

A comprehensive approach to cannabis consumer protection and quality control at the Vermont Agency of Agriculture, Food & Market's

Based on the regulatory programs currently at the Agency of Agriculture, Food & Markets (the Agency) a proposal to create and administer a comprehensive regulatory program for the cultivation of hemp and medicinal and recreational cannabis is a fit. The cannabis control board could also be attached to the Agency. This connection would provide administrative and technical support for the board.

Vermont could become the first state in the nation to legalize recreational cannabis through a legislative process. In this process, there is an opportunity to create a comprehensive cannabis quality control program housed a regulatory agency with extensive experience and existing authority to manage agricultural concerns. By employing an all-encompassing approach and developing regulatory infrastructure, based on existing agricultural principles, Vermont will not only set itself apart from other states, but also be more efficient and consistent with regard to the regulation of cannabis cultivation. The Agency's regulatory program would draft, establish, and implement rules for the certification of cultivation sites, growers, and retail locations; establish acceptable cultivation and recordkeeping practices; and ensure consumer protection by conducting site inspections, certifying commercial laboratories, and testing products for adulterants and chemical constituents. The Agency has implemented infrastructure for this with its hemp program.

The proposed regulatory structure is the same as other Agency-regulated commodities. The Agency's experience and areas of overlap would provide the opportunity for an economy of scale and efficiency in the regulatory program. Components already in place in the Agency include information technology infrastructure for site and grower certifications, programmatic experience in seed and product certifications, pest management, pesticide usage and disposal, consumer protection-related items such as weights and measures, and evaluating products for compliance with Vermont standards. Additional programs in the Agency, such as the Working Lands Enterprise Board, have developed collaborative, transparent, interagency processes to evaluate competitive bid applications.

Under the established cannabis control board attached to the Agency the delineation in regulatory authority would be for the Agency to regulate cultivation, certify sites and growers, processors and establish Vermont brand standards, and for the Department of Public Safety to enforce on illegal product usage, illegal sales, distribution, and offenses such as drugged driving. The Department of Health would maintain the education and prevention outreach programs.

Regulatory program components

Recreational	Medicinal	Hemp
<p>License/register facilities and growers</p> <ul style="list-style-type: none"> • Maintain databases of sites, and personnel (completed background checks, training, pesticide application status) • Collect fees for sites and personnel • Establish facility selection criteria • Certify number of facilities determined by Board • Recordkeeping • Inspect facilities • Inspect retail locations <p>Establish site security requirements based on DPS</p> <ul style="list-style-type: none"> • Security plan • On-site inspection <p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Availability and registration of pesticide products • Technical Assistance • Integrated pest management • Worker Protection Program for pesticide usage • Training requirements • Establish product standards • Nutrient management • Waste management <p>Seeds</p> <ul style="list-style-type: none"> • Seed certification • Registration of varieties <p>Consumer Protection/Safety</p> <ul style="list-style-type: none"> • Weights & measures (facilities, retail) • Condemn adulterated products • Assess products (THC, cannabinoids, pesticides, inorganics, pathogens) 	<p>License/register facilities and growers</p> <ul style="list-style-type: none"> • Maintain databases of sites, and personnel (completed background checks, training, pesticide application status) • Collect fees for sites and personnel • Recordkeeping • Inspect facilities <p>Establish site security requirements based on DPS</p> <ul style="list-style-type: none"> • Security plan • On-site inspection <p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Availability and registration of pesticide products • Technical Assistance • Integrated pest management • Worker Protection Program for pesticide usage • Training requirements • Establish product standards • Nutrient management • Waste management <p>Seeds</p> <ul style="list-style-type: none"> • Seed certification • Registration of varieties <p>Consumer Protection/Safety</p> <ul style="list-style-type: none"> • Weights & measures • Assess products (THC, cannabinoids, pesticides, inorganics, pathogens) • Flower adulteration • Condemn adulterated products 	<p>License/register fields and growers</p> <ul style="list-style-type: none"> • Establish criteria for sites • Maintain databases of sites, and personnel (completed background checks, training, pesticide application status) • Issue permits • Maintain databases of sites and producers • Collect fees • Recordkeeping • Inspect <p>Establish site security requirements</p> <ul style="list-style-type: none"> • Security plan • On-site inspection <p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Pesticide use • Integrated pest management • Technical Assistance • Worker Protection Program for pesticide usage • Training requirements • Nutrient management <p>Seeds</p> <ul style="list-style-type: none"> • Implement practices to prevent genetic drift • Seed certification <p>Consumer Protection/Safety</p> <ul style="list-style-type: none"> • Assess products (THC, cannabinoids, pesticides, inorganics, pathogens) • Condemn adulterated products
Overarching Analytical Programs Recreational, Medicinal, Hemp		
<p>Commercial laboratories certification</p> <p><i>Ensure 3rd party laboratories are compliant</i></p> <ul style="list-style-type: none"> • Establish QA/QC standards • Establish performance testing program • Establish auditing programs • Establish reporting requirements 	<p>State (Auditing & Consumer Protection)</p> <p><i>Ensure product meets Vermont standards</i></p> <ul style="list-style-type: none"> • Assess product content (cannabinoid content) • Pesticide residues • Inorganics • Pathogens • Drift 	

Cannabis Control Board

Number and Size of Establishments ⚡ Tax Rates ⚡ Policy ⚡ Road Safety ⚡ Youth Education ⚡ Distribution of Funds

