

- e) Knowing violations of any state or local law, ordinance, or regulation conferring worker protections or legal rights on the employees of a licensee.
 - f) Failure to comply with the requirement of a local ordinance regulating commercial cannabis activity.
 - g) The intentional and knowing sale of cannabis or cannabis products by an A-licensee to a person under 21 years of age.
 - h) The intentional and knowing sale of medicinal cannabis or medicinal cannabis products by an M-licensee to a person without a physician's recommendation.
 - i) Failure to maintain safe conditions for inspection by the DCC.
 - j) Failure to comply with any operating procedure submitted to the DCC in the application process.
 - k) Failure to comply with license conditions established for cultivation. (BPC § 26030)
- 6) Authorizes the DCC to suspend, revoke, place on probation with terms and conditions, or otherwise discipline licenses issued by the DCC and fine a licensee, after proper notice and hearing to the licensee, except in those cases when a license is procured by fraud, then the DCC does not need to wait for a hearing to discipline. (BPC § 26031(a))
- 7) Authorizes an administrative law judge to direct a licensee, who has violated provisions of MAUCRSA, to pay a sum not to exceed the reasonable costs to investigate. (BPC § 26031.1)
- 8) Authorizes the DCC to issue a citation to a licensee or unlicensed person for any violation of MAUCRSA and requires the citation to be in writing and describe with particularity the basis of the citation, as specified, and each citation is required to notify licensees or unlicensed persons that they may request a hearing to contest the violation by submitting a written request within 30 days from services of the citation. (BPC § 26031.5(a)(c))
- 9) Requires the Director of the DCC to ensure that enough employees are qualified peace officers to enforce the provisions of MAUCRSA. (BPC § 26035)
- 10) Requires the DCC when it has evidence that cannabis or a cannabis product is adulterated or misbranded, to notify the licensee. The licensee may conduct a voluntary recall of the affected cannabis or cannabis product and may remediate the cannabis or cannabis product, if approved by the DCC, or destroy the affected cannabis or cannabis product under the supervision of the DCC. (BPC § 26039.1)(a)
- 11) States that it is unlawful to cultivate, manufacture, distribute, sell, deliver, hold, or offer for sale cannabis or a cannabis product that is adulterated; to adulterate cannabis or a cannabis product; or to receive in commerce cannabis or a cannabis product that is adulterated or to distribute, deliver, or proffer for delivery any such

cannabis or cannabis product. (BPC § 26039.3(b))

- 12) Specifies the conditions which make cannabis or a cannabis adulterated (BPC § 26039.6(a))
- 13) Authorizes the DCC to condemn cannabis or a cannabis product, subject to appropriate notice. (BPC § 26039.3(f))
- 14) Permits the DCC to issue a mandatory recall order and require the licensee to immediately cease distribution of cannabis or a cannabis product and recall the cannabis or cannabis product if the department determines both of the following:
 - a) The cultivation, manufacture, distribution, or sale of the cannabis or cannabis product creates or poses an immediate and serious threat to human life or health.
 - b) Other procedures available to the department to remedy or prevent the occurrence of the situation would result in an unreasonable delay. (BPC § 26039.1(b))

Current Regulations.

- 1) Allow the DCC to embargo cannabis or cannabis products to prevent their sale, disposal, or removal from the location when the DCC has probable cause to believe the cannabis or cannabis products are adulterated or misbranded or the sale would otherwise be in violation of MAUCRSA, and clarifies that to embargo cannabis or cannabis products, the DCC must:
 - a) Provide initial notice to the licensee or product owner that the cannabis or cannabis products are subject to embargo and the reason for the embargo. Initial notice may be oral or written and may be provided in person or by telephone, mail, facsimile transmission, email, or other electronic means;
 - b) Affix a tag or marking to the cannabis or cannabis products, or component thereof, subject to embargo; and
 - c) Provide an inventory of the embargoed items to the licensee or product owner. (4 CCR § 17801.5(a)(b))
- 2) Requires the DCC to provide a supplemental written notice to the licensee or product owner of the embargoed items that includes the following:
 - a) The factual and legal bases for the embargo;
 - b) A description of the cannabis or cannabis products under embargo;
 - c) A request for a written plan to address the items under embargo and the issues(s) that resulted in the embargo;

- d) A summary of the proceedings for condemnation, as specified;
 - e) Notification that embargoed items cannot be removed from embargo, sold, or disposed of without authorization of the Department or a court; and
 - f) The penalty for violation of the embargo. (4 CCR § 17801.5(c))
- 3) Establishes that a cited licensee or person may, within 30 calendar days after service of the citation, contest the citation by submitting to the DCC a written request for a hearing, if a hearing is not requested, it is waived and payment of a fine will not constitute an admission of the violation charged. And, in addition to requesting a hearing the cited licensee or person may, within 15 calendar days after service of the citation, submit a written request for an informal conference with the DCC regarding the acts or omissions charged in the citation. Further, the DCC must within 15 calendar days after receipt of the written request, hold an informal conference with the cited licensee or person and/or their legal counsel or authorized representative. (4 CCR § 17803)

This bill:

- 1) Authorizes the DCC to establish an informal conference, to contest a citation, as specified.
- 2) States that if a citation recipient does not request an informal conference within 30 days of receipt, the right to the conference is waived.
- 3) Requires the DCC to hold an informal conference within 15 days of receiving the request with the licensee or their legal counsel or authorized representative, or any combination of those persons
- 4) Specifies that at the information conference, the licensee, or their legal counsel or authorized representative, shall be allowed the opportunity to meet with a representative from DCC who has knowledge of the citation. That representative must provide the factual and legal basis for the citation, if requested. The licensee, or their legal counsel or authorized representative, must be allowed to present evidence and argument as to why the citation should be modified or dismissed.
- 5) Requires the DCC after the informal conference, to affirm, modify, or dismiss the citation, including any fines levied or orders of abatement issued. The DCC must notify the licensee of its decision and the reasoning supporting the decision via notification, which must be provided to the licensee and their legal counsel or authorized representative, if any, within 15 calendar days after the date of the informal conference. The decision shall be deemed to be a final order regarding the citation issued, including the levied fine or the order of abatement, if any.
- 6) Specifies that if the citation is dismissed, any request for a hearing shall be deemed withdrawn. If the citation is affirmed, the licensee may either withdraw the request for a hearing or proceed with the administrative hearing process.

- 7) Specifies that if the citation, including any fines levied or orders of abatement issued, is modified, the citation originally issued shall be considered withdrawn and a new citation issued. If a hearing is requested for the subsequent citation, it shall be requested within 30 calendar days after issuance of the citation.
- 8) Requires a citation issued by the DCC to be issued within three years of the performance of the violation of MAUCRSA.
- 9) Requires the notice provided to a licensee from the DCC if a product is adulterated or misbranded to include a copy of the laboratory certificate of analysis (COA) and testing data, and a summary of the evidence supporting the finding of adulteration or misbranding, including the identity of the laboratory, and a description of the collection and sampling methodology used; and, the notice must also state whether or not the department has determined that a mandatory recall will be ordered.
- 10) Requires the DCC, prior to a voluntary recall, to provide the licensee with an opportunity for an informal conference on why the cannabis or cannabis product is considered adulterated or misbranded. The informal conference must be with DCC staff who are knowledgeable on the matter and provide the licensee with an opportunity to present information and argument as to why the cannabis or cannabis product is not adulterated or misbranded and is not otherwise in violation of this division. The DCC may not permit destruction of the product until either the informal conference process has been concluded, or the licensee has declined to participate in the informal conference.
- 11) Specifies that if the DCC finds that a product does not need to be recalled, the licensee is to receive a written notice from the DCC, which will serve as a final decision on the matter.
- 12) Requires that simultaneously with issuance of a mandatory recall order the DCC is to provide the licensee with the summary of the DCC's determination for the recall and the specific evidence upon which the order is based, which may include but is not limited to,
 - a) The specific section or subdivision of code or regulation alleged to be violated.
 - b) A copy of the laboratory COA and testing data, if applicable.
 - c) Sampling methodology documentation.
 - d) A detailed description of the sampling procedure.
 - e) Any photographic, electronic, or other evidence, if applicable.
 - f) A summary of the evidence supporting the finding of adulteration or misbranding.
- 13) Requires the DCC to provide a licensee with an opportunity for an informal conference on the recall order and permits the licensee to, within five calendar days of the delivery of the recall order, request an informal conference. If the licensee fails to submit a written request for an informal conference within five calendar days

from the delivery of the order to the licensee, the right to an informal conference is waived and the order is deemed a final order.

- 14) Requires the DCC within 15 calendar days after receipt of the request for an informal conference, hold an informal conference with the licensee or their legal counsel or authorized representative, or any combination of those persons.
- 15) Authorizes at the informal conference, the licensee, or their legal counsel or authorized representative, be allowed the opportunity to meet with a DCC representative who has knowledge of the order. The licensee, or their legal counsel or authorized representative, must be allowed to present evidence and argument as to why the order should be modified or set aside
- 16) Requires after the informal conference, the DCC to affirm, modify, or set aside the order, and the DCC must notify the licensee of its decision and the reasoning supporting the decision via written notification, which shall be mailed to the licensee and their legal counsel or authorized representative, if any, within 15 calendar days after the date of the informal conference. The decision will be a final order.
- 17) Prohibits the DCC from destructing the product until either the informal conference process has been concluded, or the licensee has declined to participate in an informal conference. Following the informal conference or the licensee's decision not to participate in the informal conference, the order shall be affirmed, modified, or set aside as determined appropriate by the DCC in a written decision setting out the reasons for the action taken.
- 18) Prohibits the DCC from requiring a licensee to conduct a voluntary recall, sign a waiver of liability, or waive any right to an informal meeting or an administrative or judicial hearing or appeal as a condition of approving a voluntary recall, authorizing remediation, or supervising the destruction of the product.
- 19) States that a licensee that conducts a voluntary recall does not waive any right to an informal meeting or an administrative or judicial hearing or appeal.
- 20) States that a waiver of liability or appeal rights is valid only if expressly stated in writing and signed by the licensee following the conclusion of a condemnation proceeding or civil litigation regarding the matter.
- 21) Specifies that in the notice from the DCC related to its probable cause that a cannabis product is adulterated or misbranded is to be sent within five calendar days of the tag or marking and the notice must be accompanied by clear, articulable facts and evidentiary documentation supporting the DCC's legal basis for the embargo, which may include, but is not limited to, all of the following:
 - a) The specific section or subdivision of code or regulation alleged to be violated.
 - b) A copy of the laboratory COA and testing data, if applicable.
 - c) Sampling methodology documentation.

- d) A detailed description of the sampling procedure.
 - e) Any photographic, electronic, or other evidence, if applicable.
 - f) A summary of the evidence supporting the finding of adulteration or misbranding.
- 22) Requires the DCC to provide a licensee with an opportunity for an informal conference for an embargoed product within 15 calendar days of the delivery of the notification, as specified, and further requires the DCC within 15 calendar days from the date of the informal conference, make a final determination on whether or not the cannabis or cannabis product is adulterated or misbranded, or the sale of the cannabis or cannabis product would be in violation MAUCRSA.
 - 23) Requires the DCC to remove a tag from an embargoed product within five days if the product is determined not to be adulterate or misbranded.
 - 24) States that if the DCC does not approve a corrective action plan or the DCC does not receive a response within 7 calendar days after providing a notice about a potentially adulterated or misbranded product, the DCC may initial condemnation proceedings.
 - 25) Requires an administrative law judge to submit a proposed decision within 30 days after the case is submitted to the judge, in a form that may be adopted by the agency as the final decision in the case.
 - 26) Prohibits the DCC from requiring a licensee to sign a waiver of liability, or to waive any right to an informal meeting or an administrative or judicial hearing or appeal, as a condition of removing an embargo tag, approving a corrective action plan, or permitting the destruction of product, and specifies that a waiver of liability or appeal rights shall only be valid if executed following the conclusion of a condemnation proceeding pursuant to this section or civil litigation regarding the matter.
 - 27) Requires a petition for condemnation for a cultivation licensee to be served no later than 15 days after the DCC's decision to deny a corrective action plan, as specified; prohibits a manufacturer or retailer from an expedited hearing process; and requires a decision to be made within 10 days.
 - 28) States that the DCC or an administrative law judge sitting alone may, upon petition, issue an order condemning cannabis or cannabis products, and the DCC may, in its sole discretion, delegate the hearing to an administrative law judge in the Office of Administrative Hearings. If the DCC hears the noticed petition itself, an administrative law judge must preside at the hearing, rule on the admission and exclusion of evidence, and advise the department on matters of law.
 - 29) States that a failure to comply with a condemnation order constitutes a separate cause for disciplinary action against a licensee, as specified.
 - 30) Requires condemnation orders be subject to review by the Cannabis Control Appeals Panel, as specified.

- 31) Revises the standards for determining whether cannabis or a cannabis product has been misbranded or adulterated, as specified.
- 32) Makes numerous other technical and conforming changes.

FISCAL EFFECT: According to the Assembly Appropriations Committee, DCC estimates ongoing costs of approximately \$1.6 to \$2 million annually for additional legal and compliance staff needed to support the expanded use of informal conferences, adherence to specified timeframes, and expanded documentation and evidentiary requirements. DCC notes the expansion of informal conference processes will significantly increase workload for legal staff to coordinate, prepare for, facilitate and document outcomes of the informal conference, and that embargoes and recalls are undertaken in instances where there is evidence that a product is misbranded or adulterated – issues that pose consumer safety risks, and the numerous opportunities and obligations for informal conference proposed in the bill may impede or delay the ability to address these consumer safety risks in a timely manner.

COMMENTS:

1. **Purpose.** The California Cannabis Industry Association is the sponsor of this bill.
2. **Background.**

Cannabis and Cannabis Regulation. In 1996, California first legalized medicinal cannabis via Proposition 215, also known as the Compassionate Use Act. Proposition 215 protected qualified patients and primary caregivers from prosecution related to the possession and cultivation of cannabis for medicinal purposes. In 2003, the Legislature authorized the formation of medical marijuana cooperatives—nonprofit organizations that cultivate and distribute marijuana for medical uses to their members through dispensaries.

In 2015, Governor Brown signed three bills into law that created a comprehensive state licensing and regulatory framework governing the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis in California. AB 243 (Wood, Chapter 688, Statutes of 2015), AB 266 (Bonta, Chapter 689, Statutes of 2015), and SB 643 (McGuire, Chapter 719, Statutes of 2015) collectively established the Medical Marijuana Regulation and Safety Act (later renamed to the Medical Cannabis Regulation and Safety Act (MCRSA)), to be administered by a number of state agencies: a Bureau of Cannabis Control within the Department of Consumer Affairs; the California Department of Public Health; and the California Department of Food and Agriculture.

Shortly following the passage of MCRSA, in November 2016, California voters passed Proposition 64, the “Control, Regulate and Tax Adult Use of Marijuana Act” (Prop 64), which decriminalized and legalized adult-use cannabis. Less than a year later in June 2017, the California State Legislature passed a budget trailer bill, SB 94 (Committee on Budget and Fiscal Review, Chapter 27, Statutes of 2017), that integrated MCRSA with Prop 64 to create the Medical and Adult-Use Cannabis

Regulation and Safety Act (MAUCRSA), the current regulatory structure for both medicinal and adult-use cannabis. In 2020, Governor Newsom proposed consolidation of the three original licensing and regulatory programs within separate state agencies to form a single department with a goal of streamlining and simplifying access to licensing and regulatory oversight of cannabis. In 2021, DCC was established with licensing, regulatory and enforcement authority. Currently, cannabis and cannabis products are regulated throughout the lifecycle of the product. Under current law, a separate license is required for every corner of the cannabis market which includes growing cannabis, transporting cannabis, making cannabis products, testing cannabis products, selling cannabis, and holding an event where cannabis is sold. Each license type is distinct and must be approved before operating.

Enforcement Operations. Current law provides the DCC with enforcement authority over any licensee or non-licensee for violations of MAUCRSA. BPC § 26030 establishes the grounds for disciplinary action which include a variety of violations that range from failing to comply with state or local laws including tax requirements, to not complying with any of the regulations adopted by the DCC in addition to those violations enumerated in statute under MAUCRSA. The DCC is authorized to suspend, revoke, or place a license on probation subject to certain terms and conditions, or otherwise discipline a licensee including subject them to a fine, after a notice and hearing. In those cases where a licensee is accused of obtaining a license by fraud, the DCC can suspend the license before any hearing takes place. The DCC's regulations allow for informal conferences, as this bill is proposing to place in statute.

Citations. The DCC is authorized to issue a citation to any licensed or unlicensed person for violating MAUCRSA. Citations must be issued in writing and describe the specific details of the alleged violation, the written notice must also contain information informing the licensee or person of their right to request a hearing to contest the citation by submitting a written request to the DCC within 30 days of receiving a citation notice. Citations issued by the DCC may include an order of abatement (cease the questionable activity) and allow a reasonable time for abatement of the violation. In addition, the DCC can assess for each citation, administrative fine of not more than \$5,000 per violation by a licensee and \$30,000 per violation by an unlicensed person.

This bill modifies the informal procedures for contesting citations and the requirements of the notice which must accompany a citation. This bill would add an additional step before requesting a formal hearing for a licensee to request an "informal conference". This bill would allow the licensee to request an "informal conference" with the DCC. An informal conference provides an opportunity to settle the citation prior to the formal hearing. This bill specifies the parameters for the informal conference and requires the DCC to respond to a request for an informal conference within 15 days after having received the complaint. Upon conclusion of the informal conference, the DCC will have an additional 15-days to notify the requestor of the decision. If the citation is affirmed, the licensee can still request a formal hearing. Under the provisions of this bill if the citation is modified, it is deemed a new citation, and the licensee can still request a separate administrative hearing. Although the DCC can issue a citation to both licensees and non-licensees,

this bill is intended to apply only to licensees. Non-licensees who receive a citation from the DCC will not be provided the same opportunity to have an informal conference.

Product Embargoes and Mandatory Product Recalls. Current law authorizes the DCC to embargo cannabis or cannabis products when it has evidence that the product is adulterated or misbranded. Adulterated products are those products that intentionally or unintentionally have something added to the product which weakens or lowers quality of the product. BPC § 26039.6 specifies the occurrences which would deem a product to be adulterated under the provisions of MAUCRSA. Licensees may conduct a voluntary recall of their product and remediate the product if approved by the DCC or destroy the product under supervision of the DCC.

The DCC can also issue a mandatory recall of the cannabis or cannabis product and require the licensee to immediately cease distribution of and recall the product when the cannabis or cannabis product presents an immediate or serious threat to consumers and other DCC remedies would cause an unreasonable delay. Current law allows the opportunity for a licensee to have a formal hearing on the matter within five days where they can argue why their product should not be recalled. Following this informal proceeding the DCC can either affirm, modify, or set aside recall order. If the DCC orders the condemnation of the product during the informal proceeding, the licensee can then request a formal adjudication; the procedures of which are governed by the APA.

As part of the notice provided to licensees about a potentially adulterated or misbranded product, this bill would require the DCC to provide evidence, which includes a copy of the laboratory COA and testing data along with a summary of evidence including the identity of the laboratory, if applicable, and a description of the collection and sampling methodology used, and include information to the licensee about whether there will be a mandatory recall associated with the potentially problematic product. In addition, this bill allows, prior to a voluntary recall by the licensee, the opportunity to request an informal conference.

Disclosure Requirements for Adulterated or Misbranded Products. This bill also seeks to increase evidentiary disclosure requirements associated with the DCC enforcement actions. Currently, when the DCC has evidence that a product is misbranded or adulterated, it must provide notice to a licensee. Existing law does not provide details about the form or content of this notice. This bill would require that the notice provide specific evidence about the violation including lab testing data, if applicable, as well as chain of custody documentation, the identity of the laboratory responsible for testing, and a description of the sampling methodology used. For those products that are subject to a mandatory recall, this bill would also allow a licensee to request an informal conference within 5 days, but the DCC is required to provide additional information to the licensee subject to the mandatory recall that includes the following:

- The specific section or subdivision of code or regulation alleged to be violated.
- A copy of the laboratory certificate of analysis and testing data, if applicable.
- Sampling methodology documentation.

- A detailed description of the sampling procedure.
- Any photographic, electronic, or other evidence, if applicable.
- A summary of the evidence supporting the finding of adulteration or misbranding.

Specific to embargoes, the DCC may embargo a product and place a tag or other appropriate marking. The DCC must provide a notice that the cannabis or cannabis product is, or is suspected of being, or the sale of the cannabis or cannabis product would be in violation of MAUCRSA and has been embargoed and that the cannabis or cannabis product shall not be removed or disposed of by sale or otherwise until permission for removal or disposal is given by the DCC or a court. This bill would require the DCC to provide a licensee with an opportunity for an informal conference on the matter within 15 calendar days of the delivery of the notice. The informal conference shall include DCC personnel with knowledge of the matter and shall provide the licensee with an opportunity to present information and argument as to why the cannabis or cannabis product is not adulterated or misbranded, and is not otherwise in violation. This bill clarifies that the DCC cannot require any licensee to waive liability, or any right to an informal meeting.

Condemnation. Under current authority, the DCC may authorize or require the condemnation of cannabis or cannabis products for violations of MAUCRSA, including those instances where the DCC has evidence to believe the product is adulterated or misbranded. DCC's regulations permit the DCC to condemn a product under specified circumstances after a licensee failed to respond to the DCC or a corrective action plan could not be resolved. This bill provides timelines for the DCC to comply with when ordering a condemnation and specifies due process procedures. In addition, this bill affirmatively permits condemnation order to be subject to review by the Cannabis Control Appeals Panel.

This bill lays out the parameters of the informal conference and includes the timelines by which the DCC is required to respond to a request for an informal conference and to affirm or modify its decision. This bill subjects the informal conference to the requirements of the Administrative Procedures Act. As currently drafted this bill will not prohibit a licensee from requesting a formal hearing if they do not agree with the outcome of the informal conference. It is hopeful that the informal conference will increase efficiency in the enforcement process and save time and resources from an administrative hearing. Various other entities with licensing and regulatory authority including the Contractors State License Board, the Bureau of Security and Investigative Services, and the Bureau of Automotive Repair have specified statutory authority to conduct informal conferences. The formal citation appeal process can be long and costly. This bill provides licensees with the opportunity to address citations before a formal administrative procedure for citation appeal.

The DCC reported in its 2025 Annual Report to the Legislature that it issued 64 administrative citations with associated penalties totaling \$7,365,750; 293 embargoes, 99 voluntary condemnation and destructions; and 16 mandatory recalls. All of these would be subject to an informal conference prior to any further administrative action.

3. **Arguments in Support.** A broad coalition of supporters note, “This measure introduces reasonable, necessary changes to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to ensure that due process protections for licensees keep pace with the state's enforcement efforts.”

Supporters further note, “For many small and mid-sized cannabis businesses, a single product embargo or mandatory recall can be a terminal event. Currently, licensees are often left in a “regulatory limbo” where products are held indefinitely without a clear path to resolution, even when corrective action is possible. AB 1826 creates a balanced framework that protects public health while safeguarding the economic viability of the legal market...”

4. **Policy Issues for Consideration and Suggested Author Amendment**

DCC Response Timelines. This bill will require the DCC to respond to informal conference requests in a short 15-day window for all citations and an even more limited timeframe when the informal conference is requested for mandatory product recalls. Although DCC’s input on timeframes to conduct such hearings will be vital, it is likely that the 15-day window to conduct an informal hearing for citations, from receipt of the request may not provide sufficient time to schedule and conduct an informal conference.

Technical Amendment. Currently, when the DCC has evidence that a product is adulterated or misbranded, they are required to provide a notice to the licensees and from there the licensees can then determine, based on that notice, to voluntarily recall the product, remediate the product if authorized or destroy the product. Additionally, the DCC has authority to issue a mandatory recall is specified conditions are met. Pursuant to those instances when the DCC is not mandating a recall, this bill will require the DCC to provide specified information in its notice to licensees when the DCC has evidence that a product is adulterated or misbranded which must contain a copy of the COA and testing data, a summary of evidence supporting the finding of adulteration or misbranding, and lastly if the DCC’s findings will include a determination for a mandatory recall. In the case of the DCC determines that a mandatory recall is necessary instead of a voluntary recall, there should be accompanying information which is required when the DCC issues a mandatory recall. *For consistency purposes, the author should amend the bill as follows:*

26039.1.

(a) When the department has evidence that cannabis or a cannabis product is adulterated or misbranded, the department shall provide written notice to the licensee.

(1) The notification shall include the following, as applicable:

(A) A copy of the laboratory certificate of analysis and testing data.

(B) A summary of the evidence supporting the finding of adulteration or misbranding, including the identity of the laboratory and a description of the collection and sampling methodology used.

(2) The notice shall also state whether or not the department has determined that a mandatory recall will be ordered.

(3) If the DCC determines that mandatory recall will be ordered, the following information shall be included in the notice:

(A) The specific section or subdivision of code or regulation alleged to be violated.

(B) A copy of the laboratory certificate of analysis and testing data, if applicable.

(C) Sampling methodology documentation.

(D) A detailed description of the sampling procedure.

(E) Any photographic, electronic, or other evidence, if applicable.

(F) A summary of the evidence supporting the finding of adulteration or misbranding.

~~(a) (b) When (1) the department has evidence that cannabis or a cannabis product is adulterated or misbranded, the department shall notify the licensee. The licensee may conduct a voluntary recall of the affected cannabis or cannabis product and may remediate the cannabis or cannabis product, if approved by the department, or shall **shall, subject to the requirements in subdivision (d)**, destroy the affected cannabis or cannabis product under the supervision of the department.~~

SUPPORT AND OPPOSITION:

Support:

CA Cannabis Industry Association (source)
 Cannabis Distribution Association
 California NORML
 Equity Trade Network
 Origins Council
 Humboldt County Growers Alliance
 Central California Cannabis Club
 Mendocino Cannabis Alliance
 Trinity County Agricultural Alliance
 Kiva Brands, Inc.
 Mammoth Distribution
 Big Pete's Treats
 Weedmaps
 West Coast Cure
 PacStone
 ALG Strategies
 Austin Legal Group
 Highlands Dispensary
 Good Farmers Great Neighbors
 Embarc

St. Ides
Pax Labs

Opposition:

None received

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