



July 28th, 2023

National Conference of Weights and Measures
c/o Don Onwiler, Executive Director
1135 M Street, Suite 110
Lincoln, Nebraska 68508

Re: Timeline for standards compliance for licensed marijuana businesses

Dear Mr. Onwiler:

The American Trade Association for Cannabis and Hemp is the leading 501(c)(6) trade organization dedicated to promoting the expansion and protection of legal sales of cannabis and hemp for medical and recreational use.

We are an active participant in ASTM International's Committee D37 on Cannabis which develops consensus based standards for the industry. As an organization, we are nationally known for playing a leading role in advocating for sound policy that guides best practices to cannabis operators while protecting the health and safety of consumers.

It is for this reason that ATACH has taken an interest in promoting sensible regulations and has been involved with NCWM's process. As agencies issue rules and require that marijuana permittees come into compliance within a certain period of time, those deadlines should be realistic, meet the needs of the regulatory body, and not create an undue burden for the regulated community.

Many jurisdictions often set a date certain for cannabis businesses when imposing new requirements, and this date can either reflect the expectations of the agency, or requirements within administrative law for the state. Stakeholders often have an opportunity during the public comment period to seek a different timeline if needed.

ATACH believes that a 6 month period that has been the time period used by NIST for other industries is adequate under most circumstances for a cannabis business to come into conformity with most standards, especially one that has previously passed ASTM International's D37 Committee, with the important caveat that there may be instances – particularly in cases of a possible threat to health and safety of consumers – when a shorter time frame is warranted. We are concerned that a period that is longer than 6 months is being proposed simply a delay tactic by those who do not wish to adopt cannabis standards nationally, hiding inaction behind the current conflict between federal and state law. This proposal would otherwise be considered excessive for any other industry, especially in the case of any standard already adopted by an accredited standards organization, such as ASTM International.



If there is a genuine concern that 6 months may be too short in certain instances, perhaps a recommendation for extensions that can be granted in unusual cases such as financial limitations, seasonal conditions, or particularly burdensome requirements. However, several marijuana regulatory programs, which require much more accelerated timelines, were met in a timely manner by industry.

ATACH has been watching these proceedings closely, fears that simply because this subject is cannabis that it has clouded the reasoning of some, and opposes the Jan 1, 2025 date for Block 3 Items as an unnecessary delay and one which would set to treat cannabis standards process differently than other industries. The cannabis industry in this forum is not seeking special treatment, but rather the same treatment as any other participant.

Thank you for the opportunity to be heard on this important issue and we hope that the committee moves forward in adopting cannabis standards. We are excited to continue our work with NCWM in developing standards for the emerging marketplace.

Our goal is to establish a beneficial relationship with the organization and actively participate in the standards development process. By doing so, we aim to contribute to consumer protection and ensure fairness in commerce.

Sincerely,

Michael Bronstein
President and Co-Founder
American Trade Association
for Cannabis and Hemp