

Vermont Agency of Agriculture, Food & Market's Proposal for a Comprehensive Approach to Cannabis Cultivation and Certification

The Agency of Agriculture, Food & Markets (the Agency) proposes to create and administer a comprehensive and robust regulatory program for the cultivation of recreational cannabis. Including;

- Licensing and registration
- Consumer Protection
- Product integrity
- Protecting the Vermont brand

As Vermont could still become the first state in the nation to legalize recreational cannabis through the legislative process, creating an opportunity to create a model for a comprehensive cultivation and product certification process. By employing an all-encompassing approach and developing regulatory infrastructure, Vermont will set itself apart from other states who have legalized cannabis use through popular vote. The Agency's regulatory program in collaboration with the Cannabis Commission, 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 proposed regulatory structure is similar to practices for 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.

Most of the concerns and processes outlined for regulating cannabis cultivation mirror programs already active at the Agency. The delineation in regulatory authority would be for the Agency to regulate product cultivation, certify sites and growers, and establish Vermont brand standards, and for Cannabis Control Board set targets for numbers of growers, processors and retail establishments as well as guiding where funds generated are expended.

Last session the legislature created the Cannabis Quality Control Section in the Agency of Agriculture to perform cannabinoid and pesticide testing for the hemp program and could easily be charged with ensuring products in the adult use market meet Vermont standards.

Cannabis Control Board - Five Members

Board Staff- Two Full Time Positions

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| <ul style="list-style-type: none"> • Rule Making • Establish and Adjust Fees • Interact with Local Governments • Establish Advertising Standards • Establish Training Requirements | <ul style="list-style-type: none"> • License Suspension and Revocation Protocols • Criminal Background Check Reviews • Identification Card Requirements • Implement Licensing • Laboratory Certification |
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Adult Use	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 On-site inspection</p> <p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Availability and registration of pesticide products • 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</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 • 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"> • On-site inspection <p>Establish & Implement Accepted Cultivation Practices</p> <ul style="list-style-type: none"> • Pesticide use • Integrated pest management • 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**

Commercial laboratories certification	State (Auditing & Consumer Protection)
<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><i>Ensure product meets Vermont standards</i></p> <ul style="list-style-type: none"> • Assess product content (cannabinoid content) • Pesticide residues • Inorganics • Pathogens

Vermont Agency of Agriculture, Food & Markets
 Program Status Count
 December 7, 2018

USA Plants Program	Licensed	Not Renewed	On-Hold	Pending (Inspection)	In Violation	Total	Closed	Pending	Lapsed
Applicators - Commercial	805	82				887	1,038	48	1
Applicators - Government	183	28				211	197	7	
Applicators - Non-Commercial	135	35				170	148	8	1
Applicators - Private	557	138				695	309	25	
Pesticide Company License	444	33				477	266	7	
Pesticide Dealer	192	16				208	188	4	
Seed Dealers	91	3				94	41	1	
Ginseng	165	141	1			307	556		
Nursery Dealers	498	18				516	282	6	2
Retail	2,863	143	15	26		3,047	1,771		5
Weights and Measures	691	28			1	720	328	3	
Apiary	739	156			1	896	2,092		
Dealer / Repair Person	212	54				266	189	1	
Maple Dealers/Processors	26					26	17		
Public Weighmaster	422	89				511	529		
Hemp (for 2018)	458					458			
Totals	8,481	964	16	26	2	9,031	7,951	110	9

Original Renewal	2nd Notice	To Program
11/15/18		
11/16/18		
11/17/18		
11/18/18		
11/19/18		
11/07/18		
11/15/18		
TBD		

Program	Companies	Registered Products - 2017	Registered Products - 2018	Registered Products - 2019	18 vs. 19
Feed Manufacturers	1,000	14,893	14,582	0	14,582
Fertilizer Manufacturers	447	3,838	3,920	243	3,677
Lime Manufacturers	43	104	115	10	105
Pesticide Products	1,665	11,601	11,654	8,977	2,677
Totals	3,155	30,436	30,271	9,230	21,041

Original Renewal	2nd Notice	To Program
11/15/18		
11/15/18		
10/11/18		

USA Herds Program	Licensed	Not Renewed	On-Hold	Pending (Inspection)	In Violation	Total	Closed	Pending	Lapsed
Euthanasia Shelters	4	1				5			0
Euthanasia Technicians	5	4				9	0		9
Fair Registration	12	1				13	0		4
Meat Handlers	216	8	6			230	149		6
Pet Merchants	21					21			73
Livestock Dealers	48	3				51	0		34
Livestock Packers	3					3	0		2
Livestock Transporters	45	2				47	0		38
Totals	354	19	6	0	0	379	149	0	166

Original Renewal	2nd Notice	To Program
11/15/18		
11/15/18		
11/15/18		

USA FoodSafety Program	Licensed	Not Renewed	On-Hold	Pending (Inspection)	In Violation	Total	Closed	Pending	Lapsed
Dairy Technician	419	36				455	155	1	4
Food Processors	24	1				25	0		
Equipment Dealers	29	2				31			
MSO Permit	23	0				23			
MFO Permit	70	45				115	2		

Original Renewal	2nd Notice	To Program
11/01/18		

Color Code	License Year
	January - December
	April - March
	May - April
	July - June
	August-July
	December - November

