

Cannabis Industry Quarterly Update

Q1 – 2024

A quarterly update from Benesch’s Cannabis Industry Group

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Key Issues

If the Federal Government reschedules marijuana, experts believe it could lead to a cascade of state-level changes

There is growing evidence that Joe Biden’s administration is working on [moving](#) marijuana to Schedule III of the Controlled Substance Act (CSA), a change from its current listing on the maximally restrictive Schedule I. That would lessen the tax burden on businesses selling the drug in states where it is legal, and potentially change how police agencies view enforcement of marijuana laws. However, some advocates believe this would not resolve conflicts between state and federal laws.

If marijuana is moved to Schedule III, it [would](#) have implications for states as so-called “trigger laws” would see most U.S. states automatically reschedule marijuana. In automatic trigger states where cannabis is currently illegal for all uses, such as Idaho, rescheduling would essentially clear a path for medical marijuana, at least in certain cases, while in states without an automatic rescheduling process, further action would be required from the state legislature or another controlling authority.

In a majority of states, a federal scheduling change would automatically trigger state-level rescheduling while in others, federal rescheduling would begin a process that would require further action by the state legislature or a controlling state authority. There are also a small number of states that don’t directly tie their scheduling decisions to the drug’s federal status.

Key Issues (continued)

Several new marijuana laws went into effect on January 1, 2024 in a number of states

Recent laws that [took effect](#) include:



- Under two pieces of legislation signed into law in 2022 and 2023, **California** employers are now prohibited from asking job applicants about past cannabis use, and most are barred from penalizing employees over lawful use of marijuana outside of the job.



- In **Washington State**, a new law will protect workers from facing employment discrimination during the hiring process over their lawful use of cannabis.



- Marijuana possession limit for adults in **Nevada** will more than double to 2.5 ounces.



- Newly effective legislation in **Virginia** shifts regulatory responsibility for the existing medical cannabis program to the Virginia Cannabis Control Authority. Cannabis products in **Colorado** must now feature “use-by” dates indicating that the items are best if consumed within nine months of being packaged.



- In **Oklahoma**, the Oklahoma Medical Marijuana Authority (OMMA) is now authorized to hire “secret shoppers” who can discreetly carry out oversight activities such as investigating regulatory compliance at cannabis businesses and providing samples from dispensaries to quality assurance labs. Another law in the state will allow licensed marijuana labs to formally validate their testing process and regulators must now develop a process to provide for the certification of workers at licensed medical cannabis businesses.

U.S. Congressional Research Service outlines issues related to the hemp industry

A report from the U.S. Congressional Research Service [found](#) it is unclear whether changes to FDA laws and regulations fall within the jurisdiction of the agriculture committees and that several hemp industry groups currently exist that have conflicting interests. The report warns these issues could complicate hemp policymaking and calls for these issues to be addressed while putting forward what should be shared priority policies, including:

- The relaxation of the USDA's regulatory requirements, including reducing oversight from the DEA.
- Removing the need for hemp testing at DEA-registered labs.
- Exempting hemp fiber and grain farmers from background checks and sampling and testing protocols.
- Addressing product safety concerns.
- Enhancing USDA support for hemp in areas like expanding genetics research and developing the processing capacity of hemp fibers for use in insulation, construction materials and plastics, according to the report.
- Designating hemp as a specialty crop for it to qualify hemp for USDA programs.

Industry Regulations

Federal

Biden poised to loosen restrictions on marijuana, but some say it's not enough

The US government appears poised to announce next year the most sweeping changes in decades to how it handles marijuana, according to the Guardian. Evidence suggests that the Biden administration is working on moving marijuana to Schedule III of the Controlled Substance Act (CSA), a change from its current listing on the maximally restrictive Schedule I. That would lessen the tax burden on businesses selling the drug in states where it is legal, and potentially change how police agencies view enforcement of marijuana laws.

However, marijuana legalization advocates believe changing marijuana's classification is a half-measure that would do nothing to resolve conflicts between state and federal laws that have emerged in recent years. Gallup released [a survey](#) in late 2023 that found 70% of Americans think marijuana use should be legal, which is a record number.

Related: [Polis urges federal government to reclassify marijuana](#)—ABC

Source: The Guardian

Biden admin will seek to dismiss marijuana industry lawsuit challenging prohibition, DOJ tells federal court

The Justice Department said Attorney General Merrick Garland will request that a federal court dismiss a cannabis industry lawsuit that seeks to block the enforcement of marijuana prohibition against state-legal activity. In the lawsuit, the plaintiffs claim perpetuating prohibition in state markets is unconstitutional, creating undue public safety risks while precluding licensed marijuana businesses from accessing critical financial services and tax deductions that are available to other industries. The suit against the federal government is being led by multi-state operator Verano Holdings Corp. and the Massachusetts-based cannabis businesses Canna Provisions and Wiseacre Farm, along with Treevit CEO Gyasi Sellers.

Source: Marijuana Moment

Industry Regulations (continued)

Delta-8 THC, hemp producers in limbo as Congress extends Farm Bill

An emergency funding bill that President Joe Biden signed into law to avoid a government shutdown also included an extension of the Farm Bill until September 2024. That means Congress now will have more time to craft a new Farm Bill that advocates hope will address the burgeoning national market in hemp-derived cannabinoids, including controversial delta-8 THC. The FDA has sent warning letters to companies selling products derived from hemp that either made unsupported medical claims or, in the agency's view, market delta-8 THC products "in packaging that is almost identical to many snacks and candy children eat." In the absence of federal action, states have begun passing laws banning or severely restricting hemp-derived products, including, most recently, Kentucky and Virginia. And hemp companies, in turn, have taken legal action to delay or overturn such state bans.

Source: MJBiz Daily

Senate approves bill allowing doctors to issue cannabis recommendations to veterans

The Fiscal Year 2024 (FY24) Military Construction, Veterans Affairs, and Related Agencies (MilCon-VA) Appropriations Act, a bipartisan congressional bill, has been approved by the Senate. The bill includes a measure that allows military veterans to receive medical cannabis recommendations issued by government doctors. Doctors at the U.S. Department of Veterans Affairs will be able to recommend medical cannabis to their patients in states where it's legal. The bill provides support for critical housing, infrastructure and facilities for U.S. military forces and their families, as well as increased funding for veterans' health care and benefits. The measure was advanced by a bipartisan vote of 28-0.

Source: Business of Cannabis

Industry Regulations (continued)

State

More states set to legalize marijuana and psychedelics in 2024 as federal cannabis scheduling review concludes

The year is shaping up to see another drug policy reform push as the stage is set to advance cannabis and psychedelics reforms, both through the ballot and in legislatures across the country. Marijuana legalization for medical or recreational use is in play in at least a half dozen states for 2024, and activists will also be pushing to end the criminalization of etheogenic substances like psilocybin while paving a pathway for regulated access. Also, efforts to pass a bipartisan marijuana banking bill will again rear up next year, and advocates are hopeful that the Drug Enforcement Administration will complete its review into cannabis scheduling following a U.S. Department of Health and Human Services recommendation to move it to Schedule III under the Controlled Substances Act.

Source: Marijuana Moment

Alabama vows 2024 medical marijuana launch despite latest legal obstacle



Alabama regulators ended 2023 with a promise that the first legal sale of medical marijuana will happen sometime in 2024. The state legalized medical marijuana in 2021, but a series of challenges to how the state judged license applications and awarded permits have kept MMJ businesses and patients waiting. After two earlier attempts to award permits were thwarted, the Alabama Medical Cannabis Commission (AMCC) issued 20 licenses on December 1, including four dispensary permits. That resulted in a lawsuit by Yellowhammer Medical Dispensaries, which was awarded a permit in the first two aborted licensing rounds but then was rejected in the third go-round. The suit led to a judge blocking the state from issuing permits until Yellowhammer’s legal challenge is heard.

Source: MJBizDaily

Virginia governor won’t sign cannabis bill, which could be part of his strategy



Gov. Glenn Youngkin hasn’t indicated whether he will sign an adult use [cannabis bill](#), which could establish the state as the first in the South to allow regulated recreational sales of cannabis. Under Virginia law, if Youngkin doesn’t take action within 30 days after the legislature adjourns, the bill will automatically become law. This approach would be different from other states and will allow the governor to maintain his stated stance, while avoiding confrontation with a growing number of cannabis supporters in the state.

Source: Green Market Report

Industry Regulations (continued)

New Hampshire Governor calls for cap on proposed cannabis dispensaries



New Hampshire Governor Chris Sununu called for a 15-store cap on cannabis dispensaries in the state as it looks to implement its new cannabis legalization plans. New Hampshire recently implemented bill HB 611 in preparation for the legalization of cannabis. At the time of signing the bill, Sununu stated that establishing a commission to study state-controlled sales would bring stakeholders from across New Hampshire together to ensure that children's safety is a number one priority. Now, Sununi has introduced new requirements if the plans are to be implemented including a 15-store cap and a ban on lobbying and political contributions by any licensee, reports the New Hampshire Bulletin.

Source: *Business of Cannabis*

Hawaii attorney general introduces adult-use cannabis legalization plan



Hawaii Attorney General Anne Lopez submitted a comprehensive proposal to create a framework for establishing a retail market for recreational marijuana. The plan includes a 10% cannabis sales tax and 4.25% excise tax, as well as grants and other support mechanisms to transition legacy operators to the regulated market. In addition, it establishes a regulatory agency to oversee the program, enforcement, social equity provisions and product testing. If the legislation passes, Lopez wants to see adult-use retailers in operation within 18 months.

Related: [Law Enforcement Opposes Hawaii Cannabis Legalization](#)—Business of Cannabis

Source: *MJBiz Daily*

Mississippi dispensary sues to overturn state's marijuana advertising ban



Mississippi marijuana dispensary owner Clarence Cocroft II sued state agencies in federal court in a bid to overturn the state's ban on cannabis advertising. Cocroft, who operates Tru Source Medical Cannabis, said if he pays taxes for the business, he should be able to advertise. The suit's defendants include Chris Graham, the commissioner of the Mississippi Department of Revenue, Pat Daily, the chief of enforcement of the Mississippi Alcoholic Beverage Control Bureau, and Dr. Daniel Edney, state health officer for the Mississippi Health Department. The lawsuit seeks a declaration from a judge that the ban is unconstitutional as well as a permanent injunction preventing its enforcement.

Source: *MJBiz Daily*

Industry Regulations (continued)

Ohio votes to legalize marijuana for recreational use



Voters in Ohio approved a ballot measure to legalize recreational marijuana, making it the 24th state to embrace legalization.

The “yes” vote on Issue 2 means people aged 21 and over in the state will be able to use, grow or sell marijuana under a regulation-and-tax program imposed by the state. Medical marijuana has been legal in the state since 2016 but the ballot measure legalizes recreational use of the drug.

Related: [Marijuana legalization faces tough odds in red states despite Ohio win](#)—*The Washington Post*

Source: NBC

Ohio’s adult-use recreational cannabis program expected to take shape in 2024



Ohio became the latest state to legalize adult-use of cannabis, after passing [Issue 2](#) in Nov. 2023, which is a ballot initiative for legalization of cannabis in the state. Though the legislature and other executive agencies have yet to announce details of what the full-scale program will look like, it is known that 2024 will include the first adult-use sales as the state is looking to capitalize on its taxable revenue. Ohio is one of many states working toward implementation of recreational cannabis and many laws across the U.S. will continue to shape cannabis legislation in 2024.

Source: Benesch

Illinois emerges as one of the largest cannabis markets in the U.S.



Total sales from cannabis approached \$2 billion in Illinois in 2023, after the state emerged as one of the largest cannabis markets in the country since [passing](#) recreational cannabis in 2019. Sales for licensed medical operators were the first ones made in 2020 as part of the adult use market, which has now expanded into ownership of many of the flagship dispensary locations in Illinois’ largest markets. Illinois licensed cultivators are setting the price for trim, distillate, and bulk flower, which is estimated to be around 89% higher than the rest of the U.S. market, pushing many consumers out of state. It is argued that market caps are preventing more newer players from reaping the benefits of the market.

Source: Benesch

Industry Regulations (continued)

Hemp

U.S. Congressional Research Service issues memo on hemp industry issues

A memo from the U.S. Congressional Research Service details issues related to the hemp industry. The report claims it remains unclear whether changes to FDA laws and regulations fall within the jurisdiction of the agriculture committees, and that since the implementation of the 2018 bill, a number of hemp industry groups have been established that have conflicting interests. The CRS warns these differing priorities may complicate hemp policymaking.

To support hemp policymaking the report suggests several issues will need to be addressed and puts forward what it considers should be shared priority policies. This includes the relaxation of the USDA's regulatory requirements, such as reducing oversight from the DEA, removing the need for hemp testing at DEA-registered labs and exempting hemp fibre and grain farmers from background checks, as well as sampling and testing protocols, required for farmers growing hemp for use in cannabinoid products.

Product safety concerns should also be addressed, along with enhancing USDA support for hemp, such as expanding genetics research and developing the processing capacity of hemp fibres for use in insulation, construction materials and plastics, according to the report.

The report also suggests that if hemp were designated as a specialty crop, it could qualify hemp for USDA programs.

Source: Business of Cannabis

Michigan testing lab recognized under U.S. hemp program



Viridis Laboratories has been recognized by the National Industrial Hemp Council of America as accredited to conduct tests on hemp products in a range of areas including pesticides, heavy metals, potency, microbiology and residual solvents. The accreditation means Viridi meets internationally recognized standards that are accepted by regulators around the world; minimizes risk while following the strictest industry safety and scientific standards; and demonstrates a commitment to consumer and patient health and safety. To receive the NIHC recognition, a testing lab must already receive certification from the American Association for Laboratory Accreditation.

Source: Business of Cannabis

Maryland Supreme Court declines to hear case on hemp-derived THC sales, keeping products on store shelves



After the state Supreme Court declined to hear a lawsuit brought by the Maryland Hemp Coalition and other hemp-related businesses, unlicensed retailers can continue to sell hemp-derived THC products. Maryland officials argued that the restrictions on hemp-derived THC products promote public safety, while plaintiffs in the suit claimed the rules violate the state Constitution's equal protection and anti-monopoly clauses by excluding them from the tightly regulated cannabis market. They argued that provisions in Maryland's adult-use cannabis law wrongfully require them to obtain a cannabis business license or stop selling the products suddenly made illegal under the law.

Source: Cannabis Business Times

Industry Regulations (continued)

USDA says federal rules bar hemp licensees from also growing marijuana

Hemp growers are not allowed to expand their cannabis interests by producing marijuana, the U.S. Department of Agriculture (USDA) is reminding stakeholders. USDA revoked hemp licenses and warned hemp farmers in several states that holding both hemp and marijuana permits is illegal under federal regulations. Those rules apply to hemp farmers who operate directly under USDA as well as those governed by USDA-approved state programs, the agency has said. While laws and regulations for hemp and marijuana production have evolved since 2018 and are still in flux, federal rules banning marijuana cultivation by hemp growers are clear, according to the agency, which said it treats all growers the same.

Source: Hemp Today

Hemp farmers are losing their licenses after growing cannabis

A [report](#) from Politico found farmers in at least three US states who began growing hemp after it was federally legalized in 2018's farm bill are now being penalized by the USDA for growing high-THC cannabis, despite it being legal in their respective states. Farmers in Vermont and Mississippi have reported losing their hemp cultivation licenses after entering the newly legal adult-use cannabis market, while another hemp grower in Missouri said that the USDA informed them they would lose their license if they chose to follow suit.

Source: Business of Cannabis

New York Cannabis Control Board votes to impose cap on THC allowed in hemp products



New York's Cannabis Control Board (CCB) voted to approve a string of new measures including introducing a cap on the amount of THC allowed in hemp products, establishing fees for licensed cannabis labs and renewing medical cannabis registrations. In July 2023, the CCB voted to file an 'emergency and proposed cannabinoid hemp regulation in response to the proliferation of intoxication cannabinoid hemp products in the marketplace.' This measure is related to the rise in products which have been processed from hemp flower, defined federally by the 2018 Farm Bill as cannabis flower that is tested below 0.3% THC, and have 'intoxicating' levels of THC. The CCB also voted to establish fees for licensed cannabis labs. These will now be 1% of the labs' gross annual receipts or \$1000, whichever number is greater.

Source: Business of Cannabis

Industry Regulations (continued)

Kentucky gives initial OK to emergency rule for intoxicating hemp products



A legislative subcommittee in Kentucky approved an emergency rule designed to regulate intoxicating hemp-derived products differently than nonintoxicating products. The amendments added include requirements for processing and manufacturing, implementing U.S. FDA standards to product testing requirements and introducing a registry for retailers. A final version of the regulation must be approved in the spring by the General Assembly's Administrative Regulations Review Subcommittee.

Source: MJBiz Daily

Hemp growers sue Alaska government over hemp regulations



The Alaska Industrial Hemp Association launched a lawsuit claiming new regulations signed into law by Alaska Governor Nancy Dahlstrom governing the sale of intoxicating hemp products are unconstitutional as hemp is federally legal. The regulations govern all cannabis products derived from hemp – specifically products containing delta-8 or delta-9 THC – which now fall under the jurisdiction of Alaska's Cannabis Control Board for approval and closed a legal safety loophole that had previously enabled tax evasion and the sale of the products to underage citizens.

The claimants are calling for a halt to the implementation of the regulations as they would “destroy Alaska’s hemp industry, remove any incentive for agricultural development or investment in the industry,” cost huge sums of money for the industry and put people out of work.

Related: [Intoxicating hemp products to be regulated in Alaska](#)—Business of Cannabis, Oct. 10, 2023

Source: Business of Cannabis

Ban on delta-8, ‘psychoactive’ hemp substances advances to Wyoming Legislature



A bill to ban hemp substances with synthetic or “psychoactive” components is headed to the Wyoming Legislature, though many lawmakers agreed it will need more work when it gets there. Lawmakers made it clear they didn’t want to harm hemp farming or CBD but rather a main target of the bill was Wyoming’s booming delta-8 market, which grew out of a perceived loophole in the 2018 Farm Bill. Proponents of delta-8 argued that the product is still natural, and while synthetic chemicals are used in synthesizing the substance, they’re used in synthesizing drugs like aspirin as well.

Federal officials have also argued over whether the Farm Bill made delta-8 legal, however, the 9th U.S. Circuit Court of Appeals found last year that it did. Meanwhile, DEA officials have said delta-8 isn’t legal because it’s made synthetically. Future federal rules are expected in this arena, but that’s unlikely to slow Wyoming’s roll.

Source: Oil City News

Industry Regulations (continued)

Judge rejects challenge to Virginia's hemp-product restrictions



New regulations for hemp-derived products introduced in Virginia—including an outright ban on intoxicating products containing delta-8 THC—will remain in place after a federal judge rejected an initial plea from hemp companies to intervene. Two hemp businesses and a consumer filed suit in federal court challenging rules governing hemp-derived products signed into law by Gov. Glenn Youngkin. Virginia's hemp regulations now include a 0.3% THC limit for hemp-derived products, limits on total THC as well as a CBD-THC ratio of at least 25-to-1. Retailer Northern Virginia Hemp and Agriculture claimed that it has lost 90% of its business under the new rules, and North Carolina-based Franny's Pharmacy says it's now banned from shipping products through Virginia to other states. The plaintiffs argued that the new rules violate U.S. Constitution protections on interstate commerce and are causing "millions of dollars of irreparable harm."

Source: *MJBiz Daily*

Payments

Marijuana fintech company POSaBit to move to TSXV raises funds to pay debt

Marijuana payment technology company POSaBit Systems Corp. has applied to list its shares on the TSX Venture Exchange, moving away from the Canadian Securities Exchange. CEO Ryan Hamlin described the Bellevue, Washington-headquartered company's planned move to the TSXV as "the natural continuation of our plan and commitment to our shareholders to expose POSaBIT to a larger market of investors in the US, Canada and abroad." POSaBit intends to delist from the Canadian Securities Exchange (CSE) if the TSXV listing is successful.

Source: *MJBiz Daily*

Delinquent payments hurting marijuana operators nationwide, survey shows

A report by Oregon-based cannabis data and research company Whitney Economics found delinquent payments are causing a cascade of problems for small and large marijuana operators nationwide.

Results from the survey of operators and ancillary businesses include:

- 43% of respondents said delinquent accounts receivables are impacting operators' ability to service debt.
- 32% of respondents believe delinquent accounts receivables are impacting operators' ability to pay state or federal taxes.
- 59% of respondents reported that delinquent payments are having a greater impact on their business than Section 280E, the federal tax policy that prohibits marijuana operators from taking traditional business deductions because of the plant's Schedule 1 status under the Controlled Substances Act.

Some respondents indicated accounts receivable delinquencies totaled more than two months of revenue, eclipsing millions of dollars in some cases.

Source: *MJBiz Daily*

General Cannabis Business Trends

Big investors keener on cannabis MSOs as rescheduling looms, survey shows

A survey found institutional investors are increasingly bullish on U.S. cannabis multistate operators, which suggests marijuana rescheduling by the federal government could convince those big investors to put new money into MSOs. Frederico Gomes, a cannabis equity analyst with Canada-based ATB Capital Markets and lead author of the report, said the group's sentiment is "more bullish than it was six months ago, mostly because of (the prospect of) rescheduling."

However, capital has not followed the bullish sentimentality. Still, close to 61% of those surveyed expect U.S. multistate operators in the cannabis space will beat the S&P 500 over the next year. When asked what factors would boost their willingness to invest in MSOs, rescheduling marijuana from Schedule 1 to Schedule 3 was the top factor.

Source: *MJBiz Daily*

Tobacco giant ups stake in cannabis firm Organigram with CA\$124.6M investment

British American Tobacco (BAT) increased its investment in Canadian cannabis producer Organigram Holdings, this time deepening their partnership through an injection of CA\$124.6 million. The latest move comes after BAT invested CA\$6.35 million in the Atlantic Canada-based cannabis company in 2022 and an initial CA\$220 million in 2021. The cash injection will allow Organigram to further expand globally.

The majority of the CA\$124.6 million, or approximately CA\$83.1 million, will be used to create a strategic investment pool, named Jupiter, with the rest going to general corporate use. The Jupiter fund will target investments in emerging cannabis opportunities after management made geographic expansion a strategic priority.

Source: *MJBiz Daily*

Nevada Cannabis Authority approves 6 new conditional consumption lounge licenses



Alongside the issuance of six new licences, Nevada's Cannabis Compliance Board has reportedly begun implementing changes to streamline the agency's procedures, including measures such as replacing cannabis establishment licence numbers, which are required to appear on the labels of cannabis products, with identification numbers. All six of the new consumption lounges, with some awarded to the country's largest cannabis operators, [one has already opened](#) in Las Vegas.

Source: *Business of Cannabis*

General Cannabis Business Trends (continued)

Oregon strengthens cannabis industry with association merger



The Oregon Cannabis Association (OCA) and the Cannabis Industry Alliance of Oregon (CIAO) have unanimously voted to merge to strengthen the state's cannabis industry. The organizations say the merger creates "the strongest force for advocacy Oregon's cannabis industry has ever seen. After the merger, the organizations will maintain a member-driven focus and a commitment to high-level service, offering regulatory expertise, networking and effective lobbying and sector representation.

Source: Business of Cannabis

Regulation / Enforcement

New York local governments could shut down unlicensed marijuana businesses under new 'SMOKEOUT Act' bill



As New York works to expand the state's regulated marijuana market, a new bill would help individual municipal governments to shut down unlicensed cannabis businesses and seize their products. The legislation, from Assemblymember Jenifer Rajkumar (D), aims to address the number of illegal operators that have emerged during the state's protracted rollout of New York's legalization law.

The Stop Marijuana Over-proliferation and Keep Empty Operators of Unlicensed Transactions (SMOKEOUT) Act would expand that authority to local governments by giving municipal officials the power to close any business that is found to illegally selling marijuana and to seize its merchandise.

Source: Marijuana Moment

California new laws for 2024: Employees get protection for using cannabis



Two bills signed by California Gov. Gavin Newsom in the past couple of years aim to strengthen the state's legal cannabis industry by updating outdated laws. [Assembly Bill 2188](#), which Newsom signed in 2022, will prohibit employers from using the results of hair or urine tests for marijuana in their decisions to hire, fire or penalize workers. [SB 700](#), which Newsom signed this year, clarifies AB 2188 by amending the state's Fair Employment and Housing Act to bar employers from asking job applicants about their prior use of cannabis.

The exceptions under AB 2188 would be for workers in the building and construction industry and for job applicants and employees in positions that require a federal background investigation or clearance.

Source: Cal Matters

Regulation / Enforcement (continued)

CBD policy proposal: One Hemp urges Congress to classify CBD as a dietary supplement

The One Hemp coalition advised the US Congress and the FDA on a policy solution to create a regulatory framework for CBD or hemp-derived products as dietary supplements. A stakeholder briefing followed the congressional session to inform the broader public about the outcome.

The proposed policy solution suggests regulating non-intoxicating hemp-derived products, including those that have no concentration or synthesis of any cannabinoid in the product and are ingestible and marketed as dietary supplements. The proposition does not prohibit anything that falls outside the definition. Inhalable products and intoxicating hemp-derived products would not be included in the regulation and will fall under other applicable regulations.

Source: Nutrition Insights

New York Cannabis regulators approve settlement of 2 lawsuits



New York's cannabis industry may now be able to progress after the Cannabis Control Board (CCB) voted unanimously to approve the settlement of two lawsuits during an emergency meeting. While the details of the agreements reached have not yet been made public, they related to the Carmine Fiore et al vs the CCB, which saw a group of veterans argue they had been shut out of the process and bring a lawsuit in August, and Access to Regulated & Safe Cannabis vs the CCB, filed by a coalition of MSOs in March.

The settlements must be approved by the state Supreme Court before the injunction, which has impacted 'some 436 professional licensees.

Source: Business of Cannabis

Oklahoma cracks down on medical cannabis growers' signage



Regulators in Oklahoma are cracking down on medical cannabis growers who don't have the proper signage on their facilities.

The Medical Marijuana Authority filed petitions to revoke the licenses of 165 marijuana facilities that allegedly failed to heed signage rules. The signage crackdown is part of a larger effort to clamp down on illicit operators and enforce regulations that apply to legal operators.

In September, law enforcement and regulators shuttered five marijuana businesses and seized thousands of pounds of cannabis.

Source: MJBiz Daily

Benesch Strengthens Bench With Addition of Two New Attorneys

Benesch’s Cannabis team is proud to announce the expansion of our group with the addition of attorneys [Cole Eastman](#) and [Ali Jubelirer](#).



Cole focuses on providing licensing, regulatory and transactional advice to businesses in cannabis, hospitality and beyond. With clients ranging from multi-state operators to Social Equity Applicants, his primary focus has been assisting cannabis companies with regulatory and legal matters as they attempt to take their business from license to fully operational facility. Over the course of his career, Cole has assisted in securing more than 65 cannabis licenses in limited-license states.



Ali is both a seasoned legal professional and an entrepreneur, which is why she is known for her comprehensive expertise in guiding businesses through a variety of legal, regulatory and operational challenges. Her experience spans a wide spectrum, covering areas such as business transactions, regulatory compliance, corporate governance, labor and employment issues, commercial contracts, litigation, intellectual property matters, and day-to-day business queries. Prior to joining Benesch as Of Counsel, Ali ran a law practice and provided legal services to a variety of clients, primarily in the tech, hospitality and cannabis sectors. Ali also runs a cannabis company called Dynamic Jack, which makes products that can be found online and on shelves in New Mexico, Colorado and Massachusetts. Before launching both companies, Ali served as General Counsel to Revolution Cannabis Co., a multi-state cannabis operator (MSO) based in Chicago. After leaving Revolution, Ali founded CannaMatch, a company connecting social equity cannabis licensees to trusted service providers.

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