



COUNTY OF HUMBOLDT

For the meeting of: 2/19/2019

File #: 19-214

To: Board of Supervisors

From: County Administrative Office

Agenda Section: Consent

SUBJECT:
Amending Legislative Platform to Include Cannabis Marketing and Certification

RECOMMENDATION(S):
That the Board of Supervisors:

1. Adopt a modification to the state legislative platforms to include an item titled “Cannabis Marketing and Certification.”

SOURCE OF FUNDING:
State funds

DISCUSSION:
Senator Mike McGuire (D-North Coast) has introduced Senate Bill (SB) 185 regarding cannabis marketing. The bill, if passed, would require the Department of Food and Agriculture to work with the State Department of Public Health to create a certification program for cannabis that is comparable to the federal National Organic Program and the California Organic Food and Farming Act. This is to help make up for the fact that the federal government, which regulates organics, does not regulate cannabis as an agricultural product. SB 185 also would strengthen prohibitions on representing cannabis and cannabis products as coming from a California county unless the cannabis was grown in that county.

Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA) and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) already address these issues in some form. However the regulations around organics do not specify that the program would incorporate cannabis. And the regulations around county of origin only mention the term “appellations,” and SB 185 would change that to include “appellations of origin.” Both of these changes would benefit the Humboldt County cannabis industry as many local cannabis products differentiate themselves in the marketplace because of their strict dedication to organic processes, and the Agricultural Commissioner’s Office even has an “artisan” designation for cultivators who use organic practices. Finally, the appellations of origin specification would benefit Humboldt as this area is renowned for its cannabis and already several out-of-town businesses have attempted to capitalize on the Humboldt

name by selling products that make reference to Humboldt County without using products grown in the area. This practice serves to undermine the local cannabis industry and community. Therefore, staff recommends including the language below in the county's 2019 state legislative platform:

CANNABIS MARKETING AND CERTIFICATION

Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA) and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) attempted to regulate organic cannabis certification on the state level and prohibit misrepresenting the origin of cannabis products. However these laws do not specify that the organic certification would actually incorporate cannabis. And the regulations around county of origin only mention the term "appellations," rather than appellation of origin. It is vital to the Humboldt County cannabis industry that out-of-town businesses do not improperly capitalize on the Humboldt name, and it is important that cannabis businesses using organic practices be recognized and certified for their efforts as this has proved to be a desired product by consumers.

The county supports legislation that strengthens organic certification programs to include cannabis and cannabis products. Additionally, the county supports legislation that prohibits cannabis and cannabis products from misrepresenting where the cannabis is grown.

FINANCIAL IMPACT:

There is minimal cost involved in modifying the legislative platform. However, local businesses could be negatively affected if the state does not create a certification program equivalent for organic cannabis products. Local businesses would also suffer if out-of-town businesses are allowed to use the Humboldt name in their products without actually using cannabis grown in Humboldt County.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by encouraging new local enterprise .

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to modify the language in the legislative platform or decline the amendment completely.

ATTACHMENTS:

None

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A