

# MEETING MINUTES

## INDEPENDENT LABORATORY ADVISORY COMMITTEE

The Independent Laboratory Advisory Committee held a public meeting on March 25, 2019, beginning at 2:00 p.m. at the following locations:

**VIDEO-CONFERENCE SITE:**

Department of Taxation  
1550 College Parkway, Large Conference Room  
Carson City, Nevada

**VIDEO-CONFERENCE SITE:**

Department of Taxation  
2550 Paseo Verde Parkway, Suite 180  
Henderson, Nevada

**1. Call to order; determination of quorum**

ILAC Chairperson Brenda Shaloo called the meeting to order at 2:10pm.

Present: Brenda Shaloo, Jason Sturtsman, Glenn Miller, Ed Alexander (arrived at 2:34 p.m.)

Teleconference: Sue Sisley, Savino Sguera

Absent: Matt Haskin

**2. Public Comment (No action may be taken on this item of the agenda.)**

Mona Lisa Samuelson made comment in Las Vegas. She looked forward to evolution of ILAC and brought list of patient issues. She would like members to hear the patient's issues and to look at them, and these included concentrates, isolates, and hemp.

Stephen Markle introduced himself as possible nominee for ILAC.

No public comment in Carson City or on the phone.

**3. Approval of September 5, 2018 meeting minutes**

Brenda Shaloo made motion to approve meeting minutes. Jason Sturtsman seconded. Unanimous.

**4. ILAC Bylaws, Article IV presentation.**

Kyрил Plaskon updated procedures regarding adding ILAC members. As an overview, there can be seven to nine members. The members review Bylaws and determine qualifications for new members and can request that the Division send notification to request nominations. The resumes and cover letters received by Division distributed to the ILAC Chair and members for individual review. A meeting agenda was created and posted to add members. The Chair will forward two nominations for every vacant position to the Deputy Director for consideration. There are currently three available positions. Matt Haskin has not been to a meeting in over two years and his appointment has now expired. Members may serve for two years, but Haskin has not been reappointed. There are three positions to be filled. There is also a form for all current members to request reappointment (the last reappointment request was in March 2017). The form needs to be filled out by current ILAC and submitted to the Division. Brenda Shaloo's current appointment is good thru December 2019. In summary, six recommendations can be sent to the Deputy Director for appointment.

Shaloo asked for the timeline that current members would need to submit form indicating they would like to be reappointed to ILAC. Plaskon asked for them as soon as possible and preferably before the end of the month.

Miller asked for discussion on how ILAC will function with the Governor's new committee, what will the purpose of ILAC be. Plaskon responded that the function of ILAC is unchanged. At the Governor's task force meetings, there had been comment but no discussion regarding the role of or changes to ILAC. The guiding documents are still the bylaws. Miller asked if ILAC is of any use to the Department of Taxation. Plaskon stated that he believed so and that there should be a board that believed there is a use for ILAC and provided recommendations.

After no further comments, Shaloo moved to close discussion. Sturtsman seconded. Unanimous.

## 5. Current ILAC Members

Shaloo reviewed current ILAC members on committee and what industries are currently represented.

Brenda Shaloo is Chair of ILAC. She is the Scientific Operations Director of NV Cann Labs, a licensed Nevada marijuana laboratory. Shaloo has eight years of cannabis laboratory experience in Nevada and Arizona.

Ed Alexander is Vice Chair and principle master grower for Healing Gardens (a cultivation in Reno), principle of Sensible Edibles (production), and a principle for SoL (dispensary). He is COO of all those establishments.

Glenn Miller was a faculty member in the College of Agriculture at University of Reno. He was an environmental scientist for Department of Natural Resources. He was an environmental chemist by training and taught courses in toxicology, and was a pesticide residue analyst.

Jason Sturtsman is a patient advocacy and industry supporter, cannabis dispensary education, Las Vegas NORML, runs Budtender Fight Club (general cannabis education forum), Can Ed, Sturtsman Consulting, SSF Consulting.

Savino Sguera is founder of Digamma Consulting, an independent consultant for marijuana laboratories worldwide, and has eight years of laboratory experience.

Sue Sisley is Site Principle Investigator for the Scottsdale Research Institute, works on FDA clinical trials for treating chronic pain and PTSD, works as a Medical Director for medical cannabis license holders in 15 states/territories; is on the faculty at Colorado State University

Matt Haskin worked for CannaSafe in California. He has not attended an ILAC meeting for two years.

Glenn Miller asked if there is a desire to discontinue existing members. Sturtsman responded there would be discussion later in the meeting regarding that issue.

Shaloo moved to close the discussion. Sturtsman seconded. Unanimous

## 6. New ILAC Members – discussion on areas of representation needed

Shaloo opened discussion of what the ILAC is looking for with regard to new members. Shaloo wanted non-biased opinions and did not want recommendations made to the Division based on personal profit or gain. Shaloo wanted the bottom line to be consumer safety, what is best for the industry as a whole, and recommendations based on safety and consumer consumption. She is looking for more laboratory knowledge and more variety of laboratory knowledge.

Sturtsman recommended that new members come from stakeholders in cultivations, productions, and dispensaries. These groups are greatly affected by ILAC recommendations and need necessary representation.

Sisley commented that because of the absence of ILAC member Haskin, they should use this opportunity to get someone with the laboratory expertise that the committee has been missing.

Miller agreed with having a committee member come from industry. He recommended having someone from the grower community. One issue he has heard about is that the lot size for medical marijuana is too small. There can be a reduction in the cost of product without risk to the consumer by increasing the lot size.

Shaloo noted Ed Alexander arrived to the meeting (at 2:34pm) and provided a recap on what types of ILAC members are needed.

Ed Alexander felt ILAC did a great job of representing consumer's concerns. He agreed that there needed to be industry involvement but thought it was very challenging to have unbiased industry involvement. He stated non-industry involvement would be helpful. There should be more credentialed individuals participating in ILAC as a resource if there is not microbiologist from the State. There should be cross-section of industry and cross-section of non-industry.

Shaloo agreed. She has been working with Ky Plaskon on how to run the working groups, including a non-ILAC member who is a potential expert in the field of discussion. The challenge was trying to find someone outside of the industry who would be willing to spend time on it and work for free. If experts participate in the working groups, it may be able to accomplish having the cross-section of representation.

Alexander asked if the Department of Agriculture can participate because they are in the industry and credentialed but will be non-biased. Shaloo responded a future agenda item may be how to better work with the Department of Agriculture and discussion tabled until the next meeting.

Alexander would like to establish a 12-month calendar for ILAC. He would like agenda items as well prior to the agenda being posted so they have time to prepare to discuss the items. Shaloo stated she has also been working on this with Ky Plaskon and some dates have been picked out for future meetings. These will be shared with the ILAC members. They will also go over some additional bylaw issues in upcoming meeting.

Shaloo moved to close. Sturtsman seconded. Unanimous.

## **7. ILAC Nominees**

Shaloo presented the candidates. Three nominees came from laboratories in Las Vegas: Cindy Orser from Digipath Labs, Darryl Johnson from Ace Analytical, and Trevor Low from Canalysis Laboratories. There were two candidates from production: Tony Gentile from Clear River/Nevada Made Marijuana, and Martin Limon who was with CWNevada and currently with TGIG (The Grove).

There were five candidates with cross-knowledge. Stephen Markle worked consulting with MM Lab, is currently with Planet 13 (which has dispensary, cultivation, and production), and has some previous lab experience. Jen Solas was previously with Shango (under the dispensary license) and is now with Cura NV a CBD production company. Duke Fu was previously with Medmen (dispensary) and is now with Green Therapeutics (production). Nicholas Malmquist has a PhD in biological chemistry and is currently with Silver State Trading. Craig Kovl was previously with CMT Laboratories and New Heights Laboratories, and is currently with TGIG (The Grove).

Shaloo asked for recommendations from the ILAC members. Shaloo stated she was looking at the candidates with cross-knowledge and her recommendations were Stephen Markle, Jen Solas and Craig Kovl.

Sturtsman recommended Dr. Duke Fu, Tony Gentile, and Stephen Markle. Sguera recommended Stephen Markle, Jen Solas and Craig Kovl. Sisley recommended Stephen Markle, Jen Solas, and Craig Kovl. Sisley commented that all of the candidates are strong and wanted to resign from the Committee so there will be one extra spot open. Sisley added that she would be available to consult on a working group. Sturtsman would like Sisley to reconsider, thought she was a valuable member of ILAC and offered insight to what is beneficial for patients. Sisley appreciated that but thought that it would be beneficial to have someone on the committee that is closer in the industry.

Sturtsman added that after all the ILAC members have put in their input, he would like to open it up to the public to hear their thoughts on the potential nominees. There is a candidate that he would object to and would like to hear the public's comments on the nominees.

Alexander asked if there are any term limits to consider, besides those that are elected as chair or vice chair. Plaskon responded that there are no limits and the members can be reappointed. Sisley's spot is up for reappointment, so if she resigned there would be four open positions.

Alexander questioned recommending new ILAC members before the discussion of the Department of Agriculture's participation in ILAC. Shaloo responded that Department of Agriculture employees may participate as experts. However, Department of Agriculture employees cannot be members of ILAC because ILAC is advisor to the State and Department of Agriculture employees work for the state.

Shaloo asked Alexander and Miller if they had recommendations. Alexander responded that he would have recommendations by close of next business day. Miller recommended Cindy Orser. Shaloo asked Alexander to send his

recommendations to Ky Plaskon. She will forward for recommendation the following candidates: Cindy Orser, Stephen Markle, Jen Solas, Duke Fu, Craig Kovl, and Tony Gentile.

Alexander stated that he would recommend Nick Malmquist. Alexander questioned make up of ILAC having laboratory representatives. Shaloo responded that currently she is the only one that works for a lab and Cindy Orser was the only other candidate recommended that works for a lab. Shaloo stated the candidates for the record again: Cindy Orser, Stephen Markle, Jen Solas, Duke Fu, Nicholas Malmquist, Craig Kovl, and Tony Gentile.

Shaloo moved to submit those candidates. Sturtsman seconded. Unanimous.

#### **8. Removal of ILAC Members**

Shaloo recommended the removal of Matt Haskin because he has not been in attendance for two years. Sturtsman asked if people could be removed. Shaloo responded that according to the bylaws the person has to be notified fifteen days prior to the removal. The committee can vote on the recommendation for removal, and then the Division will notify the person fifteen days prior to the next meeting. Sturtsman seconded the recommendation of removal.

Miller asked if anyone had heard from Haskin within the last two years. Alexander responded that he spoke to him the previous Friday. He commented that Haskin was not able to attend the current ILAC meeting but would be present at the next meeting, as an exit interview. Haskin may share his frustrations with the committee but Alexander did not think that there would be any pushback from Haskin regarding his removal. Haskin may share some thoughts that would maybe make the ILAC a stronger organization. Plaskon clarified that no action in necessary on this item. If Haskin does not respond that he would like to continue to on ILAC, then he would automatically be removed because his term would be expired.

Shaloo asked if there was further discussion on removal of ILAC members. Alexander asked Sue Sisley if ILAC was formally accepting her resignation. Sisley responded that yes, she felt the committee would be better served by accepting an additional new member. Shaloo confirmed if no action needs to be taken for Matt Haskin's removal, does anything to be done for Sisley's removal. Plaskon responded no.

Shaloo asked for further discussion. There was none so she made a motion to close the agenda item. Sturtsman seconded.

Miller stated Darryl Johnson is a member of the Laboratory Working Group of the Governor's Task Force for the Regulation and Taxation of Marijuana Act, and asked who that group was. Sturtsman responded that it was a previous working group that the Department of Taxation had when coming up with the new recommendations for retail or recreational. Miller asked if the current Governor's task force had someone doing something similar to what ILAC does. Sturtsman responded that in what he has seen or read, there is no one currently advising the entity that is being formed (the Cannabis Control Board). Miller commented there were more lawyers involved than scientists. Alexander recommended that they consider how to bridge the gap between the Cannabis Control Board and ILAC. They will be shaping and steering the industry. If ILAC is not part of the equation, then he questioned the need for ILAC. If the Cannabis Control Board will be the ruling body in the Governor's point of view and if ILAC is not part of the conversation, then he did not know what they are talking about.

Shaloo recommended bringing this up as a topic at the next meeting, to discuss how ILAC will be involved, if at all, with the Cannabis Control Board. Sturtsman commented that it could be something where ILAC is an agenda item on the Cannabis Control Board and present to the members what ILAC has done within the last few years.

Shaloo moved to close. Sturtsman seconded. Unanimous.

#### **9. Public comment (no action may be taken on this item of the agenda)**

Mona Lisa Samuelson stated that she put in to be a member of ILAC because the patient's only have one representative. Others come in and are only advocates for the industry, concerned about lot size for example, or do things that do not speak to patient advocacy. She did not think there was any advocacy except for the industry. She was glad she was not included to be a member because now she can come in and make public comment regarding why none of the issues she has brought forward have been included in the agenda for discussion. The patients are also asking if this board is any

good because the ILAC is not stepping up to the responsibility. She thought it is criminal that a patient was not allowed to be on the committee for representation.

Madison Rogers made comment in Las Vegas. She is a cannabis industry working agent and had a few questions for ILAC. What were the committee's plans to be publicly available and transparent going forward? The department's website is outdated as of two years ago. How do you plan to turn the kind of conversations and topics that are discussed at the meetings into table topics that can be discussed at home? Patients and consumers may not have the terminology or understanding of the lab reports that are being talked about. What are the deadlines going forward for recommendations for the current seat positions on ILAC; when is the public going to be able to have consideration and weigh in on these conversations and seat nominations?

Will Adler of Silver State Government Relations and a scientist for consumer safety made comment in Carson City. The Governor is taking a task force to assemble the Cannabis Control Board that will be the overarching cannabis agency in the state of Nevada. That bill has not passed and no details have been released about that bill as of yet. From his conversations with Legislature, he knows that a portion of that will be dedicated to laboratory testing, regulation of pesticide, etc. It is a fair question to ask what the future of ILAC is and will it be incorporated. That is something that maybe a formal letter should be asked of the Governor's office to find that out. The nomination of new members is a good thing to do. He was not sure how many people were aware of the nominations or the meeting because there was not much notice to many other people in general. He recommended a public notice if new nominations are needed.

Glenn Miller responded to Mona Lisa Samuelson's comment regarding having a member of the public who is a consumer and familiar with the product to be actively involved. He supported this notion and thought it was a reasonable expectation to have a member that has the expectation of having quality products. He did not agree with the lot size. He thought cost is an important consideration among medical and recreational marijuana. Is there any significant risk reduction in going to fifteen, twenty or twenty-five pound analysis from five pounds. There is a significant cost associated. It was his opinion that there was no significant increase of risk with an increase to the lot size.

Nick Malmquist made comment in Carson City. He wanted to encourage the committee to look over his credentials as a biomedical scientist and his work for the last three years in multi-jurisdictional medical and adult-use cannabis. If the committee finds his experience advantageous, he would be happy to help.

Ed Alexander stated he believed public notice was given for applicants in the same way that they have done in the past. Qualified applicants were looked for from the public. He was not aware of the specific criteria that may have been used to determine the selected candidates, but appreciated Mona Lisa Samuelson's involvement over the years as a patient advocate.

Mona Lisa Samuelson confirmed that she had applied to be an ILAC member and would like to be considered for the board.

## **10. Adjournment**

Shaloo moved to adjourn meeting. Seconded by Sturtsman. Unanimous.  
Meeting adjourned at 3:13 PM.