



CCOF

Organic Certification

Education & Outreach

Political Advocacy

Promotion

California Department of Food and Agriculture
Attn: Amanda Brown
CalCannabis Cultivation Licensing Division
Proposed Cannabis Cultivation Regulations
P.O. Box 942871
Sacramento, CA 94271

Re: Comments on Proposed Permanent Cannabis Cultivation Regulations

August 27, 2018

Dear Ms. Brown,

Thank you for the opportunity to comment on CDFA's CalCannabis Cultivation Licensing Division's proposed permanent cannabis cultivation regulations.

CCOF is a nonprofit organization governed by the people who grow and make our food. Founded in California more than 40 years ago, today our roots span the breadth of North America. We are supported by an organic family of farmers, ranchers, processors, retailers, consumers, and policymakers. Together, we work to advance organic agriculture for a healthy world.

CCOF offers the attached comments to encourage the production of cannabis with organic methods. Under federal law, CCOF is unable to certify cannabis to USDA organic standards; however, CCOF supports the organic cultivation and manufacture of cannabis because it protects human and environmental health by using safe inputs, fostering biodiversity, and protecting natural resources.

Thank you for your careful review of our comments. Please do not hesitate to contact me for further information.

Sincerely,

A handwritten signature in black ink that reads 'Peter Nell'.

Peter Nell
Policy Specialist

cc: Cathy Calfo, Executive Director/CEO
Kelly Damewood, Director of Policy and Government Affairs
Phil LaRoccoa, Board of Directors Chairman

CCOF's Comments on CalCannabis Proposed Permanent Regulations

1. Accept existing recordkeeping from certified organic producers incorporating cannabis cultivation into their operations.

CalCannabis should allow existing recordkeeping practices to satisfy certain cannabis cultivation requirements. Organic producers are required by federal and state law to maintain comprehensive records and an Organic System Plan (OSP) which includes pest management plans, a list of materials they may use, production practices, and more. The proposed regulations require licensees create a cultivation plan (§ 8106) that is similar to an organic operation's OSP. Organic producers should not be required to maintain a separate pest management plan; rather, CalCannabis should allow certified organic producers to use their existing pest management plans within their Organic System Plans (OSP).

2. Require cannabis producers use cultural pest management methods before using organic approved pesticides.

CalCannabis should strengthen the environmental protection standards (§ 8304) by requiring cannabis producers first use cultural pest management methods and only resort to pesticide use when cultural methods have not been successful. The proposed regulations require licensees to create a pest management plan (§ 8106 (a)(3)(b)) which includes integrated pest management (IPM) protocols but does not require their use. Use of IPM protocols should be required before pesticides are applied.

Licensees should also be encouraged to use organic approved pesticides when cultural methods have not been successful. The Washington State Department of Agriculture (WSDA) and the Organic Materials Review Institute (OMRI) approve pesticides for use in organic agriculture and approved materials are commonly available in California.

The proposed regulations list pesticide use requirements that include applying the minimum amount of pesticides necessary, preventing pesticide drift and contamination of surface and ground water, and not applying pesticides when pollinators are present (§ 8307(b)(3-9)). Synthetic pesticides that harm pollinators and leave harmful residue on plants and water are prohibited in organic agriculture. Encouraging the use of organic pesticides would satisfy the pesticide use requirements and bolster the environmental protection standards.

3. Coordinate State Organic Program (SOP) and CalCannabis enforcement activities.

CalCannabis should expand its coordination of inspections, investigations, and audits with the California Department of Fish and Wildlife and the State Water Resources Control Board (§ 8500 (b)) to include coordination with the SOP. Coordination with the SOP would ensure CalCannabis' enforcement activities do not duplicate or conflict with the SOP enforcement activities. For example, the SOP requires spot inspections and residue testing on organic farms throughout the state. CalCannabis should coordinate with the SOP to ensure that an SOP inspection occurs at the same time as a cannabis inspection or vice-versa. In this way CalCannabis will maximize its resources and limit the burden of compliance for organic producers.

4. Give priority to certified organic farmers applying for licenses.

Given their proven commitment to protecting public and environmental health through voluntary organic certification, organic producers should be given priority for applying for cultivation licenses. Certified organic farmers share CalCannabis' environmental protection goals and maintain similar recordkeeping requirements for their organic certification. To qualify for a priority license, certified organic farmers should provide their relevant OSP forms and verification of their organic certification in addition to all required licensing requirements.