SIX NATIONS OF THE GRAND RIVER

CANNABIS CONTROL REGULATIONS

This regulation is made under the Six Nations of the Grand River Cannabis Control Law and, together with such statute, was enacted at a duly convened meeting of Six Nations of the Grand River held on June 9, 2021 and comes into force on June 21, 2021.

Amendment No. 1 *November 24, 2025*

Part 1 Definitions

1. (1) In the Act and these regulations certain terms are defined at the start of the Part in which such terms are used. Terms that are used in multiple Parts have the following meanings:

(a) **Act** means the *Six Nations of the Grand River Cannabis Control Law*;

(b) **affiliate** means affiliated within the meaning of Section 2;

(c) **brand element** includes a brand name, trademark, tradename, distinguishing guise, logo, graphic arrangement, design or slogan that is reasonably associated with, or that evokes:

(i) cannabis, a cannabis accessory or a service primarily related to cannabis; or

(ii) a brand of any cannabis, cannabis accessory or service primarily related to cannabis.

(d) **cannabis** means a cannabis plant and anything referred to in Schedule 1 but does not include anything referred to in Schedule 2;

(e) **cannabis accessory** means:

(i) a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of cannabis; or

(ii) a thing that is commonly used in the consumption of cannabis and is sold at the same point of sale as cannabis.

(f) **cannabis concentrate** means a substance that has a concentration of greater than 3% w/w of THC, taking into account the potential to convert THCA into THC;

(g) **cannabis extract** means:

(i) a substance produced by:

(A) subjecting anything referred to in item 1 of Schedule 1 to extraction processing; or

(B) synthesizing a substance that is identical to a phytocannabinoid produced by, or found in, a cannabis plant; or

(ii) a substance or mixture of substances that contains or has on it a substance produced in a manner referred to in paragraph (i); and

(iii) it does not include a cannabis topical or edible cannabis;

(h) **cannabis plant** means a plant that belongs to the genus *Cannabis*;

(i) **cannabis retail product** means unstamped cannabis retail product to which the Commission has applied a Commission stamp, provided that for the purposes of Parts 6, 7 and 8 of these regulations, **cannabis retail product** includes unstamped cannabis retail product;

(j) **cannabis retail store** means a store authorized by the Commission to be operated by a retail sale licence holder;

(k) **cannabis topical** means a substance or mixture of substances that contains or has on it anything referred to in item 1 or 3 of Schedule 1 and that is intended for use, directly or indirectly, exclusively on external body surfaces, including hair and nails;

(l) **CBD** means cannabidiol;

(m) **CBDA** means cannabidiolic acid;

(n) **Commission** means the Six Nations Cannabis Commission;

(o) **Commission stamp** means a stamp, in a form determined by the Commission, that is applied to unstamped cannabis retail product by the Commission pursuant to these regulations;

(p) **common name** has the same meaning as in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada);

(q) **constituent** means an individual unit of food that is combined as an individual unit of food with one or more individual units of food to form an ingredient;

(r) **contaminated** means, in respect of cannabis, a cannabis accessory or an ingredient, containing or having anything – including a micro-organism but excluding anything referred to in item 1 or 3 of Schedule 1 – that may render the cannabis, cannabis accessory or ingredient injurious to human health or unsuitable for human use;

(s) **control** means, with respect to any person at any time:

(i) holding, whether directly or indirectly, as owner or other beneficiary (other than solely as the beneficiary of an unrealized security interest) securities or ownership interests of that person carrying votes or ownership interests sufficient to elect or appoint 50% or more of the individuals who are responsible for the supervision or management of that person; or

(ii) the exercise of control in fact of that person, whether direct or indirect and whether through the ownership of securities or ownership interests or by contract, trust or otherwise;

and "**controlled**" has a comparable meaning;

(t) **Council** means Six Nations of the Grand River Elected Council;

(u) **daycare** means any building where children regularly attend and are cared for other than by one or more members of their own family;

(v) **designated medical grower** means an individual who is designated by a medical use permit holder, in accordance with Part 3 *Medical Use Permits*, to produce cannabis for the medical purposes of the medical use permit holder;

(w) **distribute** includes administering, giving, transferring, transporting, sending, delivering, providing or otherwise making available in any manner, whether directly or indirectly, and offering to distribute or having in possession for distribution;

(x) **durable life** means the period, commencing on the day on which a cannabis retail product is packaged and stamped for sale to a consumer at the retail level, during which the product, when it is stored under conditions appropriate to that product, will retain, without any appreciable deterioration, normal palatability and any other qualities claimed for it by the manufacturing licence holder that manufactured the product;

(y) **durable life date** means the date on which the durable life of a cannabis retail product ends;

(z) **dwelling-house** has the same meaning as in section 2 of the *Criminal Code* (Canada);

(aa) **edible cannabis** means a substance or mixture of substances that contains or has on it anything referred to in item 1 or 3 of Schedule 1 and that is intended to be consumed in the same manner as food, it does not include dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds;

(bb) **export permit** means a permit issued under these regulations that authorizes the exportation of cannabis;

(cc) **fresh cannabis** means freshly harvested cannabis buds and leaves, but does not include plant material that can be used to propagate cannabis;

(dd) **food** has the same meaning as in section 2 of the *Food and Drugs Act* (Canada), but does not include edible cannabis;

(ee) **food additive** means any substance the use of which results, or may reasonably be expected to result, in it or its by-products becoming a part of, or affecting the characteristics of, a food or edible cannabis, but does not include:

(i) anything referred to in item 1 or 3 of Schedule 1 of the Act; or

(ii) anything that is excluded from the definition of food additive in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada);

(ff) **grow area** means, in respect of a site set out in a licence, an area of the site where cannabis plants are cultivated, harvested or propagated;

(gg) **illicit cannabis** means cannabis that is or was sold, produced or distributed by a person prohibited from doing so under the Act (or that was imported by a person prohibited from doing so under the Act);

(hh) **immediate container** means a container that is in direct contact with cannabis or a cannabis

accessory that is an unstamped cannabis retail product or, if a wrapper is in direct contact with the cannabis or cannabis accessory, with the wrapper;

(ii) **import permit** means a permit issued under subsection 48(1) of the Act that authorizes the importation of cannabis to Six Nations territory;

(ii.1) **indoors** means an area that is fully enclosed by a permanent structure having a fixed roof and solid walls on all sides;

(jj) **ingestion** means absorption in the mouth;

(kk) **ingredient** means:

(i) in the case of a cannabis extract or a cannabis topical, a substance, other than anything referred to in item 1 or 3 of Schedule 1, that is used to produce the cannabis extract or cannabis topical, including any substance used in the manufacture of that substance, and that is present in the final form of the cannabis extract or cannabis topical; and

(ii) in the case of edible cannabis:

(A) a substance, other than anything referred to in item 1 or 3 of Schedule 1:

(I) that is used to produce the edible cannabis if the use of the substance results, or may reasonably be expected to result, in the substance or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis; or

(II) that is part of a mixture of substances referred to in item 2 of that Schedule that is used to produce the edible cannabis if the use of the mixture results, or may reasonably be expected to result, in the substance or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis; or

(B) a mixture of substances, other than anything referred to in item 1 or 3 of Schedule 1:

(I) that is used to produce the edible cannabis if the use of the mixture results, or may reasonably be expected to result, in the mixture or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis; or

(II) that is part of a mixture of substances referred to in item 2 of that Schedule that is used to produce the edible cannabis if the use of the latter mixture results, or may reasonably be expected to result, in the former mixture or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis;

(ll) **inspector** means a person designated as, or deemed to be, an inspector pursuant to section

65 of the Act;

(mm) **label** includes a legend, word or mark that is, or is to be, applied or attached to or included in, or that accompanies or is to accompany, cannabis or a cannabis accessory or a package;

(nn) **licence** means a licence issued under this Act;

(oo) **cultivation licence** means a licence referred to in section 3;

(pp) **manufacturing licence** means a licence referred to in section 3;

(qq) **medical use permit** means a permit issued to an individual pursuant to section 60;

(rr) **retail sale licence** means a licence referred to in section 3;

(ss) **non-solids containing cannabis** means substances that are in non-solid form at a temperature of 22 ± 2°C and that have a concentration of 3% w/w or less of THC, taking into account the potential to convert THCA into THC;

(tt) **operations area** means, in respect of a site set out in a licence, an area of the site, other than a storage area, where cannabis is present as a result of any activities conducted under a licence, including a grow area;

(uu) **organic solvent** means any organic compound that is explosive or highly or extremely flammable, including petroleum naphtha and compressed liquid hydrocarbons such as butane, isobutane, propane and propylene;

(vv) **organization** has the same meaning as in section 2 of the *Criminal Code* (Canada);

(yy.1) **outdoors** means any area that is not indoors;

(ww) **package** means any inner or outer container or covering;

(xx) **person** means an individual, corporation, partnership, trust or unincorporated association (including a joint venture) created for a common purpose,

(yy) **pest control product** has the same meaning as in subsection 2(1) of the *Pest Control Products Act* (Canada);

(zz) **possession** has the same meaning as in subsection 4(3) of the *Criminal Code* (Canada);

(aaa) **potential to convert CBDA into CBD** means the maximum amount of CBD that would be obtained if CBDA was converted into CBD with no further degradation of CBD;

(bbb) **potential to convert THCA into THC** means the maximum amount of THC that would be obtained if THCA was converted into THC with no further degradation of THC;

(ccc) **prescribed** means prescribed by the Act, these regulations or by the Commission;

(ddd) **premises** means lands and structures or either of them, including trailers and portable structures designed or used for residence, business or shelter, and includes part of a premises;

(eee) **produce**, in respect of cannabis, means to obtain it by any method or process, including by:

(i) manufacturing;

(ii) synthesis;

(iii) altering its chemical or physical properties by any means; or

(iv) cultivating, propagating or harvesting it or any living thing from which it may be extracted or otherwise obtained;

(fff) **promote** in respect of a thing or service, means to make, for the purpose of selling the thing or service, a representation — other than a representation on a package or label — about the thing or service by any means, whether directly or indirectly, that is likely to influence and shape attitudes, beliefs and behaviours about the thing or service;

(fff.1) **proposal** means a notice in writing that sets out the reasons for a proposed course of action and gives the recipient an opportunity to request a review in accordance with the procedure set out in Division VI of these regulations;

(ggg) **public place** includes any place to which the public has access as of right or by invitation, express or implied, and any motor vehicle located in a public place or in any place open to public view;

(ggg.1) **reasonable grounds** means an objective basis for the belief, relying on compelling and credible information and extending beyond mere suspicion;

(hhh) **school** means any building where children regularly attend for the purpose of receiving education other than from one or more members of their own family;

(iii) **security clearance** means a security clearance granted by the Commission under the Act;

(jjj) **sell** includes offer for sale, expose for sale and have in possession for sale;

(kkk) **site** means, in respect of a holder of a licence, an area that is used exclusively by the holder and that consists of at least one building or one part of a building;

(lll) **Six Nations** means Six Nations of the Grand River;

(mmm)**Six Nations Justice** means the Six Nations Justice Department;

(nnn) **Six Nations Police** means the Six Nations Police Service;

(ooo) **Six Nations Police officer** means a First Nation Constable appointed to the Six Nations Police;

(ppp) **solids containing cannabis** means substances that are in solid form at a temperature of 22 ±

2°C and that have a concentration of 3% w/w or less of THC, taking into account the potential to convert THCA into THC;

(qqq) **storage area** means, in respect of a site set out in a licence, an area of the site where cannabis is stored;

(rrr) **THC** means delta-9-tetrahydrocannabinol;

(sss) **THCA** means delta-9-tetrahydrocannabinolic acid;

(ttt) **unstamped cannabis retail product** means cannabis of only one of the classes set out in Schedule 4, or a cannabis accessory that contains such cannabis, after it has been packaged and labelled for retail sale, but prior to the application of a Commission stamp;

(uuu) **wholesale margin** means the amount added by the Commission to the price of unstamped cannabis retail products as contemplated in Section 218 of these regulations; and

(vvv) **young person** means an individual who is under 19 years of age.

Dried cannabis

(2) For the purposes of the Act and these regulations, dried cannabis is a class of cannabis and includes pre-rolls.

Equivalency

(3) For the purposes of the Act and these regulations, a quantity referred to in column 2 of Schedule 3 in respect of any class of cannabis referred to in column 1 of that Schedule is deemed to be equivalent to 1 g of dried cannabis.

Affiliates

2. (1) For the purposes of the Act and these regulations:

(a) an individual is affiliated with a person if the individual controls the person;

(b) one corporation is affiliated with another corporation if one of them is the subsidiary of the other or both are subsidiaries of the same corporation or each of them is controlled by the same person or group of persons;

(c) a person is affiliated with a corporation of which the person beneficially owns or controls, directly or indirectly, (i) shares or securities convertible into shares carrying more than 25% of the voting rights of the corporation, or (ii) a currently exercisable option or right to purchase such shares or such convertible securities;

(d) partners in a partnership are affiliated with each other and with the partnership;

(e) trustees of a trust are affiliated with each other and with the trust;

(f) members of a joint venture or other unincorporated association are affiliated with each other and with the joint venture or other unincorporated association;

(g) if two persons are affiliated with the same person, the two persons are deemed to be affiliated with each other;

(h) a person is an affiliate of another person if the other person has any direct or indirect influence that, if exercised, would result in control that person.

Part 2 Licensing

Division I: Licence Classes, Licence Holder Changes and Sourcing

Classes of licences

3. (1) The following are established as classes of licences that authorize activities in relation to cannabis:

(a) a cultivation licence;

(b) a manufacturing licence; and

(c) a retail sale licence.

Licence content

4. (1) A licence must set out such information as specified by the Commission, including any conditions the Commission considers appropriate and the date that the licence expires.

(2) The Commission may establish licence conditions on the basis of factors related to risks to the public interest, health and safety or the risk of non-compliance with the Act or these regulations.

Compliance with conditions

(3) The holder of a licence issued by the Commission must comply with its conditions.

Notice of change in address for service

5. (1) Every applicant for or holder of a licence issued under the Act shall, no later than five days after any change in address for service, serve on the Commission, in the manner specified by the Commission, written notice of the change.

No transfers

6. (1) Licences and permits are not transferable from the holder of a licence or permit to another potential holder, and licences only apply to a particular site and are not transferrable from the site specified on the licence to a different site.

(2) Any purported transfers in violation of subsection (1) are invalid and shall be considered not to have occurred.

No changes of control without approval

(3) If the holder of a licence or permit will undergo a change of control, then such licence holder shall provide notice of such change of control to the Commission and obtain the Commission's approval prior to any such change.

(4) If the holder of a licence or permit undergoes a change of control without obtaining the prior written approval of the Commission, then the Commission may revoke such licence or permit or apply additional conditions to such licence or permit as it deems reasonable in the circumstances.

Obtaining cannabis

7. (1) Subject to the other provisions of these regulations, a holder of a cultivation licence or manufacturing licence must only possess cannabis that was obtained from a cultivation licence holder, a manufacturing licence holder or pursuant to an import permit issued by the Commission.

(2) A retail sale licence holder must only possess cannabis retail products purchased from the Commission.

Exception — starting materials for cultivators

(3) Notwithstanding subsection (1), a cultivation licence holder is authorized to possess cannabis plants and cannabis plant seeds that were not obtained in accordance with subsection (1) if the holder had submitted to the Commission, with the licence application (or by any other date specified by the Commission), a declaration, signed and dated by the individual who signed and dated the application, indicating the quantity of such cannabis plants and cannabis plant seeds that they will have in their possession on the effective date of the licence.

Division II: Required Personnel

Quality assurance person

8. (1) A holder of a cultivation licence or manufacturing licence holder must retain the services of at least one individual as a quality assurance person who will be responsible for the activities listed in subsection (2) and who has the training, experience and technical knowledge related to good production practices and other requirements under the Act and regulations that are applicable to the class of cannabis in respect of which activities are conducted under the licence.

(2) The quality assurance person shall be responsible for:

(a) assuring the quality of the cannabis before it is made available for sale;

(b) investigating every complaint received in respect of the quality of the cannabis and, if necessary, immediately taking measures to mitigate any risk; and

(c) if they suspect that the cannabis or anything that will be used as an ingredient presents a risk of injury to human health or that the applicable good production practices or other requirements under the Act or regulations are otherwise not being met, immediately investigating the matter and taking any necessary measures to mitigate any risk.

(3) A holder of a cultivation licence or a manufacturing licence must obtain the Commission's approval before replacing the quality assurance person with any person other than a quality assurance person approved by the Commission.

Responsible person

9. (1) A holder of a cultivation licence or manufacturing licence must retain the services of at least one individual as the responsible person who has the authority to bind the holder.

(2) The responsible person is responsible for the activities conducted under the licence and must have sufficient knowledge of the provisions of the Act and these regulations that apply to the holder of the licence.

Head of security

10. (1) A holder of a cultivation licence or manufacturing licence must retain the services of one or two individuals as a head of security who is responsible for ensuring that the applicable physical security measures are complied with.

Division III: Licence Class Authorized Activities

Authorized activities – licences for cultivation

11. (1) Subject to the other provisions of these regulations, a cultivation licence holder is authorized to conduct those of the following activities that are authorized by the licence:

(a) to possess cannabis;

(b) to obtain dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds by cultivating, propagating and harvesting cannabis at an indoor facility;

(c) for the purpose of testing, to obtain cannabis by altering its chemical or physical properties by any means;

(d) to sell cannabis and distribute dried cannabis, fresh cannabis, cannabis plants and cannabis plant seeds to holders of a cultivation licence or a manufacturing licence or to a person pursuant to an export permit issued by the Commission;

(e) to sell unstamped cannabis retail product in the form of dried flower to the Commission; and

(f) to sell cannabis retail products in the form of dried flower to a person pursuant to an export permit issued by the Commission.

Ancillary activities

(2) A cultivation licence holder that is authorized to conduct the activity referred to in paragraph (1)(b) is also authorized, to the extent necessary to conduct that activity, to conduct ancillary activities such as drying, trimming and milling cannabis.

Use of organic solvent

(3) A cultivation licence holder that is authorized to conduct the activity referred to in paragraph (1)(c) is also authorized to alter the chemical or physical properties of cannabis by the use of an organic solvent when conducting that activity.

Authorized activities – manufacturing licence

12. (1) Subject to the other provisions of these regulations, a manufacturing licence holder is authorized to conduct those of the following activities that are authorized by the licence:

(a) to possess cannabis;

(b) to produce cannabis, other than by cultivating, propagating or harvesting it;

(c) for the purpose of testing, to obtain cannabis by altering its chemical or physical properties by any means;

(d) to sell and distribute dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds to holders of a cultivation licence;

(e) to sell and distribute cannabis to a manufacturing licence holder or to a person pursuant to an export permit issued by the Commission;

(f) to sell and distribute unstamped cannabis retail product to the Commission; and

(g) to sell and distribute cannabis retail products to a person pursuant to an export permit issued by the Commission.

Authorized activities – retail sale licence

13. (1) Subject to the other provisions of these regulations, a retail sale licence holder is authorized to conduct those of the following activities that are authorized by the licence:

(a) to possess cannabis retail products; and

(b) to sell and distribute such cannabis retail products to consumers permitted to purchase cannabis retail products under the Act.

Review re consumption lounges

(2) Within one year following the enactment of the Act, the Commission shall commence community consultations and, within 18 months following the enactment of the Act, report to Council regarding the advisability of amendments to these regulations to permit additional activities at cannabis retail stores including the ingestion of edible cannabis or application of topical cannabis by individual consumers.

Division IV: Retail Store Rules

Retail manager

14. (1) A retail sale licence holder must retain the services of at least one individual at least 19 years of age as a retail manager who will be responsible for the following activities and who must have sufficient knowledge of the provisions of the Act and these regulations in relation to those activities:

(a) supervising employees of the cannabis retail store;

(b) overseeing the sale of cannabis;

(c) managing compliance issues in relation to the sale of cannabis; and

(d) having signing authority to purchase cannabis, enter into contracts or make offers of employment.

Cannabis retail seal and licence

15. (1) It is a condition of a retail sale licence that the holder display (a) the cannabis retail seal in the form published by the Commission in a conspicuous place that is visible from the exterior of the public entrance to the cannabis retail store and (b) either display the licence in a conspicuous place in the cannabis retail store or have the licence immediately available for inspection at the cannabis retail store upon request.

(2) The cannabis retail seal described in subsection (1) shall be displayed with a minimum height of 20 centimetres using the default image aspect ratio.

False representation

(3) No person other than a retail sale licence holder may use the cannabis retail seal, or otherwise represent themselves to be a retail sale licence holder.

Minimum pricing

16. (1) The Commission may order that all retail sale licence holders not sell cannabis retail products or a prescribed class of them at a price lower than a specified price.

Permitted sale items

17. (1) A retail sale licence holder may only sell the following things at a cannabis retail store:

(a) cannabis retail products purchased by the holder from the Commission in the packaging in which they were purchased;

(b) cannabis accessories;

(c) gift cards solely for use at the cannabis retail store at which they are sold, so long as each gift card has a redemption value equal to the amount of money paid for such gift card;

(d) arts and crafts produced by Six Nations band members or members of another First Nation**;** and

(e) any item that relates in some direct way to cannabis or its use, such as an item that depicts cannabis or its use or that is wholly or partly cannabis-themed, but not including any food or drink that is not cannabis.

Distribution

18. (1) A retail sale licence holder shall ensure that cannabis retail products purchased from such retail sale licence holder are distributed in one of the following manners:

(a) in person, to the individual who purchased the cannabis, at the cannabis retail store; or

(b) by delivery to an individual located inside of Six Nations territory who purchased the cannabis, or another individual 19 years of age or older at the place of delivery, upon receipt of proof of age of such individual; or

(c) by delivery to an individual located outside of Six Nations territory who purchased the cannabis, or another individual 19 years of age or older at the place of delivery, upon receipt of proof of age of such individual and such sale and delivery shall not constitute an export requiring an export permit pursuant to Part 9 *Import and Export*.

(2) The retail sale licence holder shall not sell or distribute, in a single transaction or visit, cannabis retail products to an individual that total more than the equivalent of 30 grams of dried cannabis as determined in accordance with the Act.

(3) Notwithstanding subsection (1), the Covid-19 Six Nations Health and Safety Guidelines must be followed by all retail sale licence holders while such Guidelines remain in effect, including in respect of curbside pick-up.

Operating standards and requirements

19. (1) The Commission may establish, and the retail sale licence holder must comply with, standards and requirements respecting the conduct of the retail sale licence holder relating to any matter relating to the operation of cannabis retail stores.

Smoke-Free Ontario Act

(2) A retail sale licence holder shall comply with all provisions of the *Smoke-Free Ontario Act, 2017* (Ontario) and its regulations in the operation of a cannabis retail store.

Permissible hours of operation

20. (1) A cannabis retail store is authorized to be open to the public between 9:00 a.m. and 11:00 p.m. on any day.

Preventing entry of young persons

21. (1) A retail sale licence holder shall ensure that no individual who appears to be under 25 years of age is permitted to enter the cannabis retail store unless the individual has provided a form of identification prescribed by the Commission and the holder or employee is satisfied that the individual is at least 19 years of age.

Training requirements

22. (1) The retail sale licence holder, any retail manager or other person employed or engaged to work in a cannabis retail store must successfully complete training courses or programs as may be mandated by the Commission relating to the responsible sale of cannabis retail products and record keeping requirements under the Act and these regulations.

Consumer information document

23. (1) The retail sale licence holder shall make available to every purchaser of any cannabis retail product from such licence holder, and prominently display at the cannabis retail store, a copy of the then-current version of the document entitled *Consumer Information — Cannabis*, published by the Commission, at the time of purchase.

Unsold cannabis on termination of licence

24. (1) In the event of the revocation or non-renewal of a retail sale licence, the person who held the licence shall comply with the requirements specified by the Commission respecting any cannabis left unsold or undistributed as a result of the revocation or non-renewal.

No employment of individual under 19 years of age

25. (1) The retail sale licence holder shall not employ an individual under 19 years of age in a cannabis retail store.

Division V: Applicant Eligibility

Eligibility

26. (1) The Commission may refuse to issue, renew or amend a licence if:

(a) the issuance or renewal of the licence is not in the public interest, provided that the following factors are matters of public interest for the purposes of this subsection (a) and subsection 28(2):

(i) protection of public health and safety;

(ii) protecting young persons and restricting their access to cannabis; and

(iii) preventing illicit activities in relation to cannabis, including avoiding the risk of diversion of cannabis into the illicit market;

(b) there are reasonable grounds to believe that false or misleading information was submitted as part of the application;

(c) the applicant has contravened in the past ten years a provision of or order made under the Act, the *Controlled Drugs and Substances Act* (Canada), *Food and Drugs Act* (Canada), the *Criminal Code* (Canada), the *Safe Food for Canadians Act* (Canada), the *Cannabis Licence Act, 2018* (Ontario) or the *Cannabis Control Act, 2017* (Ontario) or any of their regulations or any licence or permit issued under any of them;

(d) the applicant is:

(i) under the age of 19;

(ii) not a Six Nations band member; or

(iii) not an organization that is 100% owned, directly and indirectly, by Six Nations band members;

(e) a security clearance in respect of the application has been refused or cancelled;

(f) if the holder has contravened or failed to comply with the Act or these regulations;

(g) an individual who is required to hold a security clearance in respect of an application does not hold such a security clearance; or

(h) the Commission is not satisfied that the applicant or holder will exercise sufficient control, either directly or indirectly, over the licensed business.

Prescribed offences not requiring refusal

(2) Notwithstanding subsection (1), an applicant or holder shall not be refused a licence or renewal only because the applicant or holder has been convicted of or charged with:

(a) an offence under the Act, unless it was an offence under section 29(1), 29(2), 29(3), 32(1), 33(1), 34(1), 36(1), or 37(1), each of which may alone cause such refusal; or

(b) an offence under sections 4, 5, 7 or 7.1 of the *Controlled Drug and Substances Act* (Canada) where the prohibited activity took place prior to the coming into force of the Act.

Inquiries

27. (1) The Commission may make such inquiries and conduct such investigations into any of the following persons as are necessary to determine, for the purposes of an application for a licence under the Act or for the renewal of a licence, whether the applicant or holder meets the requirements for a licence or renewal, as the case may be:

(a) the applicant or licence holder;

(b) persons interested in the applicant or licence holder or in the cannabis retail store or

cultivation or manufacturing facility with respect to which the licence is or would be issued;

(c) if the applicant or holder is a corporation, a director, officer or shareholder of a person referred to in paragraph (a) or (b); and

(d) any individual employed or engaged by the applicant or licence holder.

Interpretation of persons interested

(2) For the purposes of paragraph (1)(b), persons interested include a landlord, certificate of possession holder or owner of the premises, a mortgagee or any person with an interest in the assets of the applicant or holder's cannabis business.

Costs

(3) The applicant or holder shall pay the reasonable costs of the inquiries or investigations.

Collection of Information

(4) The Commission may require information, including personal information, or material from any person who is the subject of the inquiries or investigations and may request such information or material from any person who the Commission has reason to believe can provide information or material relevant to the inquiries or investigations.

Disclosure

(5) Any Six Nations agency is authorized to disclose to the Commission the information or material that the Commission requests from the agency under subsection (4).

Public notice and public interest

28. (1) For the purposes of clause 26(1)(a), unless the applicant is ineligible on any other ground to be issued a licence or a licence renewal, the Commission shall give notice of an application for a licence or renewal:

(a) by displaying a notice at the location of the proposed cannabis retail store or production site specified in the application;

(b) by posting a notice on the Commission's website; and

(c) in any other manner the Commission considers appropriate.

(2) Notice given under subsection (1) shall include a request for the residents of Six Nations to make written submissions to the Commission, which must be made no later than 15 days after the notice is first given, as to whether the issuance of the licence or renewal is in the public interest, having regard to the needs and wishes of such residents.

Prohibited sites

29. (1) The Commission shall refuse to issue a licence:

(a) for retail sale, if the proposed cannabis retail store would be located less than 75 metres from a dwelling-house or less than 150 metres from a school, a daycare, a longhouse, a church or other place of worship.

(b) for manufacturing or cultivation, if the Commission determines that the proposed site is not acceptable from a land use and environmental protection perspective having regard to the site's current use, historic activity and cultural significance, adjacent areas, environmental and natural heritage considerations, availability and types of services required for the site including water use and waste material disposal.

(2) For the purposes of paragraph (1)(a), the distance shall be interpreted as the minimum straight-line distance between the structures.

Division VI: Licence Refusal, Suspension and Revocation

Proposal to refuse

30. (1) The Commission may issue a proposal to refuse to issue, renew or amend a licence or permit if the Commission is of the opinion that it is in the public interest to do so or believes on reasonable grounds that the holder has contravened or failed to comply with the Act or these regulations.

Proposal to revoke or suspend

31. (1) The Commission may issue a proposal to revoke or to suspend a licence or permit issued under the Act if the Commission believes on reasonable grounds that the holder has contravened or failed to comply with the Act or these regulations.

Revocation of retail sale licence

(2) The Commission may issue a proposal to revoke a retail sale licence if the licence holder has failed to open to the public within six months of being authorized to open by the Commission.

Suspension without proposal

32. (1) The Commission may suspend a licence or permit issued under the Act without issuing a proposal if the Commission has reasonable grounds to believe that the suspension is necessary to protect public health or public safety, or any of the following circumstances exists:

(a) an individual who is required to hold a security clearance in respect of the licence does not hold such a security clearance; or

(b) the holder of a licence has failed to pay a fee in relation to the licence that is required under the Act, including any community contribution.

(2) If a suspension occurs under subsection (1), the suspension takes effect as soon as the Commission provides the holder with a written notice of and reasons for the suspension, which the holder may then refute within 10 days after receipt of the notice by providing the Commission with reasons why the suspension is unfounded.

(3) If the reasons for the suspension no longer exist or the Commission finds the suspension to be unfounded, the Commission must reinstate the suspended licence or permit by notice to the holder.

Revocation without proposal

33. (1) The Commission may revoke a licence or permit issued under the Act without issuing a proposal if the Commission has reasonable grounds to believe that the revocation is necessary to protect public health or public safety, or any of the following circumstances exists:

(a) the Commission is of the opinion that it is in the public interest to revoke it;

(b) the holder is:

(i) an individual who has, since issuance of the licence, ceased to be a Six Nations band member; or

(ii) an organization that has, since issuance of the licence, ceased to be wholly owned by Six Nations band members;

(c) since the issuance of the licence or permit, a security clearance in respect of the licence or permit has been cancelled;

(d) there are reasonable grounds to believe it was issued on the basis of false or misleading information submitted in support of the application;

(e) the holder has, since its issuance, contravened a provision of the Act, the *Controlled Drugs and Substances Act* (Canada), *Food and Drugs Act* (Canada), the *Criminal Code* (Canada), the *Safe Food for Canadians Act* (Canada), the *Cannabis Licence Act, 2018* (Ontario) or the *Cannabis Control Act, 2017* (Ontario) or any of their regulations or any licence or permit issued under any of them;

(f) there are reasonable grounds to believe that the holder has, since its issuance, contravened a condition of another licence or permit issued to the holder under the Act or any of those Acts mentioned in subsection (e);

(g) information received from Council, the Six Nations Police, a Six Nations agency or a foreign government agency raises reasonable grounds to believe that its holder has been involved in the diversion of cannabis, or of any controlled substance or precursor as those terms are defined in subsection 2(1) of the *Controlled Drugs and Substances Act* (Canada), to an illicit market or activity;

(h) the holder of the licence has requested, in writing, the revocation;

(i) the licence has been suspended and not reinstated because the reasons for the suspension still

exist or the holder of the licence has not demonstrated to the Commission that the suspension is unfounded; or

(j) in the case of a manufacturing licence, the holder has, since issuance of the licence, been convicted of an offence under the *Safe Food for Canadians Act* (Canada).

(2) If a revocation occurs under subsection (1), the revocation takes effect as soon as the Commission provides the holder with a written notice of and reasons for the revocation, which the holder may then refute within 10 days after receipt of the notice by providing the Commission with reasons why the revocation is unfounded.

(3) If the reasons for the revocation no longer exist or the Commission finds the revocation to be unfounded, the Commission must reinstate the revoked licence or permit by notice to the holder.

Suspension of retail sale licence

34. (1) If a retail sale licence is suspended under section 31 or section 32, the holder shall prominently display a sign respecting the suspension, in a form approved by the Commission, in a conspicuous place that is visible from the exterior of the public entrance to the cannabis retail store for the duration of the suspension.

Notice of proposal

35. (1) If the Commission issues a proposal under these regulations, the Commission shall serve notice of the proposal, which shall inform the applicant or holder of the entitlement to a review under subsection (2) and of the requirements of that subsection, together with written reasons on the applicant or holder.

Notice requesting review

(2) The applicant or holder may request a review by the Commission of the matter being proposed if, no later than 15 days after being served with notice of the proposal, the applicant or holder mails or delivers to the Commission a written notice requesting the review.

No review

(3) If the person on whom notice of a proposal is served does not request a review by the Commission, the Commission may carry out the proposal stated in the notice.

Review

36. (1) If a person requests a review in accordance with section 35, the Commission shall schedule and hold the review.

Order

(2) After holding a review, the Commission may by order, confirm or set aside the proposal.

Terms, conditions

(3) The Commission may attach such terms to its order, or such conditions to the licence or permit that is the subject of the review, as it considers appropriate.

Division VII: Changes Relating to Licence

Amendment by Commission

37. (1) The Commission may issue a proposal to amend a licence or permit, including by adding or changing conditions applicable to the licence or permit, if it is of the opinion that the amendment is necessary to protect public health or public safety.

Ceasing activities

38. (1) If a licence or permit is suspended in respect of any or all activities, its holder must cease conducting, for the duration of the suspension, the activities to which the suspension relates.

(2) If a licence or permit is revoked in respect of any or all activities, its holder must cease conducting the activities to which the revocation relates.

Application for amendment

39. (1) A holder of a licence must submit an application for an amendment to the licence if they propose to make any of the following changes:

(a) a change to the name of the holder of the licence;

(b) a change to the address of the site or building within the site where the activity is authorized; or

(c) a change to the authorized activities at the site or the authorized activities that may be conducted in each building within the site.

Commission approval for cultivation or manufacturing licence changes

40. (1) A cultivation licence or manufacturing licence holder that proposes to make a change to the site plan that would require physical security measures to be carried out in order to comply with physical security requirements of the Act and these regulations must obtain the Commission's approval before making the change.

Application — content

(2) For the purposes of obtaining such approval, the licence holder shall submit an application signed by the responsible person, including a description of the change and the proposed site plan.

Additional information

(3) The Commission may, on receiving an application for approval, require the submission of any

additional information that pertains to the information contained in the application and that is necessary for the Commission to consider the application.

(4) The Commission may, following implementation of an approved change to a site plan, require the submission of any additional information that pertains to the location and functionality of the physical security measures to be carried out in order to comply with the physical security requirements of the Act and these regulations.

Commission notification

41. (1) A holder of a licence must provide written notice to the Commission of any of the following changes within five days after the change occurs:

(a) a change to the mailing address, telephone number, email address or facsimile number of the holder;

(b) a change to the site plan, other than a change referred to in subsection 40(1); or

(c) the replacement of an individual who required the approval of the Commission or must hold a security clearance, or the addition of another such individual.

Notification — content

(2) The written notice must be signed by the responsible person or retail store licence holder, as applicable, and must include the following:

(a) a description of the change; and

(b) in the case of a change referred to in paragraph (1)(c), the notification must also include the name and date of birth of the individual who replaced the person or who was added as another such individual.

Cessation of activities

42. (1) A holder of a licence that intends to cease conducting all the activities authorized by the licence must provide the Commission with a written notice to that effect at least 30 days before the day on which those activities cease.

Content of notice

(2) The notice must be signed and dated by the responsible person referred to in section 9 and contain the following information:

(a) the date on which activities are expected to cease;

(b) a description of the manner in which any cannabis remaining at the site as of the date referred to in paragraph (a) will be disposed of by the licence holder, including:

(i) if the cannabis will be sold or distributed, in whole or in part, the name and address of

the person to which it will be sold or distributed; and

(ii) if it will be destroyed, in whole or in part, the day on which and the location at which the destruction is to take place, the quantity and net weight of the cannabis destroyed, the classes of cannabis destroyed and the method of destruction;

(c) the address of the location at which the holder's records, reports, electronic data and other documents that are required to be retained under the Act by the holder will be retained after activities have ceased; and

(d) the name, address, telephone number and email address of a person from which the Commission may obtain further information after activities have ceased.

Update

(3) After having ceased the activities, the holder must submit to the Commission an update of the information referred to in paragraphs (2)(a) to (2)(d), if it differs from the information submitted in the notice under subsection (1).

Division VIII: General Requirements Relating to Authorized Activities

Approved site

43. (1) A holder of a licence must only conduct activities that are authorized by the licence at the site and, if applicable, the building within the site, set out in the licence.

(2) Subsection (1) does not apply to the possession of cannabis by the holder of a cultivation licence or manufacturing licence for the purpose of antimicrobial treatment or destruction or the distribution of cannabis.

Dwelling-house

44. (1) A holder of a licence must not conduct, in a dwelling-house, any activity that is authorized by the licence.

Outdoor activities

45. (1) A holder of a licence must not sell or produce cannabis or test, store, package or label cannabis outdoors, other than in respect of curbside pickup authorized under the Covid-19 Six Nations Health and Safety Guidelines while such Guidelines remain in effect.

Safekeeping during distribution

46. (1) A holder of a licence must take any steps that are necessary to ensure the safekeeping of cannabis when distributing it.

Identification of holder of a licence

47. (1) A holder of a licence must include their legal name, as set out in the licence, in all the means by

which they identify themself in relation to cannabis, including advertising, purchase orders, shipping documents and invoices.

Antimicrobial treatment

48. (1) A holder of a cultivation licence or manufacturing licence may conduct antimicrobial treatment of cannabis at a location other than the site set out in the licence only if:

(a) the holder ensures that the cannabis that is at the location is, at all times, in the presence of at least one individual who holds a security clearance;

(b) the cannabis is subsequently returned to the site set out in the licence or distributed in accordance with these regulations; and

(c) the quality of the cannabis is not negatively impacted.

Destruction

49. (1) A holder of a cultivation licence or manufacturing licence is authorized to destroy cannabis only in a manner prescribed by the Commission.

(2) An individual who holds a security clearance or an employee of the licence holder must witness the destruction of cannabis.

(3) The destruction of cannabis must occur under unobstructed video surveillance.

Security clearance holder

50. (1) A holder of a cultivation licence or manufacturing licence must ensure that an individual who holds a security clearance is present at the site when licensed activities are conducted by other individuals in an operations area or a storage area.

Organizational security plan – update

51. (1) A holder of a cultivation licence or manufacturing licence must, on request of the Commission, update and submit the organizational security plan.

Recall

52. (1) A holder of a cultivation licence or manufacturing licence must establish and maintain a system of control that permits the rapid and complete recall of every lot or batch of cannabis that has been sold or distributed.

Recall simulation – edible cannabis

53. (1) A holder of a licence that produces or sells edible cannabis must, in respect of such edible cannabis:

(a) at least once every 12 months, conduct a recall simulation based on the system of control established under section 52(1);

(b) after completing such recall simulation, prepare a document that sets out the details of how the recall simulation was conducted and the results of such recall simulation; and

(c) retain each document prepared pursuant to paragraph (b) for at least two years after the day on which the recall simulation was completed.

Prohibition to sell – voluntary recall

54. (1) A retail sale licence holder must not sell a cannabis retail product that they know is the subject of a voluntary recall that has been commenced for reasons respecting:

(a) the quality of the cannabis retail product; or

(b) the applicable requirements of Part 6 *Good Production Practices* and Part 7 *Product Composition* are otherwise not being met.

Prohibited words, phrases, symbols, brand elements

55. (1) The Commission may publish from time to time a list of sacred words, phrases, symbols or brand elements that licence holders shall not be permitted to use in the promotion of cannabis, including on any cannabis retail product, or on or in any cannabis retail store or on any cultivation or manufacturing facility. Until a subsequent list is published by the Commission, such list shall include the following sacred words, phrases, symbols or brand elements:

(a) Peacemaker;

(b) Great Law;

(c) Haudenosaunee;

(d) Longhouse;

(e) Haudenosaunee Wampum Belts;

(f) Tree of Peace;

(g) Bound Arrows;

(h) Four White Roots;

(i) Haudenosaunee Ceremonial Masks or Symbols;

(j) Condolence Cane;

(k) Six Nations;

(l) Six Nations of the Grand River;

(m) Dish with One Spoon;

(n) Three Sisters;

(o) Lacrosse Sticks;

(p) Eagle Feathers;

(q) Emblems, Flags, Headdresses, Clans or Logos of the Haudenosaunee or Member Nations of the Haudenosaunee;

(r) Wampum;

(s) Handsome Lake;

(t) Hiawatha;

(u) Other words, phrases, symbols or brand elements associated with Haudenosaunee traditional culture, including but not limited to Ceremonies, Medicines, Foods, Dances, Games, Clothing; or

(v) Any word in a Haudenosaunee Language.

Part 3 Medical Use Permits

Division I: Interpretation

Definitions

56. (1) The following definitions apply in this Part. Other terms used in this Part may be defined in section 1 of these regulations:

(a) **health care practitioner** means an individual authorized under the laws of a province of Canada to practise medicine or as a nurse practitioner or equivalent designation;

(b) **medical document** means a document provided by a health care practitioner to support the use of cannabis for medical purposes; and

(c) **medical grow site** means, the site, if any, for the production of cannabis plants that is specified in a medical use permit.

Division II: Medical Use Permits

Eligibility – medical use permit holder

57. (1) An individual is eligible to receive a medical use permit if they:

(a) are a Six Nations band member; and

(b) have received a medical document or hold a valid registration certificate from Health

Canada as a "registered person", as such term is defined under the *Cannabis Act* (Canada).

Eligibility – designated medical grower

(2) Subject to these regulations, an individual is eligible to be a designated medical grower if they:

(a) are a Six Nations band member; and

(b) hold a valid security clearance from the Commission issued under Part 4 *Security Clearances*.

Eligibility – production for own medical purposes

(3) An individual is eligible to produce cannabis (in addition to any permitted production pursuant to section 34(3) of the Act) for their own medical purposes or as a designated medical grower only if they are an adult.

(4) For greater certainty, a medical use permit holder that is eligible for such permit based on their holding a registration certificate from Health Canada, and their designated medical grower, if applicable, shall be limited to producing the amount of cannabis specified in the medical use permit, if any, without regard to what is specified in the Health Canada registration certificate.

Prior offences

(5) An individual is not eligible to produce cannabis for their own medical purposes as a medical use permit holder or to produce cannabis as a designated medical grower if, within the preceding 10 years, they have been convicted, as an adult, of an offence in relation to any of the following:

(a) section 28 of the Act;

(b) section 29 of the Act;

(c) section 33 of the Act; or

(d) an offence committed outside Six Nations that, if committed in Six Nations, would have constituted an offence referred to in any of paragraphs (a) through (c) above.

No compensation of designated medical grower

58. (1) A designated medical grower shall not be remunerated for acting as a designated medical grower, other than reimbursement for any reasonable expenses actually incurred by the designated medical grower in producing cannabis for the medical purposes of the medical use permit holder or carrying on such other activities as are permitted hereunder in respect of such cannabis.

Medical use permit application

59. (1) Before issuing a medical use permit to an individual, the Commission must receive an application for a medical use permit and the original of the individual's medical document or Health Canada registration certificate.

Basic information

(2) The medical use permit application must contain:

(a) the applicant's name and date of birth;

(b) the address of the place in Six Nations where the applicant ordinarily resides, as well as, if applicable, their telephone number and email address,

(c) the mailing address of the place referred to in paragraph (b) if different from the address provided under that paragraph;

(d) if applicable to the applicant, or if the applicant is a young person, the name and date of birth of one or more adults who are responsible for the applicant and who will be signing the application;

(e) an acknowledgement that the applicant will comply with the possession limit referred to in section 43(2) of the Act;

(f) an indication of whether or not the applicant intends to produce cannabis for their own medical purposes; and

(g) an indication of whether cannabis is to be produced for the medical purposes of the applicant by a designated medical grower.

Production for own medical purposes

(3) If the applicant intends to produce cannabis for their own medical purposes, or if the cannabis is to be produced by a designated medical grower, the application must also include:

(a) an acknowledgement that the applicant and, if applicable, the designated medical grower:

(i) will take reasonable steps to ensure the security of the cannabis in their possession as required under this Part;

(ii) has not been convicted, as an adult, of an offence referred to in section 57(5) within the 10 years preceding the application; and

(iii) will comply with the limit specified in the medical use permit on the number of cannabis plants under production;

(b) the full address of the site where the proposed production of cannabis plants is to be conducted;

(c) subject to restrictions on outdoor grow in paragraph (5)(h), an indication of whether the proposed production area is entirely indoors, entirely outdoors or partly indoors and partly outdoors; and

(d) if there is to be any outdoor production, an indication that the site referred to in paragraph (b) is not adjacent to a school, public playground, daycare, longhouse, church or other place of

worship or other public place frequented mainly by young persons.

(4) The site set out in paragraph (3)(b) must be the address of the applicant's residence or the designated medical grower's residence, as applicable, or the address of a location approved by the Commission for the production of medical cannabis, if any.

Production by designated medical grower

(5) If cannabis is to be produced by a designated medical grower, the application must include a declaration signed and dated by the designated medical grower containing the following information and confirming that such information is correct and complete:

(a) the designated medical grower's name and date of birth;

(b) the address of the place in Six Nations where the designated medical grower ordinarily resides, as well as, if applicable, their telephone number and email address,

(c) the mailing address of the place referred to in paragraph (b) if different from the address provided under that paragraph;

(d) if the designated medical grower will not grow at his or her dwelling-house, then the address of the medical grow location approved by the Commission where such production will occur;

(e) confirmation that the designated medical grower is eligible under the requirements in section 57; and

(f) an indication of whether the proposed production area is entirely indoors, entirely outdoors or partly indoors and partly outdoors

(g) if there is to be any outdoor production, an indication that the site referred to in paragraph (b) is not adjacent to a school, public playground, daycare, longhouse, church or other place of worship or other public place frequented mainly by young persons.

(h) if the designated medical grower has already been designated as grower for one or more other medical use permit holder, confirmation all cannabis produced by the designated medical grower will be produced indoors, except for the production amount permitted in respect of no more than one medical use permit holder.

Issuance of medical use permit

60. (1) If the requirements set out in section 59 are met, the Commission must, subject to section 65, register the applicant and issue them a medical use permit.

Contents of medical use permit

(2) The medical use permit must contain the following information:

(a) the name and date of birth of the holder;

(b) the address specified in the application under paragraph 59(2)(b);

(c) the name and date of birth of any adults who are named in the application under paragraph 59(2)(d);

(d) a unique registration number;

(e) the name of the health care practitioner who provided the medical document, or the Health Canada registration certificate number, that forms the basis for the medical use permit,

(f) the daily quantity of dried cannabis, expressed in grams, that is permitted, up to a maximum of 3 grams;

(g) the effective date of the medical use permit;

(h) the date of expiry of the medical use permit;

(i) if applicable, the type of production that is authorized, namely, production by the permit holder or the designated medical grower;

(j) if applicable, the full address of the medical grow site;

(k) if applicable, an indication of whether the authorized production area is entirely indoors, entirely outdoors or partly indoors and partly outdoors; and

(l) if applicable, the maximum number of cannabis plants, determined in accordance with section 73, that may be under production at the medical grow site by virtue of the medical use permit and, if applicable, the maximum number of plants for each indoor and outdoor production period.

Document for designated medical grower

(3) If a designated medical grower is named in a medical use permit, the Commission must provide the designated medical grower with a document containing information relating to the production of cannabis that is authorized and the name of the applicable medical use permit holder.

Expiry of medical use permit

(4) A medical use permit expires at the end of the period of validity of the medical document or Health Canada registration certificate that forms the basis for the medical use permit, as determined in accordance with section 70(2).

Application to renew medical use permit

61. (1) To renew a medical use permit, the holder (or an adult who is responsible for them), must:

(a) submit an application to the Commission that includes the registration number and the information and documents required under sections 59(2) and 59(3); and

(b) ensure that a new medical document is sent to the Commission.

Extension of medical use permit

(2) If the Commission has received an application and medical document under subsection (1) but has not notified the applicant of the Commission's decision in respect of the application before the current medical use permit expires, the medical use permit remains valid until the Commission notifies the applicant of the decision.

Renewal

(3) If a renewal application has been submitted in accordance with paragraph (1)(a) and the Commission has received a new medical document under paragraph (1)(b), the Commission must, subject to section 65, renew the medical use permit and provide:

(a) the holder with a renewed medical use permit; and

(b) the designated medical grower, if any, with an updated version of the document referred to in subsection 60(3).

Application to amend medical use permit

62. (1) Subject to subsection (2), to amend any of the information in a medical use permit, the holder, or an adult who is responsible for them, must submit an application to the Commission that includes:

(a) the registration number;

(b) a description of the proposed amendment and the supporting reasons for it;

(c) the information and documents referred to in section 59**,** or such other information or documents, that are relevant to the proposed amendment; and

(d) the effective date of the event that has necessitated the application.

New medical document

(2) An amendment application cannot be submitted in respect of a new medical document.

Amendment

(3) If an application is submitted in accordance with subsection (1), the Commission must, subject to section 65, amend the medical use permit and provide:

(a) the holder with an amended medical use permit; and

(b) the designated medical grower, if any, with an updated version of the document referred to in subsection 60(3).

Notification to designated medical grower

63. (1) If, as a result of the renewal or amendment of a medical use permit, an individual ceases to be a designated medical grower, the Commission must notify them of the loss of their authorization to produce cannabis under the medical use permit.

Change of location

64. (1) If, as a result of the renewal or amendment of a medical use permit, the location of the medical grow site — or the place of residence of the holder or the place of residence of the designated medical grower — is changed, the Commission may specify the period during which the holder or, if applicable, the designated medical grower is authorized to transport cannabis from the former medical grow site or place of residence to the new medical grow site or place of residence.

Refusal to issue, renew or amend

65. (1) The Commission must refuse to issue a medical use permit to an applicant or to renew or amend a medical use permit if:

(a) the applicant is not eligible under section 57;

(b) the medical document or Health Canada registration certificate that forms the basis for the application does not meet all of the requirements of section 70 or is no longer valid;

(c) at the time the medical document was provided to the applicant, the individual who provided it was not a health care practitioner; or was not entitled to practise their profession in the jurisdiction in which the applicant consulted with them;

(d) the name or date of birth of the applicant is different from the name or date of birth that appears on the medical document;

(e) the Commission has reasonable grounds to believe that false or misleading information or documents have been provided in support of the application;

(f) the issuance, renewal or amendment would result in the applicant holding more than one medical use permit, or would result in the designated medical grower being authorized to produce cannabis under more than four medical use permits;

(g) the issuance, renewal or amendment would result in the proposed medical grow site being authorized under more than four medical use permits; or

(h) in the case where cannabis is to be produced by a designated medical grower, the individual who has been designated is not eligible under section 57.

Revocation of medical use permit

66. (1) The Commission must revoke a medical use permit if:

(a) the holder or the designated medical grower is not eligible under section 57;

(b) the medical use permit was issued, amended or renewed on the basis of false or misleading information or false or falsified documents;

(c) the health care practitioner who provided the medical document that forms the basis for the medical use permit notifies the Commission in writing that the use of cannabis by the holder is no longer supported for clinical reasons;

(d) the holder — or an adult who is named in the medical use permit — requests, in writing, that the medical use permit be revoked; or

(e) the holder dies.

Revocation of excess medical use permits

(2) If a medical grow site is authorized under more than four medical use permits, the Commission must revoke the excess medical use permits.

Power to refuse or revoke

67. (1) The Commission may refuse to issue, renew or amend a medical use permit or may revoke a medical use permit if, in the case where cannabis is to be produced by the applicant or a designated medical grower, the issuance, renewal, amendment or continued validity of the medical use permit is likely to create a risk to public health or public safety, including the risk of cannabis being diverted to an illicit market or activity.

Division III: Rules for Health Care Practitioners

Prohibition – health care practitioner

68. (1) A health care practitioner must not provide a medical document except as authorized under this Part.

Authorization – health care practitioner

69. (1) A health care practitioner is authorized, in respect of an individual who is under their professional treatment and if cannabis is required for the condition for which the individual is receiving treatment:

(a) to provide a medical document; and

(b) to administer to the individual a cannabis retail product, other than cannabis plants or cannabis plant seeds.

Medical document

70. (1) A medical document that is provided under paragraph 69(1)(a) must indicate the following and be signed by the health care practitioner who is providing it:

(a) the health care practitioner's name, profession, business address and telephone number and email address;

(b) the jurisdiction in which the health care practitioner is authorized to practise their profession and the number assigned by the jurisdiction to that authorization;

(c) the name and date of birth of the individual who is under the professional treatment of the health care practitioner;

(d) the address of the location at which the individual consulted with the health care practitioner;

(e) the daily quantity of dried cannabis, expressed in grams, that the health care practitioner authorizes for the individual, up to a maximum of 3 grams; and

(f) a period of use, specified as a number of days, weeks or months, up to a maximum of one year.

Validity of medical document

(2) A medical document is valid for the period of use specified in it, which period begins on the date that the individual referred to in paragraph (1)(c) is issued a medical use permit by the Commission.

Division IV: Production by Medical Use Permit Holder

Cumulative quantities

71. (1) For greater certainty, the number of cannabis plants that a medical use permit holder or a designated medical grower is authorized to cultivate, or propagate by virtue of a medical use permit under this Part, is in addition to the plants permitted to be cultivated, propagated or harvested pursuant to section 34(3) of the Act.

Production by medical use permit holder

72. (1) A medical use permit holder who is authorized to produce cannabis for their own medical purposes or the applicable designated medical grower is, in accordance with the medical use permit and the provisions of this Part, authorized to:

(a) obtain by cultivation, propagation and harvesting at the medical grow site up to such number of cannabis plants as is specified in the medical use permit or in the document the designated person receives under subsection 60(3), as applicable;

(b) if the medical grow site is different from the place where the holder or the designated medical grower, as applicable, ordinarily resides:

(i) transport up to the permitted number of cannabis plants and cannabis seeds directly from the place of residence to the medical grow site; and

(ii) transport cannabis, other than cannabis plants or cannabis plant seeds, directly from the medical grow site to the place of residence;

(c) in the case of a designated medical grower, send, deliver or transport to the medical use permit holder a quantity of cannabis, other than cannabis plants or cannabis plant seeds, that does not

exceed the equivalent of the maximum quantity of dried cannabis that is specified in the document the designated person receives under subsection 60(3); and

(d) if the medical use permit has been renewed or amended and, as a result, the location of the medical grow site or the place of residence of the holder or the designated medical grower, as applicable, is changed, transport cannabis directly from the former medical grow site or place of residence to the new medical grow site or place of residence within any period that the Commission may specify under section 64(1).

Possession of cannabis

(2) A medical use permit holder or a designated medical grower, as applicable, is authorized to possess the cannabis that they are authorized to obtain by cultivation, propagation and harvesting under subsection (1) or to transport under that subsection.

(3) If medical use permit holder is a young person, then an adult who is named in the medical use permit is authorized to carry out the activities set out in subsections (1) and (2) on behalf of such holder, provided that all provisions in this Division referring to the holder shall apply to such adult, *mutatis mutandis*.

Parcel – requirements

(4) A designated person who sends or has cannabis delivered under paragraph (1)(c) must:

(a) prepare the parcel in a manner that ensures the security of its contents, such that:

(i) it will not open or permit the escape of its contents during handling or transportation;

(ii) it is sealed so that it cannot be opened without the seal being broken;

(iii) it prevents the escape of odours associated with cannabis plant material; and

(iv) it prevents the contents from being identified without it being opened; and

(b) use a method that ensures the tracking and safekeeping of the parcel during transportation.

Participation by medical use permit holder

(5) If a designated medical grower is specified in a medical use permit, the medical use permit holder may, if they are an adult, participate in the activities that the designated medical grower is authorized to conduct under subsection (1).

Former designated medical grower

(6) An individual who ceases to be a designated medical grower must cease to conduct the activities referred to in paragraph (1)(c) in accordance with that paragraph within seven days after ceasing to be designated or such earlier date as the applicable medical use permit expires or is revoked.

Maximum number of plants

73. (1) If the production area is entirely indoors, the maximum number of cannabis plants that may be under production at medical grow site by virtue of a medical use permit is determined by the formula **[(A× 365) ÷ (B × 3C)] × 1.2.**

(2) The following definitions apply to subsection (1):

(a) "**A"** is the daily quantity of dried cannabis, expressed in grams, indicated in the medical document or Health Canada registration certificate that forms the basis for the registration, provided that if such amount exceeds 3 grams, it shall be deemed to be 3 grams;

(b) **"B"** is 30 g, being the expected yield of dried cannabis per plant; and

(c) **"C"** is a constant equal to 1, representing the growth cycle of a cannabis plant from seeding to harvesting.

Outdoor production only

(3) If the production area is entirely outdoors, the maximum number of cannabis plants that may be under production at a medical grow site by virtue of a medical use permit is determined by the formula **[(A × 365) ÷ (B × C)] × 1.3**.

(4) The following definitions apply to subsection (3):

(a) "**A"** is the daily quantity of dried cannabis, expressed in grams, indicated in the medical document or Health Canada registration certificate that forms the basis for the registration, provided that if such amount exceeds 3 grams, it shall be deemed to be 3 grams;

(b) **"B"** is 250 grams, being the expected yield of dried cannabis per plant; and

(c) **"C"** is a constant equal to 1, representing the growth cycle of a cannabis plant from seeding to harvesting.

Indoor and outdoor production

(5) If the production area is partly indoors and partly outdoors, the maximum number of cannabis plants that may be under production at a medical grow site by virtue of a medical use permit is determined

(a) for the indoor production period, by the formula **[(A × 182.5) ÷ (B × 2C)] × 1.3**;

(i) the following definitions apply to paragraph (a):

(A) "**A"** is the daily quantity of dried cannabis, expressed in grams, indicated in the medical document or Health Canada registration certificate that forms the basis for the registration, provided that if such amount exceeds 3 grams, it shall be deemed to be 3 grams;

(B) **"B"** is 30 grams, being the expected yield of dried cannabis per plant; and

(C) **"C"** is a constant equal to 1, representing the growth cycle of a cannabis plant from seeding to harvesting; and

(b) for the outdoor production period, by the formula **[(A × 182.5) ÷ (B × C)] × 1.3**:

(i) the following definitions apply to paragraph (b):

(A) **"A"** is the daily quantity of dried cannabis, expressed in grams, indicated in the medical document or Health Canada registration certificate that forms the basis for the registration, provided that if such amount exceeds 3 g, it shall be deemed to be 3 grams;

(B) **"B"** is 250 grams, being the expected yield of dried cannabis per plant; and

(C) **"C"** is a constant equal to 1, representing the growth cycle of a cannabis plant from seeding to harvesting.

Rounding

(6) If the maximum number of cannabis plants determined under this section is not a whole number, it is to be rounded to the next highest whole number.

Prohibition – production of plants outdoors

74. (1) A medical use permit holder or designated medical grower who is authorized to produce cannabis plants under this Part must not cultivate, propagate or harvest them outdoors if the medical grow site is adjacent to a school, public playground, daycare, longhouse, church, other place of worship or other public place frequented mainly by young persons.

(2) A designated medical grower who is authorized to produce cannabis under this Part may only cultivate, propagate or harvest them outdoors in respect of a single medical use permit holder.

Security of cannabis and documents

75. (1) A medical use permit holder or a designated medical grower who is authorized to produce cannabis under this Part, or a medical use permit holder for whom cannabis may be produced by a designated medical grower, or any adult who is named in the medical use permit as being responsible for the medical use permit holder, must:

(a) take reasonable steps to ensure the security of:

(i) the cannabis in their possession that was produced under this Part;

(ii) the medical use permit, if they possess it; and

(iii) the document referred to in subsection 60(3), if applicable;

(b) report the theft or loss of anything referred to in paragraph (a) to the Six Nations Police within 24 hours after becoming aware of the theft or loss; and

(c) report the theft or loss of anything referred to in paragraph (a) to the Commission, in writing, within 72 hours after becoming aware of the theft or loss and include confirmation that the requirement set out in paragraph (b) has been complied with.

Part 4 Security Clearances

Requirement for security clearance

76. (1) The following individuals must hold a security clearance:

(a) an individual who holds a licence for cultivation, manufacturing or retail sale;

(b) in the case of a corporation that holds a licence for cultivation, manufacturing or retail sale:

(i) the directors and officers of the corporation;

(ii) any individual who exercises, or is in a position to exercise, direct control over the corporation;

(iii) the directors and officers of any corporation that exercises, or is in a position to exercise, direct control over the corporation;

(iv) any individual who is a partner in a partnership that exercises, or is in a position to exercise, direct control over the corporation; and

(v) the directors and officers of any corporation that is a partner in a partnership that exercises, or is in a position to exercise, direct control over the corporation;

(c) in the case of a partnership that holds a licence for cultivation, manufacturing or retail sale:

(i) any individual who is a partner;

(ii) the directors and officers of any corporation that is a partner;

(iii) any individual who is a partner in a partnership that exercises, or is in a position to exercise, direct control over the partnership that holds the licence; and

(iv) the directors and officers of any corporation that is a partner in a partnership that exercises, or is in a position to exercise, direct control over the partnership that holds the licence;

(d) in the case of a licence for cultivation or manufacturing, each responsible person, head of security and quality assurance person referred to in Part 2 *Licensing*;

(e) in the case of a retail sale licence, each retail manager;

(f) an individual who has been specified by name by the Commission under subsection 49(2) of the Act or who occupies a position that has been specified by the Commission under that subsection; and

(g) any designated medical grower.

Eligibility

77. (1) Only the following individuals may submit an application for a security clearance:

(a) an individual who is required to hold a security clearance;

(b) an individual who will be required to hold a security clearance if an application for a licence, or for its renewal or amendment, that has been filed with the Commission results in the issuance, renewal or amendment of the licence;

(c) an individual who will be required to hold a security clearance if a pending business transaction is completed;

(d) an individual who has been selected by the licence holder for a position referred to in any of paragraphs 76(1)(b) through 76(1)(e); and

(e) an individual who has been selected for a position that has been specified by the Commission under subsection 49(2) of the Act or who has been notified that the Commission intends to specify them, by name or position, under that subsection.

Checks

78. (1) The Commission may, at any time, conduct checks that are necessary to determine whether an applicant for, or the holder of, a security clearance poses a risk to public health or public safety, including the risk of cannabis being diverted to an illicit market or activity, including by checking the applicant's or holder's criminal record, relevant files of law enforcement agencies, financial records of the applicant or holder and other records relating to the applicant or holder to be determined at the discretion of the Commission.

Grant of security clearance

79. (1) Before granting a security clearance, the Commission must, taking into account any licence conditions that it imposes, determine that the applicant does not pose an unacceptable risk to public health or public safety, including the risk of cannabis being diverted to an illicit market or activity.

Factors

(2) Factors that the Commission may consider to determine the level of risk posed by the applicant include:

(a) the circumstances of any events or convictions that are relevant to the determination, the seriousness of those events or convictions, their number and frequency, the date of the most recent event or conviction and any sentence or other disposition;

(b) whether it is known, or there are reasonable grounds to suspect, that the applicant:

(i) is or has been involved in (or conspired to be involved in), or contributes or has

contributed to, an activity that is prohibited by any of the provisions of the Act or any other statute referenced in section 26(1)(c), having regard to the seriousness of the applicable prohibitions;

(ii) is or has been a member of a criminal organization as defined in subsection 467.1(1) of the Criminal Code (Canada), or is or has been involved in, or contributes or has contributed to, the activities of such an organization;

(iii) is or has been a member of an organization that is known, or reasonably suspected, to be involved in or to contribute to activities directed toward, or in support of, acts of violence or the threat of violence, or is or has been involved in, or contributes or has contributed to, the activities of such an organization; or

(iv) is or has been associated with an individual who:

(A) is known, or reasonably suspected, to be involved in activities referred to in subparagraph (i); or

(B) is a member of an organization referred to in subparagraph (ii) or (iii);

(c) whether there are reasonable grounds to believe that the applicant's activities, including their financial activities, pose a risk to the integrity of the control of the production and distribution of cannabis under the Act;

(d) whether the applicant has had a security clearance suspended or cancelled;

(e) whether there are reasonable grounds to believe the applicant has, now or in the past, submitted false or misleading information, or false or falsified documents, to the Commission; and

(f) whether an entity has refused to issue a security clearance to the applicant — or has suspended or cancelled one — and the reason for the refusal, suspension or cancellation.

Refusal to grant security clearance

80. (1) If the Commission intends to refuse to grant a security clearance, the Commission must provide the applicant with a notice that sets out the reason for the proposed refusal and that specifies the period of time within which they may make written representations to the Commission. The period must start on the day on which the notice is provided and must be not less than 20 days.

Notice of refusal

(2) If the Commission refuses to grant the security clearance, the Commission must provide the applicant, and any affected holder of or applicant for a licence, with notice of the refusal in writing.

Validity period

81. (1) The Commission must establish a validity period for a security clearance in accordance with the level of risk to public health or public safety posed by the applicant, but the period must not exceed five years.

Obligation to notify

82. (1) The Commission may require, in its sole discretion, a holder of a security clearance or a holder of a licence under the Act or these regulations, to provide it with notice in writing upon the occurrence of certain circumstances as prescribed by the Commission.

Suspension of security clearance

83. (1) The Commission may suspend a security clearance if it has reasonable grounds to believe that the holder poses an unacceptable risk to public health or public safety.

Notice of suspension

(2) A suspension takes effect as soon as the Commission provides the holder with a notice in writing that sets out the reasons for the suspension and that specifies the period of time within which they may make written representations to the Commission. The period must be not less than 20 days.

Notice to holder of licence

(3) The Commission must, without delay after suspending a security clearance, also provide any affected holder of or applicant for a licence with notice of the suspension in writing.

Reinstatement of security clearance

84. (1) The Commission must reinstate a suspended security clearance if the reasons for the suspension no longer exist or the holder of the security clearance demonstrates to the Commission that the suspension was unfounded.

Notice of reinstatement

(2) The Commission must, without delay after reinstating a security clearance, provide the holder of the security clearance, and any affected holder of or applicant for a licence, with notice of the reinstatement in writing.

Cancellation of security clearance

85. (1) The Commission may cancel a security clearance provided that it is suspended, the period within which the holder may make representations in respect of the suspension has expired and:

(a) the Commission has determined that the holder poses an unacceptable risk to public health or public safety; or

(b) there are reasonable grounds to believe the security clearance was issued on the basis of false or misleading information submitted in support of the application.

Notice of cancellation

(2) The Commission must, without delay after cancelling a security clearance, provide the holder, and any affected holder of or applicant for a licence, with notice of the cancellation in writing.

Ineligibility – new application

86. (1) If the Commission refuses to grant or cancels a security clearance, the individual who has been refused a security clearance or the former holder may submit a new application for a security clearance after a period of five years has elapsed since the day on which the refusal or cancellation occurred or a change has occurred in the circumstances that led to the refusal or cancellation.

Part 5 Physical Security Measures

Site design

87. (1) The site must be designed in a manner that prevents unauthorized access.

Visual monitoring

88. (1) The perimeter of a manufacturing or cultivation site must be monitored at all times by visual recording devices to detect any attempted or actual unauthorized access.

Visual monitoring – retail stores

(2) In respect of a cannabis retail store, the following areas, both inside and, if applicable, immediately outside the premises must be monitored at all times:

(a) entrances and exits;

(b) pick up areas for cannabis purchased online or by telephone (including any curbside pickup area, if permitted);

(c) point of sale areas;

(d) receiving areas; and

(e) sales floor areas.

Visual monitoring – cultivation and manufacturing operations and storage

(3) Each operations area and storage area in a site licensed for cultivation or manufacturing must be monitored at all times by visual recording devices of a quality capable of recording clear images of faces, except in a grow area where only the entry and exit points of the area must be monitored by the devices.

Visual recording devices

(4) Visual recording devices must, in the conditions under which they are used, be capable of making a visible recording of any attempted or actual unauthorized access, and, for a cannabis retail store, any activity in the areas listed in subsections (2)(a) to (2)(e).

Intrusion detection system - perimeter

89. (1) The perimeter of the site must be secured by means of an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to the site and any attempted or actual tampering with the system.

Intrusion detection system – cultivation and manufacturing

(2) Each operations area and storage area of a cultivation or manufacturing site must be secured by means of an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to the area, any unauthorized movement in the area and any attempted or actual tampering with the system, except such system is not required to detect unauthorized movement in a grow area.

Monitoring and response

(3) The intrusion detection system referred to in subsection (1) and (2) must be monitored at all times.

Appropriate measures

(4) The holder of the licence must determine the appropriate measures to be taken if any occurrence referred to in section subsection (1) or (2) is detected.

Record of detected occurrences

(5) If any such occurrence is detected, the holder of the licence must ensure that a document is retained that contains the date and time of the occurrence; and the measures taken in response to it and the date and time when they were taken.

Location of storage area

90. (1) Each storage area must be located within an area that satisfies the security measures set out in this Part.

Restricted access to operations and storage areas

91. (1) Access to each operations area (except the sales floor in respect of a cannabis retail store) and storage area must be restricted to individuals whose presence in the area is required by their duties.

Record – storage area - cultivation and manufacturing

(2) A record must be maintained of the identity of every individual entering or exiting a storage area at a cultivation or manufacturing site.

Physical barrier

92. (1) Each operations area (except the sales floor of a cannabis retail store) and storage area must be surrounded by a physical barrier that prevents unauthorized access.

Retention

93. (1) A holder of a cultivation licence or manufacturing licence must retain:

(a) a visual recording made under section 88 for at least one year after the day on which it is made;

(b) document referred to in subsection 89(5) for at least two years after the day on which it is prepared; and

(c) the information in the record referred to in subsection 91(2) for at least two years after the day on which the information is recorded.

(2) A retail sale licence holder must retain a visual recording made under section 88 for at least 30 days after the day on which it was made.

Cannabis retail store physical character

94. (1) A retail sale licence holder must ensure that:

(a) the retail space where cannabis would be sold:

(i) is enclosed by walls (including doors) separating it from any other commercial establishment or activity and from any outdoor area; and

(ii) cannot be entered from or passed through in order to access any other commercial establishment or activity, other than a common area of an enclosed shopping mall;

(b) the premises at which the cannabis to be sold in the cannabis retail store is received or stored is not accessible to any other commercial establishment or activity or to the public;

(c) cannabis and cannabis accessories are not visible from the exterior of a cannabis retail store;

(d) unless authorized under the Act or these regulations, cannabis, cannabis accessories and any package or label of cannabis or cannabis accessories must not be displayed in a manner that may result in the cannabis, package or label being seen by a young person; and

(e) sensory display containers used to allow patrons to see and smell cannabis within a cannabis retail store must be locked and tamper-proof to prevent patrons from touching the cannabis, and must not be able to be removed from the cannabis retail store.

(2) Subsection (1)(a) does not prevent the presence of an automated teller machines (ATM) in the cannabis retail store.

Part 6 Good Production Practices

Division I: Application and Definitions

Application

95. (1) This Part does not apply to retail sale licence holders.

Definitions

96. (1) The following definitions apply in this Part. Other terms used in this Part may be defined in section 1(1) of these regulations:

(a) **acceptable level** means a level of a biological, chemical or physical hazard that does not present a risk of contamination of cannabis or anything that will be used as an ingredient;

(b) **control measure** means a measure that can be applied to prevent or eliminate any biological, chemical or physical hazard that presents a risk of contamination of cannabis or anything that will be used as an ingredient, or to reduce the hazard to an acceptable level;

(c) **critical control point** means a step at which the application of a control measure is essential to prevent or eliminate any biological, chemical or physical hazard that presents a risk of contamination of cannabis or anything that will be used as an ingredient, or to reduce the hazard to an acceptable level; and

(d) **sanitary condition** means a condition that does not present a risk of contamination, allergen cross-contamination or introduction of an extraneous substance to cannabis or anything that will be used as an ingredient;

Division II: General Requirements

Sale, distribution and exportation – cannabis

97. (1) A holder of a cultivation licence or manufacturing licence must not sell, distribute or export cannabis unless the applicable requirements set out in sections 99 to 123 have been met.

Non-application – person not holding a licence

98. (1) The requirements of this Part do not apply to any activity that a person conducts in respect of anything that will be used as an ingredient unless the activity is conducted by a holder of a licence.

Standard operating procedures

99. (1) Cannabis and anything that will be used as an ingredient must be produced, packaged, labelled, distributed, stored, sampled and tested in accordance with standard operating procedures that are designed to ensure that those activities are conducted in accordance with the applicable requirements of this Part and Part 7 *Product Composition*.

Pest control product

100. (1) Cannabis must not be treated with a pest control product unless the product is registered for use on cannabis under the *Pest Control Products Act* (Canada) or is otherwise authorized for use under that Act.

Exception – edible cannabis

(2) Despite subsection (1), edible cannabis may be treated during the course of production with a pest control product referred to in subparagraph 3(1)(b)(ii) of the *Pest Control Products Regulations* (Canada).

Sanitizers, agronomic inputs and non-food chemical agents

101. (1) Any sanitizer, agronomic input or non-food chemical agent that is present at a site must:

(a) be properly and clearly identified;

(b) be suitable for its intended use and not present a risk of contamination of cannabis or anything that will be used as an ingredient; and

(c) be handled and used in a manner that does not present a risk of contamination of cannabis or anything that will be used as an ingredient and that is in accordance with the manufacturer's instructions.

Storage

102. (1) Cannabis and anything that will be used as an ingredient must be stored under conditions that maintain their quality.

Distribution

103. (1) Cannabis and anything that will be used as an ingredient must be distributed in a manner that maintains their quality.

Building or part of building

104. (1) Any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be designed, constructed and maintained in a manner that permits those activities to be conducted appropriately and under sanitary conditions and, in particular, that:

(a) permits the building or part of the building to be kept clean and orderly;

(b) permits the effective cleaning of all surfaces in the building or part of the building;

(c) prevents the contamination of the cannabis or thing that will be used as an ingredient; and

(d) prevents the introduction of an extraneous substance to the cannabis or thing that will be used

as an ingredient.

System – filtration and ventilation

105. (1) Any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be equipped with a system that:

(a) filters air to prevent the escape of odours associated with cannabis plant material to the outdoors;

(b) provides natural or mechanical ventilation with sufficient air exchange to provide clean air and to remove unclean air in order to prevent the contamination of the cannabis or thing that will be used as an ingredient;

(c) is accessible and, if necessary for its cleaning, maintenance or inspection, is capable of being disassembled;

(d) is capable of withstanding repeated cleaning; and

(e) functions in accordance with its intended use.

Exception – cultivation, propagation or harvesting of cannabis

(2) Paragraph (1)(b) does not apply in respect of any building or part of a building where the only activities being conducted in respect of cannabis are its cultivation, propagation or harvesting.

Exception – cultivation, propagation or harvesting of anything used as an ingredient

(3) Paragraphs (1)(b) to (1)(e) do not apply in respect of any building or part of a building where the only activities being conducted in respect of anything that will be used as an ingredient are its cultivation, propagation or harvesting.

Supply of water

106. (1) Any system that supplies water to a site must be appropriate for any activity being conducted in respect of cannabis or anything that will be used as an ingredient.

Lighting

(2) Any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored or tested must be equipped with natural or artificial lighting that is appropriate for the activity being conducted.

Light fixtures

(3) Any light fixtures in the building or part of the building where the activities referred to in subsection 105(1) are conducted must:

(a) be capable of withstanding repeated cleaning and, if necessary to prevent contamination of

the cannabis or thing that will be used as an ingredient, repeated sanitizing; and

(b) not present a risk of contamination of the cannabis or thing that will be used as an ingredient in the event of breakage.

Equipment

107. (1) Cannabis and any ingredient must be produced, packaged, labelled, stored, sampled and tested using equipment that is designed, constructed, maintained, operated and arranged in a manner that:

(a) permits the effective cleaning of its surfaces;

(b) permits it to function in accordance with its intended use;

(c) is accessible and, if necessary for its cleaning, maintenance or inspection, is capable of being easily disassembled;

(d) prevents the contamination of the cannabis or ingredient;

(e) prevents the introduction of an extraneous substance to the cannabis or ingredient; and

(f) protects the cannabis or ingredient against allergen cross-contamination.

Conveyances

(2) Cannabis and any ingredient must be distributed using a conveyance that is designed, constructed, maintained and operated in a manner that prevents the contamination of the cannabis or ingredient.

Non-application

(3) Paragraphs (1)(d) and (1)(e) do not apply to the outdoor cultivation, propagation or harvesting of anything that will be used as an ingredient in cannabis.

Sanitation program

108. (1) Cannabis and its ingredients must be produced, packaged, labelled, distributed, stored, sampled and tested in accordance with a sanitation program that sets out:

(a) procedures for effectively cleaning the building or part of the building in which those activities are conducted;

(b) procedures for effectively cleaning the equipment and conveyances used in those activities;

(c) procedures for handling any substance used in those activities; and

(d) all requirements, in respect of the health and hygienic behaviour of the personnel who are involved in those activities, that are necessary to ensure that those activities are conducted in sanitary conditions.

Non-application

(2) Paragraph (1)(a) does not apply to the outdoor cultivation, propagation or harvesting of anything that will be used as an ingredient in cannabis.

Hand cleaning and hand sanitizing stations and lavatories

109. (1) If necessary to prevent the contamination of cannabis or any ingredient, a site must be equipped with hand cleaning and hand sanitizing stations and lavatories that:

(a) are appropriately equipped and adequate in number and size for the number of individuals using them;

(b) are located so that they are readily accessible to the individuals using them; and

(c) are capable of withstanding repeated cleaning and, as necessary, repeated sanitizing.

Hand cleaning and hand sanitizing stations

(2) The hand cleaning and hand sanitizing stations must permit the effective cleaning and sanitization of hands.

Lavatories

(3) The lavatories must be located and maintained so that they do not present any risk of contamination of cannabis or any ingredient.

Division III: Additional Requirements

Quality assurance

110. (1) A licence holder must ensure that:

(a) every investigation in respect of the matters referred to in paragraphs 8(2)(a), 8(2)(b) and 8(2)(c) is conducted under the responsibility of the quality assurance person referred to in section 8;

(b) if necessary following an investigation, the quality assurance person immediately causes measures to be taken to mitigate any risk;

(c) cannabis and any ingredient are produced, packaged, labelled, distributed, stored, sampled and tested using methods and procedures that, prior to their implementation, have been approved by the quality assurance person;

(d) in the case of a cannabis extract or edible cannabis, the quality assurance person approves the preventive control plan referred to in section 123 prior to its implementation; and

(e) every lot or batch of cannabis is approved by the quality assurance person before it is made available for sale.

Competencies and qualifications

111. (1) A licence holder must ensure that any individual who conducts activities in relation to edible cannabis or any ingredient in the production of edible cannabis has the competencies and qualifications that are necessary to conduct those activities at the site set out in the licence.

Temperature and humidity

112. (1) A licence holder must ensure that the temperature and humidity of any building or part of a building where cannabis or any ingredient is produced, packaged, labelled, stored or tested are maintained at levels that are appropriate for the activity being conducted with the cannabis or thing that will be used as an ingredient.

Heating, cooling or humidity-control system

(2) If the building or part of the building is equipped with a heating, cooling or humidity-control system, the holder of the licence must ensure that the system:

(a) if necessary to prevent contamination of the cannabis or any ingredient, is equipped with instruments to control and indicate the temperature and humidity levels;

(b) is accessible and, if necessary for its cleaning, maintenance or inspection, is capable of being disassembled;

(c) is capable of withstanding repeated cleaning; and

(d) functions in accordance with its intended use.

Incompatible activities, no food production

113. (1) A licence holder must ensure that physical or other effective means are used to separate incompatible activities in order to prevent contamination of cannabis or any ingredient.

No food production

(2) A licence holder must not produce, package, label or store cannabis in a building at a site set if food that is to be sold is also produced, packaged or labelled in the same building at the site.

Separation of cannabis and ingredients from contaminants

114. (1) A licence holder must ensure that physical or other effective means are used to separate cannabis or anything that will be used as an ingredient from anything that presents a risk of contamination of the cannabis or thing that will be used as an ingredient.

Ingredients – risk of injury to human health

115. (1) A manufacturing licence holder must ensure that anything that will be, or was intended to be, used as an ingredient that presents a risk of injury to human health is identified as such and is stored in a designated area within the site.

Potable water

116. (1) A manufacturing licence holder must ensure that any water that might come into contact with a cannabis extract, a cannabis topical, edible cannabis or anything that will be used as an ingredient is potable and, if the water is not potable, must ensure that it does not present a risk of contamination of the cannabis extract, cannabis topical, edible cannabis or thing that will be used as an ingredient.

Steam and ice from potable water

(2) A manufacturing licence holder must ensure that any steam or ice that might come into contact with a cannabis extract, a cannabis topical, edible cannabis or anything that will be used as an ingredient is made from water that meets the requirements of subsection (1) and, if the steam or ice does not meet those requirements, must ensure that it does not present a risk of contamination of the cannabis extract, cannabis topical, edible cannabis or thing that will be used as an ingredient.

No presence of animals

117. (1) A holder of a cultivation licence or manufacturing licence must ensure that no animal is present in any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled or stored.

Land – risk of contamination

118. (1) If any land that forms part of a site set out in a manufacturing licence or cultivation licence, or any land that is located near such a site, presents a risk of contamination of cannabis or anything that will be used as an ingredient, the holder of the licence must take measures to eliminate the risk.

Removal and disposal of contaminated materials and waste

119. (1) A holder of a cultivation licence or manufacturing licence must ensure that any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled or stored has means for the removal and disposal of contaminated materials and waste and, if necessary to prevent contamination of the cannabis or thing that will be used as an ingredient, that the building or part of the building is equipped with a drainage, sewage and plumbing system that functions in accordance with its intended use.

Frequency and manner

(2) The holder of the licence must ensure that contaminated materials and waste are removed and disposed of at a frequency that is sufficient to prevent contamination of the cannabis or thing that will be used as an ingredient and in a manner that does not present a risk of contamination of the cannabis or thing that will be used as an ingredient.

Conveyances and equipment

120. (1) A holder of a cultivation licence or manufacturing licence must ensure that any conveyance or equipment that is used at the site set out in the licence to handle any contaminated materials or any waste, unless that conveyance or equipment does not come into contact with those materials or

waste:

(a) is used only for that purpose;

(b) is identified as being reserved for that purpose; and

(c) meets the applicable requirements of section 106.

Clothing, footwear and protective coverings

121. (1) A holder of a cultivation licence or manufacturing licence must ensure that any individual who enters or is in any building or part of a building where cannabis or anything that will be used as an ingredient is produced, packaged, labelled, stored, sampled or tested wears clothing, footwear and protective coverings, including gloves, a hairnet, a beard net and a smock, that are in good condition, clean and in sanitary condition and that are appropriate for the activity being conducted with the cannabis or thing that will be used as an ingredient.

Identification and analysis of hazards

122. (1) A manufacturing licence holder that produces a cannabis extract or edible cannabis must identify and analyze the biological, chemical and physical hazards that present a risk of contamination of the cannabis or anything that will be used as an ingredient in the production of the cannabis extract or edible cannabis.

Prevention, elimination and reduction of hazards

(2) The holder of the licence must prevent, eliminate or reduce to an acceptable level the hazards referred to in subsection (1) by using control measures that are shown by evidence to be effective, including any treatment or process.

Preventive control plan

123. (1) A manufacturing licence holder that conducts activities in relation to cannabis extract or edible cannabis must prepare, retain, maintain and implement a written preventive control plan for any activity they conduct in respect of the cannabis or anything that will be used as an ingredient in the production of the cannabis extract or edible cannabis.

Content of preventive control plan

(2) The preventive control plan must include:

(a) a description of the measures for ensuring that the applicable requirements of sections 147, 148, 152, 155 and 156 are met;

(b) in relation to the applicable requirements of these regulations:

(i) a description of the biological, chemical and physical hazards that are identified under subsection 122(1) that present a risk of contamination of the cannabis extract, edible cannabis or anything that will be used as an ingredient in the production of the

cannabis extract or edible cannabis;

(ii) a description of the control measures for preventing, eliminating or reducing to an acceptable level the hazards referred to in subparagraph (i) and the evidence that the control measures are effective;

(iii) a description of the critical control points, the related control measures and the evidence that the control measures are effective;

(iv) a description of the critical limits for each critical control point;

(v) the procedures for monitoring the critical control points in relation to their critical limits;

(vi) the corrective action procedures for each critical control point;

(vii) the procedures for verifying that the implementation of the preventive control plan results in compliance with these regulations; and

(viii) documents that substantiate that the preventive control plan has been implemented with respect to subparagraphs (i) to (vii); and

(c) supporting documents that show evidence of the information recorded under paragraph (a) and subparagraphs (b)(i) to (b)(vii).

Retention period

(3) Each document referred to in subparagraph (2)(b)(viii) must be retained for at least two years after the day on which it is prepared.

Division IV: Testing

Sale and exportation – cannabis retail product

124. (1) A holder of a licence must not sell an unstamped cannabis retail product or a cannabis retail product, or export a cannabis retail product, unless the applicable requirements set out in sections 125 to 128 have been met.

Testing for phytocannabinoids

125. (1) Testing for the quantity or concentration, as the case may be, of THC, THCA, CBD and CBDA must be conducted on each lot or batch of cannabis, other than cannabis plants or cannabis plant seeds, that:

(a) is or will become a cannabis retail product; or

(b) is or will be contained in a cannabis accessory that is or will become a cannabis retail product.

Timing of testing

(2) The testing must be conducted on the final form of the cannabis, either before or after it — or the cannabis accessory that contains it — is packaged and labelled as a cannabis retail product.

Testing for contaminants

126. (1) Testing for microbial and chemical contaminants — other than residues of a pest control product or its components or derivatives — must be conducted on:

(a) each lot or batch of cannabis — other than cannabis plants, cannabis plant seeds or edible cannabis — that:

(i) is or will become a cannabis retail product; or

(ii) is or will be contained in a cannabis accessory that is or will become a cannabis retail product; or

(b) each lot or batch of cannabis — other than cannabis plant seeds — that:

(i) is used to produce the cannabis referred to in paragraph (a); or

(ii) is used to produce edible cannabis that is or will become a cannabis retail product, or that is or will be contained in a cannabis accessory that is or will become a cannabis retail product.

Timing of testing

(2) The testing on a lot or batch of cannabis must be conducted as follows:

(a) the testing referred to in paragraph (1)(a) must be conducted on the final form of the cannabis, either before or after it — or the cannabis accessory that contains it — is packaged and labelled as a cannabis retail product; and

(b) the testing referred to in paragraph (1)(b) must be conducted after the final step in the production process during which the contaminants referred to in subsection (1) could have been introduced or could be concentrated, whichever is later.

Tolerance limits

(3) The results of the testing referred to in subsection (1) must enable a determination of whether the contaminants, if any, are or will be within the tolerance limits referred to in subsections 139(3), 145(1) or 151(1), as the case may be.

Dissolution and disintegration testing

127. (1) If cannabis — or a cannabis accessory that contains cannabis — is or will become a cannabis retail product to which subsection 133(1) applies, testing must be conducted on each lot or batch of the cannabis or cannabis accessory to determine whether the requirements referred to in that subsection

are, or will be, met.

Timing of testing

(2) The testing must be conducted on the final form of the cannabis, either before or after it — or the cannabis accessory that contains it — is packaged and labelled as a cannabis retail product.

Testing method

128. (1) Testing that is conducted under sections 125 to 127 — or to determine whether the applicable requirements in Part 7 *Product Composition* are, or will be, met — must be conducted using validated methods on a representative sample of each lot or batch of cannabis or cannabis accessory that contains cannabis.

Retention period

(2) A portion of the sample referred to in subsection (1) must be retained for at least one year after the date of the last sale of any portion of the lot or batch.

Sufficient quantity

(3) The portion of the sample retained under subsection (2) must be of sufficient quantity to enable a determination of:

(a) whether the lot or batch meets the requirements of section 100, subsection 139(3), 151 and 133(1) and section 145, as applicable; and

(b) the quantity or concentration of THC, THCA, CBD and CBDA.

Part 7 Product Composition

Division I: Application

Application

129. (1) This Part does not apply to retail sale licence holders.

Interpretation – residues of pest control products

130. (1) In this Part, a reference to residues of a pest control product includes the residues of any component or derivative of the pest control product.

Division II: Caffeine, Ethyl Alcohol

Prohibited substances

131. (1) Unless authorized under the Act or these regulations, it is prohibited to sell any mixture of substances that contains cannabis, and any of nicotine, caffeine or ethyl alcohol.

Sale of cannabis containing caffeine or ethyl alcohol

132. (1) For the purposes of section 131, a manufacturing licence that authorizes the sale of cannabis may, in accordance with the licence, sell:

(a) edible cannabis that is an unstamped cannabis retail product and that contains caffeine if the caffeine has been introduced through the use of ingredients that naturally contain caffeine and the total amount of caffeine in each immediate container of the unstamped cannabis retail product does not exceed 30 mg;

(b) edible cannabis that is an unstamped cannabis retail product and that contains ethyl alcohol if the concentration of ethyl alcohol does not exceed 0.5% w/w of the edible cannabis; and

(c) a cannabis extract that is an unstamped cannabis retail product and that contains ethyl alcohol if the cannabis extract is intended to be ingested and the net weight of the cannabis extract in each immediate container of the unstamped cannabis retail product does not exceed 7.5 g.

Division III: Disintegration, Maximum THC, Variability, Unit Limits, Etc.

Dissolution and disintegration

133. (1) Each discrete unit of a cannabis retail product (other than edible cannabis) that is intended for ingestion or nasal, rectal or vaginal use must meet, if the form of the unit is similar to a dosage form for which a dissolution or disintegration test is set out in a publication referred to in Schedule B to the *Food and Drugs Act* (Canada), the requirements of the test or, if there is more than one applicable test, the requirements of any such test that is suitable for demonstrating that the cannabis retail product will perform as intended.

Maximum quantity of THC

134. (1) Subject to subsection 135(1), each discrete unit of a cannabis retail product (other than edible cannabis) that is intended for ingestion or nasal, rectal or vaginal use must not contain a quantity of THC that exceeds 10 mg, taking into account the potential to convert THCA into THC.

Edible cannabis

(2) Subject to subsection 135(2), edible cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain a quantity of THC that exceeds 10 mg per immediate container, taking into account the potential to convert THCA into THC.

Variability limits

135. (1) A cannabis extract, or a cannabis topical, that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain, in respect of any quantity or concentration of THC or CBD that is displayed on the label, less than 85% or more than 115% of that quantity or concentration.

Edible cannabis

(2) Edible cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain:

(a) if a quantity of THC or CBD that is displayed on the label exceeds 5 mg, less than 85% or more than 115% of that quantity;

(b) if a quantity of THC or CBD that is displayed on the label exceeds 2 mg but does not exceed 5 mg, less than 80% or more than 120% of that quantity; and

(c) if a quantity of THC or CBD that is displayed on the label does not exceed 2 mg, less than 75% or more than 125% of that quantity.

Divisible cannabis retail products

(3) If a cannabis retail product that is not in discrete units is represented as being able to be divided into discrete units, each represented unit must not contain:

(a) a quantity of THC that is less than 80% or more than 125% of the quantity of THC in each of the other represented units, taking into account the potential to convert THCA into THC; and

(b) a quantity of CBD that is less than 80% or more than 125% of the quantity of CBD in each of the other represented units, taking into account the potential to convert CBDA into CBD.

Divisible units

(4) If a cannabis retail product is in discrete units that are represented as being able to be divided into discrete sub-units, each represented subunit must not contain:

(a) a quantity of THC that is less than 80% or more than 125% of the quantity of THC in each of the other represented subunits, taking into account the potential to convert THCA into THC; and

(b) a quantity of CBD that is less than 80% or more than 125% of the quantity of CBD in each of the other represented subunits, taking into account the potential to convert CBDA into CBD.

Dangerous products

136. (1) The following cannabis retail products must not be sold or distributed:

(a) a cannabis retail product that is intended to be used in the area of the human eye bounded by the supraorbital and infraorbital ridges, including the eyebrows, the skin underlying the eyebrows, the eyelids, the eyelashes, the conjunctival sac of the eye, the eyeball and the soft tissue that lies below the eye and within the infraorbital ridge; and

(b) a cannabis retail product that is intended to be used on damaged or broken skin or to penetrate the skin barrier other than by absorption.

Multiple units

137. (1) It is prohibited for a holder of a licence to sell or distribute a cannabis extract, a cannabis topical or edible cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — if the immediate container contains multiple discrete units, unless the properties of each unit, including size and cannabinoid content but excluding flavour and colour, as applicable, are consistent.

Division IV: Cannabis Plants, Seeds, Dried and Fresh Cannabis

Plants and seeds - pest control products

138. (1) Cannabis plants or cannabis plant seeds that are cannabis retail products — or that are contained in a cannabis accessory that is a cannabis retail product — must not contain or have on them residues of a pest control product that is registered for use on cannabis under the *Pest Control Products Act* (Canada), or that is otherwise authorized for use under that Act, unless the residues are within any maximum residue limits that are specified in relation to cannabis under section 9 or 10 of that Act.

Residues on dried and fresh cannabis

139. (1) Dried cannabis or fresh cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain or have on it anything other than anything referred to in item 1 of Schedule 1.

Dried and fresh – pest control products

(2) Despite subsection (1), cannabis that is referred to in that subsection may contain or have on it residues of a pest control product that is registered for use on cannabis under the *Pest Control Products Act* (Canada), or that is otherwise authorized for use under that Act, if the residues are within any maximum residue limits that are specified in relation to cannabis under section 9 or 10 of that Act.

Dried and fresh - microbial and chemical contaminants

(3) Despite subsection (1), cannabis that is referred to in that subsection may contain or have on it microbial or chemical contaminants if the contaminants are within generally accepted tolerance limits for human use that are established in a publication referred to in Schedule B to the *Food and Drugs Act* (Canada); and appropriate for the intended use and any reasonably foreseeable use of the cannabis retail product.

More stringent limit applies

140. (1) If there are generally accepted tolerance limits referred to in subsection 139(3) that apply in respect of the residues of a pest control product referred to in subsection 139(2) for which a maximum residue limit has been specified in relation to cannabis under the *Pest Control Products Act*

(Canada), the more stringent limit applies.

Addition of THC or THCA

141. (1) THC or THCA must not be added to dried or fresh cannabis that will become a cannabis retail product or that is, or will be, contained in a cannabis accessory that will become a cannabis retail product.

Consumption by inhalation — net weight of dried cannabis

142. (1) The net weight of dried cannabis that is intended to be consumed by means of inhalation in each discrete unit of a cannabis retail product must not exceed 1 g.

Division V: Cannabis Extracts and Cannabis Topicals

Extracts and topicals - pest control products

143. (1) Cannabis that is referred to in item 1 or item 3 of Schedule 1 and that is used in the production of a cannabis extract or cannabis topical that will become a cannabis retail product (or that will be contained in a cannabis accessory that will become a cannabis retail product) must not contain or have on it residues of a pest control product that is registered for use on cannabis under the *Pest Control Products Act* (Canada), or that is otherwise authorized for use under that Act, unless the residues are within any maximum residue limits that are specified in relation to cannabis under section 9 or 10 of that Act.

Things injurious to health

144. (1) A cannabis extract, or a cannabis topical, that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain or have on it anything that may cause injury to the health of the user when the cannabis retail product is used as intended or in a reasonably foreseeable way.

Exception

(2) Subsection (1) does not, in respect of a cannabis extract that is intended to be combusted and inhaled, prohibit anything that may cause injury as a result of the intended combustion and inhalation.

Things that do not cause injury

(3) For the purposes of subsection (1), a cannabis extract or a cannabis topical does not contain or have on it anything that may cause injury to the health of the user by reason only that it contains or has on it anything referred to in item 1 or item 3 of Schedule 1or any residues of pest control products or microbial or chemical contaminants to the extent they are permitted under these regulations.

Extracts and topicals - microbial and chemical contaminants

145. (1) A cannabis extract, or a cannabis topical, that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain or have on it microbial or

chemical contaminants unless the contaminants are within generally accepted tolerance limits for human use that are established in a publication referred to in Schedule B to the *Food and Drugs Act* (Canada); and appropriate for the intended use and any reasonably foreseeable use of the cannabis retail product.

Maximum quantity of THC

146. (1) A cannabis extract, or a cannabis topical, that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain a quantity of THC that exceeds 1000 mg per immediate container, taking into account the potential to convert THCA into THC.

Cannabis extract – content

147. (1) A cannabis extract that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain any ingredients other than:

(a) carrier substances;

(b) flavouring agents; and

(c) substances that are necessary to maintain the quality or stability of the cannabis retail product.

Prohibited ingredients

(2) The following substances must not be used as ingredients to produce a cannabis extract referred to in subsection (1):

(a) substances that are listed in column 1 of the table in Schedule 2 to the *Tobacco and Vaping Products Act* (Canada); or

(b) sugars or sweeteners or sweetening agents, as those terms are defined in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada).

Exception – vitamins

(3) Despite paragraph (2)(a), a vitamin may be used as an ingredient to maintain the quality or stability of the cannabis extract referred to in subsection (1) if it is used in an amount that does not exceed what is necessary to maintain the quality or stability of the cannabis retail product.

Naturally occurring substances

(4) An ingredient that is used to produce the cannabis extract referred to in subsection (1) may contain a substance referred to in subsection (2) only if that substance is naturally present in the ingredient at a level that is not above the naturally occurring level for that ingredient.

Permitted ingredients – inhaled cannabis extract

(5) An ingredient — other than a flavouring agent — must not be used to produce a cannabis extract

referred to in subsection (1) that is intended to be consumed by means of inhalation unless a standard for the ingredient is set out in a publication referred to in Schedule B to the *Food and Drugs Act* (Canada) and the ingredient complies with the standard.

Uniform distribution – cannabinoids and terpenes

148. (1) The cannabinoids and terpenes in a cannabis extract, or a cannabis topical, that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must be uniformly distributed throughout the product.

Cannabis extract – external body surfaces

149. (1) A cannabis extract that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not be represented for use, directly or indirectly, on external body surfaces, including hair and nails.

Division VI: Edible Cannabis

Edible cannabis – pest control products

150. (1) Cannabis that is referred to in item 1 or item 3 of Schedule 1 and that is used in the production of edible cannabis that will become a cannabis retail product (or that will be contained in a cannabis accessory that will become a cannabis retail product) must not contain or have on it residues of a pest control product that is registered for use on cannabis under the *Pest Control Products Act* (Canada), or that is otherwise authorized for use under that Act, unless the residues are within any maximum residue limits that are specified in relation to cannabis under section 9 or 10 of that Act.

Edible cannabis – microbial and chemical contaminants

151. (1) Cannabis that is referred to in item 1 or item 3 of Schedule 1 and that is used in the production of edible cannabis must not, if the edible cannabis will become a cannabis retail product or will be contained in a cannabis accessory that will become a cannabis retail product, contain or have on it microbial or chemical contaminants unless the contaminants are within generally accepted tolerance limits for human use that are established in a publication referred to in Schedule B to the *Food and Drugs Act* (Canada); and appropriate for a product that is to be ingested.

Ingredients

152. (1) Edible cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain any ingredients other than food and food additives.

Temporarily marketed foods

(2) A food that is described in a Temporary Marketing Authorization Letter issued under subsection B.01.054(1) of the *Food and Drug Regulations* (Canada) must not be used as an ingredient to produce edible cannabis referred to in subsection (1) and must not be a constituent of such an ingredient.

Meat products, poultry products and fish

(3) A meat product, poultry product or fish, other than a food additive, must not be used as an ingredient to produce edible cannabis referred to in subsection (1) — and must not be a constituent of such an ingredient — unless the meat product, poultry product or fish:

(a) has been produced by a person that is authorized to produce it under the *Safe Food for Canadians Act* (Canada) or has been imported in accordance with that Act; and

(b) has a water activity that does not exceed 0.85 at a temperature of 22 ± 2°C at the time the meat product, poultry product or fish is obtained by the holder of the manufacturing licence that is producing the edible cannabis.

Self-produced food

(4) A manufacturing licence holder that produces a food may use it as an ingredient to produce edible cannabis referred to in subsection (1) — or as a constituent of such an ingredient — if:

(a) the food is not a meat product, poultry product or fish; and

(b) the sale of the food would not be prohibited under section 4 of the *Food and Drugs Act* (Canada).

Food additives

(5) A manufacturing licence holder may use a food additive as an ingredient to produce edible cannabis referred to in subsection (1) only if:

(a) the edible cannabis would be a food that is the subject of a marketing authorization if the edible cannabis did not contain or have on it anything referred to in item 1 or item 3 of Schedule 1;

(b) the marketing authorization permits the food additive to be in or on the food;

(c) the conditions under which the marketing authorization permits the food additive to be in or on the food — including any maximum levels of use — are complied with; and

(d) the food additive is not caffeine or caffeine citrate.

Vitamins and mineral nutrients

(6) A vitamin or mineral nutrient must not be used as an ingredient to produce edible cannabis referred to in subsection (1) unless its use is permitted under subsection (5).

Definitions

(7) The following definitions apply in this section 152. Other terms used in this section may be defined in section 1(1) of these regulations:

(a) **fish** has the same meaning as in section 1 of the *Safe Food for Canadians Regulations*

(Canada);

(b) **marketing authorization**, except in subsection (2), has the same meaning as in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada);

(c) **meat product** has the same meaning as in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada);

(d) **mineral nutrient** has the same meaning as in subsection D.02.001(1) of the *Food and Drug Regulations* (Canada) except that it does not include sodium, potassium or chloride or compounds that include those elements;

(e) **poultry product** has the same meaning as in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada);

(f) **vitamin** has the same meaning as in subsection D.01.002(1) of the *Food and Drug Regulations* (Canada); and

(g) **water activity** means the ratio of the water vapour pressure of a meat product, poultry product or fish to the vapour pressure of pure water, at the same temperature and pressure.

Prohibited things

153. (1) Edible cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — must not contain or have on it anything in a quantity that would cause the sale of the edible cannabis to be prohibited under any of paragraphs 4(1)(a) to (d) of the *Food and Drugs Act* (Canada) if the edible cannabis were a food to which that Act applies.

Not poisonous, harmful or adulterated

(2) Edible cannabis does not have a poisonous or harmful substance in or on it, within the meaning of paragraph 4(1)(a) of the *Food and Drugs Act* (Canada), and is not adulterated, within the meaning of paragraph 4(1)(d) of that Act, by reason only that it contains or has on it anything referred to in item 1 of item 3 of Schedule 1 or residues of pest control products or microbial or chemical contaminants to the extent permitted under these regulations.

Cannabis retail products requiring refrigeration

154. (1) It is prohibited for a holder of a licence to sell or distribute edible cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — if the unopened immediate container must be stored at or below 4°C to prevent the cannabis retail product from becoming contaminated before its durable life date.

Hermetically sealed containers

155. (1) It is prohibited for a holder of a licence to sell or distribute edible cannabis that is a cannabis retail product — or that is contained in a cannabis accessory that is a cannabis retail product — in a hermetically sealed container if any component of the edible cannabis has a pH that exceeds 4.6 and a water activity that exceeds 0.85 at a temperature of 22 ± 2°C.

Definitions

(2) The following definitions apply in subsection (1). Other terms used in this section may be defined in section 1(1) of these regulations:

(a) **hermetically sealed container** means a container that, due to its design, is secure against the entry of micro-organisms, including spores; and

(b) **water activity** means the ratio of the water vapour pressure of the component to the vapour pressure of pure water, at the same temperature and pressure.

Irradiation

156. (1) A manufacturing licence holder must not irradiate edible cannabis unless:

(a) the edible cannabis would be a food that is listed in item 3 or 4, column 1, of the table to Division 26 of Part B of the *Food and Drug Regulations* (Canada) if the edible cannabis did not contain or have on it anything that is referred to in item 1 or item 3 of Schedule 1; and

(b) the holder satisfies the requirements set out in paragraphs B.26.003(2)(a) and (b) and subsection B.26.004(1) of the *Food and Drug Regulations* (Canada) in respect of the edible cannabis.

Division VII: Cannabis Accessory or Component

Contamination

157. (1) A cannabis accessory that is a cannabis retail product, or that is packaged with a cannabis retail product, must not be contaminated.

Flavour

158. (1) A cannabis accessory that is a cannabis retail product, or that is packaged with a cannabis retail product, must not impart a characterizing flavour to the cannabis.

Dispensing limit

159. (1) Subject to subsection 135(1), each activation of the following cannabis accessories must not dispense a quantity of cannabis extract that contains greater than 10 mg of THC, taking into account the potential to convert THCA into THC:

(a) a cannabis accessory that is a cannabis retail product and that dispenses a cannabis extract that is intended for ingestion or nasal, rectal or vaginal use; or

(b) a cannabis accessory that is packaged with, and that is intended to dispense, a cannabis extract that is a cannabis retail product and that is intended for ingestion or nasal, rectal or vaginal use.

Psychological effects, abuse liability and toxicity

160. (1) A component of a cannabis retail product — other than a component that is anything referred to in item 1 or item 3 of Schedule 1 — and a cannabis accessory that is packaged with a cannabis retail product must not, through any means other than heating or combustion, and when used as intended or in a reasonably foreseeable way:

(a) alter or enhance the psychological effects derived from the cannabis retail product in a manner that may cause injury to the health of the user;

(b) increase the potential for abuse liability of the cannabis retail product; or

(c) increase the toxicity of the cannabis retail product.

Exceptions

(2) Subsection (1) does not prohibit the presence of:

(a) ethyl alcohol in or on a cannabis retail product referred to in section 132 if the conditions set out in that section are met; and

(b) caffeine in or on a cannabis retail product referred to in section 132 if the conditions set out in that section are met

Part 8 Packaging, Labelling and Promotion

Division I: Application and Definitions

Application

161. (1) This Part (other than Division II) does not apply to retail sale licence holders.

Definitions

162. (1) The following definitions apply in this Part. Other terms used in this Part may be defined in section 1(1) of these regulations:

(a) **daily value** means:

(i) in the case of a nutrient set out in column 1 of Part 1 of the Table of Daily Values, as defined in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada), the quantity set out in column 3 of such table; and

(ii) in the case of a nutrient set out in column 1 of Part 2 of the table referred to in paragraph (i), the quantity set out in column 4 of such table;

(b) **energy value** means, in respect of a cannabis retail product, the amount of energy made available to a person's body when the chemical components of the cannabis retail product, including protein, fat, carbohydrate and alcohol, are metabolized following ingestion of the

cannabis retail product by the person;

(c) **expiry date** means the date, expressed at minimum as a year and month, that is the end of the stability period of a cannabis retail product;

(d) **exterior display surface** means the area on the exterior surface of an immediate container to which a label is applied and that is visible under customary conditions of purchase or use;

(e) **exterior surface** includes a label or an image;

(f) **fat** has the same meaning as in subsection B.01.400(1) of the *Food and Drug Regulations* (Canada);

(g) **food allergen** has the same meaning as in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada);

(h) **food allergen source, gluten source and added sulphites statement** means a statement appearing on the label of any container in which edible cannabis — or a cannabis accessory that contains edible cannabis — that is a cannabis retail product is packaged that indicates the source of a food allergen or gluten that is present in the cannabis retail product or the presence in the cannabis retail product of added sulphites in an amount of 10 p.p.m. or more;

(i) **gluten** has the same meaning as in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada);

(j) **INCI name** has the same meaning as in subsection 2(1) of the *Cosmetic Regulations* (Canada);

(k) **label** has the meaning given to it in section 1(1) and does not include a panel referred to in paragraph 199(1)(b);

(l) **panel** means a panel referred to in 199(1)(b);

(m) **p.p.m.** means parts per million by weight;

(n) **principal display panel** has the same meaning as in subsection 2(2) of the *Consumer Packaging and Labelling Regulations* (Canada);

(o) **saturated fatty acids**, **saturated fat**, **saturates** or **saturated** has the same meaning as in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada);

(p) **standardized cannabis symbol** means the symbol set out in the document entitled *Standardized Cannabis Symbol*, as amended from time to time and published by the Commission on its website;

(q) **sugars-based ingredient** has the same meaning as in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada);

(r) **sulphites** means one or more of the following food additives:

(i) potassium bisulphite;

(ii) potassium metabisulphite;

(iii) sodium bisulphite;

(iv) sodium dithionite;

(v) sodium metabisulphite;

(vi) sodium sulphite;

(vii) sulphur dioxide; and

(viii) sulphurous acid;

(s) **trans fatty acids**, **trans fat** or **trans** has the same meaning as in subsection B.01.001(1) of the *Food and Drug Regulations* (Canada); and

(t) **unit** means a standardized discrete portion of cannabis that is represented to be consumed as a single serving or used without further subdivision.

Division II: Packaging, Labelling and Promotion Prohibitions

Packaging and labelling

163. (1) It is prohibited for a person that is authorized to sell cannabis to sell cannabis that has not been packaged or labelled in accordance with this Act and its regulations, including any package or label that contains a prohibited promotion or otherwise:

(a) if there are reasonable grounds to believe that the package or label could be appealing to young persons;

(b) that sets out a testimonial or endorsement, however displayed or communicated;

(c) that associates the cannabis or one of its brand elements with, or evokes a positive or negative emotion about it image of, a way of life such as one that includes glamour, recreation, excitement, vitality, risk or daring; or

(d) that contains any information that is false, misleading or deceptive or that is likely to create an erroneous impression about the characteristics, value, quantity, composition, strength, concentration, potency, purity, quality, merit, safety, health effects or health risks of cannabis.

Flavours

164. (1) It is prohibited to promote a cannabis extract — or a cannabis accessory that contains a cannabis extract — under subsections 40(2) and 40(3) of the Act in a manner that could cause a person to believe that the cannabis extract or the cannabis accessory has a flavour set out in column 1 of Schedule 3 to the *Tobacco and Vaping Products Act* (Canada), other than the flavour of cannabis.

Health and cosmetic benefits

165. (1) It is prohibited to promote cannabis or a cannabis accessory under subsections 40(2) and 40(3) of the Act if there are reasonable grounds to believe that the promotion could create the impression that health or cosmetic benefits may be derived from the use of cannabis, the cannabis retail product or the cannabis accessory.

(2) It is prohibited to make an express or implied representation, including by way of a brand element, on a cannabis retail product — or on the package of a cannabis retail product or on the label or panel of a container in which such a cannabis retail product is packaged — if there are reasonable grounds to believe that the representation could create the impression that health or cosmetic benefits may be derived from the use of cannabis.

Energy value and amount of nutrient

166. (1) It is prohibited to promote edible cannabis — or a cannabis accessory that contains edible cannabis — under subsections 40(2) and 40(3) of the Act by communicating information about the energy value referred to in item 2 of the table to section 194 or the amount of any nutrient referred to in items 3 to 15 of that table or in items 5 to 37 of the table to section B.01.402 of the *Food and Drug Regulations* (Canada).

(2) It is prohibited to make an express or implied representation, including by way of a brand element, on edible cannabis that is a cannabis retail product or on a cannabis accessory that contains edible cannabis and that is a cannabis retail product — or on the package of such a cannabis retail product or on the label or panel of a container in which such a cannabis retail product is packaged — concerning the energy value referred to in item 2 of the table to section 194 or the amount of any nutrient referred to in items 3 to 15 of that table or in items 5 to 37 of the table to section B.01.402 of the *Food and Drug Regulations* (Canada).

Exception – nutrition facts table

(3) Despite subsection (1), edible cannabis or a cannabis accessory that contains edible cannabis may be promoted by reproducing the nutrition facts table that is required to be included on the label of any container in which the edible cannabis or the cannabis accessory is packaged in accordance with these regulations using smaller, larger or identical dimensions and spacing.

Dietary requirements

167. (1) It is prohibited to promote edible cannabis — or a cannabis accessory that contains edible cannabis — under subsections 40(2) and 40(3) of the Act if there are reasonable grounds to believe that the promotion could create the impression that the edible cannabis or accessory is intended:

(a) to meet the particular dietary requirements of an individual:

(i) who has a physical or physiological condition as a result of a disease, disorder or injury; or

(ii) for whom a particular effect, including weight loss, is to be obtained by a controlled intake of food; or

(b) to meet the dietary requirements of young persons.

(2) It is prohibited to make an express or implied representation, including by way of a brand element, on edible cannabis that is a cannabis retail product or on a cannabis accessory that contains edible cannabis and that is a cannabis retail product — or on the package of such a cannabis retail product or on the label or panel of a container in which such a cannabis retail product is packaged — if there are reasonable grounds to believe that the representation could create the impression that the cannabis retail product is intended:

(a) to meet the particular dietary requirements of an individual:

(i) who has a physical or physiological condition as a result of a disease, disorder or injury; or

(ii) for whom a particular effect, including weight loss, is to be obtained by a controlled intake of food; or

(b) to meet the dietary requirements of young persons.

Alcoholic beverages

168. (1) It is prohibited to promote cannabis, a cannabis accessory or a service primarily related to cannabis under subsections 40(2) and 40(3) of the Act if there are reasonable grounds to believe that the promotion could associate the cannabis retail product, the cannabis accessory or the service with an alcoholic beverage.

(2) It is prohibited to make an express or implied representation, including by way of a brand element, on a cannabis retail product — or on the package of a cannabis retail product or on the label or panel of a container in which such a cannabis retail product is packaged — if there are reasonable grounds to believe that the representation could associate the cannabis retail product with an alcoholic beverage.

Tobacco products and vaping products

169. (1) It is prohibited to promote cannabis, a cannabis accessory or a service primarily related to cannabis under subsections 40(2) and 40(3) of the Act if there are reasonable grounds to believe that the promotion could associate the cannabis, the cannabis accessory or the service with a tobacco product, as defined in section 2 of the *Tobacco and Vaping Products Act* (Canada), or a vaping product to which that Act applies.

(2) It is prohibited to make an express or implied representation, including by way of a brand element, on a cannabis retail product — or on the package of a cannabis retail product or on the label or panel of a container in which such a cannabis retail product is packaged — if there are reasonable grounds to believe that the representation could associate the cannabis retail product with a tobacco product, as defined in section 2 of the *Tobacco and Vaping Products Act* (Canada), or a vaping product to which that Act applies.

Place where young persons are not permitted

170. (1) It is prohibited to promote cannabis, a cannabis accessory or a service primarily related to cannabis under subsection 40(2)(b) of the Act in such a manner that the promotion may be audible or visible from outside a place where young persons are not permitted by law.

Public place frequented mainly by young persons

171. (1) It is prohibited to promote cannabis, a cannabis accessory or a service primarily related to cannabis under subsection 40(3) of the Act by displaying a brand element of cannabis, of a cannabis accessory or of a service primarily related to cannabis on any thing that is in a school, a public playground, a daycare or any other public place frequented mainly by young persons or that is visible from such a place.

Promotion-related information – cannabis

(2) Every person that is authorized under the Act to produce, sell or distribute cannabis must provide to the Commission, upon request by the Commission and within the time specified by the Commission, information that is required by the Commission about any promotion of cannabis that the person or their authorized representative conducts.

Sponsorship

172. (1) It is prohibited to display, refer to or otherwise use any of the following, directly or indirectly in a promotion that is used in the sponsorship of a person, event, activity or facility:

(a) a brand element of cannabis, of a cannabis accessory or of a service related to cannabis; and

(b) the name of a person that produces, sells, distributes or provides a service primarily related to cannabis or cannabis accessories.

Sporting or cultural facilities

(2) It is prohibited to display anything specified in subsection (1)(a) or (1)(b) on a facility, as part of the name of the facility or otherwise, if the facility is used for a sports or cultural event or activity.

Inducements

173. (1) Unless authorized under the Act, it is prohibited for a person that sells cannabis or a cannabis accessory:

(a) to provide or offer to provide cannabis or a cannabis accessory if it is provided or offered to be provided without monetary consideration or in consideration of the purchase of any thing or service or the provision of any service;

(b) to provide or offer to provide any thing that is not cannabis or a cannabis accessory, including a right to participate in a game, draw, lottery or contest, if it is provided or offered to be provided as an inducement for the purchase of cannabis or a cannabis accessory;

(c) to provide or offer to provide any service if it is provided or offered to be provided as an inducement for the purchase of cannabis or a cannabis accessory; or

(d) to directly or indirectly offer or give a material inducement to the holder of a retail sale licence (or to an agent or employee of the holder) for the purpose of increasing the sale of any particular type or brand of cannabis, if such inducement relates to an agreement requiring or incentivizing the holder of a retail sale licence to:

(i) dedicate a minimum percentage of the sales floor or inventory space to one or more particular brands of cannabis retail product; or

(ii) attempt to have one or more particular cannabis brand make up a minimum percentage of cannabis retail products sold by the retail sale licence holder.

Exception — licence holder to licence holder inducements

(2) Subsection (1) does not apply in respect of inducements provided or offered by the holder of a cultivation licence or manufacturing licence to another holder of a cultivation licence or a manufacturing licence.

Officials

(3) No person shall directly or indirectly pay or offer to pay any amount, or make or offer to make any gift, to the Commission, a commissioner or employee of the Commission, or a member or employee of Council in relation to any licence or permit under this Act.

Division III: Container Quality and THC Limits

Sale and distribution of cannabis retail product

174. (1) A holder of a licence must not sell or distribute a cannabis retail product unless the applicable requirements set out in sections 175 to 202 have been met.

Cannabis plant – not budding or flowering

175. (1) A cannabis plant must not be budding or flowering at the time of packaging.

Cannabis plant seeds – container

(2) The immediate container in which cannabis plant seeds are packaged must keep the cannabis plant seeds dry.

Container quantity of cannabis

176. (1) The container in which a cannabis plant is packaged must not contain more than four cannabis plants.

Cannabis plant seeds - quantity

(2) The immediate container in which cannabis plant seeds are packaged must not contain more than

the equivalent of 30 g of dried cannabis, as determined in accordance with Schedule 3.

Cannabis extract - quantity

(3) The immediate container of a cannabis extract that is a cannabis retail product must not contain more than 90 mL of extract that is in non-solid form at a temperature of 22 ± 2°C.

(4) The quantity of THC that is included on the label of a container in which is packaged a cannabis extract – or in which is packaged a cannabis accessory that contains a cannabis extract – that is intended for ingestion or nasal, rectal or vaginal use must not exceed 10 mg.

Dried and fresh cannabis - quantity

(5) The quantity of THC that is included on the label of a container in which is packaged dried or fresh cannabis – or in which is packaged a cannabis accessory that contains dried or fresh cannabis – that is intended for ingestion or nasal, rectal or vaginal use must not exceed 10 mg.

Edible cannabis - quantity

(6) The quantity of THC that is included on the label of a container in which is packaged edible cannabis – or in which is packaged a cannabis accessory that contains edible cannabis – that is intended for ingestion or nasal, rectal or vaginal use must not exceed 10 mg.

Division IV: Packaging Requirements

Display – prohibited image or brand element

177. (1) Except as otherwise provided under the Act or these regulations, the interior surface, exterior surface and panel of any container in which a cannabis retail product is packaged and any covering of such a container must not display any of the sacred words, phrases, symbols or brand elements listed in paragraphs 55(1)(a) to 55(1)(q).

Colour requirements

(2) Except as otherwise provided under the Act or these regulations, the colour of the interior surface, exterior surface and panel of any container in which a cannabis retail product is packaged must create a contrast with:

(a) the yellow colour of the background of the health warning message; and

(b) the red colour of the standardized cannabis symbol.

Appearance

178. (1) The interior surface, exterior surface and panel of any container in which a cannabis retail product is packaged and any covering of such a container must not include any hidden feature that is designed to change the appearance of the container, covering or panel, or the surface area of the container or covering, such as a fold-out panel or heat-activated ink or a feature that is visible only through technological means, except a feature that is used to prevent counterfeiting.

Cut-out window

(2) The interior surface, exterior surface and panel of any container in which a cannabis retail product is packaged must not include any cut-out window.

Scent and sound

179. (1) The interior surface, exterior surface and panel of any container in which a cannabis retail product is packaged and any covering of such a container must not be capable of emitting a scent or sound.

Safe food

180. (1) Any immediate container in direct contact with cannabis must meet the requirements set out in Division 23 of Part B of the *Food and Drug Regulations* (Canada) and subparagraphs 186(a)(i), (ii) and (v) to (vii) of the *Safe Food for Canadians Regulations* (Canada) as if the cannabis that the immediate container contains were a food for the purposes of that Division and those subparagraphs.

Contamination, security, opaque, child resistant

181. (1) The immediate container in which a cannabis retail product is packaged must:

(a) prevent contamination of the cannabis;

(b) have a security feature that provides reasonable assurance to consumers that it has not been opened prior to receipt;

(c) be opaque; and

(d) meet the requirements of a child resistant package under subsections C.01.001(2) to (4) of the *Food and* Drug *Regulations* (Canada).

Bar code

182. (1) Each bar code may be displayed only once on any container in which a cannabis retail product is packaged.

Shape and colour

(2) Every bar code must be rectangular in shape and not contain any image or design and must be printed in black and white.

Outermost container

183. (1) The outermost container in which a cannabis retail product is packaged must not contain:

(a) food;

(b) more than one class of cannabis set out in Schedule 4; or

(c) more than one immediate container.

Exception – multiple immediate containers

(2) Despite paragraph (1)(c), the outermost container may contain more than one immediate container of edible cannabis if the following requirements are met:

(a) the outermost container and the immediate containers meet the requirements of section 191, provided that the word "unit" in subsection 191(1) shall be read as "immediate container" where applicable;

(b) the total quantity of THC in the immediate containers does not exceed 10 mg of THC, taking into account the potential to convert THCA into THC;

(c) the total quantity of cannabis in the immediate containers does not exceed the equivalent of 30 g of dried cannabis, as determined in accordance with Schedule 3;

(d) the statement "Contains the equivalent of [the quantity of dried cannabis, in grams, that is equivalent to the total quantity of cannabis, in grams, as determined in accordance with Schedule 3, in the immediate containers] g of dried cannabis" is displayed on the label of the outermost container; and

(e) the properties of the edible cannabis in all the immediate containers are consistent.

Number of immediate containers

(3) The number of immediate containers in an outermost container that is labelled in accordance with paragraph (2)(a) must be equal to the number of immediate containers specified on the label.

Measures of control for dispensing cannabis extract

184. (1) The immediate container of a cannabis extract that is a cannabis retail product and that is not in discrete units must:

(a) not permit the extract to be easily poured or drunk directly from the container; and

(b) contain an integrated dispensing mechanism that dispenses no more than 10 mg of THC per activation, taking into account the potential to convert THCA into THC, if the cannabis extract:

(i) is in liquid form at a temperature of 22 ± 2°C;

(ii) is not intended to be consumed only by means of inhalation; and

(iii) contains at least 10 mg of THC, taking into account the potential to convert THCA into THC.

Non-application – integrated dispensing mechanism

(2) Paragraph (1)(b) does not apply to an immediate container in which a cannabis accessory is packaged if the cannabis accessory is a cannabis retail product and dispenses a cannabis extract that is intended for ingestion or nasal, rectal or vaginal use.

Division V: Labelling Requirements

General Information

185. (1) The following information must be included on the label that is applied to any container in which a cannabis retail product is packaged:

(a) the name, telephone number and email address of the following:

(i) in the case of a cannabis plant or cannabis plant seeds, the cultivation licence holder that cultivated the cannabis plant or cannabis plant seeds; or

(ii) in the case of any other cannabis retail product, the manufacturing licence holder that manufactured the product;

(b) the class of cannabis set out in Schedule 4 to which the cannabis that is in the immediate container belongs;

(c) in respect of the product:

(i) the brand name;

(ii) the lot number, preceded by the word "Lot";

(iii) the recommended storage conditions;

(iv) the packaging date; and

(v) except in the case of a cannabis plant, cannabis plant seeds or edible cannabis, either:

(A) the expiry date in accordance with subsection (6); or

(B) a statement that no expiry date has been determined;

(d) the warning "KEEP OUT OF REACH OF CHILDREN / TENIR HORS DE LA PORTÉE DES ENFANTS";

(e) one of the health warning messages set out in the document entitled *Cannabis Health Warning Messages*, as amended from time to time and published by the Commission on its website, that applies to the cannabis retail product;

(f) in the case of a cannabis retail product that contains THC in a concentration greater than 10 µg/g, taking into account the potential to convert THCA into THC, the standardized cannabis

symbol; and

(g) except in the case of dried cannabis or a cannabis plant, the statement "Contains the equivalent of [quantity of dried cannabis, in grams, that is equivalent to the quantity of cannabis, in grams or seeds, as the case may be, as determined in accordance with Schedule 3, in the container] g of dried cannabis".

Health warning message

(2) The health warning message that is required to be included on a label must meet the following requirements:

(a) it must be displayed on the principal display panel;

(b) subject to paragraphs (c) and (d), it must be in a regular weight and width standard sans serif font, without italics, in the colour black and with leading of at least 8 points;

(c) the word "WARNING" must be in upper case letters and bold type;

(d) the first sentence must be in sentence case letters and bold type;

(e) the second sentence must be in sentence case letters;

(f) it must be in the same font type as that used for the information referred to in subsection 187(2);

(g) it must be in a type size of at least 7 points and the type size must be equal to or larger than the type size used for the brand name;

(h) it must be within a black border that is a solid line of at least 1 point and that has an inset of at least 6 points on all sides between the message and the border;

(i) the background colour must be yellow with the CMYK value (C=0 M=0 Y=100 K=0); and

(j) the message must be:

(i) left-justified without hyphenation; and

(ii) oriented in such a manner that its text is readable from left to right when the container is displayed or visible under the customary conditions of purchase and use.

Expiry date

(3) The label of a container in which cannabis, other than edible cannabis, is packaged must not include an expiry date unless the holder of the licence that produced the cannabis retail product has data that establishes the stability period during which, after the cannabis is packaged in accordance with these regulations and stored under its recommended storage conditions:

(a) in the case of dried cannabis or fresh cannabis:

(i) it maintains not less than 80% and not more than 120% of its THC content and CBD content; and

(ii) the microbial and chemical contaminants it contains or has on it remain within the limits referred to in subsection 139(3); and

(b) in the case of a cannabis extract or a cannabis topical:

(i) it maintains its THC content and CBD content within the variability limits referred to in subsection 135(1); and

(ii) the microbial and chemical contaminants it contains or has on it remain within the limits referred to in subsection 145(1).

No expiry date – edible cannabis

(4) The label of a container in which edible cannabis is packaged must not include an expiry date.

Stability period – retention of document

(5) The holder of the licence that produced the unstamped cannabis retail product must, if they include an expiry date on the label of the container, retain a document that contains the data referred to in subsection (6) for at least two years after the day on which the last sale or distribution of any portion of the lot or batch of the unstamped cannabis retail product with that expiry date takes place, other than for destruction.

Harvested on date

(6) The label of a container in which cannabis is packaged may include a "harvested on" date setting out the earliest date on which cannabis contained in the container was harvested.

Rotation

(7) The health warning messages referred to in paragraph (1)(e) must be displayed in rotation on each type of container of each brand name of the cannabis retail product that is packaged in a year, so that each health warning message is displayed, to the extent possible, on equal numbers of containers of that product.

Non-application – section 163

(8) Section 163 does not apply with respect to the name and email address that are included on the label in accordance with paragraph (1)(a).

Standardized cannabis symbol – requirements

186. (1) The standardized cannabis symbol must meet the following requirements:

(a) it must be at least 1.27 cm by 1.27 cm in size;

(b) it must be displayed with a white border of at least 2 points on all sides;

(c) if a change is made to the size of the symbol, its dimensions must be proportional vertically and horizontally; and

(d) it must be oriented in such a manner that its text is readable from left to right when the container is displayed or visible under the customary conditions of purchase and use.

Presentation – required information

187. (1) All information that is required to be included on a label must be clearly and prominently displayed and readily discernible under the customary conditions of purchase and use.

Other required information

(2) All information that is required to be included on a label, other than the brand name, the standardized cannabis symbol and the health warning message must meet the following requirements:

(a) subject to subparagraph 187(2)(e)(ii), it must be in a regular weight and width standard sans serif font, without italics, in the colour black and with leading of at least 7 points;

(b) it must be in one single font type;

(c) it must be in a type size of at least 6 points and smaller than the type size used for the health warning message;

(d) it must be on a white background that extends at least 6 points on all sides away from the information; and

(e) in the case of the information required under paragraphs 188(1)(b) to 188(1)(e), 189(3)(a) to 189(3)(d), 189(4)(a) to 189(4)(d), 190(2)(c) to 190(2)(f), 190(3)(a) to 190(3)(d), 191(1)(b) to
191(1)(e), or 191(4)(b) to 191(4)(e), it must be:

(i) displayed on the principal display panel;

(ii) in bold type; and

(iii) at least 6 points away from any other information.

Other information

(3) Any other information that is included on the label must meet the following requirements:

(a) it must be in regular weight and width standard sans serif font, without italics, and in black or white colour; and

(b) it must be in a type size that is smaller than or equal to the type size used for the health warning

message.

Brand element

(4) A label may include only one brand element, other than a brand name, if that brand element is displayed on the principal display panel.

Image

(5) The label may include an image that is printed in black and white and that provides instructions on how to open the container.

Division VI: Labelling – class specific requirements

Dried cannabis or fresh cannabis – general requirements

188. (1) In the case of dried cannabis or fresh cannabis — or a cannabis accessory that contains dried cannabis or fresh cannabis — the label of any container in which the cannabis retail product is packaged must include the following information:

(a) the net weight, in grams, of dried cannabis or fresh cannabis;

(b) the concentration of THC, in milligrams per gram, preceded by "THC";

(c) the concentration of THC, in milligrams per gram, that the dried cannabis or fresh cannabis could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC";

(d) the concentration of CBD, in milligrams per gram, preceded by "CBD";

(e) the concentration of CBD, in milligrams per gram, that the dried cannabis or fresh cannabis could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD"; and

(f) the intended use of the cannabis retail product.

Additional requirements – discrete unit: cannabis dried, fresh, plant seeds or plants

(2) In addition to the requirements under subsection (1) in the case of dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds that is in discrete units, the label of any container in which the cannabis retail product is packaged must include the following information:

(a) the number of units; and

(b) the net weight, in grams, of dried or fresh cannabis in each unit.

Cannabis extract – general requirements

189. (1) In the case of a cannabis extract — or a cannabis accessory that contains a cannabis extract — the

label of any container in which the cannabis retail product is packaged must also include the following information:

(a) the net weight, in grams, of the cannabis extract;

(b) in the case of a cannabis accessory that contains a cannabis extract intended for ingestion or nasal, rectal or vaginal use or that is packaged with and is intended to dispense the extract:

(i) the quantity of THC, in milligrams, that each activation of the accessory dispenses, taking into account the potential to convert THCA into THC, preceded by "Total THC per activation"; and

(ii) the quantity of CBD, in milligrams, that each activation of the accessory dispenses, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD per activation";

(c) a list of the ingredients of the cannabis extract;

(d) the name of any food allergen that is present in the cannabis extract, except as a result of cross- contamination;

(e) the identity of the cannabis retail product in terms of its common name or in terms of its function; and

(f) the intended use of the cannabis retail product.

Additional requirements – discrete unit: cannabis extract

(2) In addition to the requirements under subsection (1), in the case of a cannabis extract — or a cannabis accessory that contains a cannabis extract — that is in discrete units, the label of any container in which the cannabis retail product is packaged must also include the following information:

(a) the net weight, in grams, of the cannabis extract in each unit; and

(b) the number of units;

Additional requirements – intended for inhalation: cannabis extract

(3) In addition to the requirements under subsection (1), in the case of a cannabis extract – or a cannabis accessory that contains a cannabis extract – that is intended to be consumed by means of inhalation, the label of any container in which the cannabis retail product is to be packaged must also include the following information:

(a) the concentration of THC, in milligrams per gram, in the cannabis extract, preceded by "THC";

(b) the concentration of THC, in milligrams per gram, that the cannabis extract could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC";

(c) the concentration of CBD, in milligrams per gram, in the cannabis extract, preceded

by "CBD"; and

(d) the concentration of CBD, in milligrams per gram, that the cannabis extract could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD".

Additional requirements – not intended for inhalation: cannabis extract

(4) In addition to the requirements under subsection (1), the case of a cannabis extract – or a cannabis accessory that contains a cannabis extract – that is not intended to be consumed by means of inhalation, the label of any container in which the cannabis retail product is to be packaged must also include the following information:

(a) the quantity of THC, in milligrams, in each unit, preceded by "THC per unit";

(b) the quantity of THC, in milligrams, that each unit could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC per unit";

(c) the quantity of CBD, in milligrams, in each unit, preceded by "CBD per unit"; and

(d) the quantity of CBD, in milligrams, that each unit could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD per unit".

Cannabis topical – general requirements

190. (1) In the case of a cannabis topical — or a cannabis accessory that contains a cannabis topical — the label of any container in which the cannabis retail product is packaged must also include the following information:

(a) the net weight, in grams, of the cannabis topical;

(b) a list of the ingredients of the cannabis topical;

(c) the identity of the cannabis retail product in terms of its common name or in terms of its function; and

(d) the intended use of the cannabis retail product.

Additional requirements – discrete unit: cannabis topical

(2) In addition to the requirements under subsection (1), in the case of a cannabis topical – or a cannabis accessory that contains a cannabis topical – that is in discrete units, the label of any container in which the cannabis retail product is packaged must also include the following information:

(a) the number of units;

(b) the net weight, in grams, of the cannabis topical in each unit;

(c) either the quantity of THC, in milligrams, or the concentration of THC, in milligrams per gram, in each unit, preceded by "THC per unit";

(d) either the quantity of THC, in milligrams, or the concentration of THC, in milligrams per gram, that each unit could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC per unit";

(e) either the quantity of CBD, in milligrams, or the concentration of CBD, in milligrams per gram, in each unit, preceded by "CBD per unit"; and

(f) either the quantity of CBD, in milligrams, or the concentration of CBD, in milligrams per gram, that each unit could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD per unit".

Additional requirements – not in discrete unit: cannabis topical

(3) In addition to the requirements under subsection (1), in the case of a cannabis topical — or a cannabis accessory that contains a cannabis topical — that is not in discrete units, the label of any container in which the cannabis retail product is packaged must also include the following information:

(a) either the quantity of THC, in milligrams, or the concentration of THC, in milligrams per gram, in the cannabis topical, preceded by "THC";

(b) either the quantity of THC, in milligrams, or the concentration of THC, in milligrams per gram, that the cannabis topical could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC";

(c) either the quantity of CBD, in milligrams, or the concentration of CBD, in milligrams per gram, in the cannabis topical, preceded by "CBD"; and

(d) either the quantity of CBD, in milligrams, or the concentration of CBD, in milligrams per gram, that the cannabis topical could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD".

Edible cannabis – general requirements

191. (1) In the case of edible cannabis, or a cannabis accessory that contains edible cannabis, the label of any container in which the cannabis retail product is packaged must also include the following information:

(a) if the edible cannabis is in solid form, its net weight, in grams, and in any other case, its net volume, in millilitres;

(b) the quantity of THC, in milligrams, preceded by "THC";

(c) the quantity of THC, in milligrams, that the edible cannabis could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC";

(d) the quantity of CBD, in milligrams, in the edible cannabis, preceded by "CBD";

(e) the quantity of CBD, in milligrams, that the edible cannabis could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD";

(f) a list of the ingredients of the edible cannabis, including constituents, if any;

(g) the source of any food allergen or gluten present in the edible cannabis, except as a result of cross-contamination:

(i) in a food allergen source, gluten source and added sulphites statement, if the food allergen or gluten:

(A) is, or is present in, an ingredient that is not shown in the list of ingredients, but is not a constituent of that ingredient or present in a constituent of that ingredient; or

(B) is, or is present in, a constituent and neither the constituent nor the ingredient in which it is present is shown in the list of ingredients; or

(ii) in all other cases, either in the list of ingredients or in a food allergen source, gluten source and added sulphites statement;

(h) the sulphites that are present in the edible cannabis in an amount of 10 p.p.m. or more:

(i) if at least one sulphite is required to be shown in the list of ingredients under these regulations, in the list of ingredients, or in the list of ingredients and in a food allergen source, gluten source and added sulphites statement; or

(ii) in any other case, in the list of ingredients, in a food allergen source, gluten source and added sulphites statement or in both;

(i) a nutrition facts table that contains only the information set out in column 1 of section 194, expressed using a description set out in column 2, in the unit set out in column 3 and in the manner set out in column 4;

(j) the common name of the cannabis retail product;

(k) if the edible cannabis is irradiated under section 156(1), the symbol set out in subsection B.01.035(5) of the *Food and Drug Regulations* (Canada) and one of the following statements or a statement that has the same meaning:

(i) “treated with radiation”;

(ii) “treated by irradiation”; or

(iii) “irradiated”;

(l) if the edible cannabis is irradiated under 156(1), the information that is required to be included on a label must be displayed on the principal display panel; and

(m) if an irradiated food referred to in column 1 of the table to Division 26 of Part B of the *Food and Drug Regulations* (Canada) is an ingredient or constituent of the edible cannabis and constitutes 10% or more of the edible cannabis, the statement “irradiated” preceding any

mention of the ingredient or constituent on the label.

Ingredient not required to be listed

(2) Despite paragraph (1)(f), if one or more constituents of an ingredient are required by these regulations to be listed in a list of ingredients, the ingredient is not required to be listed if all constituents of the ingredient are shown in the list by their common names and in accordance with paragraphs 193(1)(c)(i) and 193(1)(c)(ii).

Risk of cross-contamination

(3) Despite paragraph (1)(g), the source of a food allergen or gluten must be shown on the label if it includes a declaration alerting consumers that, due to a risk of cross-contamination, the edible cannabis may contain the source of a food allergen or gluten.

Additional requirements – discrete unit: edible cannabis

(4) In addition to the requirements under subsection (1), in the case of edible cannabis — or a cannabis accessory that contains edible cannabis — that is in discrete units, the label of any container in which the cannabis retail product is packaged must also include the following information:

(a) the number of units;

(b) the quantity of THC, in milligrams, in each unit, preceded by "THC per unit";

(c) the quantity of THC, in milligrams, that each unit could yield, taking into account the potential to convert THCA into THC, preceded by "Total THC per unit";

(d) the quantity of CBD, in milligrams, in each unit, preceded by "CBD per unit"; and

(e) the quantity of CBD, in milligrams, that each unit could yield, taking into account the potential to convert CBDA into CBD, preceded by "Total CBD per unit".

Additional requirements – non-discrete unit: edible cannabis

(5) In addition to the requirements under subsection (1), in the case of edible cannabis – or a cannabis accessory that contains edible cannabis – that is not in discrete units, the label of any container in which the cannabis retail product is packaged must also include the following information:

(a) in the case of edible cannabis having a durable life of 90 days or less, the durable life date must be shown on the label of any container in which the edible cannabis is packaged; and

(b) any durable life date on the label of any container in which edible cannabis is packaged must be shown in accordance with subsections B.01.007(4) and (5) of the *Food and Drug Regulations* (Canada).

List of ingredients – cannabis extract and cannabis topical

192. (1) The list of ingredients of a cannabis extract or cannabis topical — or of a cannabis accessory that

contains a cannabis extract or cannabis topical — must meet the following requirements:

(a) the word "Ingredients" must appear at the beginning of the list;

(b) no intervening printed, written or graphic material is to appear between the word referred to in paragraph (a) and the first ingredient in the list; and

(c) the ingredients must be separated from other ingredients by a comma and shown in descending order of their proportion of the cannabis retail product by weight, determined before the ingredients are combined to form the cannabis retail product, as set out in subsection (2) and (5), as applicable.

Additional requirements – cannabis topical

(2) In the case of a cannabis topical – or a cannabis accessory that contains a cannabis topical – the ingredients are to be shown in descending order of their proportion of the cannabis topical by weight, determined before the ingredients are combined to form the cannabis topical, as follows:

(a) by their International Nomenclature Cosmetic Ingredient (INCI) name;

(b) if an ingredient has no INCI name, by its chemical name;

(c) in the case of a botanical, by specifying at least the genus and species portions of its INCI name or, if it has no INCI name, by its chemical name; or

(d) if an ingredient is included in the schedule to the *Cosmetic Regulations* (Canada), by its EU trivial name set out in column 1 of that schedule or by the appropriate English equivalent set out in columns 2 and 3 of that schedule.

Fragrance and flavour

(3) The word "parfum" or "aroma", respectively, may be inserted at the end of the list of ingredients to indicate that an ingredient has been added to the cannabis topical to produce a fragrance or flavour.

Definition of botanical

(4) For the purposes of this section, **botanical** means an ingredient that is directly derived from a plant and that has not been chemically modified before it is used in the production of a cannabis topical.

Additional requirements – cannabis extract

(5) In the case of a cannabis extract – or a cannabis accessory that contains cannabis extract – the ingredients are to be shown in descending order of their proportion of the cannabis extract by weight, determined before the ingredients are combined to form the cannabis extract, as follows:

(a) in the case of vitamins, set out by their chemical name;

(b) in any other case, set out by their common name or chemical name;

(c) in the case where the cannabis extract contains one flavouring agent, it may be shown individually at the end of the list of ingredients by the name "flavouring agent" and in the case where the cannabis extract contains more than one flavouring agent, they may be shown collectively at the end of the list of ingredients by the name "flavouring agents"; and

(d) If flavouring agents are shown collectively by the name "flavouring agents", a flavouring agent must not be shown individually in the list of ingredients.

Ingredients in proportion of 1% or less

(6) Despite subparagraph (1)(c), ingredients that are present in a proportion of 1% or less of the cannabis retail product may be listed in any order after the ingredients that are present in a proportion of more than 1% of the cannabis retail product.

List of ingredients – edible cannabis

193. (1) The list of ingredients of edible cannabis — or of a cannabis accessory that contains edible cannabis — must meet the following requirements:

(a) the word "Ingredients" must appear at the beginning of the list;

(b) no intervening printed, written or graphic material is to appear between the word referred to in paragraph (a) and the first ingredient in the list;

(c) the ingredients and constituents must be:

(i) set out in descending order of their proportion of the edible cannabis by weight, determined before the ingredients and the constituents are combined to form the edible cannabis;

(ii) separated from other ingredients or constituents by a comma; and

(iii) set out by the applicable name in column II of the table to paragraph B.01.010(3)(a) of the *Food and Drug Regulations* (Canada) or, if none applies, by their common name;

(d) the constituents of an ingredient must be shown:

(i) set out in parentheses, immediately after the ingredient, unless the source of a food allergen or gluten is set out immediately after the ingredient, in which case the constituent of the ingredient must be set out immediately after that source;

(ii) set out in descending order of their proportion of the ingredient by weight, determined before they are combined to form the edible cannabis; and

(iii) separated from other constituents by a comma;

(e) the source of a food allergen or gluten must be:

(i) set out in parentheses;

(ii) set out immediately after an ingredient that is shown in that list, if the food allergen or gluten:

(A) is the ingredient;

(B) is present in the ingredient, but is not a constituent of or present in a constituent of that ingredient; or

(C) is, or is present in, a constituent of the ingredient and the constituent is not shown in the list of ingredients;

(iii) set out immediately after the constituent that is shown in the list, if the food allergen or gluten is that constituent or is present in that constituent; and

(iv) separated by a comma from other sources of a food allergen or gluten that is shown for the same ingredient or constituent;

(f) sulphites must be shown:

(i) set out by one of the common names "sulfites", "sulfiting agents", "sulphites" or "sulphiting agents", or individually by the applicable name set out in item 21, column I, of the table to paragraph B.01.010(3)(b) of the *Food and Drug Regulations* (Canada);

(ii) in the case of the name "sodium dithionite", "sulphur dioxide" or "sulphurous acid", set out by that name, followed by one of the common names "sulfites", "sulfiting agents", "sulphites" or "sulphiting agents" in parentheses, unless:

(A) the word "sulfite" or "sulphite" appears in the common name of another sulphite in the list;

(B) one of the common names "sulfites", "sulfiting agents", "sulphites" or "sulphiting agents" is set out in parentheses following another sulphite in the list; or

(C) one of the common names "sulfites", "sulfiting agents", "sulphites" or "sulphiting agents" is shown in a food allergen source, gluten source and added sulphites statement on the label; and

(iii) set out at the end of the list where they may be shown in any order with the other ingredients that are shown at the end of that list in accordance with subsection (3) or in parentheses immediately after the ingredient of which they are a constituent; and

(g) if the edible cannabis contains one or more sugars-based ingredients:

(i) the word "Sugars" must appear:

(A) despite subparagraph (c)(i), in descending order of the proportion of all the sugars-based ingredients in the edible cannabis by weight, determined before they are combined to form the edible cannabis; and

(B) separated from other ingredients by a comma; and

(ii) each sugars-based ingredient must be shown:

(A) set out in parentheses, immediately following the word "Sugars";

(B) set out in descending order of its proportion of the edible cannabis by weight, determined before it is combined to form the edible cannabis; and

(C) separated from other sugars-based ingredients by a comma.

Exception — ingredients and constituents shown collectively

(2) Despite paragraph (1)(c), the ingredients and the constituents set out in column I of an item of the table to paragraph B.01.010(3)(b) of the *Food and Drug Regulations* (Canada) may be shown collectively in the list of ingredients by the common name set out in column II of that item, unless one of the ingredients or constituents referred to in that table is shown separately in the list of ingredients by its common name.

Exception – ingredients at the end of the list

(3) Despite subparagraph (1)(c)(i), the ingredients referred to in subsection B.01.008.2(4) of the *Food and Drug Regulations* (Canada), regardless of their proportion, may be listed at the end of the list of ingredients, in any order.

Exception – source of food allergen or gluten

(4) Despite paragraph (1)(e), the source of the food allergen or gluten is not required to be set out in parentheses immediately after the ingredient or constituent, as the case may be, if the source of the food allergen or gluten appears:

(a) in the list of ingredients:

(i) as part of the common name of the ingredient or constituent; or

(ii) in parentheses, in accordance with subparagraph (1)(e)(i), immediately after another ingredient or constituent; or

(b) in the food allergen source, gluten source and added sulphites statement.

Nutrition facts table

194. (1) The percentage of the daily value for a nutrient shown in the nutrition facts table on the label of any container in which edible cannabis is packaged must be established on the basis of the amount, by weight, of the nutrient per immediate container of edible cannabis, rounded off in the applicable manner set out in column 4 of the table to this section.

Not a significant source of a nutrient

(2) Information with respect to a nutrient set out in column 1 of the table to this section that may be expressed as "0" in the nutrition facts table may be omitted from that table if it includes the statement "Not a significant source of (naming each nutrient that is omitted from the nutrition facts table in accordance with this subsection)".

Presentation

(3) Despite section 187, the nutrition facts table must be presented in accordance with the format specified in the applicable figure in the *Directory of Nutrition Facts Table Formats for Edible* Cannabis, as amended from time to time and published by the Commission on its website, having regard to matters such as order of presentation, dimensions, spacing and use of upper and lower case letters and bold type.

TABLE

Information to be Included in the Nutrition Facts Table

Item	Column 1 Information	Column 2 Description	Column 3 Unit	Column 4 Manner of expression
1	Immediate container size	"Per container (naming the amount of edible cannabis in the immediate container)"	The size is expressed per immediate container in grams or millilitres.	The size is rounded off **(a)** if it is 0.1 g or more or 0.1 mL or more but less than 10 g or 10 mL, to the nearest multiple of 0.1 g or 0.1 mL; and **(b)** if it is 10 g or more or 10 mL or more, to the nearest multiple of 1 g or 1 mL.
2	Energy value	"Calories", "Total Calories" or "Calories, Total"	The value is expressed in calories per immediate container.	The value is rounded off **(a)** if it is less than 5 calories, to the nearest multiple of 1 calorie; **(b)** if it is 5 calories or more but not more than 50 calories, to the nearest multiple of 5 calories; and **(c)** if it is more than 50 calories, to the nearest multiple of 10 calories.
3	Amount of fat	"Fat", "Total Fat" or "Fat, Total"	The amount is expressed **(a)** in grams per immediate container; and **(b)** as a percentage of the daily value per immediate container.	**(1)** The amount is rounded off **(a)** if it is less than 0.5 g, to the nearest multiple of 0.1 g; **(b)** if it is 0.5 g or more but not more than 5 g, to the nearest multiple of 0.5 g; and **(c)** if it is more than 5 g, to the nearest multiple of 1 g. **(2)** The percentage is rounded off **(a)** if the amount is declared as "0 g", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.

Item	Column 1 Information	Column 2 Description	Column 3 Unit	Column 4 Manner of expression
4	Amount of saturated fatty acids	"Saturated Fat", "Saturated Fatty Acids", "Saturated" or "Saturates"	The amount is expressed in grams per immediate container.	The amount is rounded off **(a)** if it is less than 0.5 g, to the nearest multiple of 0.1 g; **(b)** if it is 0.5 g or more but not more than 5 g, to the nearest multiple of 0.5 g; and **(c)** if it is more than 5 g, to the nearest multiple of 1 g.
5	Amount of trans fatty acids	"Trans Fat", "Trans Fatty Acids" or "Trans"	The amount is expressed in grams per immediate container.	The amount is rounded off **(a)** if it is less than 0.5 g, to the nearest multiple of 0.1 g; **(b)** if it is 0.5 g or more but not more than 5 g, to the nearest multiple of 0.5 g; and **(c)** if it is more than 5 g, to the nearest multiple of 1 g.
6	The sum of saturated fatty acids and trans fatty acids	"Saturated Fat + Trans Fat", "Saturated Fatty Acids + Trans Fatty Acids", "Saturated + Trans" or "Saturates + Trans"	The sum is expressed as a percentage of the daily value per immediate container.	The percentage is rounded off **(a)** if the amounts of saturated fatty acids and trans fatty acids are declared as "0 g", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.
7	Amount of cholesterol	"Cholesterol"	The amount is expressed in milligrams per immediate container.	The amount is rounded off to the nearest multiple of 5 mg.
8	Amount of sodium	"Sodium"	The amount is expressed **(a)** in milligrams per immediate container; and **(b)** as a percentage of the daily value per immediate container.	**(1)** The amount is rounded off **(a)** if it is less than 5 mg, to the nearest multiple of 1 mg; **(b)** if it is 5 mg or more but not more than 140 mg, to the nearest multiple of 5 mg; and **(c)** if it is more than 140 mg, to the nearest multiple of 10 mg. **(2)** The percentage is rounded off **(a)** if the amount is declared as "0 mg", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.
9	Amount of carbohydrate	"Carbohydrate", "Total Carbohydrate" or "Carbohydrate Total "	The amount is expressed in grams per immediate container.	The amount is rounded off **(a)** if it is less than 0.5 g, to 0 g; and **(b)** if it is 0.5 g or more, to the nearest multiple of 1 g.

Item	Column 1 Information	Column 2 Description	Column 3 Unit	Column 4 Manner of expression
10	Amount of fibre	"Fibre", "Fiber", "Dietary Fibre" or "Dietary Fiber"	The amount is expressed **(a)** in grams per immediate container; and **(b)** as a percentage of the daily value per immediate container.	**(1)** The amount is rounded off **(a)** if it is less than 0.5 g, to 0 g; and **(b)** if it is 0.5 g or more, to the nearest multiple of 1 g. **(2)** The percentage is rounded off **(a)** if the amount is declared as "0 g", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.
11	Amount of sugars	"Sugars"	The amount is expressed **(a)** in grams per immediate container; and **(b)** as a percentage of the daily value per immediate container.	**(1)** The amount is rounded off **(a)** if it is less than 0.5 g, to 0 g; and **(b)** if it is 0.5 g or more, to the nearest multiple of 1 g **(2)** The percentage is rounded off **(a)** if the amount is declared as "0 g", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.
12	Amount of protein	"Protein"	The amount is expressed in grams per immediate container.	The amount is rounded off **(a)** if it is less than 0.5 g, to the nearest multiple of 0.1 g; and **(b)** if it is 0.5 g or more, to the nearest multiple of 1 g.
13	Amount of potassium	"Potassium"	The amount is expressed **(a)** in milligrams per immediate container; and **(b)** as a percentage of the daily value per immediate container.	**(1)** The amount is rounded off **(a)** if it is less than 5 mg, to 0 mg; **(b)** if it is 5 mg or more but less than 50 mg, to the nearest multiple of 10 mg; **(c)** if it is 50 mg or more but less than 250 mg, to the nearest multiple of 25 mg; and **(d)** if it is 250 mg or more, to the nearest multiple of 50 mg. **(2)** The percentage is rounded off **(a)** if the amount is declared as "0 mg", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.
14	Amount of calcium	"Calcium"	The amount is expressed	**(1)** The amount is rounded off **(a)** if it is less than 5 mg, to 0 mg;

Item	Column 1 Information	Column 2 Description	Column 3 Unit	Column 4 Manner of expression
			(a) in milligrams per immediate container; and **(b)** as a percentage of the daily value per immediate container.	**(b)** if it is 5 mg or more but less than 50 mg, to the nearest multiple of 10 mg; **(c)** if it is 50 mg or more but less than 250 mg, to the nearest multiple of 25 mg; and **(d)** if it is 250 mg or more, to the nearest multiple of 50 mg. **(2)** The percentage is rounded off **(a)** if the amount is declared as "0 mg", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.
15	Amount of iron	"Iron"	The amount is expressed **(a)** in milligrams per immediate container; and **(b)** as a percentage of the daily value per immediate container.	**(1)** The amount is rounded off **(a)** if it is less than 0.05 mg, to 0 mg; **(b)** if it is 0.05 mg or more but less than 0.5 mg, to the nearest multiple of 0.1 mg; **(c)** if it is 0.5 mg or more but less than 2.5 mg, to the nearest multiple of 0.25 mg; and **(d)** if it is 2.5 mg or more, to the nearest multiple of 0.5 mg. **(2)** The percentage is rounded off **(a)** if the amount is declared as "0 mg", to 0%; and **(b)** in all other cases, to the nearest multiple of 1%.

Presentation of source of food allergen

195. (1) The source of a food allergen required to be shown in the list of ingredients or in the food allergen source, gluten source and added sulphites statement under paragraph 191(1)(g) must be set out:

(a) for a food allergen from a food referred to in one of paragraphs (a), (b) and (e) of the definition of food allergen in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that food, by the name of the food as shown in the applicable paragraph, expressed in the singular or plural;

(b) for a food allergen from the food referred to in paragraph (c) of the definition of food allergen in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that food, by the name "sesame", "sesame seed" or "sesame seeds";

(c) for a food allergen from a food referred to in paragraph (d) or (f) of the definition of food allergen in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that food, by the name of the food as shown in the applicable paragraph;

(d) for a food allergen from the food referred to in paragraph (g) of the definition of food allergen in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that food, by the name "soy", "soya", "soybean" or "soybeans";

(e) for a food allergen from a food referred to in one of paragraphs (h) to (j) of the definition of food allergen in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that food, by the common name of the food referred to in column II of item 6, 23 or 24 of the table to paragraph B.01.010(3)(a) of the *Food and Drug Regulations* (Canada), whichever is applicable; and

(f) for a food allergen from the food referred to in paragraph (k) of the definition of food allergen in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that food, by the name "mustard", "mustard seed" or "mustard seeds".

Presentation of source of gluten

(2) The source of gluten required to be shown in the list of ingredients or in the food allergen source, gluten source and added sulphites statement under 191(1)(g) must be set out:

(a) for gluten from the grain of a cereal referred to in one of subparagraphs (a)(i) to (v) of the definition of gluten in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that grain, by the name of the cereal as shown in the applicable subparagraph; and

(b) for gluten from the grain of a hybridized strain created from one or more of the cereals referred to in subparagraphs (a)(i) to (v) of the definition of gluten in subsection B.01.010.1(1) of the *Food and Drug Regulations* (Canada) or derived from that grain, by the names of the cereals as shown in the applicable subparagraphs.

Declaration on risk of cross-contamination

196. (1) If the label of the container in which edible cannabis is packaged includes a declaration alerting consumers that, due to a risk of cross-contamination, the edible cannabis may contain the source of a food allergen or gluten, the declaration must meet the following requirements:

(a) it must be shown immediately after the food allergen source, gluten source and added sulphites statement or, if there is none, immediately after the list of ingredients, and must appear on the same continuous surface as the statement, if any, and the list of ingredients; and

(b) no intervening printed, written or graphic material is to appear between it and the list of ingredients or statement that immediately precedes it.

Presentation of food allergen statement

197. (1) A food allergen source, gluten source and added sulphites statement must meet the following requirements:

(a) the word "Contains" must appear at the beginning of the list;

(b) no intervening printed, written or graphic material is to appear between the word referred to in paragraph (a) and the rest of the statement;

(c) it must appear on the same continuous surface as the list of ingredients; and

(d) it must include, even if any of the following information is also shown in the list of ingredients:

(i) the source of each food allergen that is present in the edible cannabis;

(ii) each source of any gluten that is present in the edible cannabis; and

(iii) one of the common names "sulfites", "sulfiting agents", "sulphites" or "sulphiting agents", if the total amount of sulphites present in the edible cannabis is 10 p.p.m. or more.

No duplication

(2) Despite paragraph (1)(d), the following information is not required to be shown in the statement more than once:

(a) the same source of a food allergen;

(b) the same source of gluten; and

(c) one of the common names "sulfites", "sulfiting agents", "sulphites" or "sulphiting agents".

Constituents not required to be shown on label

198. (1) Constituents of ingredients or of classes of ingredients set out in the table to subsection B.01.009(1) of the *Food and Drug Regulations* (Canada) are not required to be shown on the label of a container in which edible cannabis — or a cannabis accessory that contains edible cannabis — that is a cannabis retail product is packaged.

Preparation or mixture

(2) Subject to subsection (3), if a preparation or mixture set out in the table to subsection B.01.009(2) of the *Food and Drug Regulations* (Canada) is used to produce edible cannabis, the ingredients and constituents of the preparation or mixture are not required to be shown on the label of the container in which edible cannabis — or a cannabis accessory that contains edible cannabis — that is a cannabis retail product is packaged.

Common name

(3) If a preparation or mixture set out in the table to subsection B.01.009(2) of the *Food and Drug* Regulations (Canada) is used to produce edible cannabis and the preparation or mixture has one or more of the ingredients or constituents listed in subsection B.01.009(3) of the *Food and Drug Regulations* (Canada), those ingredients or constituents must be shown by their common names in the list of the ingredients of the edible cannabis to which they are added as if they were ingredients of that edible cannabis.

Constituents required to be shown in list of ingredients

(4) Despite subsections (1) and (2), if any of the constituents listed in subsection B.01.009(4) of the Food *and Drug Regulations* (Canada) is contained in an ingredient of edible cannabis set out in a table referred to in subsection (1) or (2), that constituent must be shown in the list of ingredients.

Small immediate container

199. (1) In the case of a cannabis retail product whose immediate container is too small for all the required information to be displayed on its label in accordance with these regulations:

(a) the label may extend beyond the exterior display surface; or

(b) either a peel-back or accordion panel may be applied to the container.

Label or panel not easily removed

(2) The label that extends beyond the exterior display surface and the panel must be applied in a manner that they cannot be easily removed from the immediate container.

Panel

(3) The panel must:

(a) be able to be resealed;

(b) withstand repeated openings and closings without detaching from the immediate container under customary conditions of use; and

(c) include any of the following information that cannot be included on the label because the immediate container of the cannabis retail product is too small for all the required information to be displayed in accordance with these regulations:

(i) the class of cannabis set out in Schedule 4 to which the cannabis that is in the immediate container belongs;

(ii) the recommended storage conditions;

(iii) the packaging date;

(iv) except in the case of a cannabis plant, cannabis plant seeds or edible cannabis, either:

(A) the expiry date in accordance with subsection 185(6); or

(B) a statement that no expiry date has been determined;

(v) except in the case of dried cannabis or a cannabis plant, the statement “Contains the equivalent of (the quantity of dried cannabis, in grams, that is equivalent to the quantity of cannabis, in grams or seeds, as the case may be, as determined in accordance with

Schedule 3, in the immediate container)g of dried cannabis";

(vi) the list of ingredients of the cannabis retail product, including constituents, if any;

(vii) in the case of dried cannabis or fresh cannabis, the net weight;

(viii) in the case of a cannabis extract:

(A) the net weight, including the net weight of cannabis extract in each unit, if the cannabis extract is in discrete units;

(B) the quantity of THC and CBD that is dispensed with each activation of any cannabis accessory that is packaged with or contains the cannabis extract; and

(C) the name of any food allergen that is present in the product;

(ix) in the case of a cannabis topical, its net weight, including the net weight of cannabis topical in each unit, if the cannabis topical is in discrete units; and

(x) in the case of edible cannabis:

(A) if the edible cannabis is in solid form, its net weight, and in any other case, its net volume;

(B) the durable life date;

(C) the source of any food allergen or gluten present in the edible cannabis, except as a result of cross-contamination;

(D) sulphites that are present in the edible cannabis in an amount of 10 p.p.m. or more; and

(E) the nutrition facts table.

Interpretation – information on panel

(4) The information included on the panel must be shown in accordance with the provisions of these regulations with respect to a label as if the panel were a label for the purposes of those provisions.

Brand element

(5) The panel must not display any brand element.

Statement on location of information

(6) The label of an immediate container in which a cannabis retail product is packaged and to which a panel is applied must include a statement that clearly indicates the location of any information required under these regulations that is not included on the label.

Image

(7) The label referred to in subsection (6) may include an image that is printed in black and white and that provides instructions on how to open the panel.

Information on exterior display surface

(8) In addition to the information that is required under these regulations, the label referred to in subsection (6) may include:

(a) a bar code, in accordance with section 182;

(b) a brand element, in accordance with subsection (9); and

(c) an image, in accordance with subsection 187(5).

Exception – brand element

(9) A brand element included on a label that extends beyond the exterior display surface or on a label of a container to which a panel is applied must:

(a) if the brand element is an image, be 1.27 cm by 1.27 cm in size or smaller; or

(b) if the brand element is text only, be in a type size that is 7 points or smaller.

Standardized cannabis symbol on product intended for inhalation

200. (1) The standardized cannabis symbol must be clearly and prominently displayed on the outer surface of a cannabis accessory that contains a cannabis extract and that is a cannabis retail product intended to be consumed by means of inhalation if the cannabis extract contains THC in a concentration greater than 10 μg/g, taking into account the potential to convert THCA into THC.

Division VII: Cannabis retail product accuracy rules

Net weight and volume

201. (1) The net weight and volume that must be included on the label of a cannabis retail product must be within the tolerance limits set out for that product in the document entitled *Tolerance Limits for the Net Weight and Volume Declared on Cannabis Retail Product Labelling*, as amended from time to time and published by the Commission on its website.

Number of discrete units, cannabis plants and cannabis plant seeds

202. (1) The number of discrete units, cannabis plants and cannabis plant seeds in a container that is labelled must be equal to the number specified on the label.

Division VIII: Labelling – Cannabis other than cannabis retail products

Information required

203. (1) A holder of a licence must not sell, distribute or export cannabis, other than a cannabis retail product, unless the label applied to any container that contains such cannabis includes:

(a) the name, telephone number and email address of the holder of the licence that sells, distributes or exports the cannabis; and

(b) in respect of the cannabis:

(i) the lot number, preceded by the word "Lot"; and

(ii) the packaging date.

Part 9 Import and Export Permits

Permit application

204. (1) The holder of a cultivation licence or manufacturing licence may apply to the Commission for a permit to import a shipment of cannabis (other than retail-packaged cannabis products) or export a shipment of cannabis in accordance with such application and eligibility requirements as the Commission may specify from time to time.

Refusal to issue

205. (1) The Commission may refuse to issue an import permit or export permit if:

(a) it believes it is in the public interest to do so;

(b) the applicant does not hold a licence issued by the Commission;

(c) there are reasonable grounds to believe that the cannabis to which the permit application pertains would not comply with the Act or these regulations; or

(d) in the case of an export permit application relating to cannabis that is not an unstamped cannabis retail product or a cannabis retail product, the contract between the export permit applicant and the purchaser does not provide that the parties will ensure that the cannabis is compliant with all relevant requirements of the importing jurisdiction.

Permit contents

206. (1) An import permit or export permit must set out such information as specified by the Commission.

Period of validity

207. (1) An import permit or export permit is valid until the earliest of the following dates:

(a) the date on which the shipment is imported or exported;

(b) the date of expiry or revocation by the Commission of the permit; or

(c) the date of expiry, suspension or revocation of the cultivation licence or manufacturing licence held by the importer or exporter.

Reporting

208. (1) The holder of an import permit or export permit must, within 15 days after the receipt of the import or delivery of the export provide the Commission with:

(a) written notice of such receipt or delivery including whether any of the information included in the permit relating to the description, brand or quantity of the cannabis imported or exported does not accurately reflect the description, brand or quantity actually imported or exported and, if so, the details of such different description, brand or quantity; and

(b) the documentation collected pursuant to subsection 54(4) of the Act, as applicable.

(2) The written notice contemplated in paragraph (a) shall include an acknowledgement, signed by the party in the foreign jurisdiction from whom the cannabis was imported, or to whom it was exported, that the information in such notice is true and complete.

Transport imported cannabis to Commission

209. (1) The holder of an import permit must ensure that imported cannabis is transported directly to the Commission in order for the Commission to determine whether the imported cannabis complies with the import permit.

Release of imported cannabis

(2) Cannabis lawfully imported pursuant to an import permit shall be released by the Commission to the importer upon payment of the applicable import fee pursuant to section 220.

Stamping of retail-packaged cannabis to be exported

(3) If an export permit has been issued to a holder of a cultivation licence or manufacturing licence for the export of cannabis retail products, the permit holder shall deliver the applicable unstamped cannabis retail products to the Commission for stamping and shall pay the applicable export fees pursuant to Section 219.

Shipping of cannabis retail products to be exported

(4) Once stamped pursuant to subsection (3), the export permit holder shall cause the applicable cannabis retail products to be shipped from the Commission to the address of the purchaser specified on the export permit.

Part 10 Fees

Division I: General Fees

Definitions

210. (1) The following definitions apply in this Part. Other terms used in this Part may be defined in section 1(1) of these regulations:

(a) **consumer** means an individual who purchases a cannabis retail product from a retail sale licence holder;

(b) **phase 1** means the first phase of screening of a licence application and comprising such elements as specified by the Commission; and

(c) **phase 2** means the last phase of screening of a licence application and comprising such elements as specified by the Commission.

Annual inflation adjustment

211. (1) The fees set out in sections 212 to 214 are to be adjusted in each fiscal year on January 1 by the percentage change over 12 months in the All-items Consumer Price Index for Ontario, as published by Statistics Canada under the *Statistics Act* (Canada), for the previous fiscal year and rounded to the next highest dollar.

Licence applications - cultivation licence and manufacturing licence

212. (1) The fees for screening by the Commission of an application for the issuance of a cultivation licence or manufacturing licence (or a cultivation licence and manufacturing licence at the same site) shall be $5,000 for phase 1 and $15,000 for phase 2.

Licence applications – retail sale licence

(2) The fees for screening by the Commission of an application for the issuance of a retail sale licence application shall be $5,000 (inclusive of security clearance costs).

Security clearance applications

213. (1) The fee for the consideration by the Commission of an application with respect to a security clearance referred to in section 49 of the Act will be as specified by order of the Commission from time to time and calculated on a cost recovery basis.

Import or export permit applications

214. (1) The fee for the consideration by the Commission of an application for the issuance of an import permit or an export permit is $500.

Annual Licence Renewal Fee

215. (1) A holder of a cultivation licence or manufacturing licence must, with respect to each calendar year commencing with the year in which the licence was first issued, pay to the Commission the following annual licence renewal fee, not later than March 31 of the following year, in respect of each site:

(a) if the person holds either (i) a manufacturing licence or (ii) a manufacturing licence and a cultivation licence, pay $25,000; or

(b) if the person holds only a cultivation licence, pay $10,000.

(2) The holder of a retail licence must pay to the Commission the following annual licence renewal fee, not later than March 31 of the year following the applicable calendar year, in respect of each site:

(a) with respect to the first calendar year that follows the year in which the licence was issued, pay a licence renewal fee of $10,000;

(b) with respect to the second calendar year and third calendar year following the year in which the licence was issued, pay a licence renewal fee of $15,000; and

(c) with respect to each calendar year subsequent to the third calendar year following the year in which the licence was issued, pay a licence renewal fee of $25,000.

Inspection fees

216. (1) The holder of a licence must, with respect to each calendar year following the year in which the licence was first issued, pay the following fee for inspection of the site, not later than 30 days following the inspection date, in respect of each site:

(a) if the person holds a manufacturing licence, pay $5,000;

(b) if the person holds a cultivation licence, pay $2,500; and

(c) if the person holds a retail licence, pay $1,000.

(2) If the inspection of a site results in the requirement for a re-inspection (prior to the next calendar year's regular inspection), the licence holder shall be required to pay the same inspection fee in respect of such re-inspection not later than 30 days following such re-inspection.

Testing

217. (1) The Commission shall, from time to time, publish a testing fee schedule that will specify the fees payable by a licence holder in connection with any testing required to be done by or on behalf of the Commission in accordance with cannabis-related testing requirements pursuant to the Act and these regulations. Such fees shall be based on the expenses incurred by the Commission, plus an administrative fee, to conduct and report on such testing. The licence holder shall pay such fees within 30 days following the receipt of an invoice issued by the Commission to the licence holder respecting such testing.

Division II: Wholesale, Import and Export Fees

Commission wholesale margin on cannabis retail products for domestic sale

218. (1) The Commission shall sell cannabis retail products to retail sale licence holders at the price paid by the Commission for the purchase of unstamped cannabis retail products plus the Commission's wholesale margin.

Amount of wholesale margin

(2) The Commission shall apply a wholesale margin to unstamped cannabis retail product:

(a) produced by a cultivation licence holder or a manufacturing licence holder and sold to the Commission for stamping and distribution to retail sale licence holders in an amount between 30% to 33% of the price paid by the Commission for such unstamped cannabis retail product, such percentage to be determined annually by the Commission through its budget review process; and

(b) imported by the Commission pursuant to section 53 of the Act in an amount between 35% to 40% of the price paid by the Commission for such unstamped cannabis retail product, such percentage to be determined annually by the Commission through its budget review process.

Fee on exports of cannabis retail products

219. (1) The holder of an export permit authorizing the export of cannabis retail products must pay to the Commission a fee in an amount between 35% to 40% of the price paid or to be paid by the purchaser of such cannabis retail products, such percentage to be determined annually by the Commission through its budget review process, prior to the Commission affixing the Commission stamp to such products and authorizing the export permit holder to deliver them to the purchaser.

Fee on imports and exports of bulk cannabis

220. (1) A fee must be paid by the applicable import permit or export permit holder to the Commission prior to the import or export of cannabis (other than unstamped cannabis retail product or cannabis retail product).

Amount of import and export fee for bulk cannabis

(2) The fee contemplated in subsection (1) for any cannabis (other than unstamped cannabis retail product or cannabis retail product):

(a) to be sold by the holder of an export permit to the purchaser identified in the export permit shall be an amount between 35% to 40% of the price paid or to be paid by the purchaser for such cannabis, such percentage to be determined annually by the Commission through its budget review process; and

(b) to be purchased by the holder of an import permit from the seller identified in such permit shall be an amount between 35% to 40% of the price paid or to be paid by the holder of the

import permit for such cannabis, such percentage to be determined annually by the Commission through its budget review process.

Fixed fees

221. (1) Subject to the Act and these regulations, the Commission may fix the fees to be paid for a service or the use of a facility provided by the Commission, or in respect of products, rights and privileges provided by the Commission.

(2) Fees fixed for a service or use of a facility provided by the Commission under subsection (1) may not exceed cost to the Commission of providing the service or the use of the facility.

Part 11 Cannabis Tracking System

Division I: Interpretation

Definitions

222. (1) The following definitions apply in this Part. Other terms used in this Part may be defined in section 1(1) of these regulations:

(a) **book value** means the value of an asset according to its balance sheet account balance; and

(b) **unpackaged cannabis** means cannabis other than cannabis contained in unstamped cannabis retail product or cannabis retail product.

Interpretation

(2) For the purposes of this Part:

(a) cannabis contained in a cannabis retail product includes cannabis that is a cannabis retail product; and

(b) a reference to the sale or distribution of cannabis — including cannabis retail products — does not include:

(i) the return of cannabis;

(ii) the sale or distribution of cannabis for the purposes of destruction; or

(iii) the import or export of cannabis.

Division II: Cultivation and Manufacturing Licences

Information to be provided

223. (1) A holder of a cultivation licence or manufacturing licence must, no later than the 15th day of each month, provide the Commission with the following information, as applicable, in respect of the site

specified in the licence:

(a) the number and book value of unstamped cannabis retail products, and the quantity of cannabis contained in unstamped cannabis retail products, that formed part of the inventory on the first and last day of the previous month;

(b) the quantity and book value of unpackaged cannabis that formed part of the inventory on the first and last day of the previous month;

(c) the number of unstamped cannabis retail products that were added to the inventory during the previous month by virtue of:

(i) the sale or distribution to the holder;

(ii) the packaging and labelling of cannabis by the holder for sale to the Commission for stamping and retail distribution;

(iii) a return to the holder; or

(iv) any other reason;

(d) the quantity of unpackaged cannabis that was added to the inventory during the previous month by virtue of:

(i) the sale or distribution to the holder;

(ii) being produced from other unpackaged cannabis;

(iii) being imported;

(iv) a return to the holder; or

(v) any other reason;

(e) the number and book value of unstamped cannabis retail products that ceased to form part of the inventory during the previous month by virtue of:

(i) the sale or distribution to a holder of a cultivation licence or manufacturing licence;

(ii) the sale or distribution to the Commission for stamping and retail distribution;

(iii) the destruction of the cannabis or cannabis accessory;

(iv) being lost or stolen in circumstances that require notice to be provided under paragraph 250(1)(b);

(v) a return by the holder; or

(vi) any other reason;

(f) the quantity and book value of unpackaged cannabis that ceased to form part of the inventory during the previous month by virtue of:

(i) being sold or distributed by the holder to another holder of a cultivation licence or manufacturing licence;

(ii) being distributed to the Commission for testing;

(iii) being used to produce other unpackaged cannabis;

(iv) being packaged and labelled by the holder for sale to the Commission for stamping and retail distribution;

(v) being destroyed;

(vi) being lost due to drying or other normally accepted business activities;

(vii) being lost or stolen in circumstances that require notice to be provided under paragraph 250(1)(b);

(viii) a return by the holder; or

(ix) any other reason; and

(g) the quantity of unpackaged cannabis used in the production of cannabis of a class set out in any of items 8 to 14 of Schedule 6, in relation to each class.

Number, quantity and book value by class

(2) In respect of unstamped cannabis retail products:

(a) the number of unstamped cannabis retail products referred to in paragraphs (1)(a), (1)(c) and (1)(e) must be provided for each class specified in column 1 of Schedule 5;

(b) the quantity of unstamped cannabis retail products referred to in paragraph (1)(a) must be provided for each class specified in column 1 of Schedule 5 and expressed in the applicable unit of measurement specified in column 2; and

(c) the book value of unstamped cannabis retail products referred to in paragraphs (1)(a) and (1)(e) must be provided for each class specified in column 1 of Schedule 5 and expressed in Canadian dollars.

Number, quantity and book value by class

(3) In respect of unpackaged cannabis:

(a) the quantities of unpackaged cannabis referred to in paragraphs (1)(b), (1)(d), (1)(f) and (1)(g) must be provided for each class of unpackaged cannabis specified in column 1 of Schedule 6 and expressed in the applicable unit of measurement specified in column 2; and

(b) the book value of unpackaged cannabis referred to in paragraphs (1)(b) and (1)(f) must be provided for each applicable class of unpackaged cannabis and expressed in Canadian dollars.

Cessation of activities

(4) A holder of a cultivation licence or manufacturing licence that ceases to conduct all the activities authorized by the licence must, within 15 days after the day on which the activities cease, provide any information that has yet to be provided under subsection (1) in respect of the previous month, as well as information in respect of the month in which the activities cease.

Division III: Retail Licence

Information to be provided

224. (1) A retail sale licence holder must, no later than the 15th day of each month, provide the following information to the Commission in respect of each site at which the licence holder sells, or from which it sends or delivers, cannabis retail products:

(a) the number and book value of cannabis retail products, and the quantity of cannabis contained in those cannabis retail products, that formed part of the inventory on the first and last day of the previous month;

(b) the number of cannabis retail products that were added to the inventory during the previous month by virtue of:

(i) the sale or distribution of cannabis retail products;

(ii) the return of cannabis retail products; or

(iii) any other reason;

(c) the number of cannabis retail products that ceased to form part of the inventory during the previous month by virtue of:

(i) the sale or distribution of cannabis retail products;

(ii) the destruction of cannabis retail products;

(iii) the loss or theft of cannabis retail products;

(iv) the return of cannabis retail products; or

(v) any other reason; and

(d) the number and book value of cannabis retail products that ceased to form part of the inventory during the previous month by virtue of:

(i) the retail sale of cannabis retail products to consumers who were present at the site at the time of sale;

(ii) the retail sale of cannabis retail products to consumers who were not present at the site at the time of sale; or

(iii) the distribution of cannabis retail products to another site from which the person is licensed by the Commission to sell cannabis retail products.

Number, quantity and book value

(2) In respect of the cannabis retail products:

(a) the number of cannabis retail products referred to in paragraphs (1)(a) to (1)(d) must be provided for each class specified in column 1 of Schedule 4;

(b) the quantity of cannabis retail products referred to in paragraph 223(1)(a) must be provided for each class specified in column 1 of Schedule 4 and expressed in the applicable unit of measurement specified in column 2; and

(c) the book value of cannabis retail products referred to in paragraphs (1)(a) and (1)(d) must be provided for each class specified in column 1 of 4 and expressed in Canadian dollars.

Cessation of activities

(3) A retail sale licence holder that ceases to conduct all authorized activities at a site must, within 15 days after the day on which the activities cease, provide any information that has yet to be provided under subsection (1) in respect of the previous month, as well as information in respect of the month in which the activities cease.

Division IV: General Provisions

Additional information

225. (1) The information that is provided under sections 223 and 224 must be accompanied by the following information:

(a) the licence holder's licence number;

(b) the month and calendar year to which the information relates;

(c) in the case of information that is provided by a holder of a cultivation licence or manufacturing licence, the total surface area that is authorized by the licence, in square metres, of all buildings on the site;

(d) in the case of information that is provided by a cultivation licence holder, the total surface area, in square metres, that is used for cultivating, propagating or harvesting cannabis; and

(e) in the case of information that is provided by a manufacturing licence holder, the total surface area, in square metres, that is used to produce cannabis.

Surface area — calculation

(2) If the surface area referred to in paragraph (1)(d) consists of multiple surfaces, such as surfaces arranged above one another, the area of each surface must be included in the calculation of the total surface area.

Manner of providing information

226. (1) A holder of a licence that is required to provide information under this Part must:

(a) provide the information to the Commission in a manner prescribed by the Commission; and

(b) notify the Commission if an individual who was responsible for submitting the information on behalf of the holder or body is no longer responsible for doing so.

Part 12 Documentation, Reporting and Disclosure

Division I: Retention of Documents and Information

Manner of retention

227. (1) Information required to be retained under the Act must be:

(a) retained at the site specified in the licence or, if not a licence holder, at the person's place of business at Six Nations; and

(b) in a form and manner that permits timely audit.

Continued retention

(2) If a person ceases to hold a licence and the information required to be retained for that licence has an unexpired retention period, that person must continue to retain the information until the end of the retention period, and notify the Commission in writing of the address where the information will be retained.

Retention of purchase and sale information

228. (1) A licence holder must retain, for not less than seven years after the day on which it is prepared and in a manner that will enable an audit to be made in a timely manner, documents or information stating the amount received from the sale of cannabis, the amount paid for the purchase of cannabis and the name of the person from which cannabis was purchased.

Cannabis tracking system

229. (1) A person that is required to provide information under section 223 must ensure that:

(a) the records, reports, electronic data and other documents containing the information are retained for a period of at least two years beginning on the day on which the information is

provided;

(b) the records, reports, electronic data and other documents — and any information on which the information contained in those documents is based — are:

(i) retained in a manner that will enable an audit of the documents or information to be made in a timely manner;

(ii) if the person holds a licence issued by the Commission, retained at the site specified in the licence; and

(iii) if the person does not hold a licence issued by the Commission, retained at their place of business at Six Nations or, if they do not have such a place of business, at a place of business at Six Nations; and

(c) the calculations, measurements and other data on which the information is based are documented in a manner that will enable them to be examined in a timely manner.

Continued retention

(2) If a person is no longer required to provide information under section 223, they must ensure that the requirements set out in subsection (1) are complied with until the end of the applicable retention period.

Inventory

230. (1) A holder of a cultivation licence or manufacturing licence must retain, for each lot or batch of cannabis — other than a cannabis extract, a cannabis topical or edible cannabis — that they produce, a document that contains the following information, as applicable:

(a) the date on which cannabis plants are propagated by means other than sowing seeds and the number of new plants propagated in this manner;

(b) the date on which cannabis plant seeds are sown and their net weight on that date;

(c) the date on which cannabis is harvested and its net weight on that date;

(d) the date on which drying processes are completed for the cannabis and its net weight on that date;

(e) the date on which dried or fresh cannabis is put into a discrete unit form, the net weight of cannabis in each unit and the number of units;

(f) the date on which cannabis that is not of a class of cannabis set out in Schedule 4 is produced and its net weight or volume on that date; and

(g) except in the case of cannabis plants or cannabis plant seeds, any information that is obtained through testing and that relates to the phytocannabinoid and terpene content of the cannabis.

Packaging

(2) A holder of a cultivation licence or manufacturing licence must retain for a period of two years, for each lot or batch of cannabis that they package, a document that contains the following information:

(a) a description of the cannabis, including, if applicable, the brand name; and

(b) the date on which the cannabis is packaged and its net weight on that date.

Inventory – cannabis extract, etc.

231. (1) A manufacturing licence holder must retain, for each lot or batch of cannabis extract, cannabis topical or edible cannabis that they produce, a document that contains the following information:

(a) the date of production and the net weight or volume of the cannabis extract, cannabis topical or edible cannabis on that date;

(b) if applicable, the date on which the cannabis extract, cannabis topical or edible cannabis is put into a discrete unit form, the net weight or volume of each unit and the number of units;

(c) in respect of the cannabis that is used to produce the cannabis extract, cannabis topical or edible cannabis:

(i) its description;

(ii) its net weight or volume;

(iii) its lot or batch number; and

(iv) the date on which it was produced;

(d) if the cannabis extract, cannabis topical or edible cannabis is or will become a cannabis retail product or is or will be contained in a cannabis accessory that is or will become a cannabis retail product:

(i) the list of ingredients that is required to appear on the label of the cannabis retail product; and

(ii) the net weight, net volume or concentration by weight or volume of each of those ingredients;

(e) if the cannabis extract is or will become a cannabis retail product or is or will be contained in a cannabis accessory that is or will become a cannabis retail product:

(i) an indication of whether each ingredient that is required to appear on the label of the cannabis retail product is a carrier substance, flavouring agent or substance that is necessary to maintain the quality or stability of the cannabis retail product;

(ii) any additional information in the possession of the holder that relates to the purpose of each ingredient; and

(iii) a description of the flavour, if any, of the cannabis retail product; and

(f) any information that is obtained through testing and that relates to the phytocannabinoid and terpene content of the cannabis extract, cannabis topical or edible cannabis.

Exception to subparagraph (1)(d)(ii)

(2) The document is not required to contain the information referred to in subparagraph (1)(d)(ii) in respect of an ingredient if:

(a) the ingredient is part of a mixture of substances that was used in the production of cannabis referred to in paragraph (1)(d);

(b) the holder obtained the mixture from another person;

(c) the information has not been disclosed to the holder;

(d) the holder has made the necessary arrangements to ensure that the information will be provided to the Commission if the Commission requires the holder to provide it; and

(e) the document contains the net weight or volume of the mixture at the time it was used to produce the cannabis.

Exception to subparagraph (1)(e)(i)

(3) The document is not required to contain the information referred to in subparagraph (1)(e)(i) in respect of an ingredient if:

(a) the requirements in paragraphs (2)(a) to (2)(d) are met; and

(b) the holder includes in the document an indication of whether the mixture referred to in paragraph (2)(a) contains carrier substances, flavouring agents, substances that are necessary to maintain the quality or stability of the cannabis retail product or a combination of any of these.

Inventory – retail licence holders

232. (1) A retail sale licence holder must retain a document, for at least two years after the day on which it was prepared, that contains a full physical inventory count of all cannabis retail products, and a new count must be completed every month or upon request by the Commission.

Cannabis obtained from another person

233. (1) If a holder of a cultivation licence or manufacturing licence obtains cannabis from another person, they must retain a document for at least two years after the day on which it was prepared that contains the following information:

(a) the name of the person from which the cannabis is obtained;

(b) the address of the location at which the cannabis is obtained and, if that location is different from the site or sites at which the cannabis was produced, the address of the site or sites, if known;

(c) the date on which the cannabis is obtained;

(d) the quantity of cannabis that is obtained;

(e) a description of the cannabis, including, if applicable, the brand name;

(f) the lot or batch number of the cannabis; and

(g) in the case of cannabis plants, cannabis plant seeds or cannabis that is not of a class of cannabis set out in Schedule 4, the intended use.

Things to be used as ingredients

234. (1) If the manufacturing licence holder obtains or produces anything that will be used as an ingredient to produce a cannabis extract, a cannabis topical or edible cannabis, they must retain a document for at least two years after the day on which it was prepared that contains the following information:

(a) the name and business address of the person, if any, that supplies the thing;

(b) the date on which the holder takes possession of the thing or, if the thing is produced by the holder, the date on which production is completed;

(c) a description of the thing, including the name by which it is generally known and, if applicable:

(i) its chemical name;

(ii) its common name, if that name is not the name by which it is generally known;

(iii) its INCI name; and

(iv) its CAS registry number; and

(d) any lot code or other unique identifier that enables the thing to be traced.

Definitions

(2) The following definitions apply in paragraph (1)(c):

(a) **CAS registry number** means the identification number assigned to a chemical by the Chemical Abstracts Service, a division of the American Chemical Society; and

(b) **INCI name** has the same meaning as in subsection 2(1) of the *Cosmetic Regulations* (Canada).

Sale, distribution and export of cannabis

235. (1) If a holder of a cultivation licence or manufacturing licence sells, distributes or exports cannabis, they must retain a document for at least two years after the day on which it was prepared that contains the following information:

(a) the name of the person to which it is sold, distributed or exported;

(b) the address of the location from which it is sold, distributed or exported and the place to which it is sent or delivered;

(c) the date on which it is sold, distributed or exported;

(d) the quantity that is sold, distributed or exported;

(e) a description of the cannabis, including, if applicable, the brand name;

(f) its lot or batch number;

(g) in the case of a cannabis extract, a cannabis topical or edible cannabis that is an unstamped cannabis retail product or that is contained in a cannabis accessory that is an unstamped cannabis retail product, the list of ingredients that appears on the label of the unstamped cannabis retail product;

(h) in the case of cannabis plants, cannabis plant seeds or cannabis that is not of a class of cannabis set out in Schedule 4, the intended use, if known; and

(i) in the case of a cannabis accessory that is an unstamped cannabis retail product, a description of the cannabis accessory.

Retail sale

(2) A retail sale licence holder must, in addition to the requirements set out in these regulations, retain a document for at least two years after the day on which it was prepared that contains the following information:

(a) a list of employees, including names, addresses, primary job responsibilities, shift schedules, training records, records check results and dates of employment; and

(b) a list of all cannabis in the authorized store, including information:

(i) regarding each sale transaction, traceable at the employee level; and

(ii) demonstrating that the licence holder is complying with subsections 29(2) and 29(3) of the Act.

Antimicrobial treatment

236. (1) If a holder of a cultivation licence or manufacturing licence conducts antimicrobial treatment of

cannabis at a location other than the site specified in the licence, they must retain a document for at least two years after the day on which it was prepared that contains the following information:

(a) a description of the cannabis, including, if applicable, the brand name;

(b) the date on which the cannabis leaves the site specified in the licence and the quantity that leaves the site;

(c) the name of the person that receives the cannabis at the location where the treatment is to be conducted;

(d) the address of the location referred to in paragraph (c);

(e) the name of the person from which the cannabis is received after the treatment;

(f) the address of the site to which the cannabis is returned, or of the location to which it is distributed, after the treatment; and

(g) the date on which the cannabis is received at the site or location referred to in paragraph (f) and the quantity that is received.

Destruction of cannabis

237. (1) A holder of a licence, if they destroy cannabis or cause it to be destroyed, must retain a document that contains the following information:

(a) a description of the cannabis, including, if applicable, the brand name;

(b) the date and time of the destruction and its pre-destruction net weight or volume on that date;

(c) the address of the location at which the cannabis is destroyed;

(d) a brief description of the method of destruction;

(e) the name of the individual or third party conducting the destruction;

(f) the names of the individuals who witness the destruction and are qualified to do so under section 49, together with the basis on which they are qualified under such section; and

(g) the reason for the destruction of the cannabis.

Statement by witnesses

(2) The holder must obtain, for each instance in which cannabis is destroyed, a statement signed and dated by two of the witnesses referred to in paragraph 236(1)(f) stating that they witnessed the destruction and that the cannabis was destroyed in accordance with a method prescribed by the Commission.

Additional information – retail sale licence

(3) A retail sale licence holder, in addition to the requirements under subsections (1) and (2), must include the following information:

(a) the name and address of the cannabis retail store; and

(b) a certificate of destruction, if destruction is carried out by a third party.

Retention period

(4) The document referred to in subsection (1) and the statement referred to in subsection (2) must be retained for at least two years after the day on which the cannabis is destroyed.

Good production practices

238. (1) A holder of a cultivation licence or manufacturing licence must:

(a) for each lot or batch of cannabis any portion of which has been sold or exported, retain a document demonstrating that the cannabis and anything that was used as an ingredient was produced, packaged, labelled, distributed, stored, sampled and tested in accordance with the applicable provisions of Part 6 *Good Production Practices* and Part 7 *Product Composition*;

(b) if applicable, maintain a list of the brand names of cannabis — of any class of cannabis set out in Schedule 4 — that the holder has produced, packaged, labelled, distributed, stored, sampled or tested;

(c) in respect of each instance in which a substance — including a pest control product and a fertilizer but excluding water — is applied directly or indirectly to cannabis, retain a document that contains the following information:

(i) the name of the substance and the quantity used;

(ii) the method and date of application; and

(iii) the rationale for the use of the substance;

(d) in respect of the testing conducted under Part 6 *Good Production Practices* or to meet the requirements set out in Part 7 *Product Composition*:

(i) maintain a document that describes the validated methods used; and

(ii) for each lot or batch of cannabis that is tested, retain a document that contains the test results; and

(e) in the case of a manufacturing licence, retain:

(i) a document that describes the qualifications of the quality assurance person in respect of the matters referred to in subsection 8(2); and

(ii) a document that describes every investigation conducted under paragraph 8(2)(b) or 8(2)(c) and any measures taken under that paragraph; and

Retention periods

(2) The following documents must be retained for the following periods:

(a) a document referred to in paragraph (1)(a), for at least two years after the day on which the last sale or export of any portion of the lot or batch takes place;

(b) a document referred to in paragraph (1)(c), for at least two years after the day on which it is prepared;

(c) a document referred to in subparagraph (1)(d)(ii), for at least two years after the day on which the last sale or export of any portion of the lot or batch takes place;

(d) a document referred to in subparagraph (1)(e)(i), for the period during which the quality assurance person acts in that capacity and at least two years after the day on which they cease to do so; and

(e) a document referred to in subparagraph (1)(e)(ii), for at least two years after the day on which it is prepared.

Retention periods – previous versions

(3) The holder must retain:

(a) each version of the list referred to in paragraph (1)(b), for at least two years after the day on which it is replaced by a new version or, if it has not been replaced, at least two years after the day on which the licence expires or is revoked; and

(b) each version of the document referred to in subparagraph (1)(d)(i), for at least two years after the day on which the validated methods are replaced or, if the methods have not been replaced, two years after the day on which the licence expires or is revoked.

Standard operating procedures and sanitation program

239. (1) A holder of a manufacturing licence or cultivation licence must maintain documentation describing:

(a) the standard operating procedures referred to in section 99 that are in use at the site set out in the licence; and

(b) the sanitation program referred to in section 108 that is in use at the site set out in the licence.

Retention period

(2) The holder must retain each version of the documentation for at least two years after the day on which it is replaced by a new version or, if it has not been replaced, at least two years after the day on which the licence expires or is revoked.

Packages and labels

240. (1) A holder of a cultivation licence or manufacturing licence that packages and labels cannabis must retain a sample or copy of each distinct package and each distinct label for an unstamped cannabis retail product that the holder makes available for sale.

Cannabis accessories

241. (1) A holder of a cultivation licence or manufacturing licence must maintain a list of the names and types of the cannabis accessories that they sell and must retain each version of the list for at least two years after the day on which it is replaced by a new version or, if it has not been replaced, at least two years after the day on which the licence expires or is revoked.

System of control

242. (1) A holder of a cultivation licence or manufacturing licence must retain, for each lot or batch of cannabis that they sell or distribute, a document that contains the information that is necessary for the system of control referred to in section 52.

Retention period

(2) The document must be retained for at least two years after the day on which the last sale or distribution of any portion of the lot or batch takes place, other than for destruction.

Documentation

(3) The holder must maintain documentation concerning the system of control and retain each version of the documentation for at least two years after the day on which it is replaced by a new version or, if it has not been replaced, at least two years after the day on which the licence expires or is revoked.

Promotion

243. (1) A holder of a licence must retain a sample or copy of any promotional materials for at least two years after the last day on which the promotion in question takes place.

Research and development

244. (1) A holder of a cultivation licence or manufacturing licence, if they undertake research and development activities, must retain a document for at least two years after the day on which it was prepared, that contains the following information:

(a) in respect of any cannabis that is used in the activities:

(i) its description, including, if applicable, its brand name;

(ii) the quantity used and, if applicable, the lot or batch number;

(iii) the date on which it is used; and

(iv) the purpose and a brief description of the activity;

(b) in respect of any cannabis that is produced in the course of the activities:

(i) its description;

(ii) the quantity produced;

(iii) the date on which it is produced;

(iv) if applicable, the date on which it is used for testing and the quantity used; and

(v) if applicable, the date on which it is placed in inventory intended for sale and the quantity placed in inventory; and

(c) any other information that can be used to reconcile the quantities of cannabis referred to in paragraphs (1)(a) and (1)(b).

Import or export of cannabis

245. (1) A holder or former holder of an import permit or export permit must retain a document that contains the information that they provided to the Commission under section 208 for at least two years after the day on which the information is provided.

Record of key investors

246. (1) A holder of a licence, except if it is listed on a published market, must maintain a record that contains the following information in respect of each key investor and former key investor:

(a) the key investor's name and mailing address;

(b) a detailed description of the means by which the key investor exercises, or is in a position to exercise, control over the holder;

(c) details regarding every transaction with the key investor, including:

(i) a detailed description of the money, goods or services provided by the key investor to the holder, including the date, terms and conditions on which the money, goods or services were provided; and

(ii) a detailed description of any benefit that the key investor receives from the transaction; and

(d) if known, a detailed description of any interest or right of the key investor in a business of the holder that has been or will be assigned, pledged, mortgaged, hypothecated or sold to any person, the detailed description of which should include the name and mailing address of that person.

Annual reporting

(2) The holder must provide the Commission with a copy of the record if the record is amended.

Maintenance and retention of record

(3) The holder must ensure that the record is:

(a) maintained in a manner that will enable an audit of it to be made in a timely manner;

(b) available at the site specified in the licence; and

(c) retained for at least two years after the day on which the holder ceases to be required to maintain it.

Definitions

(4) In this section, **key investor** means, in respect of the holder of a licence, a person that exercises, or is in a position to exercise, direct or indirect control over the holder such as by:

(a) holding a majority ownership or other right or interest in the holder or an affiliate of the holder;

(b) holding more than 25% ownership interest together with other indicators of control;

(c) having provided a loan that is callable on demand;

(d) being the sole available source of supply of a necessary good or service; or

(e) holding an ownership interest or other right or interest in, or in respect of, a business operated by the holder.

Division II: Documents and Information Provided to Commission

Form and manner

247. (1) Except as otherwise provided in these regulations, documents that are required to be provided to the Commission must be provided in a form and manner to be determined by the Commission from time to time.

Request by Commission

248. (1) Any person, whether authorized to conduct activities in relation to cannabis or not, required to ensure the retention of documents or information must immediately provide the documents or information to the Commission at the Commission's request.

Notice – new unstamped cannabis retail product

249. (1) A holder of a cultivation licence or manufacturing licence, at least 60 days before making available for sale an unstamped cannabis retail product — except cannabis plants or cannabis plant seeds —

that they have not previously sold to the Commission, must provide the Commission with a written notice that contains the following information:

(a) the class of cannabis set out in Schedule 4 to which the unstamped cannabis retail product belongs;

(b) a description of the unstamped cannabis retail product, including the brand name; and

(c) the date on which the unstamped cannabis retail product is expected to be made available for sale.

Theft or loss of cannabis

250. (1) A holder of a licence must, if they experience a theft of cannabis or a loss of cannabis that cannot be explained on the basis of normally accepted business activities:

(a) notify the Six Nations Police within 24 hours after becoming aware of its theft or loss; and

(b) provide the Commission with a written notice within 10 days after becoming aware of its theft or loss.

Voluntary recall

251. (1) A holder of a licence must, before commencing a voluntary recall of an unstamped cannabis retail product that has been sold or distributed to the Commission, or exported, provide the Commission with a document that contains the following information:

(a) a description of the unstamped cannabis retail product, including the brand name;

(b) the number of each lot or batch of the unstamped cannabis retail product to be recalled, together with, if known and applicable, the number of any lot or batch of cannabis that was used to make the unstamped cannabis retail product;

(c) if known and applicable, the name and address of each person that:

(i) produced or imported the cannabis that is, or is contained in, the unstamped cannabis retail product;

(ii) packaged or labelled the cannabis referred to in subparagraph (i) before it became, or became part of, the unstamped cannabis retail product;

(iii) in the case of a cannabis accessory that is an unstamped cannabis retail product, produced or imported the cannabis accessory or any component of it; or

(iv) packaged or labelled the unstamped cannabis retail product;

(d) the reasons for commencing the recall;

(e) if the cannabis that is, or is contained in, the unstamped cannabis retail product was produced

or imported by the holder, the quantity of cannabis that was produced or imported;

(f) the quantity of the unstamped cannabis retail product that was sold, distributed or exported by the holder;

(g) if applicable, the quantity of the unstamped cannabis retail product that is affected by the problem or potential problem underlying the recall and that remains in the possession of the holder;

(h) the number of persons to which the holder sold, distributed or exported the unstamped cannabis retail product;

(i) the period during which the holder sold, distributed or exported the unstamped cannabis retail product;

(j) the time and manner in which the recall is to be carried out, including:

(i) the expected date for the commencement of the recall;

(ii) how and when the Commission will be informed of the progress of the recall; and

(iii) the date by which the recall is expected to be completed;

(k) a description of any other measure that the holder is taking, or intends to take, in respect of the recall; and

(l) contact information for a representative who will be responsible for the recall.

Risk evaluation

(2) The holder must, within 72 hours after providing the Commission with the document referred to in subsection (1), provide the Commission with a document that contains an evaluation of the risk associated with the problem or potential problem that underlies the recall.

Report

(3) The holder must, within 30 days after the day on which the recall is completed, provide the Commission with a written report that sets out the results of the recall and the measures taken to prevent a recurrence of the problem.

Extension

(4) Despite subsection (3), the Commission may extend the period for providing the report — to a maximum of 90 days after the day on which the recall is completed — if, for reasons beyond the holder's control, it is not feasible to provide it within the 30-day period.

Adverse reactions

252. (1) A holder of a licence that sells or distributes an unstamped cannabis retail product or a cannabis

retail product must:

(a) within 15 days after becoming aware of a serious adverse reaction to the unstamped cannabis retail product or cannabis retail product, provide the Commission with a detailed report containing all information in their possession that is associated with the use of the unstamped cannabis retail product or cannabis retail product by the individual who experienced the reaction; and

(b) prepare an annual summary report that contains a concise and critical analysis of all adverse reactions to the unstamped cannabis retail product or cannabis retail product that the holder became aware of during the previous 12 months.

Definitions

(2) The following definitions apply in this section. Other terms used in this section may be defined in section 1(1) of these regulations:

(a) **adverse reaction** means a noxious and unintended response to an unstamped cannabis retail product or cannabis retail product; and

(b) **serious adverse reaction** means a noxious and unintended response to an unstamped cannabis retail product or cannabis retail product that requires inpatient hospitalization or a prolongation of existing hospitalization, causes congenital malformation, results in persistent or significant disability or incapacity, is life-threatening or results in death.

Division III: Disclosure of Information to Third Parties

Disclosure

253. (1) The Commission may disclose any information to Council, Six Nations Police or any other Six Nations agency, Canada, or any relevant provincial authority if the disclosure is for the purpose of ensuring compliance with the provisions of the Act, these regulations, another Six Nations Act or regulation or a foreign law or regulation.

Council approval for disclosure to foreign governments

(2) Notwithstanding subsection (1), the Commission may only disclose information to a foreign government or authority under subsection (1) with the written approval of Council.

Part 13 Enforcement Exemptions

Definitions

254. (1) The following definitions apply in this Part. Other terms used in this Part may be defined in section 1(1) of these regulations:

(a) **medical emergency** means a physiological event induced by the introduction of a psychoactive substance into the body of a person that results in a life-threatening situation and

in respect of which there are reasonable grounds to believe that the person requires emergency medical or law enforcement assistance; and

(b) **particular investigation** means a primary investigation conducted under the Act and includes any investigation that arises from the primary investigation.

Administration and enforcement activities

255. (1) Unless these regulations provide otherwise, every individual who obtains cannabis in the course of activities performed in connection with the administration or enforcement of the Act is authorized to do anything that is prohibited by any provision of Part 3, Division I (*Criminal Prohibitions*) of the Act if they do so in a manner that is consistent with the activities they are authorized to perform.

Employees, agents and mandataries, and contractors

256. (1) Unless these regulations provide otherwise, every employee of, person who is acting as the agent of or person who is acting under a contract with, a person that is authorized under the Act to possess, sell, distribute or produce cannabis, may do anything that is prohibited by any provision of Part 3, Division I (*Criminal Prohibitions*) of the Act if they do so as part of their employment duties and functions, or as part of their role as agent or in the performance of their contract, as applicable, and in a manner that is consistent with the conditions that apply to the authorized person's authorization.

(2) For greater clarity, for the purposes of subsection (1), a designated medical grower shall not be considered to be an employee of, acting as the agent of, or acting under a contract with a medical use permit holder, and subsection (1) shall not apply to any employee of, person who is acting as the agent of, or person who is acting under a contract with a medical use permit holder or a designated medical grower.

Authorized activities – Commission representatives, employees, agents and contractors

257. (1) Unless these regulations provide otherwise, every representative, employee, agent or contractor of the Commission is authorized under the Act to possess, sell, distribute, produce, test or alter cannabis if they do so as part of their representative, employee, agent or contractual duties and functions.

Medical Emergency

258. (1) No person who seeks medical emergency assistance because that person, or another person, is suffering from a medical emergency is to be charged or convicted of an offence under any provision of Part 3, Division I (*Criminal Prohibitions*) of the Act if the evidence in support of that offence was obtained or discovered as a result of that person having sought assistance.

Six Nations Police officers

259. (1) A Six Nations Police officer is exempt from the application of any provision of the Act if the Six Nations Police officer engages in any activity referred to in those sections involving cannabis, if the Six Nations Police officer is in active service and is acting in the course of the Six Nations Police officer's responsibilities for the purposes of a particular investigation.

Persons under direction and control of Six Nations Police officers

260. (1) A person is exempt from the application of any provision of the Act if the person engages in any activity referred to in any of those sections involving cannabis, if the person acts under the direction and control of a Six Nations Police officer who meets the conditions set out in section 259 and acts to assist the member in the course of the particular investigation.

Exemption by Commission

261. (1) The Commission may, on any terms and conditions that the Commission considers necessary, by order, exempt any person or any class of persons, or any cannabis or any class of cannabis in relation to a person or a class of persons, from the application of all or any of the provisions of the Act or of these regulations if, in the opinion of the Commission, the exemption is necessary for a medical or scientific purpose or is otherwise in the public interest.

(2) For greater certainty, the Commission may, by order, amend or revoke an order made under subsection (1) or suspend its application in whole or in part.

Part 14 Schedules

Schedule 1

Cannabis

1. Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than a part of the plant referred to in Schedule 2

2. Any substance or mixture of substances that contains or has on it any part of such a plant

3. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained

Schedule 2

Cannabis Exclusions

1. A non-viable seed of a cannabis plant

2. A mature stalk, without any leaf, flower, seed or branch, of such a plant

3. Fibre derived from a stalk referred to in item 2

4. The root or any part of the root of such a plant

Schedule 3

Equivalent Values

Equivalent values for dried cannabis, fresh cannabis, and cannabis plant seeds

Item	Column 1 Class of Cannabis	Column 2 Quantity that is equivalent to 1 g of dried cannabis
1	dried cannabis	1 g
2	fresh cannabis	5 g
3	cannabis plant seeds	1 seed

Equivalent values for cannabis extracts, cannabis topicals, and edible cannabis

To be determined by the following formula: (Total quantity of THC) * 4 = (dried cannabis equivalent quantity)

For example purposes only:

Item	Column 1 Class of Cannabis	Column 2 Quantity that is equivalent to 1 g of dried cannabis
1	1 mg	0.004 g
2	2.5 mg	0.01 g
3	10 mg	0.04 g
4	100 mg	0.4 g
5	250 mg	1 g
6	1000 mg	4 g

Schedule 4

Classes of Cannabis That an Authorized Person May Sell

Item	Column 1 Class of Cannabis	Column 2 Unit of Measurement
1	dried cannabis	kilograms
2	fresh cannabis	kilograms
3	cannabis plants	number of plants
4	cannabis plant seeds	number of seeds
5	edible cannabis	kilograms
6	cannabis extracts	kilograms

Item	Column 1 Class of Cannabis	Column 2 Unit of Measurement
7	cannabis topicals	kilograms

Schedule 5 (Subsection 223(2))

Cannabis retail product

Item	Column 1 Class of Cannabis retail product	Column 2 Unit of Measurement
1	cannabis plant seeds	number of seeds
2	cannabis plants	number of plants
3	fresh cannabis as defined in subsection 1(1)	kilograms
4	dried cannabis	kilograms
5	edible cannabis that is in solid form at a temperature of 22 ± 2°C	kilograms
6	edible cannabis that is not in solid form at a temperature of 22 ± 2°C	kilograms
7	cannabis extract that is intended for inhalation	kilograms
8	cannabis extract that is intended for ingestion as defined in subsection 1(1)	kilograms
9	cannabis extract that is intended for nasal, rectal or vaginal use	kilograms
10	cannabis topical as defined in subsection 1(1)	kilograms
11	any other class of cannabis retail product	kilograms

Schedule 6 (Subsection 223(3))

Unpackaged cannabis

Item	Column 1 Class of Unpackaged cannabis	Column 2 Unit of Measurement
1	cannabis plant seeds	kilograms
2	cannabis plants that are not budding or flowering	number of plants
3	cannabis plants that are budding or flowering	number of plants
4	fresh cannabis as defined in subsection 1(1)	kilograms
5	dried cannabis	kilograms
6	cannabis used in the production of cannabis of a class that is set out in any of items 7 to 13	kilograms
7	edible cannabis that is in solid form at a temperature of 22 ± 2°C	kilograms
8	edible cannabis that is not in solid form at a temperature of 22 ± 2°C	kilograms
9	cannabis extract that is intended for inhalation	kilograms
10	cannabis extract that is intended for ingestion as defined in subsection 1(1)	kilograms
11	cannabis extract that is intended for nasal, rectal or vaginal use	kilograms

Item	Column 1 Class of Unpackaged cannabis	Column 2 Unit of Measurement
12	cannabis topical as defined in subsection 1(1)	kilograms
13	any other class of unpackaged cannabis	kilograms