1. Working group name:

*Cultivation Working Group*

1. Individual sponsor(s):

*Lynn Hettrick – Division Administrator - Nevada Department of Agriculture*

*Tessa Rognier – Agriculturist III - Nevada Department of Agriculture*

*Jason Strull - Lab Director, 374 Labs*

1. Describe the recommendation:

*Recommendation is to adapt the existing statutes for Medical Marijuana Cultivation to proposed Outdoor and Indoor Cultivation of Adult Marijuana in regards to pesticides that can be applied on marijuana crops in the state of Nevada.*

***PESTICIDES USED ON MEDICAL MARIJUANA***

***NRS 586.550  Requirements for use of certain pesticides by ~~medical~~ marijuana establishments; publication of list of approved pesticides for use on ~~medical~~ marijuana.***

1. *A ~~medical~~ marijuana establishment may use a pesticide in the cultivation and production of marijuana, edible marijuana products and marijuana-infused products if the pesticide:*

*(a) Is exempt from registration pursuant to 40 C.F.R. § 152.25 or allowed to be used on Crop Group 19, as defined in 40 C.F.R. § 180.41(c)26, hops or unspecified crops or plants;*

*(b) Has affixed a label which allows the pesticide to be used at the intended site of application; and*

*(c) Has affixed a label which allows the pesticide to be used on crops and plants intended for human consumption.*

*2. The State Department of Agriculture shall, in accordance with the provisions of this pursuant to this section and accept requests from pesticide manufacturers and ~~medical~~ marijuana establishments, or a representative thereof, to add pesticides to the list.*

*3.  As used in this section:*

*(a) “Edible marijuana products” has the meaning ascribed to it in*[*NRS 453A.101*](https://www.leg.state.nv.us/NRS/NRS-453A.html#NRS453ASec101)*.*

*(b) “Marijuana” has the meaning ascribed to it in*[*NRS 453A.110*](https://www.leg.state.nv.us/NRS/NRS-453A.html#NRS453ASec110)*.*

*(c) “Marijuana-infused products” has the meaning ascribed to it in*[*NRS 453A.112*](https://www.leg.state.nv.us/NRS/NRS-453A.html#NRS453ASec112)*.*

*(d) “Marijuana establishment” has the meaning ascribed to it IP 1, section 3, item 11.*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 2 - Be responsive to the needs and issues of consumers, non-consumers, local governments and the industry*

*Guiding Principle 6 - Establish regulations that are clear and practical, so that interactions between law enforcement, consumers, and licensees are predictable and understandable*

*Guiding Principle 7 - Take action that is faithful to the text of Question 2*

1. What provision(s) of Question 2 does this recommendation apply to?

*The provisions of Question 2 that allow for Outdoor Cannabis Cultivation, as opposed to Medical Cultivation which must be inside a warehouse or greenhouse facility.*

1. What issue(s) does the recommendation resolve?

*Establishes clear and practical guidelines that regardless of which program the marijuana is cultivated under, the policy will remain uniform in application.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*No dissent*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*1. Amend NRS 586.550 to allow it to apply to all marijuana regardless of whether it is categorized as: retail/adult use, outdoor, indoor, and medical marijuana.*

*If item 1, is not able to be done, then the existing Medical Marijuana DPBH statutes and policies for pesticides need to be adapted for the retail marijuana regulations.*

1. Additional information (cost of implementation, priority according to the recommendations, etc.).

*No additional costs, pesticide application would be the same as currently in medical. However without this recommendation, no pesticides will legally be allowed to be applied to retail/adult use cannabis in Nevada. This will create many issues in the industry, and create a strong distinction between adult use and medical cannabis.*