

**California Department of Food and Agriculture  
CalCannabis Comparable Organic Working Group**

**Meeting Notice**

The CalCannabis Comparable Organic Working Group will meet:

**Tuesday, June 25, 2019  
1:30pm to 4:30pm**

**California Department of Food and Agriculture  
Conference Room 201B, 2750 Gateway Oaks Drive, Sacramento, CA 95833**

Please contact Annie Kim with any questions concerning this notice/agenda at CDFA CalCannabis Cultivation Licensing Division, 2750 Gateway Oaks Drive, Sacramento, California 95833, or call (916) 576-6407, or email [annie.kim@cdfa.ca.gov](mailto:annie.kim@cdfa.ca.gov). All meeting notices, agendas, and materials to be considered by the Working Group during the meeting will be available to the public during the meeting and at the following website: <http://calcannabis.cdfa.ca.gov/>.

**PUBLIC PARTICIPATION**

Members of the public are encouraged to provide comment to the Working Group and may suggest items to be placed on the agenda for discussion at the next Working Group meeting. While the Working Group values the participation of the public, the Working Group Chair reserves the right to limit the time for public comment depending on the length of agenda and number of commenters. Public comment must be related to the Working Group's authority and jurisdiction and its placement on the agenda is within the discretion of the Working Group Chair.

All matters noticed on this agenda may be considered for action. Items listed on the agenda may be considered in any order at the discretion of the Working Group Chair. Any item not so noticed will not be considered or discussed. All meeting agendas and notices are available on the California Department of Food and Agriculture website at: <https://www.cdfa.ca.gov/Meetings.html> (select *CalCannabis Licensing Division*).

Each of the agenda items below will include discussion and possible action by the Working Group. Time will be allowed for members of the public to make comments on each agenda item. Comment time may be limited based on the number of agenda items and/or number of commenters.

**Americans With Disabilities Act**

All Working Group meetings must be accessible to the physically disabled. Any person needing a disability-related accommodation or modification in order to attend or participate in any Working Group meeting may request assistance by contacting Annie Kim by phone at (916) 576-6407 or by email at [annie.kim@cdfa.ca.gov](mailto:annie.kim@cdfa.ca.gov) or a written request for assistance may be sent to CDFA CalCannabis Cultivation Licensing Division, 2750 Gateway Oaks Drive, Sacramento, California 95833.

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1. Introductions
  - a. COPAC CalCannabis Subcommittee
  - b. CalCannabis Team
2. Working Group Purpose and Function
3. Cannabis in California Overview
4. Certification Process of Cannabis Operations
5. Discussion Questions
  - a. Should standards for the production methods listed below be incorporated into the comparable organic program?
    - i. Production standards for plants in containers and enclosures (greenhouses)
    - ii. Production standards for indoor (no natural light) production

*See the National Organic Standards Board (NOSB) recommendation on Production Standards for Terrestrial Plants in Containers and Enclosures (Greenhouses) for more information.*

*<https://www.ams.usda.gov/sites/default/files/media/NOP%20Final%20Rec%20Production%20Standards%20for%20Terrestrial%20Plants.pdf>*

- b. What other production methods not included in the NOP regulations should be considered for inclusion in this program? Where can the program find reliable research and a discussion of its viability as an organic growing method?
- c. Title 7, Part 205, Subpart C, Section 205.202 of the Code of Federal Regulations outlines land requirements for organic production. In the case that an operation

cannot document that it meets the land requirements, should the program consider alternative methods of verification so long as program integrity is maintained? If so, what methods should be considered?

([https://www.ecfr.gov/cgi-bin/text-idx?SID=0f317d4d82cbdef59bf8a0382bdb22d&mc=true&node=se7.3.205\\_1202&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=0f317d4d82cbdef59bf8a0382bdb22d&mc=true&node=se7.3.205_1202&rgn=div8))

## 6. Adjournment

Meetings are subject to cancellation. Agenda items are subject to change in order and presenter. Discussion times are approximate. Parking is available on-site. Please contact Annie Kim with any questions concerning this notice/agenda at CDFA CalCannabis Cultivation Licensing Division, 2750 Gateway Oaks Drive, Sacramento, California 95833, or by phone at (916) 576-6407, or by email at [annie.kim@cdfa.ca.gov](mailto:annie.kim@cdfa.ca.gov).

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**Addendum**

**Discussion Question for the July 2019 Working Group Meeting**

What guidance contained in official NOP documents, such as the Handbook, do you think is critical to cannabis operations' and certifying agents' ability to understand and comply with the NOP regulations?

Background

This program is charged with being comparable to the NOP but, per state law, cannot issue guidance documents, like the NOP Handbook, that clarify and interpret its regulations.

<a href="#"><u>The Federal Administrative Procedure Act (Federal APA)</u></a>	<a href="#"><u>The California Administrative Procedure Act (State APA)</u></a>
Federal agencies may develop “legislative rules” and “interpretive rules.”	California state agencies may develop only “legislative rules.”
“Interpretive rules” do not need to be promulgated in compliance with the Federal APA to be legal and, generally, binding.	Rules are legal and binding only when promulgated in compliance with the State APA.
Official NOP guidance documents, like the Handbook, are “interpretive rules.”	