

Checklist for Review of Responsible Vendor Training Applications

This checklist guides the Cannabis Control Commission's (Commission) internal review process for potential Responsible Vendor Trainers to ensure sufficiency. It may be helpful in guiding your application to ensure all materials are provided to the Commission for a timely review.

I. Marijuana's effect on the human body

- Marijuana's physical effects based on type of marijuana product;
- The amount of time to feel impairment;
- Visible signs of impairment; and
- Recognizing the signs of impairment.

II. Diversion prevention and prevention of sales to minors

- Best practices.

III. Compliance with all tracking requirements

- Metrc.

IV. Acceptable forms of identification

- How to check identification;
- Spotting false identification;
- Medical registration cards issued by the Department of Public Health (DPH) or Commission;
- Provisions for confiscating fraudulent identifications; and
- Common mistakes made in verification.

V. Local and state licensing and enforcement

- Multiple agencies may have authority and right of inspection;
- Permits and licenses may be needed from multiple state and local agencies, boards, commissions, etc.;
- Marijuana Establishments and Marijuana Establishment Agents required to comply with all local rules, regulations, ordinances, and bylaws; and
- Nothing in the regulations should be construed so as to prohibit lawful local oversight and regulation, including fee requirements, that does not conflict or interfere with the operation of the regulations.



VI. Incident and notification requirements

- Incident reporting required under *935 CMR 500.105(7) Incident Reporting*, identifying each type of incident that may trigger a reporting requirement; and
- Emphasis should be made on the need to inform the Commission quickly and in no event more than 24 hours of the incident, with a written incident report to be submitted within 10 calendar days, and that record of the incident must be maintained for 1 year or the length of the investigation, whichever is longer.

VII. Administrative and criminal liability

- Grounds for revocation of an agent's registration under *935 CMR 500.032*; and
- Those who engage in the manufacture, distribution, dispensation, cultivation or possession of marijuana with the intent to manufacture, distribute, dispense, or cultivate beyond the bounds of the protections conferred by *G.L. c. 94G (adult)* or *G.L. c. 94I (medical)* may subject themselves to state or federal law enforcement action and, if convicted, imprisonment or fines.

VIII. License sanctions and court sanctions

- Complaints Process under *500.302*;
- Deficiency Statements under *500.310*;
- Plans of Correction under *500.320*;
- Limitation of Sales under *500.330*;
- Summary Cease and Desist Order and Quarantine Order under *500.340*; and
- Training should explain the grounds for revocation of a Marijuana Establishment's license under *935 CMR 500.450*.

IX. Waste disposal

- 935 CMR 500.105(12)*; and
- Training materials should be consistent with <https://mass-cannabis-control.com/wp-content/uploads/2019/04/FINAL-Guidance-on-Cannabis-Waste-Management-Requirements.pdf>.

X. Health and safety standards

- A Marijuana Establishment authorized to process marijuana shall do so in a safe and sanitary manner;
- A Marijuana Establishment shall process the leaves and flowers of the female marijuana plant only, which shall be:
 - Well cured and generally free of seeds and stems;
 - Free of dirt, sand, debris, and other foreign matter;
 - Free of contamination by mold, rot, other fungus, and bacterial diseases;
 - Prepared and handled on food-grade stainless steel tables; and
 - Packaged in a secure area.
- Any Marijuana Establishment Agent whose job includes contact with marijuana or non-edible marijuana products, including cultivation, production,



or packaging, is subject to the requirements for food handlers specified in *105 CMR 300.000: Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements*;

- Any Marijuana Establishment Agent working in direct contact with preparation of marijuana or non-edible marijuana products shall conform to sanitary practices while on duty, including: maintaining adequate personal cleanliness, washing hands thoroughly in an adequate hand-washing area before starting work and at any other time when hands may have become soiled or contaminated;
- Hand-washing facilities shall be adequate and convenient and shall be furnished with running water at a suitable temperature;
- Hand-washing facilities shall be located in the Marijuana Establishment in production areas and where good sanitary practices require employees to wash and sanitize their hands, and shall provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
- There shall be sufficient space for placement of equipment and storage of materials as is necessary for the maintenance of sanitary operations;
- Litter and waste shall be properly removed, disposed of so as to minimize the development of odor, and minimize the potential for the waste attracting and harboring pests. The operating systems for waste disposal shall be maintained in an adequate manner pursuant to *935 CMR 500.105(12)*;
- Floors, walls, and ceilings shall be constructed in such a manner that they may be adequately kept clean and in good repair;
- There shall be adequate safety lighting in all processing and storage areas, as well as areas where equipment or utensils are cleaned;
- Buildings, fixtures, and other physical facilities shall be maintained in a sanitary condition;
- All contact surfaces, including utensils and equipment, shall be maintained in a clean and sanitary condition. Such surfaces shall be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the U.S. Environmental Protection Agency (EPA), in accordance with labeled instructions. Equipment and utensils shall be so designed and of such material and workmanship as to be adequately cleanable;
- All toxic items shall be identified, held, and stored in a manner that protects against contamination of marijuana products;
- A Marijuana Establishment's water supply shall be sufficient for necessary operations. Any private water source shall be capable of providing a safe, potable, and adequate supply of water to meet the Marijuana Establishment's needs;
- Plumbing shall be of adequate size and design, and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the Marijuana Establishment. Plumbing shall properly convey sewage and liquid disposable waste from the Marijuana Establishment. There shall be no cross-connections between the potable and wastewater lines;



- A Marijuana Establishment shall provide its employees with adequate, readily accessible toilet facilities that are maintained in a sanitary condition and in good repair;
- Products that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms;
- Storage and transportation of finished products shall be under conditions that will protect them against physical, chemical, and microbial contamination as well as against deterioration of finished products or their containers;
- All vehicles and transportation equipment used in the transportation of marijuana products or edibles requiring temperature control for safety must be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana products or edibles from becoming unsafe during transportation, consistent with applicable requirements pursuant to *21 CFR 1.908(c)*;
- All Marijuana Establishments, including those that develop or process edible marijuana products, shall comply with sanitary requirements. All edible products shall be prepared, handled, and stored in compliance with the sanitation requirements in *105 CMR 590.000: Minimum Sanitation Standards for Food Establishments*;
- All edible marijuana products shall be prepared, handled, and stored in compliance with the sanitation requirements in *105 CMR 500.000: Good Manufacturing Practices for Food*, and with the requirements for food handlers specified in *105 CMR 300.000: Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements*; and
- Any marijuana product that is made to resemble a typical food or beverage product must be packaged and labelled as required by *935 CMR 500.105(5)* and *500.105(6)*.

XI. Patrons prohibited from bringing marijuana onto licensed premises

- Unless a license expressly permits such conduct, patrons may not bring marijuana onto a licensed premises:
Example: medical patients are permitted to bring unused, excess, or contaminated products to the registered marijuana dispensary where they purchased the product for disposal (935 CMR 501.105(12): Patient Education).

XII. Permitted hours of sale

- Staff must know permitted hours of business as set by the Commission and/or amended by the municipality.

XIII. Conduct of establishment: training should include what is permitted and prohibited for each license type

- *Marijuana Cultivator*: may cultivate, process, and package marijuana, to transport marijuana to Marijuana Establishments and to transfer marijuana to



other Marijuana Establishments, but not to consumers. A Marijuana Cultivator may not exceed the canopy allowed by its tier until expansion is approved by the Commission;

- *Craft Cooperative*: may cultivate, obtain, manufacture, process, package, and brand marijuana products to deliver marijuana to Marijuana Establishments, but not to consumers. It may only hold one license but may have unlimited cultivation locations while staying within its tier limits. It may have 3 locations for product manufacturing;
- *Marijuana Product Manufacturer*: may obtain, manufacture, process, and package marijuana products, to transport marijuana products to Marijuana Establishments and to transfer marijuana products to other Marijuana Establishments, but not to consumers;
- *Marijuana Retailer*: may purchase and transport marijuana products from Marijuana Establishments and to transport, sell, or otherwise transfer marijuana products to Marijuana Establishments and to consumers. A retailer cannot deliver marijuana products to consumers or allow on-site social consumption by consumers on the premises of the Marijuana Establishment;
- *Marijuana Research Facility*: may cultivate, purchase, or otherwise acquire marijuana for the purpose of conducting research regarding marijuana products. Any research involving humans must be authorized by an Institutional Review Board (IRB). A research facility may not sell marijuana cultivated under its research license. All research regarding marijuana must be conducted by individuals 21 years of age or older;
- *Independent Testing Laboratory*: must be accredited as required under 935 CMR 500; no executive or member of a Marijuana Establishment may have any financial or other interest in an Independent Testing Laboratory providing testing services for any Marijuana Establishment; no individual employee of a laboratory providing testing services for Marijuana Establishments may receive direct or indirect financial compensation from any Marijuana Establishment;
- *Standards Laboratory*: must meet requirements of Independent Testing Laboratories, but an Independent Testing Laboratory may not serve as a Standards Laboratory; may test samples upon request by Commission in a manner determined by the Commission so as not to reveal to the laboratory the source of the marijuana products;
- *Third-Party Transporter*: an entity registered to do business in Massachusetts that does not hold another Marijuana Establishment license pursuant to 935 CMR 500.050 and is not registered as a Medical Marijuana Treatment Center (MTC) that may transport marijuana, marijuana products, and money on behalf of a Marijuana Establishment; may warehouse marijuana and marijuana products as determined by the Commission;
- *Existing Licensee Transporter*: a Marijuana Establishment that wishes to contract with other Marijuana Establishments to transport their marijuana, marijuana products, and money to other Marijuana Establishments; may



warehouse marijuana and marijuana products as determined by the Commission; and

- *Microbusiness*: a Tier 1 Marijuana Cultivator or Product Manufacturer or both; may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments; may not have an ownership stake in any other Marijuana Establishment.

XIV. Permitting inspections by state and local licensing and enforcement authorities

- The Commission or its agents may inspect a Marijuana Establishment and affiliated vehicles at any time without prior notice in order to determine the Marijuana Establishment's compliance;
- All areas of a Marijuana Establishment, all Marijuana Establishment agents and activities, and all records are subject to inspection;
- Upon request, a Marijuana Establishment must immediately make available to the Commission all information that may be relevant to a Commission inspection, or an investigation of any incident or complaint;
- A Marijuana Establishment must make all reasonable efforts to facilitate the Commission's inspection, or investigation of any incident or complaint, including the taking of samples, photographs, video, or other recordings by the Commission or its agents, and to facilitate the Commission's interviews of Marijuana Establishment Agents;
- An inspection or other investigation may be made prior to the issuance of a license or renewal of registration. Additional inspections may be made whenever the Commission deems it necessary for enforcement;
- During an inspection, the Commission may direct a Marijuana Establishment to test marijuana for contaminants as specified by the Commission, including but not limited to mold, mildew, heavy metals, plant-growth regulators, and the presence of pesticides not approved for use on marijuana by the Massachusetts Department of Agricultural Resources (MDAR);
- Marijuana Establishments or Marijuana Establishment vehicles may be inspected by Commission staff, representatives of other state agencies of the Commonwealth, and emergency responders in the course of responding to an emergency;
- Commission regulations shall not be construed to prohibit access to authorized law enforcement personnel or local public health, inspectional services, or other permit-granting agents acting within their lawful jurisdiction; and
- Access to limited-access areas shall be restricted to employees, agents, or volunteers specifically permitted by the Marijuana Establishment, agents of the Commission, state and local law enforcement, and emergency personnel.

XV. Licensee responsibilities for activities occurring within licensed premises

- Licensees must adhere to limits on their licenses (i.e., no consumption on-site unless authorized); and



- Licensees have the same legal responsibilities toward employees, contractors, and visitors as any other business.

XVI. Maintenance of records

- A staffing plan and staffing records in compliance with *935 CMR 500.105(9)*;
- Records of a Marijuana Establishment shall be maintained in accordance with generally accepted accounting principles.
- Written operating procedures as required by *935 CMR 500.105(1)*;
- Inventory records as required by *935 CMR 500.105(8)*;
- Seed-to-sale tracking records for all marijuana products as required by *935 CMR 500.105(8)(e)*;
- Personnel records: job descriptions for each employee and volunteer position, as well as organizational charts consistent with the job descriptions;
 - a personnel record for each Marijuana Establishment Agent. Such records shall be maintained for at least 12 months after termination of the individual's affiliation with the Marijuana Establishment and shall include, at a minimum, the following:
 - all materials submitted to the Commission pursuant to *935 CMR 500.030(2)*;
 - documentation of verification of references;
 - the job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
 - documentation of all required training, including training regarding privacy and confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she received said training and the topics discussed, including the name and title of presenters;
 - documentation of periodic performance evaluations;
 - a record of any disciplinary action taken; and
 - notice of completed responsible vendor and 8-hour related duty training;
- A staffing plan that will demonstrate accessible business hours and safe cultivation conditions;
- Personnel policies and procedures;
- All background check reports obtained in accordance with *935 CMR 500.030*;
- Business records, which shall include manual or computerized records of: assets and liabilities; monetary transactions; books of accounts, which shall include journals, ledgers, supporting documents, agreements, checks, invoices, and vouchers; sales records including the quantity, form, and cost of marijuana products; and salary and wages paid to each employee, stipend paid to each board member, and any executive compensation, bonus, benefit, or item of value paid to any individual affiliated with a Marijuana Establishment, including members of the nonprofit corporation, if any;
- Waste disposal records as required under *935 CMR 500.105(12)*; and



- All records must be kept for at least 2 years after closure at the expense of the Marijuana Establishment and in a form and location acceptable to the Commission.

XVII. Privacy issues

- Criminal Offender Record Information (CORI); and
- Medical (patient data and information for colocated marijuana operations).

XVIII. Prohibited purchases and practices

- Adult-use cannabis may not be sold to anyone under 21;
- Medical cannabis may not be sold to anyone under 18 (parent or guardian personal caregiver may purchase for pediatric patients);
- Looping;
- Limitations on transactions; and
- Patient supply limitation (for colocated marijuana operations).

XIX. Cultural competency: internal

- Gaining awareness of and addressing negative bias;
- Learning to value diversity;
- Offering reasonable accommodations, including special communication needs in primary languages and literacy levels;
- Hiring staff who represent the diversity of the community;
- Training staff to develop cultural competence; and
- Engaging with the local community in planning, communications, and outreach.

XX. Cultural competency: conduct business in a manner that

- Respects, relates, and responds to individuals' culture, in a nonjudgmental, respectful, and supportive manner;
- Is affirming and humane, and relies on staffing patterns that match the needs and reflects the culture and language of the communities being served;
- Considers each person as an individual and does not make assumptions based on perceived or actual membership in any group or class.

XXI. Safe delivery practices

- Safely conducting deliveries, including what precautions to take upon arrival at a delivery location;
- Risk mitigation in parking, exiting the vehicle, removing the product for delivery from the vehicle, and depositing cash in the vehicle in the event of a cash transaction;
- Identification of risky situations;
- Strategies for de-escalating potentially dangerous situations, including attempts at robbery, what to do and what not to do when confronted by someone who is armed;



- Information agents should be prepared to relay to law enforcement to assist in an investigation;
- Procedures for checking an identification, understanding that with a pre-verification system there may be a process that is different than a traditional identification check because the delivery agent would need to have/obtain the pre-certified information and check against it;
- Indications of impairment; and
- Notifying consumers at the point of delivery that they are being recorded.

Questions?

If you have additional questions, please contact the Commission at (617) 701-8400 or CannabisCommission@Mass.Gov.

