one pound of marijuana is punishable as a felony.

The General Assembly also updated the Virginia code section pertaining to industrial hemp, creating a regulations section for industrial hemp extracts and food containing industrial hemp extracts.⁴

³ Va. Code § 4.1-1100.

⁴ Va. Code § 3.2-5145.5. Regulations

THE CCA BOARD



The CCA Board at the October 6, 2022 Board Meeting. (L-R) Rasheeda Creighton, Neil Amin (Vice Chair), John Keohane (Chair), Bette Brand, and Michael Massie.

Pursuant to section 4.1-607 of the Virginia Code, the CCA is governed by a five-member Board of Directors. Board members are prohibited from having a “financial interest, direct or indirect,” in a marijuana licensee or entity that has applied for a license. Va. Code § 4.1-610. They and their spouses as well as immediate family members are also precluded from making “any contribution to a candidate for office or office holder at the local or state level or cause such a contribution to be made on [their] behalf.” Va. Code § 4.1-610.

The current members of the Board are:

- John Keohane, Chair;
- Neil Amin, Vice Chair;
- Bette Brand;
- Rasheeda Creighton; and
- Michael Massie.

Governor Northam announced the first appointments to the board on July 19, 2021. On July 1, 2022, Governor Youngkin announced the appointment of John Keohane as the Board’s newest member (replacing Shane Emmett) and its new chair. Four of the members appointed in 2021 continue their service on the board. The current Board members represent Central Virginia, Hampton Roads, and Southwest Virginia. The board has diverse professional backgrounds, too, in

law enforcement, finance, business, criminal law, agriculture, and small business development.⁵

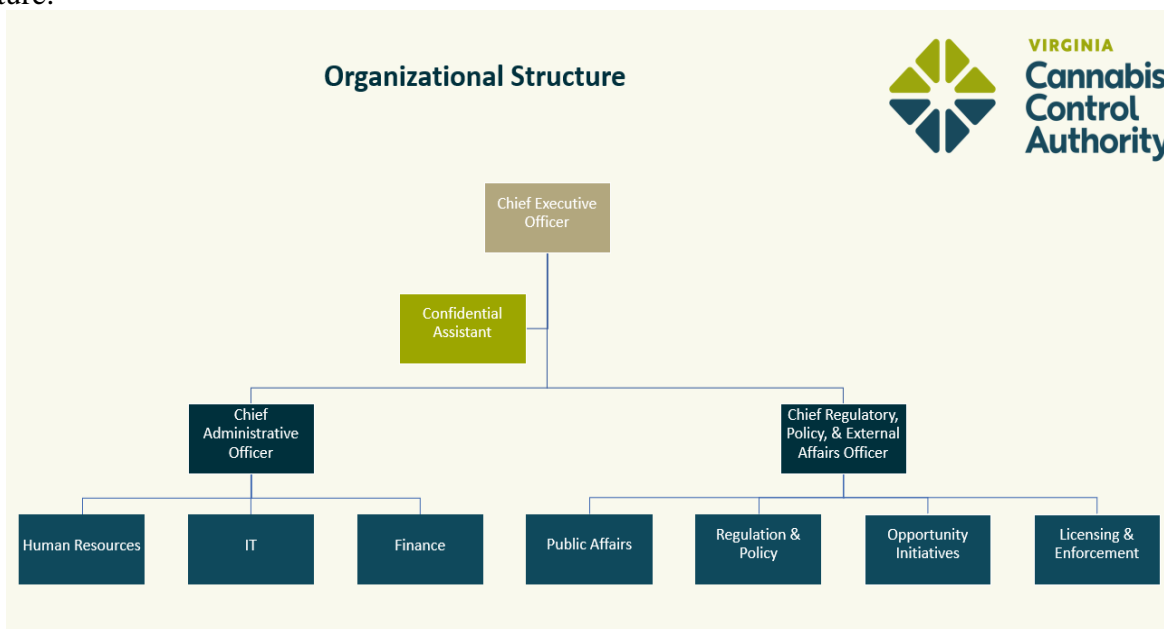
⁵ <https://cca.virginia.gov/about-us#board>

CCA STAFFING UPDATES

The CCA Board began hiring the Authority’s initial staff at the end of 2021. The first staff members of the Authority joined the CCA in January 2022, and they executed the Board’s directives and developed an initial work plan for the CCA. In the summer and early fall of 2022, the CCA hired five additional employees. Initial hiring at the CCA focused on strengthening the Authority as a regulatory and educational resource for the Commonwealth and bolstering its public health capabilities. The CCA is currently staffed by individuals in the following positions:

- Acting Head, and Chief Officer of Regulatory, Policy, & External Affairs
- Chief Administrative Officer
- Director of Regulation and Policy
- Director of Public Affairs
- Health Policy and Data Manager
- Policy Analyst

Throughout the remainder of FY 2023, the CCA plans to grow its staff further to meet statutory mandates and the Authority’s goals. This hiring plan includes several ongoing recruitment efforts. Before the close of the calendar year, the CCA anticipates hiring at least seven new staff positions in health policy, data analysis, legislative affairs and regulatory compliance, communications, human resources, information technology, and finance. The CCA’s staffing priorities are driven by its need, among other things, to: (a) prepare to assume regulatory oversight of the Medical Cannabis Program from the Board of Pharmacy at the beginning of FY 2024; (b) develop and implement statutory mandates such as the safe driving campaign; (c) perform its educational role, including extensive public outreach; and (d) help develop policies addressing the public safety and public health aspects of cannabis. The following chart provides a high-level overview of the CCA’s current organizational structure:



ACTIVITY OF THE CCA:
MEETINGS OF THE BOARD, AND OTHER VIRGINIA STATE ENGAGEMENT

Board Meetings

The CCA Board met nine times between October 2021 and November 30, 2022. The Board has also scheduled four meetings through the first half of 2023.⁶ These meetings satisfy the statutory requirement for the Authority to hold at least one public meeting every 60 days. They also advance the CCA’s outreach efforts as well as its regulatory and education roles, and they provide a platform for the public to share their perspectives on cannabis. Technology permitting, public participation in the board meetings extends to members of the public who do not physically attend but are able to join the meetings online. Board meetings also regularly feature outside speakers with expertise and various perspectives on cannabis. These speakers enable the CCA to develop its cannabis expertise further.

Cannabis Public Health Advisory Council

The General Assembly established the Cannabis Public Health Advisory Council (CPHAC) as an advisory body to the CCA Board. CPHAC assesses and monitors public health issues, trends, and impacts related to marijuana as well as makes recommendations regarding public safety. CPHAC met September 12, 2022, and is scheduled to meet December 12, 2022. As required by the Cannabis Control Act, the CCA staffs and facilitates CPHAC meetings in collaboration with the Office of the Secretary of Health and Human Resources.⁷ Topics covered in the September 12 meeting included the increasing risks and dangers of intoxicating hemp-derived THC products (e.g., Delta-8), an update on the operation of the Commonwealth’s Medical Cannabis Program, and early survey results related to the CCA’s safe driving campaign, which is intended to mitigate the dangers of cannabis-impaired driving.

Hemp Task Force

The CCA also served on the Commonwealth’s Task Force to Analyze Industrial Hemp Extracts and Other Substances Containing Tetrahydrocannabinol Intended for Human Consumption (“Hemp Task Force”), which was chaired by the Secretary of Agriculture and Forestry. The CCA’s Acting Head and Chief Officer of Regulatory, Policy, & External Affairs represented the CCA at Hemp Task Force meetings.

Coordination with Board of Pharmacy

The Cannabis Control Act directed the CCA to issue regulations to administer the Medical Cannabis Program (currently overseen by the Board of Pharmacy) no later than July 1, 2023. To prepare for the promulgation of these regulations, members of the CCA’s Regulation and Policy Division have scheduled ongoing data-sharing sessions between the CCA and the Board of Pharmacy.

⁶ Agendas and minutes for board meetings are posted on the Commonwealth Calendar. *See* <https://www.commonwealthcalendar.virginia.gov>. Minutes for each of the board meetings held between December 2021 and October 2022 also can be found in the Appendices to this report. The November 30 board meeting minutes will be available on Commonwealth Calendar upon completion.

⁷ Per Va. Code § 4.1-603, “The Cannabis Public Health Advisory Council (the Advisory Council) is established as an advisory council to the Board. The purpose of the Advisory Council is to assess and monitor public health issues, trends, and impacts related to marijuana and marijuana legalization and make recommendations regarding health warnings, retail marijuana and retail marijuana products safety and product composition, and public health awareness, programming, and related resource needs. The Advisory Council shall have a total membership of 21 members that shall consist of 14 non-legislative citizen members and seven *ex officio* members. Non-legislative citizen members of the Council shall be citizens of the Commonwealth and shall reflect the racial, ethnic, gender, and geographic diversity of the Commonwealth.”

Other State Government Engagement

The CCA's Acting Head also presented to the General Assembly's Cannabis Oversight Commission on the Authority's work plan and priorities on September 1, 2022. The Commission is a bicameral, bipartisan legislative body that oversees implementation of the Cannabis Control Act.

In addition, the CCA has met with individual members of the Cannabis Oversight Commission to discuss the Authority's priorities and mission as well as the progress made on building out the CCA's administrative and regulatory capabilities. The CCA regularly consults, too, on cannabis-related matters and legislative proposals with other individual members of the General Assembly, including leadership in both the Senate and House of Delegates.

The CCA also serves on several other regulatory and public health groups, including statewide substance misuse and prevention workgroups. Representatives of the CCA were active in the November 2022 meeting of the Virginia State Crime Commission and presented early research on the CCA safe driving survey.⁸ Likewise, the CCA has begun collaborating with the Virginia Department of Health on maternal health issues related to cannabis consumption (e.g., its impact on pregnancy and breastfeeding). The CCA also has strengthened Virginia's ties with other states' cannabis regulators through its involvement in the national Cannabis Regulators Association (CANNRA), a nonprofit organization dedicated to sharing nationwide best practices and regulatory knowledge developed in states with legalized medical cannabis programs and/or adult-use retail markets.

⁸More information on the CCA Safe-Driving Campaign can be found in the "Activity of the CCA: Safe-Driving Campaign" section of this report on page 12.

ACTIVITY OF THE CCA:
EDUCATIONAL RESOURCES

The 2021 Cannabis Control Act requires the CCA to create educational resources and guidance documents that address: 1) legally compliant and safe home cultivation of marijuana, 2) the health risks associated with cannabis use, 3) the “responsible” use of cannabis, and 4) the potential adverse “ancillary effects” of cannabis use.⁹

In addition to the statutorily required documents, the Authority has also developed a library of informational fact sheets. This fact sheet on the “Do’s and Don’ts of Medical Cannabis” illustrates the type of information imparted by these educational resources:



⁹ The educational resources are included in Appendix A of this report. The guidance document on home cultivation is subject to a 30-day public comment period. It will soon be posted to meet those requirements.

These one-page documents are brief and meant to deliver targeted information on a single topic. The current fact sheets include the following topics:

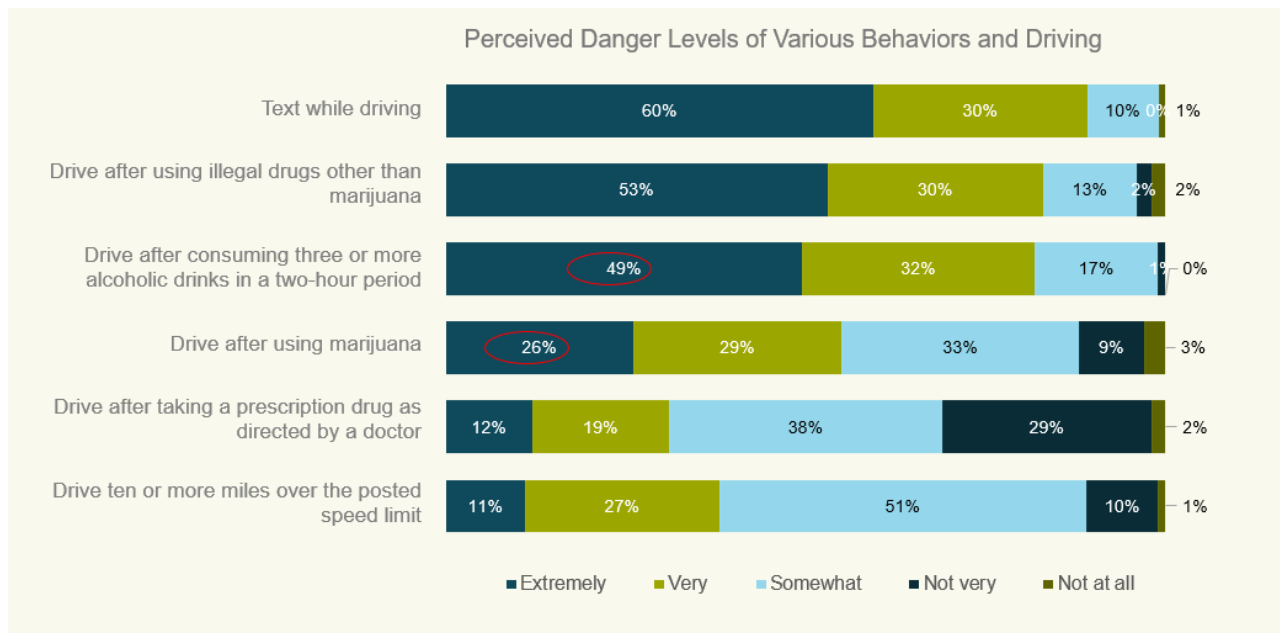
- “Hemp v. Marijuana;”
- “THC v. CBD;”
- “Do’s and Don’ts of Medical Cannabis Use;”
- “How to Register for Virginia’s Medical Cannabis Program;”
- “Pesticide Use on Cannabis Plants;” and
- “Cannabis Mail & Travel Laws.”

These documents are ideal for distribution to interested stakeholders as part of the CCA’s outreach efforts. The fact sheets are available to download on the CCA’s website, as are all other educational materials the Authority produces. The CCA also intends to continue expanding the fact sheet library in response to common questions and concerns raised by the public and the Board; in fact, it has several additional fact sheets currently under development.

ACTIVITY OF THE CCA:
SAFE DRIVING CAMPAIGN

The General Assembly directed the CCA to develop and implement a safe driving campaign warning citizens of the Commonwealth of the dangers of driving while impaired by cannabis. The CCA enlisted a public affairs consultant to conduct a survey of Virginians on attitudes toward dangerous driving activities, including cannabis. This survey was conducted over several weeks in August and September and was designed to be representative of Virginia’s driving age population, including accounting for the Commonwealth’s regional, age, and racial distribution based on census data. Early results of the survey were available in late September and the full report was completed in October 2022.

The safe driving survey had 783 respondents who were 16 years and older. Among other things, the results revealed that 23% of respondents used cannabis in the three months prior to the survey. And as the chart below illustrates, survey respondents seemed to discount the risks of driving while under the influence of marijuana compared to other hazardous driving behaviors. As the following chart illustrates, only 23% of surveyed Virginians perceive driving after using marijuana as “extremely dangerous,” while greater numbers of respondents regard driving and texting (60%) and driving after consuming three alcoholic beverages in a two-hour period (49%) as “extremely dangerous.”



The findings also indicated that 47% of marijuana users do not make plans for a sober drive home, and 30% of surveyed Virginians believed marijuana made them a safer driver. Although unsettling, these statistics provide the CCA with opportunities to address these sub-optimal attitudes and behaviors and mitigate the dangers of drug-impaired driving in the Commonwealth in its upcoming safe driving campaign.

The campaign will begin in the late December 2022, early January 2023 timeframe (so-called “Phase 1” of the campaign) with a series of messages and advertisements displayed online and on billboards

throughout the Commonwealth. The CCA will expand the campaign in the first half of 2023 (“Phase 2”) where messaging will be distributed through other media, including radio and television. The messaging will focus on providing information aimed at fostering greater awareness of the extreme dangers of cannabis-impaired driving and encouraging safer driving behavior.

ACTIVITY OF THE CCA:
OUTREACH EFFORTS

New CCA Website

The CCA launched a new website on December 2, 2022, after several months of planning and development. The site houses the CCA’s educational resources and provides answers to commonly asked questions. It also shares information about upcoming CCA activities and events and other important information that will enhance the public’s understanding of the Authority and its mission, the public health- and public safety-related aspects of cannabis, and the regulatory and legal treatment of cannabis in the Commonwealth.

Community Outreach

Recognizing the public’s significant appetite for learning more about the legal status of cannabis as well as the eagerness of communities to share their perspectives on cannabis, the CCA earlier this year prioritized community outreach. As a result, CCA staff and one board member spent most of one week in June traveling throughout the Southwest region of the Commonwealth on a “Listen and Learn” tour, meeting with a wide spectrum of stakeholders. The tour enabled the CCA to understand what cannabis-related concerns were foremost on the mind of Southwest communities and to address questions posed by community members. The success of the trip prompted the CCA to plan to hold Town Halls in each of the five Health Service Areas in the first half of 2023.

CCA also met with various local government groups in 2022, including the Virginia Municipal League, the Virginia Association of Counties, and the Virginia Beach City Council. These meetings featured CCA presentations on the Authority’s mission and priorities and the legalization of cannabis, including what conduct remains illegal, as well as questions and concerns raised by local government bodies. Likewise, as part of its outreach, CCA regularly met with industry stakeholders and NGOs with an interest in cannabis law and regulation, including Virginia CARES, the Virginia Minority Cannabis Coalition, and VA NORML.

STATEMENT OF REVENUE AND EXPENSES

To date, the CCA has not received any revenues related to the implementation, administration, or enforcement of an adult-use retail market for cannabis. The absence of a retail market makes it infeasible for the CCA to prepare and submit the detailed six-year plan regarding retail operations called for in the code. Va. Code §4.1-613. The CCA also has yet to be subject to an audit, so it has no audited financial statement to include in this report.

In terms of expenditures, the Authority maintains an \$8.2 million budget for the current fiscal year. The budget is provided to support legislatively required Authority operations. These expenses include, but are not limited to:

- Personnel services
- Board meeting costs
- Office space lease
- Supplies
- IT equipment and professional services
- Media services

The CCA anticipates that expenditures will continue to grow as the Authority expands its capabilities and assumes its mandated roles. Significant expenditures are expected for software solutions, including for seed-to-sale tracking, that are necessary to manage the Medical Cannabis Program.

FORTHCOMING CCA PROJECTS

As discussed, the first eleven months of 2022 represented a period of major growth for the CCA in terms of staffing, strategy and project development, and outreach. Heading into 2023 several priority initiatives merit brief mention.

Medical Cannabis Program Oversight

The CCA will continue to meet regularly with representatives from the Board of Pharmacy as it prepares to assume regulatory oversight of the Medical Cannabis Program in the beginning of FY 2024. The CCA is tracking potential legislation that will facilitate a smooth transition and remove statutory redundancies. The Authority's Regulation and Policy Division is preparing to promulgate necessary regulations after the conclusion of the 2023 General Assembly session, and its Public Affairs Division will develop and implement a communications plan to ensure the public has reliable, reassuring information about the regulatory transition of the program to the CCA.

Safe Driving Campaign

Another priority in 2023 will be ramping up the CCA's safe driving campaign to discourage cannabis-impaired driving. The CCA will soon publish a Request for Proposal for Phase 2 of the Safe Driving Campaign to identify a creative media partner who will be charged with developing much more extensive messaging on safe driving that will be distributed through various media, including television and radio. The campaign will feature general messaging aimed at all Virginians as well as advertising that targets specific audiences in need of more customized or pointed approaches. The CCA aims to launch Phase 2 of the campaign no later than the spring of 2023. In the second half of 2023, the CCA also intends to test the efficacy of the messaging deployed earlier in the campaign, with a view to using this assessment to recalibrate the campaign to maximize its reach and impact.

Educational Initiatives

As noted, the CCA intends to continue growing its "Fact Sheet Library," so it is as responsive to public needs as possible. Fact sheets under development will address what is legal versus what remains illegal in the Commonwealth, cannabis odor and nuisance, cannabis and maternal care (e.g., pregnancy and breastfeeding), and cannabis and the workplace/employment, among other topics.

Continued Outreach Efforts

As outlined, the CCA's outreach efforts next year will showcase, among other events, Town Halls in each of the Commonwealth's five Health Service Areas. The public events will include CCA board members as well as staff and will serve as a vehicle to provide updates on public safety and public health issues as well as any new cannabis measures under consideration and/or adopted by the 2023 session of the General Assembly. They will also provide a platform for community members to share their perspectives and concerns about cannabis.

APPENDIX A : EDUCATIONAL RESOURCES

I. Statutorily-Required Informational Documents and Guidance Document

Health Risks of Cannabis Consumption



The Cannabis Control Authority (CCA) does not endorse the consumption of recreational marijuana. The external links and references used in this document are provided as examples of resources for the public to consider in making informed decisions, and they are not endorsed by the CCA.

Research shows that cannabis consumption may have health implications, either through the inhalation of smoke, product contamination, the psychoactive properties of delta-9-tetrahydrocannabinol (THC), THC concentration, and amount of cannabis product consumed. The age of first use of cannabis, the frequency of cannabis use, and whether other substances are used at the same time are also factors that may impact health. Health risks associated with cannabis use include the following:

Mental Health

BRAIN FUNCTION & MOOD

Cannabis use can immediately affect brain functions. Those who use cannabis may experience impaired motor coordination, euphoria, anxiety and panic attacks, impaired judgment, and the sensation of slowed time. Although these symptoms can be acute, those who use cannabis often may begin to see chronic adverse effects. A study found that chronic cannabis users tend to have increased depressive episodes, increased anxiety, and decreased motivation. In addition to negative effects on mood, THC can increase paranoia and reduce working memory capacity. One study suggests that those who use cannabis more often and begin use at an earlier age are also more likely to develop mental disorders over time, including schizophrenia.



CANNABIS USE DISORDER (CUD)

Evidence suggests that frequent exposure to cannabis increases the risk of developing CUD over time. The following are signs of cannabis use disorder:

- Using more cannabis than intended
- Trying to quit cannabis use but being unable to do so
- Craving cannabis
- Using cannabis even though it causes problems at home, school, or work
- Giving up important activities with friends or family to use cannabis
- Continuing to use cannabis despite physical or psychological problems apparently triggered by its use
- Experiencing withdrawal symptoms when stopping cannabis use



Studies show that the increased potency of cannabis over recent decades may be responsible for the rise in CUD diagnoses. Although the rate of CUD has increased over recent decades, CUD remains widely untreated. Talk to a doctor to learn about diagnosis and treatment options if any signs of CUD apply to you.

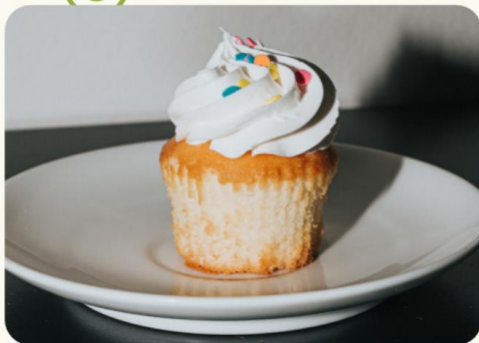
Health Risks of Cannabis Consumption



Physical Health

LUNG & HEART HEALTH

Cannabis use poses several risks to lung and heart functions. Multiple studies found that those who smoke cannabis are more likely to experience acute or chronic respiratory symptoms, including bronchitis, wheezing, and cough. Cannabis smoke can also lead to serious lung diseases and airway obstruction if cannabis is inhaled heavily over several years. Cannabis consumption is associated with several heart health issues, including tachycardia, premature ventricular contractions, atrial fibrillation, and ventricular arrhythmia. Reducing or eliminating cannabis use often allows the body to recover from physical health ailments. Individuals should consult their doctors if they show signs of lung or heart issues after cannabis use.



FOODBORNE ILLNESS OR FOOD POISONING

Edibles are food- or beverage-based products containing cannabis. When consuming edibles, individuals should be aware of the potential for foodborne illness and food safety risks of non-cannabis ingredients. One study showed unregulated or illicit THC-concentrated cannabis oils could potentially have concentrated amounts of contaminants if the cannabis plant is exposed to harms such as metals, pesticides, molds, fungi, mites, or microbial pathogens. Storage at the production facility or consumer's home can affect the potency, quality, and safety of an edible product. Because the onset of an edible's effects is later than when cannabis is inhaled, people may consume more than they should. This can lead to food poisoning from consuming too much product too quickly.

PREGNANCY AND EARLY CHILDHOOD DEVELOPMENT

Cannabis use has the potential to adversely affect maternal, fetal, and childhood development. One study found that cannabis use during pregnancy can increase a person's risk of anemia. Other studies suggest exposure to cannabis in utero is associated with restricted fetal growth, smaller weight and head circumference and greater stress in newborns, and impulsivity in infants and children. It is best to avoid cannabis use if you are pregnant, planning to become pregnant, or breastfeeding.

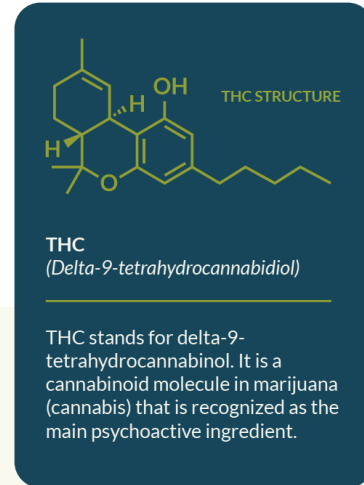


Responsible Adult Cannabis Consumption



The Cannabis Control Authority (CCA) does not endorse the consumption of recreational marijuana. The external links and references used in this document are provided as examples of resources for the public to consider in making informed decisions, and they are not endorsed by the CCA.

The CCA encourages those individuals who wish to explore cannabis consumption to do so in a manner that protects personal well-being and public health and safety. Delta-9-tetrahydrocannabinol (THC) is the psychoactive component of cannabis products. Ways in which adults 21 and older can be responsible when using cannabis include the following:



Knowing Product Types

Cannabis can appear as several product types, including concentrates, edibles, flower, and tinctures. Consumers should be aware of these differences among products.



CONCENTRATES

- Highly concentrated cannabinoid extracts (i.e., hash oil, shatter, wax, cartridges)
- How they enter the body: inhalation
- Start of effects: immediate
- Length of effects: up to 6 hours



EDIBLES

- Food items made with cannabis or oils (i.e., baked goods, candies, beverages)
- How they enter the body: ingestion
- Start of effects: 30 minutes-2 hours
- Length of effects: up to 12 hours



FLOWER

- Marijuana in its natural form (i.e., bud, pre-rolls, blunts)
- How they enter the body: inhalation
- Start of effects: immediate
- Length of effects: up to 6 hours



TINCTURES

- Highly concentrated herbal extracts
- How they enter the body: ingestion or sublingually (absorbed under the tongue)
- Start of effects: 15 minutes-2 hours
- Length of effects: up to 8 hours

Measurements

The strength of cannabis products has minimal visual cues. Small differences in cannabis consumption can translate to substantial differences in dose. Cannabis products can present servings in measures of milligrams (e.g., THC 10mg), milliliters (e.g., THC 10 mg/ml), or percentages (e.g., THC 1% or 10mg/gram). Read product labels to learn the total THC content in a product. A serving does not always equate to the total amount of product available in a package.

Contraindications

Most cannabis-drug interaction evidence is currently theoretical and comes from case reports, as there is a lack of clinical trials on the effects of interactions and the probability of their occurrence. However, it is important to be aware of how cannabis can potentially interact with other drugs and medications. Using cannabis in combination with sympathomimetics (i.e., amphetamine, meth, ecstasy) can lead to tachycardia or hypertension, whereas using cannabis with depressants (i.e., alcohol or opioids) can produce drowsiness or ataxia. Consult a doctor before using cannabis with another drug or medication.

Responsible Adult Cannabis Consumption



Do Not Use Cannabis When...

- 01 PREGNANT OR BREASTFEEDING**
People who use cannabis while pregnant or breastfeeding put themselves at risk of pregnancy complications and put their baby at risk of poor development. Consult a doctor for safe alternatives to cannabis use if pregnant, intending to become pregnant, or breastfeeding.
- 02 AROUND THOSE UNDER 21**
Marijuana use is illegal for those under 21 years of age. Youth who are exposed to THC through direct or secondhand cannabis use may experience negative health effects, such as harm to the developing brain.
- 03 IN PUBLIC**
Using cannabis products in public places in Virginia is illegal. Avoid smoking cannabis around other people to limit their exposure to secondhand smoke.
- 04 DRIVING OR INTENDING TO DRIVE**
Driving under the influence of cannabis is illegal and unsafe. The safest option for those who intend to drive is to not use cannabis or other drugs. Other steps individuals can take to help prevent impaired driving when using cannabis include:



- Selecting a designated driver who will remain sober.
- Calling a taxi or rideshare service.
- Discouraging friends and family from driving immediately after cannabis consumption.

Know Your Limits



If choosing to use cannabis, do so in moderation. Start with a low THC level and wait a considerable amount of time before consuming more. A person's reaction to cannabis can depend on several factors, including:

- Method of consumption
- Amount of THC consumed
- Age
- Gender
- Previous experience with cannabis use

Conduct Research



Cannabis consumers should remain informed and make educated decisions about cannabis use by knowing various product types and strains of cannabis, as well as the THC content per serving. Be sure to stay up to date on current state and federal laws regarding cannabis use to remain legally compliant in Virginia and when traveling outside of the state.

Ancillary Effects of Cannabis Use



Pursuant to Virginia Code Section 4.1-604.32, the Virginia Cannabis Control Authority ("CCA") has prepared this informational resource on the ancillary effects of marijuana consumption. The CCA does not endorse the recreational consumption or home cultivation of cannabis. The external links and references used in this document are provided as examples of resources for the public to consider in making informed decisions, and they are not endorsed by the CCA.

Adults 21 years and older in Virginia may now (1) possess up to one ounce of marijuana for personal consumption, (2) use marijuana in private residences if permitted by the homeowner, and (3) cultivate up to four cannabis plants per household. Although limited personal possession and use of cannabis are legal under Virginia law, an individual's choice to consume cannabis may impact the person's rights and privileges in a variety of contexts. This resource discusses possible adverse ancillary effects in the following areas:


EDUCATION


EMPLOYMENT


HOUSING


IMMIGRATION


FIREARMS


MILITARY SERVICE

Education

Many colleges and universities may still prohibit possession and use of cannabis on campus. Students using or possessing cannabis on a college campus may face disciplinary action, including suspension or expulsion.



Employment

Individual workplaces and employers may still prohibit cannabis use by their employees and enforce drug testing policies that identify cannabis users. Jobs that involve public safety or the operation of vehicles and/or heavy machinery often exclude individuals who test positive for tetrahydrocannabinol (THC), the primary psychoactive component in marijuana. Virginia law protects some medicinal uses of cannabinoid oils against employment action, but this protection may not apply to all medical marijuana users.

Cannabis use can also impact workers' compensation claims. If a cannabis user is in a workplace accident, the employer may require a drug test. Testing positive for THC may affect the workers' compensation process, even if an individual is not intoxicated at the time of the incident.

Ancillary Effects of Cannabis Use



Firearms

Cannabis use can impact firearm ownership. To purchase a firearm from a federally licensed dealer, an individual must complete Form 4473 from the Bureau of Alcohol, Tobacco, and Firearms (ATF), which requires the person completing the form certify they are not a user of any Schedule I drugs, including marijuana. This also applies to medical marijuana users. Concealed carry permits also require this certification. Firearm owners are prohibited from selling ammunition or firearms to any person they know or “[have] reasonable cause to believe” uses cannabis.

Military Service

While medical marijuana may be legal in the Commonwealth, military members or veterans using military benefits may still face repercussions from the military for using cannabis. This is true even though cannabis products may often be prescribed for PTSD, a condition that disproportionately impacts veterans and active service members. While federal legislation has been proposed to address this issue, Congress has not yet passed such legislation and active-duty military and veterans would be well-advised to undertake research on this issue before choosing to use medical marijuana or other cannabis.

Housing

Property owners and landlords can prohibit cannabis consumption or cultivation in rental housing agreements. Tenants should check their lease agreements thoroughly before using or growing cannabis in a rental property. Even if cannabis is not mentioned specifically, no smoking clauses in rental agreements also apply to smoking cannabis products. Medical marijuana users also should check their lease before using cannabis in the rented property. Tenants who violate any lease agreements related to cannabis or smoking may face consequences from their landlord, including the possibility of eviction.

Individuals may risk the loss of federal housing benefits by using or possessing cannabis. The United States Department of Housing and Urban Development does not permit the use or possession of cannabis in federally assisted housing because marijuana remains illegal under federal law.

Immigration

Using or growing marijuana or being employed or otherwise involved in the marijuana industry can have significant repercussions for noncitizens even when the activity is legal under state law. Green card applications, permanent visas, and other methods of obtaining United States citizenship or residency can be denied due to marijuana use or marijuana-related employment. Consumption of marijuana or involvement in the marijuana industry can also result in a noncitizen resident of the United States being denied re-entry after visiting another country. Noncitizens should consult with an attorney before using marijuana or working in the marijuana industry.



Conclusion

Individuals should consider the potential ancillary effects of cannabis use before exercising their right to use consume cannabis under Virginia law. Cannabis users and potential users worried about any of the identified ancillary consequences of cannabis consumption, cultivation, and industry involvement, should consult an attorney for legal guidance on their specific circumstances.

Virginia Cannabis Control Authority

Guidance on Home Cultivation

Pursuant to Virginia Code Section 4.1-604.31, the Virginia Cannabis Control Authority (“CCA”) has prepared this guidance document on safe and compliant home cultivation for individuals interested in cultivating cannabis plants in their residence. The CCA does not endorse the recreational consumption or home cultivation of cannabis. The external links and references used in this document are provided as examples of resources for the public to consider in making informed decisions, and they are not endorsed by the CCA.

Statutory Requirements

Individuals 21 years or older may cultivate up to four cannabis plants per household for personal use.¹ A “household” includes all those living in the place of residence, even if those individuals are not related. Exceeding the number of allowed plants in a household may result in either civil or criminal penalties.

Each plant must have a legible tag that includes the grower’s name, driver’s license or ID number, and a note that indicates the plant is being grown for personal use as authorized by law.

For example:

Jane Doe

ID #: A12345678

Personal Adult Use: Va. Code § 4.1-1101(B)(3)

Cannabis plants must not be “visible from a public way” (e.g., a sidewalk) or accessible to anyone under 21 years old. Individuals may not manufacture marijuana concentrate from home-cultivated marijuana.

Despite the legality of limited home cultivation, property owners are permitted to develop and enforce their own policies that further restrict or prohibit home cultivation by renters.^{2,3} Before embarking on cultivation, renters would be well advised to review their lease agreements and consult with their lessors.

Practices to Promote Personal and Public Safety

In addition to complying with all applicable Virginia laws, it is important to use growing processes that are safe for individuals in the home and reduce the likelihood of creating a nuisance for neighboring residences. There are four key health risks to consider when growing cannabis at home: 1) access and accidental poisoning; 2) environmental and space concerns; 3) electrical and fire hazards; and 4) radiation risks.

Access and Accidental Poisoning

All cannabis products, even those not intended for consumption, carry a risk of accidental poisoning. Individuals should treat all cannabis grown in a residence as though it is hazardous, especially for children and pets.⁴ Households that choose to cultivate cannabis should allow for proper storage to ensure any plants or plant materials are secure from children and pets.⁵ At homes with residents under 21 years old, any cannabis grow area should be enclosed and locked in a separate space that minors can't access. At homes without residents under 21 years old, residents must take extra precautions to make sure any visiting youth cannot access marijuana plants.

Households also should have poison control resources available in easily accessible common areas. The Virginia Poison Center can be reached through its hotline at (800) 222-1222.⁶

Home cultivators should research any pesticides and chemicals before use. The CCA has not formally approved of any pesticides for the cultivation of cannabis, but other agencies and states may have resources home-growers in Virginia can consult before choosing to use pesticides.

Environmental and Space Concerns

While the law allows for up to four plants total, individuals should consider how many plants they have adequate space for in their home or on their property.

No cannabis plants may be visible to the public. Households should consider outdoor cultivation only if there is an appropriately sized space that is shielded completely from view beyond the property.

Households should avoid overcrowding cannabis plants grown indoors to prevent other common issues, such as smell and mold⁷, especially in smaller spaces.⁸ Excess odor from cannabis grown in the home may result in nuisance claims from neighbors. Mold is also a common problem and can present health risks to household members and others visiting the residence.⁹

Growers also should ensure there is adequate air circulation during the grow process. Households growing cannabis should install carbon dioxide (CO₂) detectors, to alert people in the residence if CO₂ levels become dangerous and test detectors frequently to confirm they are functioning.

Electrical and Fire Safety

Households can prevent electrical accidents by practicing electrical safety during the home cultivation process. Cannabis requires significant sources of light during the grow process. The use of artificial lighting and other forms of electrical equipment increase the risk of fire for the household.¹⁰

Individuals should avoid practices that can lead to electrical accidents, such as overloading circuits and using too many lights in the grow space. Individuals should never connect multiple surge protectors or extension cords to each other to extend the length of cords or add extra


II. Additional Fact Sheets Produced at CCA Initiative

THC vs CBD: What's the Difference?

Cannabidiol (CBD) and Tetrahydrocannabinol (THC) are both derived from the same plant species, *Cannabis sativa L.* Although they do share some similarities, including the same chemical formula, the two chemicals have several key differences due to their biological arrangements.

	CBD	THC
Psychotropic		✓
Found in greater concentrations in hemp	✓	
Found in greater concentrations in marijuana		✓
Federally legal to sell and consume	✓*	
Legal to possess and consume in Virginia	✓	✓**


* As hemp extract
** It is legal to possess up to 1oz in Virginia.




Do's and Don'ts of Medical Cannabis Use




DO

 Get certified for medical cannabis use by registered practitioner. A written certification is needed before you go to a dispensary.

Bring a valid government-issued ID to the dispensary. 
Types of valid IDs include a passport or government-issued driver's license.

 Pre-register with the dispensaries at which you plan to shop. This will reduce wait times.


Renew your medical cannabis certification each year. 
Written certifications for medical cannabis are only valid one year




DON'T

 Use cannabis in public. Using cannabis in public is illegal in Virginia.

Use cannabis and drive. 
It is illegal and unsafe to drive under the influence in Virginia.

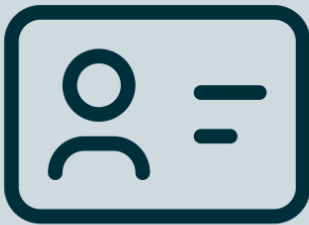
 Use more cannabis than recommended. Follow practitioner, pharmacist, and serving size recommendations.

 Sell your cannabis supply to someone else. It is illegal for individuals to sell cannabis products in Virginia.

HOW TO REGISTER FOR VIRGINIA'S MEDICAL CANNABIS PROGRAM



VIRGINIA
Cannabis
Control
Authority

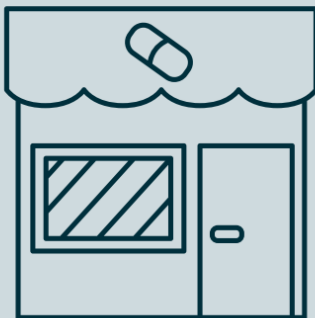


MEET BASIC QUALIFICATIONS

Those wishing to register in Virginia's medical cannabis program must be a resident of the Commonwealth, be at least 18 years of age, have a condition that may benefit from the use of cannabis products, and have a valid government-issued ID.

GET CERTIFIED BY A LICENSED PRACTITIONER

An individual must receive a written certification from a registered practitioner for medical cannabis. Parents or legal guardians may receive a written certification on behalf of a minor or incapacitated adult. All certifications must be renewed by a licensed practitioner annually.



FIND A LICENSED DISPENSARY


Effective July 1, 2022, patients may go directly to one of the state-designated cannabis dispensaries with their written certification and government-issued ID. Although not required by law, patients may still register with the VA Board of Pharmacy if they wish to receive a state medical registration card. The state registration fee is \$50 for a patient and \$25 for a parent/guardian.

Hemp vs Marijuana: What's the Difference?

Hemp and marijuana are different varieties of the same plant species, *Cannabis sativa L.* Although they do share some similarities, the two plants have several key differences due to their biological structures.

	HEMP	MARIJUANA
Contains more than 0.3% Delta-9 THC		✓
Federally legal to grow and consume	✓	
Legal to grow and consume in Virginia	✓	✓*
Can be grown as fiber or seed crop	✓	
Can be used to make a variety of commercial and industrial products	✓	

* Up to four marijuana plants can be grown in a private residence. It is legal to use marijuana in a private residence.



Pesticide Use on Cannabis Plants

What are pesticides?

Pesticides are substances used for killing, repelling, or controlling pests (i.e., insects, weeds, molds, and bacteria) that are harmful to cultivated plants.



Are pesticides harmful to humans?

Some pesticides carry short- and long-term health risks, such as dizziness, nausea, rash, or death. The impact of pesticides on people differs based on length and type of exposure.

How can I safely use pesticides?

Research your chosen pesticides both for their suitability for cannabis plants and their safety for use around household members. Soil should be tested whenever possible.

How can I protect myself from pesticides?



Limit the length of time you are exposed to pesticides. Use protective gear to prevent inhalation and direct skin contact.

Can I protect my plants without pesticides?

Cannabis plants can be grown in a controlled environment indoors to limit exposure to unwanted pests. Certain bugs, such as ladybugs, eat pests that attack plants without harming the plants themselves.



CANNABIS MAIL & TRAVEL LAWS



What is legal?

Marijuana possession, whether for medicinal purposes or otherwise, is a federal offense. Federal law applies to all offenses committed on federal property, including land (i.e., national parks) and air space.



Mail

It is federally illegal to mail or receive by mail cannabis products that contain more than 0.3% THC. The United States Postal Service is subject to federal law. A person is liable to face consequences in both the state in which the package is received and the state from which the package was mailed. Private mailing companies also prohibit the mailing of marijuana, including:

- UPS
- FedEx
- DHL
- 10 Roads Express



Air Travel

It is federally illegal to fly with cannabis products that contain more than 0.3% THC. If TSA officers discover marijuana during security screening, TSA is required to report law violations to local, state, or federal authorities. Flying with cannabis products over international borders is also illegal and under the jurisdiction of Customs and Border Protection.



Car Travel

It is unlawful to use or consume marijuana or marijuana products while driving or being a passenger in a motor vehicle on a public highway in Virginia. It is federally illegal to transport any cannabis across any state or territory lines. Those traveling with marijuana are subject to both federal and state laws.



SECONDHAND SMOKE EXPOSURE

WHAT IS SECONDHAND SMOKE?

Also known as passive smoking, secondhand marijuana smoke is smoke a person inhales involuntarily from marijuana smoked by others. Similar to secondhand smoke exposure from tobacco, people who are exposed to secondhand smoke from marijuana may be at risk of developing several health issues over time.

SECONDHAND SMOKE HEALTH EFFECTS

Secondhand smoke may harm the physical health of those exposed. Exposure to smoke may negatively impact lung health by increasing risk of asthma attacks, bronchitis, and difficulty breathing. Smoke exposure may also impact heart function by adversely affecting artery dilation.

SECONDHAND SMOKE EFFECTS ON CHILDREN

Families with homes that contain marijuana smoke may have greater odds of reporting negative health symptoms. Secondhand marijuana smoke contains delta-9 tetrahydrocannabinol (THC), the primary psychoactive component of marijuana. Smoking marijuana around children may lead to detectable levels of THC in their bodies, increasing their risk of improper brain development. Impacts THC can have on the developing brain include poorer memory, attention, and motivation. Though more research is needed to learn about the long-term effects of secondhand marijuana smoke on youth, keeping children away from marijuana smoke is a recommended health precaution.

WAYS TO REDUCE SECONDHAND SMOKE EXPOSURE INCLUDE THE FOLLOWING:



Do not smoke around children and other vulnerable populations.



Keep enclosed spaces, such as homes and cars, smoke-free.



Advocate for smoke-free workplaces, schools, and college campuses.

APPENDIX B

**Cannabis Control Authority
Board of Directors Meeting –
MINUTES**

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Dec. 8, 2021

12:00-2:00 PM

Patrick Henry Building - Conference Room 1

1111 E Broad St

Richmond, VA

MEMBERS PRESENT: Neil Amin, Chair
Michael Jerome Massie, Esq., Vice Chair
Bette Brand
Shane Emmett
Rasheeda N. Creighton

LEGAL COUNSEL: James M. Flaherty, Assistant Attorney General,
Office of the Attorney General

PRESENTORS: David E. Brown, DC, Director, Virginia Department of Health Professions

1. CALL TO ORDER

Mr. Amin called the meeting to order at 12:05 PM.

2. DETERMINATION OF A QUORUM

Mr. Amin determined that with all members present, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon a motion by Ms. Brand, and duly seconded, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon motion by Ms. Creighton, and duly seconded, the members unanimously voted to approve the draft minutes from the November 9, 2021 board meeting.

5. PRESENTATION ON VIRGINIA’S MEDICAL CANNABIS PROGRAM

Mr. David E. Brown, DC, Director, Virginia Department of Health Professions provided a briefing on Virginia’s medical marijuana program, known as the pharmaceutical processor program. The program was first authorized by legislation passed in 2017 and has significantly expanded in the years since – both in terms of what products may be sold and which patients qualify. Currently, the law allows one pharmaceutical processor to be authorized by in each of the five Health Service Areas (HSAs). At the moment, four of the HSAs have active licensees in operation. The Virginia Board of Pharmacy oversees the program, including permitting and inspecting the processors; registering products before they can be sold; licensing medical practitioners who wish to provide marijuana certifications to patients; and registering patients. As of November 14, 2021, Virginia has approximately 35,832 registered patients. The Board is currently receiving about 1-2,000 patient applications per week – a significant increase that has been difficult for staff to keep up with. Mr. Brown shared the challenges his team sees, including believing that recent legislative changes may be resulting in a de facto adult-use program, without the Commonwealth collecting any taxes on the sales; the need for more resources at the Board of Pharmacy to keep up with the increase in patient demand; complexities of working with vendors because of the federally illegality of cannabis; and concerns about legislation being discussed that would require the Board of Pharmacy to temporarily oversee an adult-use program. Mr. Brown fielded questions from the Board.

6. PUBLIC COMMENT PERIOD

At 12:39 PM, the Chair asked whether anyone in attendance from the public wished to provide comment.

Mr. Michael Krawitz, a member of the Cannabis Public Health Advisory Council, disabled Air Force veteran, and cannabis legalization advocate, offered himself as a resource to the Board and emphasized the importance of continued existence of the medical program for patients.

At 12:44, seeing that no one else from the public wished to speak, the Chair closed the public comment period.

7. BOARD ACTIONS

a. Consideration of the Authority’s Annual Report

Section 4.1-620 of the Code of Virginia requires the CCA to annually submit a report on its activities. Board members received a draft of the annual report ahead of the meeting, for their review and suggestions. Upon a motion by Ms. Brand, and duly seconded, the Board unanimously approved the draft to be submitted to the Governor and the General Assembly on or before December 15.

b. Hiring Action Items (Closed Session) – Mr. Amin

At 12:45 PM, Board Chair Amin moved that the Board enter closed session pursuant to 2.2-3711(A)(1) - discussion, consideration, or interviews of prospective candidates for employment and 2.2-3711(A)(8) – consultation with legal counsel. Ms. Creighton seconded and the motion was unanimously approved on a roll-call vote. Attending the closed session in full were all five Board Members, as well as Deputy Secretary Shawn Talmadge, Mr. Jim Flaherty, and Ms. Megan Field.

Upon the Board’s return from closed session at 2:05 pm, the Chair moved to certify that to the best of his knowledge nothing was discussed in the closed sessions but employment matters falling under 2.2-3711(A)(1) and 2.2-3711(A)(8) and only public business matters lawfully exempted from open meeting requirements was discussed. Mr. Massie seconded; the motion passed on a roll-call vote of 5 - 0.

8. ADJOURNMENT

The Board adjourned at 2:07 PM.

APPENDIX C

Cannabis Control Authority

Board of Directors Meeting –

MINUTES

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Dec. 17, 2021

8:30 AM - 5:30 PM

**Commissioner's Conference Room (Basement)
Virginia Workers' Compensation Commission 333 E.
Franklin St.
Richmond, VA 23219
Richmond, VA**

MEMBERS PRESENT: Neil Amin, Chair
Michael Jerome Massie, Esq., Vice Chair Bette Brand

MEMBERS PARTICIPATING

REMOTELY: Shane Emmett
Rasheeda N. Creighton

1. CALL TO ORDER

Mr. Amin called the meeting to order at 8:40 AM.

2. DETERMINATION OF A QUORUM

Mr. Amin determined that with three members present and two participating remotely, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon a motion by Ms. Brand, and duly seconded, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon motion by Ms. Brand, and duly seconded, the members unanimously voted to approve the draft minutes from the December 8, 2021 board meeting.

5. PUBLIC COMMENT PERIOD

At 8:44 AM, the Chair opened the floor to public comment. There was none.

7. BOARD ACTIONS

a. Hiring Action Items (Closed Session) – Mr. Amin

At 8:45 AM, Board Chair Amin moved that the Board enter closed session pursuant to 2.2-3711(A)(1)

- discussion, consideration, or interviews of prospective candidates for employment. Mr. Massie seconded and the motion was unanimously approved on a rollcall vote. Attending the closed session in full were all five Board Members, as well as Deputy Secretary Shawn Talmadge and Ms. Megan Field.

Upon the Board's return from closed session at 5:07 pm, the Chair moved to certify that to the best of his knowledge nothing was discussed in the closed sessions but employment matters falling under 2.2-3711(A)(1) and only public business matters lawfully exempted from open meeting requirements was discussed. Ms. Brand seconded; the motion passed on a roll-call vote of 5 - 0.

b. Modification of Agenda

At 5:07, after re-entering open session, the Chair moved to modify the agenda to allow for consideration of a delegation of authority to make hiring decisions. The motion was seconded by Mr. Massie and approved unanimously.

c. Consideration of Hiring Delegation

The Board discussed the question of delegating some hiring decision-making authority to a subgroup or single member of the Board, to enable hiring and onboarding of staff to occur before the next Board meeting. Upon a motion by Mr. Massie, and duly seconded, the Board unanimously approved a delegation of authority to the Chair to authorize the hiring decisions for positions that are detailed in the Authority's approved FY'22 operating budget. The delegation lasts until the next Board meeting.

8. ADJOURNMENT

The Board adjourned at 5:13 PM.

APPENDIX D

Cannabis Control Authority

Board of Directors Meeting

MINUTES

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February 14, 2022

12:30 PM - 3:30 PM

**Commissioner's Conference Room (Basement)
Virginia Workers' Compensation Commission 333 E.
Franklin St.
Richmond, VA 23219
Richmond, VA**

MEMBERS PRESENT: Neil Amin, Chair
Michael Jerome Massie, Vice Chair
Bette Brand
Shane Emmett
Rasheeda N. Creighton

LEGAL COUNSEL: James M. Flaherty, Assistant Attorney General, Office of the Attorney General

PRESENTERS: Marge White, Virginia Foundation for Heathy Youth
Nicole Gore, Department of Behavioral Health and Developmental Services
Jamie Patten, Department of Juvenile Justice
Jeremy Preiss, Cannabis Control Authority
Matt Prentice, Cannabis Control Authority

1. CALL TO ORDER

Mr. Amin called the meeting to order at 12:35 PM.

2. DETERMINATION OF A QUORUM

Mr. Amin determined that with five members present, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon a motion by Ms. Creighton, and duly seconded, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon motion by Ms. Brand, and duly seconded, the members unanimously voted to approve the draft minutes

from the December 17, 2021, board meeting.

5. INTRODUCTIONS

Mr. Amin introduced two new CCA staff, Jeremy Preiss, Chief Officer – Regulatory, Policy, & External Affairs and Matt Prentice, Senior Manager, Health Policy. Mr. Amin also introduced Ngiste Abebe, Vice Chair of the Cannabis Public Health Advisory Council.

6. YOUTH CANNABIS USE PREVENTION & EDUCATION EFFORTS

Ms. White presented on the Virginia Foundation for Healthy Youth (VFHY) efforts aimed at preventing youth cannabis use. The presentation included the results of the 2019 VFHY youth survey, the consequences of cannabis use in youth, and details on an upcoming cannabis use prevention marketing campaign targeted at youth. Ms. Gore presented on the efforts within community services boards that target youth cannabis use. Ms. White fielded questions from the Board regarding the role of product packaging in preventing access to youth and questions related to the similarities between youth cannabis use prevention and those done for youth tobacco use.

7. FINANCIAL UPDATE

Ms. Patten provided an update on the financial status of the CCA. Mr. Amin asked if there was a need for any amendments or adjustments to the current fiscal year’s budget. Ms. Patten commented that there wasn’t a need at this time, but updates would be provided if warranted.

8. LEGISLATIVE UPDATE

Mr. Preiss provided a legislative update on the current General Assembly Session convened on January 12, 2022. Mr. Preiss fielded questions from the Board about the state of social equity license criteria, the introduced start date and fees for an interim adult-use market, and the impact of fees on product pricing. Mr. Preiss emphasized the rapidly evolving state of current legislation and assured further updates to the Board in the coming weeks.

9. CCA WEBISTE UPDATE

Mr. Prentice provided an update on the process of creating a website for the CCA. Mr. Prentice and Mr. Preiss detailed the necessary information and functionality required for the website. The Board emphasized the importance of the website to inform the community about the laws and regulations of the adult-use cannabis market, as well as being the future location to process applications, receive inquiries, and otherwise support the operations of the CCA. Mr. Prentice emphasized that CCA staff will continue to work on developing content for the website and to begin the process of identifying a long-term vendor to provide support.

10. SEED-TO-SALE MANDATE

Mr. Prentice provided an overview of the statutorily required seed-to-sale system, including the purpose and usage of a seed-to-sale system by regulators and the cannabis industry. Mr. Prentice and Mr. Preiss fielded questions from the Board about the number of vendors offering this service and the type of staff that would be needed to support the community in implementing a seed-to-sale system. Mr. Prentice stated that CCA staff would move forward in reaching out to seed-to-sale vendors to better understand the process of implementing such a system.

11. PUBLIC COMMENT PERIOD

At 2:01 PM Mr. Amin invited comment from the public. There was no public comment.

12. ADJOURNMENT

The Board adjourned at 2:02 PM.

APPENDIX E

Cannabis Control Authority

Board of Directors Meeting

MINUTES

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April 12, 2022

11:30 AM - 2:30 PM

**Commissioner's Conference Room (Basement)
Virginia Workers' Compensation Commission 333 E.
Franklin St.
Richmond, VA 23219
Richmond, VA**

MEMBERS PRESENT: Neil Amin, Chair
Bette Brand
Shane Emmett
Rasheeda N. Creighton

LEGAL COUNSEL: James M. Flaherty, Assistant Attorney General, Office of the
Attorney General

PRESENTERS: Jamie Patten, Department of Juvenile Justice Jeremy
Preiss, Cannabis Control Authority
Matt Prentice, Cannabis Control Authority

1. CALL TO ORDER

Mr. Amin called the meeting to order at 11:35 AM.

2. DETERMINATION OF A QUORUM

Mr. Amin determined that with four members present, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon a motion by Ms. Creighton, and duly seconded, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon motion by Ms. Brand, and duly seconded, the members unanimously voted to approve the draft minutes from the February 14, 2021, board meeting.

5. FINANCIAL UPDATE

Ms. Patten provided an update on the financial status of the CCA. She spoke to the implications of the

transition to the Cardinal payroll system and provided guidance to Board Members on how to access the system in the future. Mr. Amin asked if the CCA was over budget on any item or if there were accrued expenses that were outstanding. Ms. Patten stated there were no items over budget and there were a few travel expenses for Board Members that had not been paid due to the system transition; she indicated these items would be accounted for shortly.

6. LEGISLATIVE UPDATE

Mr. Preiss provided a legislative update on the 2022 General Assembly Session, recent Governor's amendments to legislation, and the existing statutorily required duties of the CCA that did not require reenactment of the 2021 legislation. Ms. Creighton asked if there was a plan in place for how to incorporate updates to the public health and public safety guidance and information the CCA plans to produce in fiscal year 2023. CCA staff stated that this material will be published on the forthcoming CCA website; updates to this material will be uploaded to the website and publicly accessible.

8. UPDATE ON MEDICAL CANNABIS PROGRAM

Mr. Prentice provided an update on the medical cannabis program currently administered by the Department of Health Professions and their Board of Pharmacy. The update included a brief overview of the medical program, the volume of approved patients and applications received by the Board of Pharmacy, and recent legislation signed by the Governor that impacts the medical cannabis program. Mr. Emmett asked how many applications were pending review by the Board of Pharmacy. CCA staff did not know the exact size of the backlog but noted the Board of Pharmacy's stated goal is to process applications in a timely manner and within at least 60 days. Mr. Amin asked if data within the medical cannabis program was covered by the privacy provisions of the Health Insurance Portability and Accountability Act (HIPAA). CCA staff stated that it is their understanding that the medical cannabis program's data are covered by HIPAA and committed to confirm that point.

Ms. Creighton asked when the CCA would begin staffing to support the medical cannabis program. CCA staff stated that the Authority has developed three positions to support the medical program and broader regulatory work of the CCA. The intention is to begin filling these positions in the coming months.

9. CCA WEBSITE UPDATE

Mr. Prentice provided an update on the process of creating a website for the CCA, including identifying necessary capabilities and accessibility requirements, as well as detailing the resources and information intended to be made available on the website. Mr. Amin stressed that the website would be an important tool for the public to contact the CCA with any questions and to potentially report or make the CCA aware of any relevant issues. Mr. Emmett emphasized that "CCA.Virginia.Gov" may not be the best domain for search engine optimization (SEO) compared to spelling out "Cannabis" in the domain. CCA staff stated that "Cannabis.Virginia.Gov" is an existing website and that staff would explore how best to either maintain this second site, or perhaps use it to redirect users to the "CCA.Virginia.Gov" website.

10. OUTREACH TO SOUTHWEST VIRGINIA

Mr. Preiss presented the plan for CCA staff and participating board members to travel to Southwest Virginia to meet with stakeholders who have interests in cannabis and or are otherwise interested in the CCA's work. He noted the "Listen and Learn" trip is being led by Ms. Brand. Mr. Preiss emphasized the importance for the CCA to engage and do outreach with stakeholders throughout the Commonwealth to support future regulations and the broader work of the CCA; the trip to Southwest Virginia was the beginning of a broader effort to connect with areas around Virginia. Ms. Brand highlighted the geographical and logistical uniqueness of Southwest Virginia and the importance of connecting with different areas and groups in the area. Ms. Brand stated that she's heard from several members of the public that they are looking forward to connecting with the CCA to share their perspective and learn more about the work of the CCA.

11. CANNABIS PUBLIC HEALTH ADVISORY COMMITTEE

Mr. Prentice provided a brief update to the Board on his goal of convening the Cannabis Public Health Advisory Committee in the coming months. Ms. Creighton asked about the status of the Cannabis Equity Reinvestment Board. CCA Staff stated that the future work of this Board, which operates as a board under the auspices of the executive branch, is under review following the 2022 General Assembly's non-reenactment of the legislative framework for an adult-use market.

11. PUBLIC COMMENT PERIOD

At 12:40 PM Mr. Amin invited comment from the public. Mitchell Smiley with the Virginia Municipal League introduced himself and offered to be a resource for the CCA. Hunter Jamerson with Jushi, a pharmaceutical processor in Virginia, introduced himself and offered to be a resource for the CCA. JM Pedini, with NORML, introduced themselves and offered to be a resource for the CCA. Sheba Williams, a board member of the Cannabis Equity Reinvestment Board and the criminal justice reform group "Nolef Turns," introduced herself. Ms. Williams expressed concern about the continued incarceration of individuals for crimes that would not be illegal in Virginia if they were committed today. At 12:44 PM, seeing that no one else from the public wished to speak, the Chair closed the public comment period.

12. CLOSED SESSION

At 1:00 PM, Mr. Amin moved that the Board enter closed session pursuant to 2.2-3711(A)(29) Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Ms. Creighton seconded, and the motion was unanimously approved. Attending the closed session in full were the four Board Members present, Mr. Preiss and Mr. Prentice from CCA Staff, and Counsel Mr. Jim Flaherty.

Upon the Board's return from closed session at 2:00 PM, the Chair moved to certify that to the best of his knowledge only matters falling under 2.2-3711(A)(29) were discussed in the closed session. Mr. Emmett seconded, and the motion was unanimously approved.

12. ADJOURNMENT

The Board adjourned at 2:02 PM.

APPENDIX F

Cannabis Control Authority

Board of Directors Meeting

DRAFT MINUTES

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May 12, 2022

11:30 AM - 2:30 PM

**Commissioner's Conference Room (Basement)
Virginia Workers' Compensation Commission 333 E.
Franklin St.
Richmond, VA 23219
Richmond, VA**

MEMBERS PRESENT: Neil Amin, Chair
Michael Jerome Massie, Vice-Chair
Bette Brand
Shane Emmett
Rasheeda N. Creighton

LEGAL COUNSEL: James M. Flaherty, Assistant Attorney General, Office of the
Attorney General

PRESENTERS:
Jamie Patten, Department of Juvenile Justice
Mitchell Smiley, Virginia Municipal League
Jeremy Preiss, Cannabis Control Authority
Matt Prentice, Cannabis Control Authority

1. CALL TO ORDER

Mr. Amin called the meeting to order at 11:30 AM.

2. DETERMINATION OF A QUORUM

Upon motion by Ms. Creighton, and duly seconded, the members unanimously voted to have Mr. Emmett participate virtually in the meeting. Mr. Amin determined that with four members present in person, and one member present virtually, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon a motion by Ms. Creighton, and duly seconded, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING’S MINUTES

Mr. Amin identified one non-substantive grammatical error in the April 12, 2022, minutes. Upon motion by Ms. Brand with that correction included, and duly seconded, the members unanimously voted to approve the draft minutes from the April 12, 2022, meeting.

5. FINANCIAL UPDATE

Ms. Patten provided an update on the financial status of the CCA. She spoke to the current expenditures and remaining budget in the current fiscal year and highlighted the completion of the transition to the Cardinal payroll system. Mr. Amin asked if there would be a gap in funding following June 30th. Ms. Patten stated that a budget has yet to be finalized for fiscal year 2023 but she has no reason to believe a budget wouldn’t be finalized prior to July 1st. Ms. Creighton asked what would happen to any remaining funds from fiscal year 2022. Ms. Patten stated that there is a process to request funds be carried over to the next fiscal year if the Board decided to explore that option.

6. PRESENTATION BY THE VIRGINIA MUNICIPAL LEAGUE

Mr. Smiley provided an overview of the Virginia Municipal League and the organization’s interest in cannabis policy and the CCA. Mr. Amin asked about the degree of consensus among the VML’s constituency. Mr. Smiley stated that there is a wide range of opinions among cities and counties, but a lot of interest and desire for education about the current state of cannabis in Virginia. Mr. Amin asked if there is anything that the CCA could do to support VML’s constituency. Mr. Smiley responded that the organization’s constituency is most interested in education and clarity about current and prospective laws addressing cannabis. Mr. Preiss asked whether VML had a position or preference for providing local governments with the ability in a referenda to opt-in to host marijuana businesses in their jurisdictions or to opt out of hosting such businesses. Mr. Smiley stated that VML’s position is to provide localities the ability to have a referendum but defer to the General Assembly on whether it should be an opt-in or opt-out referendum.

7. WEBSITE Q + A REVISION

Mr. Prentice explained that www.cannabis.Virginia.gov has been updated by CCA Staff following the 2022 General Assembly. This website is distinguished from the CCA’s work in launching a website for the CCA. Ms. Brand asked how the two websites would be connected in the future. Mr. Prentice stated that there were a few options possible with both websites in the future and that the Board would stay updated and have the opportunity to provide direction at the appropriate time.

8. REGULATORY & LEGISLATIVE UPDATE

Mr. Prentice and Mr. Preiss provided a regulatory and legislative update on the outcome of SB 591, Governor’s amendments, and recent actions by the FDA on Delta-8 products. Mr. Amin asked if there was an opportunity for cannabis-related legislation to be added as part of the ongoing legislative budget process. Mr. Preiss confirmed that this is a possibility. Mr. Massie expressed concern that the potential creation of new misdemeanors for varying levels of possession is a step backwards from legalization efforts and these penalties will lead to more court cases. Ms. Brand asked what steps the FDA may undertake to enforce their Warning Letters to companies marketing Delta-8 products. Mr. Preiss commented that the FDA has various enforcement tools, including seeking court injunctions to stop the companies from marketing their products and product seizures in the event the companies are unable to comply with the terms of the Warning Letters. Mr. Emmett stated anecdotally that his experience in the food industry indicates FDA Warning Letters is a very serious matter for these targeted companies.

9. REVISION OF CCA PROCUREMENT POLICIES

Mr. Preiss presented a revised procurement policy for board consideration. The “single quote” policy defines the conditions to obtain a single quote in the procurement of goods and services for the CCA. The proposed revision raises the single quote threshold from \$10,000 to \$50,000. Ms. Brand asked why the current threshold is \$10,000. Mr. Massie and Ms. Creighton stated the goal was to align with the Virginia ABC and serve as a

starting point for staff. Mr. Amin added that this change was beneficial to provide the CCA more flexibility and would not undercut the overall goal of ensuring competition for larger contracts. Ms. Patten also noted that the threshold had not been updated for a while and that a \$50,000 threshold was more consistent with the existing market for goods and professional services. Upon motion by Ms. Brand, and duly second, the members unanimously voted to approve the revisions to the Single Quote procurement policy.

10. STAFFING DISCUSSION

Mr. Preiss provided an update on the Policy Analyst, Health Policy Analyst, and Senior Policy Manager positions currently open with the CCA. Mr. Preiss stated that the goal is to complete interviews in the coming weeks and aim to have the new staff start before July. Mr. Massie commented that he is concerned with the lack of diversity of the applicants and emphasized the importance of advertising future positions in non-traditional venues to target diverse applicants. Mr. Preiss emphasized that there was a diverse applicant pool for all three positions, that the specifics of individual candidates should be discussed in the closed session, and that CCA staff would explore the website and job board that Mr. Massie mentioned. Mr. Massie emphasized that finding the best talent is the greatest priority, but it is important to make efforts to ensure pools of candidates are not missed in the hiring process, two overriding objectives with which all board members and CCA staff agreed. Ms. Creighton reiterated the need to not be dependent on traditional HR processes and job sites to reduce barriers to access. Mr. Amin asked if the administration was aware of these three positions and the effort to bring on additional staff to the CCA. Mr. Preiss stated that his conversations with the Secretariat confirm support for these positions being added at this time.

11. OUTREACH TO SOUTHWEST VIRGINIA

Ms. Brand provided an update on the plan for CCA staff and participating board members to travel to Southwest Virginia to meet with stakeholders who have interests in cannabis and the CCA's work. The start of this visit is tentatively scheduled for June 22nd, 2022, and efforts are underway to ensure a broad spectrum of stakeholders can participate. Mr. Preiss emphasized that since this effort is not a public meeting, it is not a replacement for future town halls, but more of a "listen and learn" trip to hear concerns. Mr. Massie stated that he is aware of a stakeholder group in Virginia Beach that would like a similar discussion. Mr. Preiss commented that CCA staff would be happy to support that meeting.

12. PUBLIC COMMENT PERIOD

At 12:51 PM Mr. Amin invited comment from the public. Representatives from Five Leaves Wellness stated their support for the CCA's efforts to create an inclusive industry for Virginians.

At 12:56 PM, seeing that no one else from the public wished to speak, the Chair closed the public comment period.

13. CLOSED SESSION

At 1:12 PM, Mr. Amin moved that the Board enter closed session under the Virginia Freedom of Information Act to discuss a matter lawfully exempted from open meeting requirements under the discussion of prospective candidates for employment exemption contained in Virginia Code 2.2-3711(A)(1) and the exemption involving the discussion of the award of a public contract involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the CCA. The motion was duly seconded and voted unanimously to enter closed session.

14. ADJOURNMENT

The Board adjourned at 2:15 PM.

APPENDIX G
Cannabis Control Authority

Board of Directors Meeting

MINUTES

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July 6th, 2022

1:30 PM – 4:30 PM

Commissioner’s Conference Room (Basement)

Virginia Workers’ Compensation Commission

333 E. Franklin St.

Richmond, VA 23219

Richmond, VA

MEMBERS PRESENT: Neil Amin, Chair
Michael Jerome Massie, Vice-Chair
Bette Brand
Rasheeda N. Creighton

LEGAL COUNSEL: James M. Flaherty, Assistant Attorney General, Office of the Attorney General

PRESENTERS: Jeremy Preiss, Cannabis Control Authority
Bette Brand, Cannabis Control Authority Board of Directors
Jamie Patten, Department of Juvenile Justice
Matthew Prentice, Cannabis Control Authority
Dr. Michelle Peace, Ph.D. Associate Professor, Department of Forensic Science, Virginia Commonwealth University

1. CALL TO ORDER

Mr. Amin called the meeting to order at 1:37 PM.

2. DETERMINATION OF A QUORUM

Upon motion by Ms. Creighton, and duly seconded, the members unanimously voted to have Ms.

Brand participate virtually in the meeting. Mr. Amin determined that with three members present in person, and one member present virtually, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon motion by Ms. Creighton, and duly seconded, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon a motion by Ms. Creighton, and duly seconded, the members unanimously voted to approve the draft minutes from the May 12, 2022, board meeting.

5. INTRODUCTIONS – NEW CCA STAFF MEMBERS

Mr. Preiss introduced three new CCA staff: Shawn Casey, Senior Policy Manager; Kayla Soltis, Policy Analyst; and Brianna Bonat, Health Policy Analyst.

6. SOUTHWEST VIRGINIA TOUR

Ms. Brand presented on the CCA's Southwest Virginia Outreach trip that she, Mr. Preiss, and Mr. Prentice took June 21-24, 2022. The "listen and learn" trip featured numerous meetings with Southwest Virginia stakeholders to introduce the CCA, including its mission and its current statutory requirements, and to hear stakeholder views on concerns, opportunities, and challenges regarding cannabis policy and regulation. The meetings engaged a broad range of stakeholders, including law enforcement, state legislators, local officials, medical cannabis providers and patients, and hemp growers, processors, and retailers.

Mr. Preiss also presented, highlighting various themes that emerged on the trip. Mr. Preiss noted that in meetings several participants expressed the view that greater efforts were necessary to include smaller cultivators, processors, and retailers in the existing medical program and any future adult-use retail market should the General Assembly choose to create one. Several stakeholders also raised concerns that current suppliers to the medical program cannot keep up with demand and there are too few medical dispensaries, which creates access challenges. Many stakeholders also advocated that policy and regulation should confer preferential treatment on Virginians seeking to establish businesses in any future adult-use cannabis market. It was noted that such preferences have spurred legal challenges in other states.

Stakeholders regularly expressed concerns that more official information and guidance on cannabis needs to be published, including what is legal and what is not. The CCA is working to address this issue, with various informational resources under development, including statutorily- mandated publications. Plans also are underway for future outreach events, particularly town halls in each of the Commonwealth's five Health Service Areas.

7. FINANCIAL UPDATE

Ms. Patten presented on the CCA's current financial status. As of July 1, 2022, fiscal year 2022 has concluded and fiscal year 2023 has begun. For FY 2022, the CCA had total expenditures of \$300,028. The CCA is following the discretionary reappropriation request process to gain approval for carrying over unused FY 2022 funds into the new fiscal year. Ms. Patten confirmed that by September 30 the CCA will need to perform and certify an assessment of internal controls at the CCA. Ms. Patten offered her support to help guide Mr. Preiss and the CCA through the process.

8. LEGISLATIVE UPDATE

Mr. Prentice gave a legislative update. New legislation adopted by the General Assembly and signed by the Governor targeted industrial hemp extracts intended for human consumption, including imposing various labeling requirements on the marketing and selling of the products and prohibiting their sale to persons under 21 years of age. Industrial hemp extract products will also have to include child proof packaging, a certificate of analysis by a laboratory, and cannot be in the shape of a human, animal, vehicle, or fruit. The new rules also bar products that closely resemble other already existing trademarks and famous brands.

A Task Force on Hemp was also established. The task force, which is led by the Department of Agriculture and Consumer Services and includes CCA representation, will (i) assess the effectiveness of existing regulations on industrial hemp extracts and other substances containing THC intended for human consumption, and (ii) determine the need, if any, for new legislation and regulations to ensure the “safe and responsible manufacture and sale” of such products. The task force must provide its assessment and recommendations to the Governor and the General Assembly by November 15, 2022.

The budget legislation also created new criminal misdemeanors for the possession of certain amounts of marijuana. It directs the CCA to develop and issues regulations that establish equivalencies between amounts of marijuana flower or plant material and marijuana products (e.g., edibles, tinctures) for purposes of enforcing possession limits. Work on the regulations is underway and the CCA has begun collaboration with other agencies and non-government groups to create the equivalencies.

DR. PEACE PRESENTATION

Dr. Michelle Peace, Ph.D., Associate Professor with the Department of Forensic Science at Virginia Commonwealth University, gave a presentation on her research work. Dr. Peace is funded by the National Department of Justice and is CEO of Cardinal Quality Labs, a drug testing laboratory. Dr. Peace delivered a presentation on the origins, ongoing risks and challenges, and need for greater regulation of synthetic cannabinoids such as Delta - 8 products. Her presentation also addressed how independent certified testing laboratories are essential for providing quality assurance to safe, well-functioning, and consumer protection-oriented legal markets for cannabis.

10. PUBLIC COMMENT PERIOD

At 3:25 PM Mr. Amin invited comment from the public. Amari Harris of the Cannabis Equity Reinvestment Board and the Virginia Indigent Defense Commission commented on the need for economically disadvantaged communities to be accounted for in any future adult-use retail market and emphasized the need for CCA to communicate about any potential upcoming legislation regarding an adult-use market. Sheba Williams of Nolef Turns, Inc. and the Cannabis Equity Reinvestment Board encouraged the CCA and policymakers to consider whom marijuana enforcement practices affect most and the potential harm, both economic and non-economic, of incarceration. Elijah Jackson of Humble Root commented on the difficulty of navigating the legislation affecting cannabis and raised concerns about illicit actors in the current cannabis marketplace who may negatively impact business owners who are striving to operate legally. Anthony Mijares of Virginia NORML and Old Manchester Hemp Co. commented it was frustrating to watch the illicit market grow as other businesses attempted to navigate the market legally. Mr. Mijares offered his indoor grow facility as a potential location for CCA to tour. Mr. Massie commented that it is important to the Board that future action related to

cannabis reflect equity concerns. He also encouraged those in attendance to discuss this issue and any other concerns about cannabis policy with their local delegates and senators. Vickie R. Williams-Cullins, Secretary of the Cannabis Equity Reinvestment Board, commented on the need to focus on disadvantaged communities in future legislation and offered her expertise to the CCA.

11. ADJOURNMENT

The Board adjourned at 3:35 PM.

APPENDIX H

Cannabis Control Authority

Board of Directors Meeting

MINUTES

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August 17, 2022

11:00 AM - 4:00 PM

Commissioner's Conference Room (Basement)

Virginia Workers' Compensation Commission

333 E. Franklin St.

Richmond, VA 23219

Richmond, VA

MEMBERS PRESENT: John Keohane, Chair
Michael Jerome Massie
Bette Brand
Rasheeda N. Creighton

LEGAL COUNSEL: James M. Flaherty, Assistant Attorney General, Office of the Attorney General

PRESENTERS: Jeremy Preiss, Cannabis Control Authority

1. CALL TO ORDER

Mr. Keohane called the meeting to order at 11:04 AM.

2. DETERMINATION OF A QUORUM

Mr. Keohane determined that with four members present in person, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon motion by Ms. Brand, and duly seconded, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon a motion by Ms. Creighton, and duly seconded, the members unanimously voted to approve the draft minutes from the July 6, 2022, board meeting.

5. INTRODUCTIONS – MR. KEOHANE, CHAIR, CCA BOARD OF DIRECTORS

Mr. Keohane introduced himself as the Chair of the CCA Board of Directors.

6. HIRING UPDATES

Mr. Preiss gave an update on upcoming hires for the CCA. Manuel (Manny) Liban was hired as the CCA's Senior Manager of Public Affairs and will start August 29, 2022. He noted the CCA hopes to complete interviews for a Chief Administrative Officer by the end of the week.

7. PUBLIC COMMENT PERIOD

At 11:11 AM, Mr. Keohane invited comments from the public and apologized to anyone that wanted to call in, as technical issues prevented the meeting from being streamed. Mark Topazio, King William resident, introduced himself and expressed interest in a licensing process and attending future Board meetings.

8. CLOSED SESSION

At 11:13 AM, Mr. Keohane moved that the Board enter closed session under the Virginia Freedom of Information Act to discuss a matter lawfully exempted from open meeting requirements under the discussion of prospective candidates for employment exemption contained in Virginia Code 2.2-3711(A)(1). The motion was duly seconded, and the members unanimously voted to enter closed session. Attending the closed session were the four Board Members present and Mr. Preiss from CCA Staff.

Upon the Board's return from closed session at 4:55pm, the Chair moved to certify that to the best of his knowledge only matters falling under 2.2-3711(A)(1) were discussed in the closed session. Ms. Creighton seconded, and the motion was unanimously approved.

9. ADJOURNMENT

The Board adjourned at 4:57pm.

APPENDIX I

Cannabis Control Authority

Board of Directors Meeting

MINUTES

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October 6th, 2022

1:00 PM – 3:00 PM

Commissioner’s Conference Room (Basement)

Virginia Workers’ Compensation Commission

333 E. Franklin St.

Richmond, VA 23219

MEMBERS PRESENT: John Keohane, Chair
Neil Amin, Vice-Chair
Michael Jerome Massie
Bette Brand
Rasheeda N. Creighton

LEGAL COUNSEL: James M. Flaherty, Assistant Attorney General, Office of the Attorney General

PRESENTERS: Jeremy Preiss, Cannabis Control Authority
Brianna Bonat, Cannabis Control Authority
Shawn Casey, Cannabis Control Authority
Kayla Soltis, Cannabis Control Authority
Jamie Patten, Department of Juvenile Justice

1. CALL TO ORDER

Mr. Keohane called the meeting to order at 1:01 PM.

2. DETERMINATION OF A QUORUM

Mr. Keohane determined that, with five members present in person, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon motion by Ms. Creighton, and duly seconded by Ms. Brand, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon a motion by Ms. Creighton, and duly seconded by Ms. Brand, the members unanimously voted to approve the draft minutes from the August 17, 2022, board meeting.

5. INTRODUCTIONS – NEW CCA STAFF

Mr. Preiss introduced a new CCA staff member, Manuel "Manny" Liban, Senior Manager, Public Affairs.

6. RECAP OF SEPT 12TH CANNABIS PUBLIC HEALTH ADVISORY COUNCIL MEETING

Ms. Bonat presented on the September 12, 2022, meeting of the Cannabis Public Health Advisory Council Meeting (CPHAC). The Advisory Council last met in December 2021, and the September meeting served to reintroduce CPHAC and provide informative presentations on various topics of interest in the public health realm. Ms. Bonat briefly noted the presentations at the CPHAC meeting, which included an update on cannabis legislative changes from the 2022 session, current statistics from the medical cannabis program, current prevention efforts on youth cannabis use, and cannabis related poison center calls.

6.a. Safe Driving Poll- Summary of Initial Findings

Ms. Bonat then gave a summary of initial findings from the CCA's recently conducted safe driving poll, some of which were also presented at the CPHAC meeting. The safe driving survey had 738 respondents ages 16 years and older. The respondents were representative of Virginia's driving age population, including regional, age, and racial distribution of the Commonwealth based on census data. Ms. Bonat noted that the full detailed report from Stratacomm, the company who conducted the survey, is forthcoming, but these early results represent accurate preliminary numbers.

The results indicate that 23% of respondents used cannabis in the three months prior to the late August/early September survey. While other hazardous driving behaviors were perceived by a greater number of respondents as extremely dangerous—such as texting (60%), alcohol (49%), and other illegal drugs (53%)—fewer respondents perceived marijuana as extremely dangerous (26%). Ms. Bonat noted that this statistic provides the CCA with opportunities to address attitudes and behaviors in its upcoming safe driving campaign. The findings also indicated that 47% of marijuana users do not make plans for a sober drive home, and 30% of Virginians believed marijuana made them a safer driver. The weighted data, including break downs based on respondents' ages, is expected in the coming full report. Following receipt of the full data, Ms. Bonat and Mr. Preiss noted the CCA intends to release a press release to the public highlighting the findings and providing access to the full survey results.

7. UPDATE ON WEBSITE DEVELOPMENT

Mr. Preiss presented on the status of the ongoing creation of the CCA website. The CCA has partnered with two organizations to develop the new website: 903 Creative, for design and creative elements, and the webservices operation Virginia Interactive / NIC. 903 Creative has finalized design aspects of the website, and those aspects have been approved and shared with the technology partner Virginia Interactive / NIC. All the initial content that will be hosted on the website will be curated by

October 26. Mr. Preiss noted the CCA will aim to have staff trained to use the web content management system by November 7, with the goal of a website launch by November 18.

8. UPDATE ON CCA EDUCATIONAL RESOURCES

Ms. Casey and Ms. Soltis presented on the educational resources created by the CCA. Ms. Casey stated that the General Assembly directed the Authority to create four documents, and the CCA has created additional educational resources beyond those documents as part of its mission to be a credible, expert resource for information on cannabis in the Commonwealth. These documents will be accessible to download from the currently available CCA website, as well as uploaded on the new website when it is launched.

a. Statutorily- Required Resources

Ms. Casey provided an overview of two of the statutorily required documents. The first, a guidance document on home cultivation, will be subject to a 30-day period of public comment. The home cultivation document includes guidance regarding compliance and safe practices for those who wish to cultivate marijuana at home. The second document provides information about “responsible” consumption of cannabis, such as distinguishing between product types, dosing information, paying attention to personal limitations, and providing warnings for use by those under 21 years old, breastfeeding, or driving.

Ms. Soltis then presented on the last two statutorily required documents. The document on health risks associated with cannabis identifies ways in which cannabis use can cause health challenges. The guidance provides information on mental and physical health risks, such as mood challenges, brain function, lung, and heart performance. Finally, Ms. Soltis shared details from an educational resource on the “ancillary effects” of cannabis use, or additional consequences that can arise from the use of cannabis. These include potentially missing out on employment opportunities, complications with firearm ownership, limits on access to educational and housing opportunities, and more.

b. Additional Fact Sheets

Ms. Soltis also detailed a series of informational documents called fact sheets. These single page documents are brief and meant to deliver targeted information on a single topic. The current fact sheets include the following topics: “Hemp v. Marijuana”, “THC v. CBD”, “Do’s and Don’ts of Medical Cannabis Use”, “How to Register for Virginia’s Medical Cannabis Program”, “Pesticide Use on Cannabis Plants”, and “Cannabis Mail & Travel Laws.” Ms. Soltis emphasized that the CCA intends the fact sheet library to continue to expand and be responsive to common questions and concerns of the public and the Board.

9. FINANCE AND BUDGET UPDATE

Ms. Patten gave a finance and budget update for the CCA. She spoke to the unused funds from the FY 2022 budget and the expected carryover of a portion of those funds, the current fiscal year budget and expenditures, and the anticipated FY 2024 budget. Ms. Patten noted that the CCA anticipates there may be a significant shortfall in the budget FY 2024. Mr. Preiss added the carryover funds are one-year appropriations that cannot be used for recurring salaries, while Ms. Patten indicated she has already requested additional funds for the FY 2024 budget based on these estimates.

10. PUBLIC COMMENT PERIOD

At 1:58 PM, Mr. Keohane invited comments from the public. Calvin Hogg from the Secretary of Health and Human Resources Office commented that the Secretary would like to receive agenda materials before any CCA Board meeting and any public affairs materials produced by the CCA. Carter Whitelow with Williams Mullen gave a public comment thanking Mr. Amin for his previous service as the Board's Chair, and welcoming Mr. Keohane to the Board.

11. CLOSED SESSION

At 2:05 PM, Mr. Keohane moved that the Board enter closed session under the Virginia Freedom of Information Act to discuss matters lawfully exempted from open meeting requirements under Virginia Code 2.2-3711(A)(1). The motion was duly seconded, and the members unanimously voted to enter closed session. Attending the closed session were the five Board Members present, and Ms. Patten and Mr. Preiss from CCA Staff.

Upon the Board's return from closed session at 3:30 PM, Mr. Keohane moved to certify that to the best of his knowledge only matters falling under 2.2-3711(A)(1) were discussed in the closed session. Ms. Creighton seconded, and the motion was unanimously approved.

11. ADJOURNMENT

The Board adjourned at 3:35 PM.