

CHAPTER 453D – ADULT USE OF MARIJUANA

Requirements Concerning Operation of Cultivation Facilities

Sec. () Usable marijuana: Required disclosures; free samples. (NRS 453D.())

1. *A marijuana cultivation facility must disclose in writing with each lot of usable marijuana provided to a retail marijuana store:*
 - (a) *All soil amendments, fertilizers and other crop production aids applied to the growing medium or marijuana plant included in the lot; and*
 - (b) *The name of the marijuana testing facility which performed the required quality assurance tests and the results of the required quality assurance tests for the lot.*
2. *A marijuana cultivation facility may provide a retail marijuana store free samples of usable marijuana packaged in a sample jar protected by a plastic or metal mesh screen to allow customers to smell the product before purchase. A sample jar may not contain more than 3 1/2 grams of usable marijuana. The sample jars may not be left unattended and must be sealed shut. The sample jar and the usable marijuana within may not be sold to a consumer and must be either returned to the marijuana cultivation facility which provided the usable marijuana and sample jar or destroyed by the retail marijuana store after use and documented by the retail marijuana store using its inventory control system pursuant to NRS 453D.() and NRS 453D.().*

Sec. () Restrictions on access to enclosed, locked facility where marijuana is cultivated; accompaniment by authorized marijuana establishment agent; prevention of observation or detection of marijuana outside facility. (NRS 453D.())

1. *Except as otherwise provided in subsection 2, a marijuana cultivation facility must ensure that access to the enclosed, locked facility where marijuana is cultivated is limited*

to the officers, board members and authorized marijuana establishment agents of the marijuana cultivation facility.

2. *Each marijuana cultivation facility shall ensure that an authorized marijuana establishment agent accompanies any person other than another marijuana establishment agent associated with the marijuana establishment at all times when the person is present in the enclosed, locked facility where marijuana is cultivated or produced by the marijuana cultivation facility.*
3. *Each marijuana cultivation facility shall ensure that any marijuana growing at the marijuana cultivation facility:*
 - (a) *Cannot be observed from outside the marijuana cultivation facility; and*
 - (b) *Does not emit an odor that is detectable from outside the marijuana cultivation facility.*

Sec. () Limited Lab Testing for Research and Development Purposes. (NRS 453D.())

1. *A marijuana cultivation facility or a marijuana product manufacturing facility may conduct operations and request limited laboratory testing for research and development purposes.*
2. *A marijuana cultivation facility or marijuana product manufacturing facility described in subsection 1 shall:*
 - (a) *Notify the Department of its intent to conduct research and development on a form prescribed by the Department by electronic mail before sending a sample to a marijuana testing facility;*

- (b) Quarantine each batch, lot or production run in a separate quarantine area and label each batch, lot or production run with a distinctive label containing “R&D QUARANTINE” as a header and footer in 20-point white font and a red background;*
 - (c) Account for all marijuana subject to quarantine pursuant to paragraph (b) in its inventory control system;*
 - (d) Limit all research and development operations to clearly segregated and designated areas or rooms marked “R&D CULTIVATION AREA” or “R&D PRODUCTION AREA” on 8 1/2 by 11 inch signs with a red background and white lettering, posted at the entrance to the area or room and along the walls of the area or room, with a minimum of one sign for every 300 square feet of the area or room; and*
 - (e) Perform research and development operations in a grow room only if the plants used for such operations are designated and separated from other plants.*
- 3. A marijuana cultivation facility or marijuana product manufacturing facility operating as described in subsection 1 may request limited testing protocols from a marijuana testing facility for research and development purposes.*
 - 4. A marijuana testing facility that performs testing for a marijuana cultivation facility or marijuana product manufacturing facility described in subsection 1 shall report the results of the testing to the marijuana establishment and to the Department by electronic mail. The marijuana testing facility shall clearly mark the test results with “R&D TESTING ONLY -- NOT FOR RESALE” on the header and footer of the report in 20-point white font and a red background.*
 - 5. A batch, lot or production run produced for research and development purposes pursuant to this section which fails quality assurance testing need not be destroyed.*

6. *A batch, lot or production run originally produced for research and development purposes pursuant to this section may not be sold to a retail marijuana store until the batch, lot or production run has undergone and passed all testing required by NAC 453D.().*

Sec. () Outdoor Cultivation, Buffer Zones (NRS 453D.()) 

1. *For each outdoor cultivation location, an applicant must submit to the Department a verification of adequate isolation, including expansion or modification of existing facilities. An outdoor cultivation facility may request from the Department of Agriculture confirmation of adequate buffer zone isolation prior to submitting the application for certification of location.*
2. *Each application for confirmation of adequacy of buffer zone isolation must:*
 - (a) *Be on a form obtained from the Department of Agriculture;*
 - (b) *Include documentation that verifies that the marijuana cultivation facility has:*
 - 1) *Appropriate licensing,*
 - 2) *Approved zoning and*
 - 3) *Any other use approvals required by the local jurisdiction;*
 - (c) *Include a map and/or GPS co-ordinates that demonstrate the location of the proposed marijuana cultivation facility;*
 - (d) *Include any other information requested by the Department of Agriculture;*
 - (e) *Be received and approved by the Department of Agriculture before the proposed cultivation area begins operations.*